



Legislation Text

File #: 2020-0476, **Version:** 4

Title

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE FOR PLANNED DEVELOPMENT WITH MODIFICATIONS - CHARLETON HIGHLANDS (9437 AND 9438 RICH LANE; 9425, 9430, 9434, 9437 AND 9438 MARIA LANE)

Body

WHEREAS, an application seeking an amendment to a Special Use for Planned Development for certain real estate with modifications, as set forth below, has been filed with the Village Clerk of this Village and has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code of the Village of Orland Park, as amended; and

WHEREAS, the Plan Commission of this Village held a public hearing on August 4, 2020 on whether the requested amendment to a Special Use permit and modifications should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law, was given of said August 4, 2020 public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearing in the Daily Southtown, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed with this President and Board of Trustees its report of findings and recommendations that the requested amendment to a Special Use for Planned Development and modifications be granted, and this Board of Trustees has duly considered said report and findings and recommendations;

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The Plan Commission has made its report of findings and recommendations, and such are hereby adopted by reference as findings of this President and Board of Trustees as fully as if completely set forth at length herein. All exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance. This President and Board of Trustees find that the proposed amendment to a Special Use for Planned Development and modifications are in the public good and in the best interests of the Village and its residents, are consistent with the Comprehensive Plan of the Village, and are consistent with and fosters the purposes and spirit of the Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds in relation to the amendment to a Special Use permit for Planned Development as follows:

(a) The Subject Property is located within the Village of Orland Park in Cook County, at 9437 and 9438 Rich Lane; 9425, 9430, 9434, 9437 and 9438 Maria Lane. The subject property is approximately 6.6 acres and is zoned COR Mixed Use District.

(b) The Subject Property is the subject of Special Use Ordinance No. 4043, which approved the twenty-three (23) lot single family subdivision of detached dwelling units with two (2) outlots for a detention pond and with modifications.

(c) Specifically, the Petitioner proposes modifications (as outlined below) and to resubdivide Lots 10, 11 and 12.

(d) The Petitioner also requests three (3) modifications to provisions of the Code, to wit:

1. A reduction in the east corner side yard setback of Lot 16 from the approved 22.5 feet to 20.0 feet;
2. A reduction in the west interior side yard setback of Lots 5 and 12 from the approved 30.0 feet to 20.0 feet, and;
3. A reduction in the landscape buffer yard located along the west interior lot lines of Lots 5 and 12 from the approved 30.0 feet to 20.0 feet.

(e) Granting the requested modifications will enhance the ability of the proposed amended Special Use to meet the general standards for all Special Uses set out in 6-210.C.18 of the Land Development Code and enable development of the remaining five (5) undeveloped lots in the subdivision.

(f) The proposed amended Special Use for Planned Development is consistent with the character of uses in the immediate vicinity of the Subject Property. The property to the south, north and west is zoned COR Mixed Use and consists of single-family detached residential uses, with Lifetime Fitness to the west. To the east is single-family residential in the Village of Orland Hills.

(g) The amendment to a Special Use is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code of the Village of Orland Park. The Comprehensive Plan designates this site as “Regional Core Planning District with Regional Mixed Use Designation.” This amended Special Use, and development thereunder, will be consistent with this designation. There will be adequate pedestrian and vehicular access and additional landscaping to meet current development requirements.

(h) The conditions on the amended Special Use as hereinafter set forth in SECTION 4 are reasonable, necessary and appropriate.

(i) The design of the proposed amended Special Use will minimize any adverse effects, including visual impacts, on adjacent properties.

(j) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police protection, hospital and medical services, drainage systems, refuse disposal, water and

sewers, and schools, will be capable of serving the amended Special Use at an adequate level of service.

(k) The Petitioner has made adequate legal provisions to guarantee the provision and development of any open space and other improvements associated with the proposed development.

(l) The development will not adversely affect a known archaeological, historical or cultural resource.

(m) The amended Special Use as granted shall in all aspects conform to the applicable regulations of the Land Development Code of the Village of Orland Park as amended, for the district in which it is located as well as all applicable regulations and ordinances of the Village, unless specifically addressed in this or another Ordinance.

SECTION 3

Subject to the conditions in SECTION 4 below, an amendment to the Special Use permit for Planned Development in the COR Mixed Use District, originally granted by Ordinance No. 4043, is hereby granted and issued on property legally described as:

LEGAL DESCRIPTION:

A RESUBDIVISION OF THE WEST 4 FEET OF LOT 10, AND LOT 11, AND LOT 12 IN CHARLETON HIGHLANDS RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 0707922118, IN COOK COUNTY ILLINOIS.

THE WEST 4 FEET OF LOT 11 AND LOT 12 IN CHARLETON HIGHLANDS RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

LOT 13 IN CHARLETON HIGHLANDS RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

LOT 16 IN CHARLETON HIGHLANDS RESUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

PIN(S): 27-22-323-010, 27-22-323-017, 27-22-323-016, 27-22-307-022, & 27-22-307-025

COMMONLY KNOWN AS: 9437 RICH LN, 9438 MARIA LN, 9434 MARIA LN, 9437 MARIA LN, & 9425 MARIA LN

SECTION 4

This amendment to the Special Use permit for Planned Development permit includes approval of the modifications as detailed in SECTION 2(d) above, subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Site Plan titled "Site Development Plans", prepared by KDC Consultants Inc., and all dated May 7, 2019, May 9, 2019, November 12, 2019, and December 23, 2019, subject to the following conditions:

1. Meet all Village Building Code requirements and final engineering requirements, including required permits from outside agencies.
2. Screen all mechanical equipment either at grade or at the rooftop with landscaping or parapets respectively.
3. The proposed single-family homes must conform to all Village codes and ordinances, including the bulk requirements of the COR Mixed Use District per Section 6-210 of the Land Development Code and the Building Code, with the exception of the approved Modifications.
4. The Petitioner shall install a bench on Outlot A and provide detailed plans to the Development Services Department for review and approval.

B. The Subject Property shall further be developed substantially in accordance with the Preliminary Landscape Plan titled "Landscape Plan", prepared by J.G.S. Landscape Architects dated July 22, 2020, subject to the following conditions:

1. Submit a final landscape plan meeting all Village Codes and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal.
2. Prior to final approval, Petitioner must comply with Section 6-305.6.b regulations for plant diversity, and revise the landscape plan accordingly.
3. Prior to final approval, Petitioner must provide a revised landscape cost estimate.
4. All missing landscaping included on the 2007 Board approved landscape plan shall be planted on Lots 1, 5, 11, 12, 13 and 16 prior to the issuance of a certificate of occupancy.

C. The Subject Property shall further be developed in accordance with the Plat of Subdivision for Lots 10, 11 and 12 titled "Charleton Highlands Resubdivision - Three" prepared by KDC Consultants, Inc. dated March 6, 2020 provided a Record Plat of Subdivision is submitted to the Village for approval, execution and recording.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended Special Use for Planned Development and Ordinance No. 4043, prior Special Use ordinances covering the Subject Property, except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit and this amendment shall be subject to revocation by appropriate legal proceedings.

SECTION 6

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, shall be amended so as to be in

conformance with the granting of the amended Special Use permit for Planned Development as aforesaid.

SECTION 7

This Ordinance shall be in full force and effect from and after its passage as provided by law.