

**ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A FITNESS CENTER
(CARDINAL FITNESS– 15601 S. 94TH AVENUE)**

WHEREAS, an application seeking a special use permit for a fitness center for certain real estate 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, said Plan Commission of this Village held a public hearing on February 8, 2011, on whether the requested special use permit should be granted, at which times 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 public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in the Orland Park Prairie, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use be granted with this President and Board of Trustees, and this Board of Trustees have 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 of this Village has made its report of findings and recommendations regarding the proposed special use. The findings of the Plan Commission are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearings are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed special use is in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permit for a fitness center, as follows:

(a) The subject property is located at 15601 S. 94th Avenue in the existing Orland Park Plaza Shopping Center within the Village of Orland Park in Cook County, Illinois. The proposal is to locate a 9,798 square foot fitness center in the existing building of the existing shopping center located on the 4.8-acre site with no exterior changes to the building or parking area. The Subject

Property is zoned BIZ General Business District. Health clubs and fitness centers are a special use in the BIZ District.

- (b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Comprehensive Plan designates this area for Community Intensity Commercial/Office. A fitness center is appropriate in such an area.
- (c) The proposed development will be consistent with the character of the immediate vicinity of the subject property, which is presently zoned BIZ General Business to the north and south, where retail uses are located. The property to the east is zoned R-3 Residential District and contains multi-family housing. The property to the west is zoned COR Mixed Use District with retail uses in all three directions.
- (d) The design of the development will minimize adverse effects, including visual impacts, on adjacent properties because there will be no change in the exterior of the building. The proposed development will not adversely affect the value of adjacent property. The retail center is designed to accommodate uses like this. Parking is adequate in the center so there will be no impact on accessibility to adjacent properties. There will be no adverse effect on the value of adjacent property.
- (e) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers and schools will be capable of serving the special use at an adequate level of service. Orland Park Plaza Shopping Center is generally located along 156th Street and 94th Avenue. Access to the site is available from the fourth/east leg of the 156th Street and 94th Avenue intersection. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.
- (f) Petitioner has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development.
- (g) The development will not adversely affect a known archaeological, historical or cultural resource.
- (h) The proposed development shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances and regulations of the Village.

SECTION 3

A special use for the operation of a 9,798 square foot fitness center at 15601 S. 94th Avenue in an existing building on a 4.8 acre parcel at Orland Park Plaza in the BIZ General Business District is hereby granted, subject to the conditions below, and issued to Cardinal Fitness of Orland Park, LLC, for the following described property:

PARCEL 1

THE SOUTHERLY 81.00 FEET OF LOT 76 IN ORLAND SQUARE VILLAGE UNIT ONE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1978 AS DOCUMENT 24736880, IN COOK COUNTY ILLINOIS

ALSO

PARCEL 2

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 76 IN ORLAND SQUARE VILLAGE UNIT ONE, RECORDED NOVEMBER 27, 1978 AS DOCUMENT 24736880; THENCE SOUTH 89°-50'-49" EAST ALONG THE SOUTH LINE OF LOT 76 FOR A DISTANCE OF 300.00 FEET TO A LINE 350.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE EAST HALF OF THE SAID SOUTHWEST QUARTER OF SECTION 15; THENCE SOUTH 0°-00'-18" WEST, ALONG THE SAID LINE 350.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15 FOR A DISTANCE OF 617.00 FEET; THENCE NORTH 89°-50'-49" WEST FOR A DISTANCE OF 300.00 FEET TO THE EAST LINE OF 94TH AVENUE; THENCE NORTH 0°-00'-18" EAST ALONG THE SAID EAST LINE OF 94TH AVENUE FOR A DISTANCE OF 617.00 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

This special use permit is subject to the following conditions:

1. That the hours of operation for the fitness center do not extend beyond 7:00 a.m. to 11:00 p.m. on weekdays and 7:00 a.m. to 7:00 p.m. on weekends; and
2. That no parking is permitted at the rear of the Orland Park Plaza Shopping Center before 7:00 a.m. or after 5:00 p.m.

SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance and all other codes and ordinances of the Village unless specifically amended by this or another ordinance. In the event of non-compliance, the permit, modifications and variations of this Ordinance shall be subject to revocation by appropriate legal proceedings.

SECTION 5

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, be amended so as to be in conformance with the granting of the special use for the planned unit development as aforesaid.

SECTION 6

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