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ORDINANCE GRANTING AN AMENDED SPECIAL USE PERMIT - MARCUS THEATRE
– GARAGE DEMOLITION

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WHEREAS, an application seeking an Amended Special Use Permit for certain real estate, as described below (the "Subject Property"), 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 public hearings on December 3, 2024 on whether the requested Amended 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 the hearing in The Daily Southtown a newspaper of general circulation in this Village, there being no newspaper published in this Village;

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested Special Use Permit be granted with this President and Board of Trustees, and this Board of Trustees have duly considered said report and findings and recommendations; and

WHEREAS, a Special Use Permit was granted to the petitioner for the Subject Property on March 20, 1995, which Special Use Permit was subsequently amended in 1999, 2005, and 2007;

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 hearings are also incorporated by reference. This President and Board of Trustees find that the proposed Amended 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 Amended Special Use Permit to allow the demolition of the existing 4-level 34,000 square foot parking structure to accommodating 406 cars, as follows:

(a) The Subject Property is located at the southwest corner of 163rd Street and LaGrange Road, within the Village of Orland Park, in Cook County, Illinois. The Petitioner, The Marcus Theatres Corporation, is seeking an Amended Major Special Use Permit to allow the demolition a 4-level 34,000 square foot parking structure to accommodate 406 cars.

(b) The proposed Amended Major 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 Planned Mixed Use Commercial/Residential.

(c) The proposed Special Use will be consistent with the character of the immediate vicinity of the Subject Property. The Subject Property is located in the COR Mixed Use District. All surrounding properties are zoned COR Mixed Use with Wu's House to the north, Ravinia Point Office Center to the south, Lifetime Fitness to the east and Alden Senior Living facility and Alden Estates to the west.

(d) The design of the proposed Special Use will minimize any adverse effects, including visual impacts, on adjacent properties. The proposed Special Use will not have an 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 protection, hospital and medical services, drainage systems, refuse disposal and water and sewers will be capable of serving the Special Use at an adequate level of service.

(f) 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.

(g) The development will not adversely affect a known archaeological, historical or cultural resource.

(h) The Special Use shall in all aspects conform to the applicable regulations of the Land Development Code of the Village of Orland Park as amended, for the Zoning District in which it is located, as well as all applicable regulations and ordinances of the Village.

SECTION 3

An Amended Major Special Use Permit is hereby granted and issued for the demolition of the 4-level 34,000 square foot parking structure on the Subject Property described as follows:

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21; THENCE NORTH 89 DEGREES 45 MINUTES 56 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 59.10 FEET TO THE WEST RIGHT-OF-WAY LINE OF LA GRANGE ROAD AS DEDICATED PER DOCUMENT NUMBER 10155685 AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 45 MINUTES 56 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, AND A DISTANCE OF 565.23 FEET; THENCE NORTH 0 DEGREES 00 MINUTES AND 30 SECONDS EAST 99.16 FEET THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 940.00 FEET, A CHORD THAT BEARS NORTH 9 DEGREES 17 MINUTES AND 31 SECONDS EAST A CHORD LENGTH OF 303.28 FEET, AN ARC LENGTH OF 304.62 FEET TO A POINT OF REVERSE CURVE; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 660.00 FEET, A CHORD THAT BEARS NORTH 0 DEGREES 25 MINUTES 36 SECONDS WEST A CHORD LENGTH OF 429.80 FEET, AN ARC LENGTH OF 437.78 FEET OF A POINT OF REVERSE CURVE; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 940.00 FEET, A CHORD THAT BEARS NORTH 13 DEGREES 52 MINUTES 22 SECONDS WEST A CHORD LENGTH OF 182.02 FEET, AN ARC LENGTH OF 182.30 FEET; THENCE NORTH 8 DEGREES 19 MINUTES 00 SECONDS WEST 89.72 FEET; THENCE NORTH 81 DEGREES 40 MINUTES 32 SECONDS EAST 156.46 FEET; THENCE EASTERLY, ALONG A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 160.00 FEET, A CHORD THAT BEARS NORTH 85 DEGREES 50 MINUTES 15 SECONDS EAST A CHORD LENGTH OF 23.22 FEET, AN ARC LENGTH OF AFORESAID WEST RIGHT-OF-WAY LINE OF LA GRANGE ROAD; THENCE SOUTH 0 DEGREES 13 MINUTES 19 SECONDS WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 1120.40 FEET OF THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

SECTION 4

The Subject Property shall be developed substantially in accordance with the Final Site Plan, as hereby approved. The Subject Property shall be developed by Petitioner substantially in accordance with said Plan as shown on said Site Plan and Elevation Plan as approved or as may be subsequently amended and approved by the Village, and in accordance with supporting preliminary and final engineering drawings and plans to be submitted to the Village Engineer for review and approval.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of the Amended Special Use Permit and the Development Agreement entered into between the Village and

Petitioner, authorized by the Village Board of Trustees on September 20, 1999, pursuant to Ordinance No. 3287, and in the event of non-compliance, said Permit shall be subject to revocation by appropriate legal proceedings.

SECTION 6

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, be amended so as to be in conformance with the granting of the Amended Special Use Permit as aforesaid.

SECTION 8

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