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ORDINANCE GRANTING A SPECIAL USE FOR A RESTAURANT WITHIN 300 FEET OF A RESIDENTIAL PROPERTY (HONEST RESTAURANT—9176-9178 W. 159TH STREET)

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WHEREAS, an application seeking a special use for a restaurant within 300 feet of a residential property 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 March 18, 2025, 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 March 18, 2025, public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearing in the Daily Southtown, 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 9176 and 9178 W 159TH Street, and is zoned BIZ General

Business District. It is an approximately 60,000 square foot commercial center, Park Hill Plaza, with three additional outlots.

- b) Specifically, Petitioner, Arpit Patel proposes to occupy two tenant units to construct an approximately 2,800 square foot restaurant in a shopping center (Park Hill Plaza) within 300 feet of residential parcels.
- c) The proposed special use is consistent with the character of the immediate vicinity of the Subject Property. The immediately surrounding properties are permitted business uses within an existing shopping center. The shopping center within which the restaurant is to be located is zoned BIZ General Business. A restaurant within 300 feet of a residential parcel is an enumerated special use in the BIZ General Business District, and the special use to allow for this restaurant use is consistent with the shopping center uses.
- d) Beyond the shopping center property, the proposed special use is consistent with the character of the immediate vicinity. To the north, east and south are Open Space (a detention pond to the north), BIZ General Business Zoning (Park Hill Commons Commercial Center to the east and Orland Auto Center to the west); and commercial property in the Village of Orland Hills (Heritage Hill Forum Commercial Center to the south).
- e) 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 part of the Centennial Planning District. The restaurant in this shopping center tenant space will be consistent with this designation. There will be adequate parking and landscaping.
- f) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The restaurant space has been designed to blend in with the adjacent commercial uses and to eliminate any potential adverse impacts on adjacent properties.
- g) 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.
- h) 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.

- i) The development will not adversely affect known archaeological, historical or cultural resource.
- j) 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

Subject to the conditions below, a special use permit for a restaurant within 300 feet of a residential parcel in the BIZ General Business Zoning District, is hereby granted and issued for an approximately 2,800 square foot restaurant, to be located on property legally described as:

LEGAL DESCRIPTION: PARCEL 1:

THAT PART OF THE SOUTHEAST 14 OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 2, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$, 57.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$; THENCE NORTHERLY ALONG SAID WEST LINE A DISTANCE OF 400.00 FEET; THENCE EASTERLY ALONG A LINE 457.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 719.90 FEET; TO A POINT OF CURVE, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF PARK HILL DRIVE AS DEDICATED BY PARK HILL SUBDIVISION, UNIT NO, 1-A; THENCE SOUTHERLY ALONG A CURVE (BEING ALSO THE WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE, WHOSE CENTER LIES EASTERLY AND HAS A RADIUS OF 852.00 FEET AN ARC DISTANCE OF 266.31 FEET TO A POINT THE SAID WESTERLY RIGHT OF WAY LINE, BEING 195.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE; A DISTANCE OF 138.00 FEET; THENCE WESTERLY ALONG LINE 57.00 FEET NORTH OF AN PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE 676.22 FEET TO THE POINT OF BEGINNING, ALL INCOOK COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING, OWING: THAT PART BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL 1; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID PARCEL 1, A DISTANCE OF 270.00 FEET; THENCE NORTHERLY PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 180.00 FEET; THENCE EASTERLY ALONG A LINE 160.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF PARCEL 1 A DISTANCE OF 270.28 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE, AS DEDICATED BY PARK HILL SUBDIVISION, UNTIL NO. 1-A; THENCE SOUTHERLY ALONG A CURVE (BEING ALSO THE WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE) WHOSE CENTER LINE LIES EASTERLY AND HAS A RADIUS OF 652.00 FEET AN ARC DISTANCE OF 22.00 FEET; THENCE SOUTHERLY A DISTANCE OF 138.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THE FOLLOWING; COMMENCING AT THE INTERSECTION OF THE WEST LINE OF PARK HILL DRIVE AS DEDICATED BY PARK HILL SUBDIVISION UNIT NO, 1-A AND A LINE 57.00 FEET

NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$; THENCE WESTERLY, ALONG SAID LINE 57.00 FEET NORTH OF PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE 324.00 FEET TO THE POINT OF BEGINNING. CONTINUING WESTERLY, ALONG THE LAST DESCRIBED LINE, 151.65 FEET, THENCE NORTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, 100.00 FEET; THENCE EASTERLY ALONG A LINE 157.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 151.56 FEET, THENCE SOUTHERLY PERPENDICULAR TO THE LAST DESCRIBED LINE, 100.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE EAST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{2}$ OF SAID SOUTHWEST $\frac{1}{4}$; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, 198.00 FEET TO A LINE 252.00 FEET NORTHERLY OF (AS MEASURED PERPENDICULAR TO) THE SOUTH LINE OF THE EAST $\frac{1}{2}$ OF SAID SOUTHWEST $\frac{1}{4}$; THENCE WESTERLY ALONG THE LAST DESCRIBED LINE, 25.00 FEET; THENCE NORTHERLY ALONG A LINE 250.00 FEET WESTERLY OF (AS MEASURED PERPENDICULAR TO) THE EAST LINE OF SAID SOUTHWEST $\frac{1}{4}$, 198.00 FEET TO SAID LINE 450.00 FEET NORTHERLY OF THE SOUTH LINE OF THE EAST $\frac{1}{2}$ OF SAID SOUTHWEST $\frac{1}{4}$; THENCE EASTERLY ALONG THE LAST DESCRIBED LINE, 250.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PIN: 27-15-400-017-0000 & 27-15-301-029-0000

COMMONLY KNOWN AS: 9176-9178 159TH STREET IN ORLAND PARK, ILLINOIS.

and is subject to the following conditions:

The Subject Property shall be developed substantially in accordance with the plans and testimony submitted to the Plan Commission at the March 18, 2025, public hearing subject to the following conditions:

- a) Petitioner must meet all Building and Land Development Code requirements, including required permits from outside agencies if applicable;

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.