



## SPECIAL USE STANDARDS

### Special Use Permit

**Amendment – Special Use Permit Ordinance #3981**

**Modification #1 – Parking between the Building and the Right of Way.**

**Modification #2 – Increase in parking spaces from 65 to 85.**

**Modification #3 – Increase in front yard setback from 15 feet to approx. 195 feet.**

**Modification #4 – Increase in north side yard setback from 15 feet to approx. 82 feet.**

**Modification #5 – Reduce the required building façade transparency of the north façade between 4 and 8 feet from adjacent grade, from 35% to 0%.**

September 6, 2018

Re: **New Rock & Brews Warm Dark Shell Building and Site Development**  
Outlot at Orland Crossing – Lot 7a  
9520 W 143<sup>rd</sup> Street  
Orland Park, IL 60462  
PIN 27-03-300-021-0000

The proposed development of a long-vacant lot on a key section of 143<sup>rd</sup> Street, near the Critical Sub-Area of 143<sup>rd</sup> St and Humphrey Dr, for a 6,500 sf restaurant with 5,000 sf of outdoor dining area.

1. This Special Use Amendment/Modifications will be consistent with the purposes, goals and objectives and standards of the Comprehensive Plan, any adopted overlay plan and these regulations. The applicant acknowledges that a Special Use for a Planned Development is designed to encourage flexible application of zoning regulations in order to promote creative or imaginative design. The proposed development meets this Standard by using Sustainable Site Design, enhancing Quality of Life and Community Character with an attractive and entertaining use for visitors, businesses and residents; and supporting the Economic Base with employment opportunities and tax benefits. Based on the large seating capacity, and local site conditions, Modifications of the Land Development Code are requested. Increasing the front yard setback and north side yard setback will allow for providing adequate parking supporting the anticipated peak use of the business. The proposed commercial use will require more parking spaces than the number allocated per Table 6-306(B) by 31% (65 required vs 85 proposed). Enforcement of the front and side yard setbacks would conflict with the other code requirements such as Lot Coverage and Parking, etc., and reduce the functionality of the Site. The applicant had provided large areas of glass to promote transparency on three sides of the building. The north façade faces a service drive of the shopping center. The north façade wall between 4 and 8 feet screens trash dumpsters and kitchen equipment, and transparency at this location is counterproductive. Similar function and lack of transparency can be found on the existing buildings across the service drive to the north. The applicant has added glass to the north side of the clerestory roof feature.

2. The Special Use Amendment/Modifications will be consistent with the community character of the immediate vicinity of the parcel for development.  
The proposed development meets this Standard by adding to Orland Park's beauty and amenities of a resort town with the options of living in a sophisticated big city suburb.  
The proposed development is in keeping with the previously approved Special Use Permit Ordinance #3981 for Commercial Use.  
The proposed restaurant use is consistent with retail, restaurant and entertainment businesses of the surrounding area, and promotes the planned intent of the Critical Sub-Area of 143<sup>rd</sup> St and Humphrey Drive.  
Increasing the front and north side setbacks will provide space for an increase in parking to accommodate the anticipated peak use of this and other businesses in the immediate vicinity of the parcel development.  
Reducing the façade transparency on the north façade between 4 and 8 feet to 0% from 35% will match other existing buildings that face the same service drive.
3. The design of the proposed Special Use Amendment/Modifications will minimize adverse effect, including visual impacts on adjacent properties.  
The proposed development will address the current adverse effects and negative visual impact of a long-vacant lot on a key section of 143<sup>rd</sup> Street, near the Critical Sub-Area of 143<sup>rd</sup> St and Humphrey Dr.  
The proposed development is in keeping with the previously approved Special Use Permit Ordinance #3981 for Commercial Use.  
The increase in front yard and north yard setback will promote views of neighboring businesses.  
The increase in north yard setback will place the building closer to 143<sup>rd</sup> St helping to define a neighborhood street edge.  
Enforcement of the front and side yard setbacks would conflict with the other code requirements such as Lot Coverage and Parking, etc., and reduce the functionality of the Site.  
Reducing the façade transparency on the north façade (between 4 and 8 feet) to 0% from 35% will minimize visual impact of trash and equipment from adjacent properties
4. The proposed Special Use Amendment/Modification will not have an adverse effect on the value of the adjacent property.  
The proposed development will solve the current adverse effect on the value of the adjacent property of a long-vacant lot on a key section of 143<sup>rd</sup> Street, near the Critical Sub-Area of 143<sup>rd</sup> St and Humphrey Dr.  
The proposed development is in keeping with the previously approved Special Use Permit Ordinance #3981 for Commercial Use.  
Enforcement of the front and side yard setbacks would conflict with the other code requirements such as Lot Coverage and Parking, etc., and reduce the functionality of the Site.  
The requested Modifications are necessary for the development of this project as they are required to support the intended use of the business, including providing adequate parking, views, circulation, landscaping, and screening.
5. The applicant 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 this Special Use Amendment/Modification at an adequate level of service.

The proposed development has been designed and engineered to meet local building codes and ordinances, and has been coordinated with Village Staff and Village Consultants.

The proposed development is in keeping with the previously approved Special Use Permit Ordinance #3981 for Commercial Use.

The applicant believes this Development, with its Amendment/Modifications, would be capable of being served by the public facilities and village services.

Increasing the parking from 65 to 85 spaces will assist traffic flow during peak times of business.

Allowing parking between the building and the street, as a result of increasing the front and north side setback, will support access and circulation.

Enforcement of the front and side yard setbacks would conflict with the other code requirements such as Lot Coverage and Parking, etc., and reduce the functionality of the Site.

6. The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed Development/Special Use Amendment/Modification.

The proposed development is in keeping with the previously approved Special Use Permit Ordinance #3981 for Commercial Use.

The proposed development has been designed and engineered to meet local building codes and ordinances, including the provision and development of any open space, and has been coordinated with Village Staff and Village Consultants.

7. The Development/Special Use Amendment/Modification will not adversely affect a known archaeological, historical or cultural resource.

Based on the due diligence of the applicant's team the applicant is not aware of any known archaeological, historical or cultural resource on the subject parcel.

8. The proposed Special Use Amendment/Modification will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use, and by all other requirements of the ordinances of the Village.

The proposed development is in keeping with the previously approved Special Use Permit Ordinance #3981 for Commercial Use.

The proposed development has been designed and engineered to meet local building codes and ordinances, and has been coordinated with Village Staff and Village Consultants.

The applicant has made a number of changes to address requests of Village Staff during the application and review process.

The applicant has added glass to the north side of the clerestory feature to increase transparency of the north side of the building when glass would not function as intended between 4 and 8 feet into the trash enclosure.

Enforcement of the front and side yard setbacks would conflict with the other code requirements such as Lot Coverage and Parking, etc., and reduce the functionality of the Site.