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**ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A FITNESS CENTER
(CHARTER FITNESS – 66 ORLAND SQUARE DRIVE)**

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WHEREAS, an application seeking a special use permit for a health club/fitness center for certain real estate 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, said Plan Commission of this Village held a public hearing on July 28, 2015, 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 public hearing by publication not more than 30 days nor less than 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 its report of findings and recommendations that the requested special use 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, as follows:

SECTION 1

The Plan Commission of this Village has made its report of findings and recommendations regarding the proposed 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 special use 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 Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special use 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 special use permit for a fitness center, as follows:

- (a) The subject property is located at 66 Orland Square Drive, in Tenant Space C, in an existing shopping center within the Village of Orland Park in Cook County, Illinois. The proposal is to locate an 18,298 square foot fitness center in the existing building of the existing shopping center

located on the site with changes to the exterior of the building that have been approved through Appearance Review and no changes to the parking area. The Subject Property is zoned COR Mixed Use District. Health clubs and fitness centers are a special use in the COR Mixed Use District.

- (b) The proposed development 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 area for Regional Mixed Use. A fitness center is appropriate in such an 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 to the north, south and west, where commercial and multi-family residential uses are located. The property to the east is zoned R-4 Residential District and contains single family attached residential homes.
- (d) The design of the development will minimize adverse effects, including visual impacts, on adjacent properties and the exterior changes have been approved through Appearance Review. The proposed development will not adversely affect the value of adjacent property. The retail center is designed to accommodate uses like this. Parking is available in the Orland Square Mall lot, which is directly adjacent. There will be no adverse effect on 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 use at an adequate level of service. Access to the Subject Property is available from four full access curb cuts on the west side of the Subject Property that open on to Orland Square Drive, a private street. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.
- (f) Petitioner has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development.
- (g) The development will not adversely affect a known archaeological, historical or cultural resource.
- (h) 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

A special use for the operation of an 18, 298 square foot fitness center at 66 Orland Square Drive in an existing building in the COR Mixed Use District is hereby granted, subject to the conditions below, and issued to Charter Fitness, for the following described property:

PARCEL 1:

A TRACT OF LAND IN THE SOUTH ½ OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING ON THE NORTH AND SOUTH CENTERLINE OF SAID SECTION 10, A DISTANCE OF 501.78 FEET NORTH 0 DEGREES 1 MINUTES WEST OF THE SOUTH 1/4 CORNER OF SAID SECTION 10; THENCE SOUTH 70 DEGREES 48 MINUTES WEST 9.05 FEET TO A POINT ON CURVE; THENCE NORtherly ON A CURVE CONVEX TO THE EAST HAVING A RADIUS OF 505.17 FEET, AN ARC DISTANCE OF 223.26 FEET AND A CHORD BEARING OF NORTH 12 DEGREES 38 MINUTES 42 SECONDS EAST TO A POINT OF COMPOUND CURVE; THENCE NORtherly ON A CURVE CONVEX TO THE EAST HAVING A RADIUS OF 1330.73 FEET, AN ARC DISTANCE 382.45 FEET AND A CHORD BEARING OF NORTH 8 DEGREES 15 MINUTES WEST TO A POINT OF TANGENT; THENCE NORTH 16 DEGREES 29 MINUTES WEST 27.08 FEET; THENCE NORTH 73 DEGREES 31 MINUTES EAST 535 FEET; THENCE SOUTH 16 DEGREES 29 MINUTES EAST 328.9 FEET; THENCE SOUTH 2 DEGREES 10 MINUTES 40 SECONDS WEST 350 FEET; THENCE DUE WEST 275 FEET; THENCE SOUTH 70 DEGREES 48 MINUTES WEST 313 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO PARCEL 1 ABOVE, ACROSS AND UPON THE ORLAND SQUARE RING ROAD AS ESTABLISHED BY ARTICLE X, PARAGRAPH H. SUBPARAGRAPH (B)(I) OF THAT CERTAIN EASEMENT AND OPERATING AGREEMENT DATED MAY 15, 1976 AND RECORDED AUGUST 10, 1976 AS DOCUMENT 23591873 AND AS GRANTED IN DEED DATED DECEMBER 14, 1977 AND RECORDED DECEMBER 16, 1977 AS DOCUMENT 24240098 IN COOK COUNTY, ILLINOIS.

This special use permit is subject to the following conditions:

1. That the petitioner comply with all Building Code requirements;
2. That all new signage is approved through a separate permitting process; and
3. A garbage enclosure meeting Land Development Code requirements is installed at the rear of the Subject Property.

SECTION 4

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 permit, modifications and variations of this Ordinance 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 the special use for the planned unit development as aforesaid.

SECTION 6

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