

## **LAND USE REVIEW SUMMARY FORM**

**Date of Application:** October 4, 2021

**Name of Applicant:** Village of Orland Park

**Purpose of Proposed Request:** The Village intends to widen 143<sup>rd</sup> Street from Southwest Highway going west 4,700 feet and northeast along Southwest highway for 2,000 feet. Small easement areas are needed for access to maintain proposed retaining walls, maintain existing drainage patterns, add new water quality Best Management Practices (“BMPs”), provide maintenance and grading next to a proposed multi-use path, provide a new driveway to a public school on 143<sup>rd</sup> Street and for temporary construction staging.

**General Location of Proposed Impacted District Land:** along the north side of 143<sup>rd</sup> Street west of Southwest Highway adjacent to the McGinnis Slough forest preserve.

**Acreage and or square footage of proposal impacted District Land:** The Village is seeking conveyance of seven (7) permanent easement areas totaling 0.8 acres (34,920 square feet) and a temporary easement 0.15 acres (6,600 square feet) for the purpose of assigning the easements to the Illinois Department of Transportation (IDOT). The IGA allows conveyance of up to one (1) additional acre of permanent easement area at the discretion of the General Superintendent, if necessary to meet agreed performance standards for water quality BMP areas once final engineering is complete.

**Precedent and Background:** This is not the first easement request from the Village for this project. In 2011, FPCC conveyed 1.5 acres of permanent easement to allow for an additional 17 feet of road right-of-way. The prior conveyance was conditioned upon donation by the Village of 10.9 acres of wetlands and 3 acres of additional land that has already been transferred, as well as assistance in the acquisition of 52 acres of land that was previously sought by condemnation for a project known as the “Tampier Greenway.”

After the initial conveyance and more than a decade of planning, design and regulatory reviews, the Village identified the need for additional easement areas totaling under 1 acre for purposes related to the road widening. The proposed use of federal funds for the project required special notice and review under the National Environmental Policy Act (“NEPA”). After extensive review by Forest Preserve staff and environmental advocates, the Forest Preserves’ former General Superintendent concurred in a finding of de minimis impact in December, 2021, that was conditioned upon continued coordination with FPCC staff and approval of more detailed plans and information for stormwater Best Management Practices (BMPs), donation of approximately 27.5 acres of land and improvements located nearby concurrent with the conveyance of the additional easements and approval of a final agreement by FPDCC’s Board of Commissioners.

**The Potential Impact and Benefits to District Land:** The project would require the removal of ninety (90) trees within the easement areas, with an estimated value of \$287,663.00 in addition to \$105,000.00 in tree mitigation fees associated with the prior 2011 easement conveyance. Other potential impacts of the project on McGinnis Slough are summarized in a 4(f) concurrence letter dated 12/9/2021 and documented more fully in a report that can be viewed via the Village’s public information page: [143rd Street Improvement Project \(143rdstreetproject.com\)](https://www.143rdstreetproject.com). Forest Preserve civil engineers with expertise in water resources have reviewed the drainage impact of the road widening project and noted that a large drainage catchment area to the south of 143<sup>rd</sup> Street is currently draining into McGinnis Slough with no

detention or catch basins or water quality BMPs of any kind. Road widening is already possible due to the prior conveyance of easements but would not include water quality BMPs.

Three of the proposed permanent easement areas would be devoted to water quality BMPs that would be required to meet performance goals specified in the IGA: to capture/filter first flush stormwater contaminants (e.g., total suspended solids, floatables, etc.) from stormwater flow generated within the project corridor to nationally accepted industry standards of approximately 90% removal of pollutants transported within the stormwater runoff. Forest Preserve Resource Management staff have agreed to work with the Village to achieve the BMP goals related to oils by utilizing mulch or other substances. Water quality improvements have not yet been fully designed. If, after review of more detailed engineering plans, additional area is needed to meet agreed performance standards, the IGA would allow for conveyance of up to one additional acre of permanent easement area at the discretion of the General Superintendent.

The Village will be responsible for initial maintenance of vegetation. The Village intends to assign the easements to the Illinois Department of Transportation (“IDOT”) and is seeking state and federal funding for IDOT to construct and maintain the roadway improvements in the easement.

Waiver of tree mitigation fees (totaling \$392,663) and compensation for the appraised value of the easements (totaling \$18,200 for proposed permanent and temporary easements excluding up to one additional acre of easement area if needed) is recommended in exchange for the donation of 27.5 acres of property located just east of McGinnis Slough at 13951 LaGrange Road, which has a 2022 appraised value of \$2,620,000.

The donated parcels feature extensive landscaping and site improvements, including a permeable pavement parking lot, a community gathering space, two overlook platforms and a 2,500-square-foot building that was acquired and partially improved as a “nature center” but never completed. The building remains closed to the public. The property includes natural open space containing a large wetland directly adjacent to McGinnis Slough that would provide a buffer and result in a net gain of Forest Preserve trees and wetland habitat within the Mill Creek watershed.

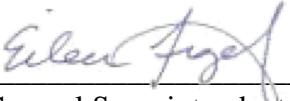
The mutual exchange of the easements and donation property will not occur until both Parties receive and approve the official acceptance documentation provided by IDOT regarding IDOT’s maintenance responsibilities.

**Alternatives Considered:** Alternatives were considered during the Phase 1 engineering process. According to the Village’s [143rd Street Improvement Project \(143rdstreetproject.com\)](http://143rdstreetproject.com) information website, the Village received approval of Phase I engineering plans for the project on March 23, 2023. Forest Preserve staff rejected prior plans that would have required a significantly larger footprint and tree impacts. The footprint was reduced by adding retaining walls and reducing the total additional easement area required to maintain them to under one acre. As noted above, if the road widening project does not proceed, McGinnis Slough will continue to receive stormwater without the proposed catch basins and water quality filtering improvements.

**Completion Date of Staff Review:** May 24, 2024

Referred to Board of Commissioners XX

Not referred to Board of Commissioners \_\_\_\_\_

  
\_\_\_\_\_  
General Superintendent

5-30-24  
\_\_\_\_\_  
Date