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ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A HEALTH CLUB/FITNESS CENTER (WORKOUT ANYTIME – 9234-9240 W. 159<sup>TH</sup> STREET)

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WHEREAS, an application seeking a special use for certain real estate, 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 September 25, 2018, on whether the requested special use permit 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 September 25, 2018 public hearing by publication not more than thirty (30) days nor less than fifteen (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 with this President and Board of Trustees its report of findings and recommendations that the requested special use 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 special use is in the public good and in the best interests of the Village and its residents, is consistent with the Comprehensive Plan of the Village, and is 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 special use permit as follows:

- (a) The Subject Property is located within the Village of Orland Park in Cook County, at 9234-9240 W. 159<sup>th</sup> Street and is zoned BIZ General Business District. It is an approximately 1.13-acre site.

(b) Specifically, the Petitioner, Workout Anytime, proposes to operate an approximately 5,948 square foot health club/fitness center as a tenant within the 49,500 square foot Park Hill Plaza Commercial Center.

(c) The proposed special use is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property to the north is open space (pond) and zoned R-3 Residential, to the south is commercial (Orland Hills) and to the east and west is commercial (zoned BIZ). A health club/fitness center is an enumerated special use in the BIZ District, and the special use to allow for the health club/fitness center use is consistent with these surrounding uses.

(d) The 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 Community Commercial. The health club/fitness center use will be consistent with this designation. There will be adequate parking and landscaping.

(e) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The health club/fitness center space has been designed to blend in with the adjacent commercial uses and to further eliminate any potential adverse impacts on adjacent properties.

(f) 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 special use at an adequate level of service.

(g) 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.

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

(i) The 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

A special use permit in the BIZ General Business District is hereby granted and issued for an approximately 5,948 square foot health club/fitness center located at 9234-9240 W. 159<sup>th</sup> Street, legally described as:

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN WITH A LINE 450.00 FEET NORTHERLY OF (AS MEASURED PERPENDICULAR TO) THE SOUTH LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 198.00 FEET TO A LINE 252.00 FEET NORTHERLY OF (AS MEASURED PERPENDICULAR TO) THE SOUTH LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE WESTERLY ALONG THE LAST DESCRIBED LINE, 250.00 FEET; THENCE NORTHERLY ALONG A LINE 250.00 FEET WESTERLY OF (AS MEASURED PERPENDICULAR TO) THE EAST LINE OF SAID SOUTHWEST QUARTER, 198.00 FEET TO SAID LINE 450.00 FEET NORTHERLY OF THE SOUTH LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE EASTERLY ALONG THE LAST DESCRIBED LINE 250.00 FEET TO THE POINT OF THE BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PIN 27-15-301-029-0000

The Subject Property shall be developed substantially in accordance with the Development Petition and Project Overview.

#### SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this special use, covering the Subject Property, except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit 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, shall be amended so as to be in conformance with the granting of this special use permit as aforesaid.

#### SECTION 6

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