

AN ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED DEVELOPMENT WITH A MODIFICATION, A SPECIAL USE FOR A COMMERCIAL RETAIL ESTABLISHMENT WITH A FLOOR AREA GREATER THAN 50,000 SQUARE FEET, AND A SPECIAL USE FOR DEVELOPMENT WITHIN 50 FEET OF A NONTIDAL WETLAND (AMAZON RETAIL PLANNED DEVELOPMENT– 9600 159TH STREET)

WHEREAS, a petition for granting a special use permits with modification for a Planned Development, for a Commercial Retail Establishment with a floor area greater than 50,000 square feet, and for Development within 50 feet of a Non-Tidal Wetland, has been filed with the Development Services Department of this Village by Petitioner AMAZON RETAIL LLC (Amazon) and said petition has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on January 6, 2026, on whether the requested special use permit with modifications should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, 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 meeting in the *Daily Southtown*, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use permits and variance 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, pursuant as follows:

SECTION 1

The report and findings and recommendations of the Plan Commission of this Village and the Committee of the Whole of this Village regarding the proposed special uses 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 hearing are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed special uses are in the public good and in the best interests of the Village and its residents and are consistent with and foster the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special uses are also in accordance with the provisions of the Comprehensive Land Use Plan of the Village. Said special use planned development is also in accordance with the provisions of the

Comprehensive Land Use Plan of the Village, which designates the Subject Property as “Regional Mixed Use” in the “Regional Core” Planning District.

SECTION 2

The following described real estate (the “Subject Property”):

LEGAL DESCRIPTION:

PARCEL 1: THE NORTHEAST $\frac{1}{4}$ OF THE NORTH EAST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM A TRACT OF LAND BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION AS MARKED BY CROSS IN A FOUR INCH SQUARE IRON PLATE, THENCE WEST ALONG THE NORTH LINE OF SAID SECTION, 208.71 FEET, THENCE SOUTH 208.72 FEET, THENCE EAST 208.71 FEET TO THE EAST OF SAID SECTION; THEN NORTH 208.71 FEET TO THE EAST LINE OF SAID SECTION; THENCE NORTH 208.71 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM THAT PART THERE OF DEDICATED FOR 159TH STREET PER DOCUMENT NO. 10909317 RECORDED MAY 26, 1931 AND THE PART DEDICATED FOR LAGRANGE ROAD PER DOCUMENT NUMBER 1015684 RECORDED SEPTEMBER 24, 1928,

ALSO EXCEPTING ANY PARTS TAKEN IN CASE NO. 06L050813, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION AS MARKED BY CROSS IN A FOUR INCH SQUARE IRON PLATE, THENCE WEST ALONG THE NORTH LINE OF SAID SECTION, 208.71 FEET, THENCE SOUTH 208.72 FEET, THENCE EAST 208.71 FEET TO THE EAST OF SAID SECTION; THEN NORTH 208.71 FEET TO THE EAST LINE OF SAID SECTION; THENCE NORTH 208.71 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, EXCEPT THAT PART TAKEN FOR ROAD BY CASE NO. 06L050813.

PIN: 27-21-201-002-0000; 27-21-201-003-0000

COMMONLY KNOWN AS: 15901 92nd Avenue & 9600 159th Street in Orland Park, Illinois.

SECTION 3

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permits for a Planned Development, A Commercial Retail Establishment with a Floor Area over 50,000 square feet, and for Development within 50-feet of a Nontidal Wetland as follows:

A. The Subject Property contains approximately 39.6 acres and is located within the Village of Orland Park in Cook County, Illinois, at 9600 159th Street. The Subject Property consists of an existing disused restaurant and undeveloped vacant land.

B. The proposed use of the Subject Property 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 property as “Regional Mixed Use” in the “Regional Core” Planning District.

C. The proposed use is consistent with the character of the immediate vicinity of the Subject Property, i.e., to the north is a Commercial Retail Planned Development zoned COR Mixed Use District (Lakeview Plaza); to the East is Commercial Retail and a Senior Assisted Living Facility in the BIZ General Business District and the COR Mixed Use District; to the South is a Commercial Retail Planned Development in the COR Mixed Use District (Main Street Village West) and to the West is vacant land zoned E-1 Estate Residential.

D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed special use will not adversely affect 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 uses at an adequate level of service. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion in the adjacent public streets, including the planned extension of Ravinia Avenue. The entrances and exits will comply with all applicable requirements, and internal traffic is adequately provided for.

F. Petitioners have made adequate legal provision to guarantee the provision and preservation of all open spaces designated on the site plan and other improvements associated with the special uses and variance.

G. The proposed uses will not adversely affect a known archaeological, historical or cultural resource.

H. The proposed special uses and variance shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances of the Village.

SECTION 4

A. The Special Use Permit for a Phased Planned Development shall be granted pursuant to Village of Orland Park Village Code, with a modification of the Village of Orland Park Land Development Code, as amended (“Land Development Code”) to allow for a parking lot within the setback area between the building façade and the street, in modification of Land

Development Code Section 6-210 (F)(4), Special Use Permit for a Commercial Retail Establishment with a Floor Area of 50,000 Square Feet or Greater, and a Special Use Permit for a Development within 50-feet of a Non-Tidal Wetland, shall be and are hereby granted to Amazon, subject to each of the following conditions:

- i. The principle approximately 231,290 square foot building on the Subject Property will be strictly used, maintained, and operated by Amazon as a Commercial Retail Establishment, in excess of 50,000 square feet, as defined in Subsection 2-102 of the Land Development Code, and as specially permitted in the COR Mixed Use District as set forth in Subsection 6-210.C.7 of the Land Development Code, as amended.
 - (a) Amazon acknowledges and agrees that Warehouse or Distribution Establishments, as defined in Subsection 2-102 of the Land Development Code, as amended, are not allowed in the COR Mixed Use District.
- ii. Meet all code requirements, landscape requirements, and final engineering requirements, including required permits except where otherwise modified in this ordinance;
- iii. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the requirements listed in Section 6-308.J;
- iv. A Plat of Consolidation and Plat of Dedication are prepared and presented to the Board of Trustees at the January 19, 2026 meeting;
- v. The existing Petey's II signs shall be removed as part of the restaurant building demolition;
- vi. Cash-in-lieu of tree planting will be paid prior to the issuance of building permits for the project in the amount of \$100,000;
- vii. Public sidewalks shall be constructed along 159th Street and LaGrange Road as part of the Phase I of this development. Public sidewalk construction along Ravinia Avenue (extended) shall be coordinated with the Village of Orland Park during final engineering review, which may include a security in the form of a Letter of Credit or Board of Trustees-approved Surety Bond, or a cash-in-lieu payment to facilitate construction by the Village as part of the Ravinia Avenue extension. Private sidewalks along the perimeter of the planned outlots shall be provided to connect the public sidewalks to the Phase I building entrances;

- viii. A sign permit application must be submitted to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
- ix. Amazon will make best efforts to restrict full-sized tractor trailers from the Subject Property between the hours of 7:30 AM and 8:30 AM and 4:45 PM and 5:45 PM Monday through Friday, and between the hours of 1:00 PM and 2:00 PM on weekends.
 - (a) Amazon will prepare and submit a traffic study in accordance with the requirements set forth in Sec. 6-405.A.2 Land Development Code of the Village of Orland Park, as amended, in coordination with and at the direction of the Director of Engineering and Village Manager within 12-months after the issuance of an initial valid and binding certificate of occupancy for the principle building on the Subject Property. If such traffic study identifies additional traffic improvements or restrictions are necessary to accommodate impacts arising as a result of the development, Amazon and the Village will reasonably cooperate to implement such improvements or restrictions.
- x. The development, maintenance, and operation of the Subject Property will be in substantial compliance with the following documents and plans, except for minor changes and site work approved by the Director of Engineering and Village Manager and all applicable City rules, regulations, and ordinances:
 - (a) the preliminary site plan prepared by Kimley Horn and Associates, Inc., dated December 22, 2025;
 - (b) the building elevations prepared by BRR Architecture, Inc., dated _____, 202____; and
 - (c) the landscape plan prepared by Kimley Horn and Associates, dated December 22, 2025, subject to the following condition: the trees proposed within the required maintenance access around the stormwater basin are to be relocated to a code-compliant location.
- xi. Amazon will at all times comply with the statutory requirements set forth in Retailers Occupation Tax Act, 35 ILCS 120/1 *et seq.*, and the Home Rule Municipal Retailers Occupation Tax Act, 65 ILCS 5/8-11-1 *et seq.*, as each may be amended from time to time, as well as any other current or future taxes that may be imposed as an incidence of retail sales in the principle building on the Subject Property, together will all applicable current and future regulation promulgated by the Illinois Department of Revenue, or its successor agency.

SECTION 5

Upon failure or refusal of Amazon to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, the Special Use Permit for a Phased Planned Unit Development, Special Use Permit for Commercial Retail with a floor area over 50,000 square feet and a Special Use Permit for Development within 50-feet of a Non-tidal Wetland (collectively, “**Conditioned Approvals**”), will, at the sole discretion of the Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Board of Trustees will not revoke the Conditioned Approvals unless it first provides Amazon with advance written notice of the reasons for revocation and opportunity to be heard at a regular meeting of the Board of Trustees. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the COR Mixed Use District, as the same may, from time to time, be amended. Further, in the event of revocation, the Village Manager and Village Attorney are authorized and directed to bring all zoning enforcement action as may be appropriate under the circumstances. Amazon acknowledges that public notices and hearings have been held with respect to the adoption of this Ordinance, has considered the possibility of the revocation provided for in this Section 5, and agrees not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice to Amazon required by this Section 5 is given.

SECTION 6

The privileges, obligations, and provisions of each and every section of this Ordinance will be binding on Amazon individually, on any and all of Amazon’s successors and assigns, and on any and all of the respective successor legal or beneficial owners of all or any portion of the Subject Property. Nothing in this Ordinance will be deemed transferred to any person or entity other than an affiliate of Amazon without a new application for approval for any person or entity other than Amazon.

SECTION 7

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

SECTION 8

- A. This Ordinance will be effective upon the occurrence of the following events:
1. passage by Board of Trustees by a majority vote in the manner required by law;
 2. publication in pamphlet form in the manner required by law;
 3. the filing by Amazon with the Village Manager of a fully executed unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance. The unconditional agreement and consent must be in the form of ***Exhibit*** _____, attached to and, by this reference, made a part of this Ordinance; and

4. the recordation of this Ordinance together with any exhibits as the Village Clerk deems appropriate for recordation in the Office of the Cook County Recorder. Amazon will bear the full cost of this recordation.

B. In the event Amazon does not file with the Village Manager a fully executed copy of the unconditional agreement and consent referenced in Subsection 8(A)(3) of this Ordinance within 30 days of Amazon closing on the Subject Property, the Board of Trustees will have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect..