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ORDINANCE GRANTING AN AMENDED SPECIAL USE PERMIT WITH MODIFICATIONS AND VARIANCE FOR CHICK-FIL-A OF ORLAND PARK 15605 S. LAGRANGE ROAD, WITH ASSOCIATED SITE PLAN AND ELEVATION APPROVALS

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WHEREAS, an application seeking an amended special use permit to construct an 85 square foot building addition, expand the existing single lane drive-through to a double lane drive-through and install new drive-through facility accessories with associated site plan and elevation approvals 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 (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on March 16, 2021, on whether the requested amended special use permit with modifications and a variance 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 public hearing by publication not more than 30 days nor less than 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 its report of findings and recommendations that the requested amended special use with modification and variance be granted with this President and Board of Trustees, 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 of this Village has made its report of findings and recommendations regarding the proposed amended 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 amended special use with modifications and variance 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 Code as set forth in Section 1-102 thereof. Said amended special use with modifications and variance 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 amended special use permit with modifications and a variance to construct an 85 square foot building addition at the southeast corner of the existing restaurant building, expand the existing single lane drive-through to a double lane drive-through and install new drive-through facility accessories, with associated site plan and elevation approvals, as follows:

(a) The Subject Property is located at 15605 S. LaGrange Road within the Village of Orland Park in Cook County, Illinois. The Subject Property consists of approximately 1.26 acres. The Subject Property is zoned COR Mixed Use District, and this proposed use will require an amendment to the original special use granted by Ordinance No. 4512.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Code. The Comprehensive Plan designates this area for Regional Core Planning District with Regional Mixed Use Designation as described in the Comprehensive Plan. Restaurants are an important economic development component in the Village and are an existing and established use in the surrounding area.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned COR Mixed Use with restaurants to the north and west and multi-tenant commercial to the south and east. The special use will also be consistent with the community character of the immediate vicinity of the Subject Property because the application does not propose to change the zoning and will be consistent with other approved restaurant and retail/commercial land uses nearby.

(d) The design of the development will minimize adverse effects. The proposed site changes will result in the removal of 16 parking spaces and the ability for 24 vehicle stacking spaces within the expanded drive-through facility, but will result in improved traffic flow and relief of traffic congestion. Overall a total of 47 parking spaces will be provided on site which is more than the required 43 spaces. Roughly, 1,487 square feet of permeable brick pavers will be installed in the drive aisle south of the north drive-through facility. Overall, lot coverage on the site will be reduced from 76.46% to 75.45%.

(e) There will be no adverse effects on the value of the property. The proposed development will promote and facilitate economic development in the Village. The expansion and retention of existing businesses is an important economic principle in Orland Park's 2013 Comprehensive Plan.

(f) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers will be capable of serving the special use at an adequate level of service. The existing detention pond will accommodate storm water runoff for the entire site.

Additionally, the circulation plan shows the ability to have large truck circulation (i.e. service/fire/delivery truck access).

(g) Petitioner has made adequate legal provision 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 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

An amended special use permit to construct an 85 square foot building addition at the south-east corner of the existing restaurant building, expand the existing single lane drive-through to a double lane drive-through and install new drive-through facility accessories with modifications and a variance at 15605 S. LaGrange Road is hereby granted, amending Ordinance No. 4512, subject to the conditions below, and issued to Chick-Fil-A corporation, for the following described property:

LOT 4 IN THE FINAL PLAT OF RESUBDIVISION LOWE'S ORLAND PARK SUBDIVISION, A SUBDIVISION IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED JUNE 11, 2007 AS DOCUMENT NO. 0716222080 IN COOK COUNTY, ILLINOIS.

ALSO DESCRIBED AS FOLLOWS: 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 NORTHWEST CORNER OF LOT 14 IN THE FINAL PLAT OF RESUBDIVISION LOWE'S ORLAND PARK SUBDIVISION, A SUBDIVISION IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED JUNE 11, 2007 AS DOCUMENT NO. 0716222080 IN COOK COUNTY, ILLINOIS; THENCE NORTH 00 DEGREES 00 MINUTES 27 SECONDS EAST (BEARINGS BASED ON RESUBDIVISION OF LOWE'S ORLAND PARK SUBDIVISION) ALONG THE EAST LINE OF LAGRANGE ROAD PER DOCUMENT NO. 0429249103, A DISTANCE OF 100.42 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 27 SECONDS EAST, A DISTANCE OF 49.50 FEET TO A POINT ON THE SOUTHERLY LINE OF 156TH STREET PER DOCUMENT NO. 0517503092; THENCE SOUTH 89 DEGREES 59 MINUTES 33 SECONDS EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 30.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, SAID LINE BEING A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 390.00 FEET, AN ARC DISTANCE OF 182.10 FEET TO A POINT OF REVERSE CURVATURE, THE CHORD OF SAID ARC HAVING A LENGTH OF 180.45 FEET AND A BEARING OF NORTH 76 DEGREES 37 MINUTES 53 SECONDS EAST; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, SAID LINE BEING A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 310.00 FEET, AN ARC LENGTH OF 125.33 FEET TO A POINT OF NON-TANGENCY, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1 IN LOWE'S ORLAND PARK SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWESTER

QUARTER AND NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED JUNE 24, 2005 AS DOCUMENT NO. 0517503092 IN COOK COUNTY, ILLINOIS. THE CHORD OF SAID CURVE HAVING A LENGTH OF 124.48 FEET AND A BEARING OF NORTH 74 DEGREES 50 MINUTES 16 SECONDS EAST; THENCE SOUTH 00 DEGREES 00 MINUTES 27 SECONDS WEST ALONG THE WEST LINE OF SAID LOT I, A DISTANCE OF 209.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 14, THENCE NORTH 89 DEGREES 59 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 360.70 FEET; TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PINs: 27-15-302-037-0000

COMMONLY KNOWN AS: 15605 South LaGrange Road in Orland Park, Illinois.

- A. The Subject Property shall be developed substantially in accordance with the preliminary site plan titled "Site Plan", Sheet C-200, dated May 1, 2020, and last revised January 27, 2021, prepared by the GPC Design, Inc., and the detailed site plan titled "Site Plan Detail" sheet shown on C-210, prepared by GPC Design, Inc. dated May 1, 2020, and last revised January 27, 2021, subject to the following conditions:
1. Petitioner must meet all Building Code requirements and final engineering requirements, including required permits from outside agencies.
 2. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the Code requirements listed in Section 6-308. J.
 3. Submit a sign permit application to the Development Services Department for a separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
- B. The Subject Property shall be developed in accordance with the Elevations titled "Exterior Elevations" shown on Sheets A-2.1 and A-2.2, dated September 24, 2020, subject to the following conditions.
1. All masonry must be anchored veneer type masonry with a 2.625 minimum thickness; and
 2. Petitioner must submit an Appearance Review and Building Permit application to the Village Development Services Department for separate review of the conceptual wind screen for the drive-through canopy.
- C. The Subject Property shall be developed in accordance with the Preliminary Landscape Plan entitled, "Landscape Plan", Sheet L-100, prepared by Manley Land Design, dated March 10, 2020, last revised March 3, 2021, subject to the same conditions set forth in A, above, as well as the following conditions:
1. Petitioner must submit a final landscape plan meeting all Code requirements with supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal; and

2. Petitioner shall provide cash-in-lieu of tree mitigation or for any required trees or plant material that is unable to be provided on-site as a result of existing restrictions, in accordance with Section 6-305.F. of the Code. The Petitioner shall pay the final cash-in-lieu amount to the Village prior to the issuance of any building permit.

SECTION 4

The amended special use permit herein granted shall include the following modifications:

1. Increase of the number of drive-through lanes from one (1) single lane with a maximum width of fourteen (14) feet to two (2) lanes with a combined width of twenty-four (24) feet (Reference Code Section 6-210.F.4).
2. Increase of the allowable projection of the drive-through canopy into the side setback along the south side of the property from three (3) feet to eight (8) feet and nine (9) inches (Reference Code Section 6-302.C.3)
3. Reduction of the screening requirements for the proposed drive-through canopy located on the north side of the property to be partially screened from the adjacent public right-of-way (Reference Code Section 6-302.K).
4. Elimination of the landscaping requirements around the base of the proposed second lane drive-through menu board, located under the drive-through canopy at the north side of the property (Reference Code Section 6-302.K).

SECTION 5

The amended special use permit herein granted shall include the following variance:

The side yard setback along the south property line shall be reduced from the previously approved variance of 12 feet to as little as 11 feet and 2 inches.
(Reference Code Section 6-210.F.2.)

SECTION 6

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 amended special use permit of this Ordinance shall be subject to revocation by appropriate legal proceedings.

SECTION 7

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 the amended special use as aforesaid.

SECTION 8

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