

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT – ORLAND PARK MEDICAL BUILDING - ORLAND SQUARE MALL

WHEREAS, an application seeking an amendment to a special use permit 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 9, 2010, on whether the requested amendment to a 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 amendment to a 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;

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 amendment to a 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 amendment to a special use permit to allow for an addition of 3,049 square feet to the existing 3,688 square foot building for a medical office and with a drive-through facility located between the building façade and street in the COR Mixed Use District as follows:

(a) The Subject Property is located at 54 Orland Square Drive, an outlot of the Orland Square Mall Planned Development which consists of 1.1 acres, and is zoned COR Mixed Use District within the Village of Orland Park, Cook and Will Counties, Illinois. The Petitioner, Mary Jane Nowak for Orland Park Medical Center, is seeking an amendment to an existing special use

permit for a 3,049 square foot building addition to the existing 3,688 square foot building and a drive-through facility located between the building façade and the street. The drive-through facility is intended to be used by patients seeking medical attention. The Subject Property is the subject of a Special Use Permit granted by Village Ordinance 468.

(b) Petitioner also requests a modification to allow for a drive-through facility located between the building façade and the street. The existing drive-through facility on the property is located between the building façade and the street. The building meets all other setback requirements. Granting the requested modifications will enhance the ability of the proposed special use to meet the general standards for all special uses set out in Section 5-105(E) of the Land Development Code.

(c) The proposed amendment to a special use for an addition to an existing building 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 Regional Commercial. Medical offices are appropriate in such an area, and the building addition will not affect that appropriateness. Also, medical offices are permitted uses in the COR Mixed Use District.

(d) The proposed amendment to a 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. The property to the north is zoned COR Mixed Use District and contains Orland Square Mall; the property to the south, across 151st Street is undeveloped land and is zoned BIZ General Business District; the property to the east is zoned COR Mixed Use District and is vacant; and the property to the west is zoned OCR Office District and contains offices.

(e) 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. The addition will blend with the existing building. In addition, the design will increase green space on the Subject Property and decrease impervious cover.

(f) 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. The site has access via two entry points from Orland Square Drive.

(g) The Petitioner has made adequate legal provisions to guarantee the provision and development of any open space and other improvements associated with the proposed amended development.

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

(i) The special use amendment as granted shall in all aspects conform to the applicable regulations of this Ordinance, Ordinance 468 and 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

An amendment to a special use permit is hereby granted and issued to Orland Square Mall and Orland Park Medical Center for a 3,049 square foot addition to the existing 3,688 square foot building for medical offices with a modification for a drive-through facility located between the building façade and the street on the Subject Property. The Subject Property is legally described as follows:

PARCEL 1:

LOT D-4 IN ORLAND SQUARE PLANNED DEVELOPMENT UNIT D-FOUR, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 3, 1979, AS DOCUMENT 25176062, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 OVER ORLAND SQUARE RING ROAD, AS ESTABLISHED BY AND CONTAINED IN ARTICLE X, PARAGRAPH H, SUBPARAGRAPH (B) (1) OF THAT CERTAIN EASEMENT AND OPERATING AGREEMENT DATED MARCH 15, 1976 AND RECORDED AUGUST 10, 1976, AS DOCUMENT 23591873 AND AS CREATED BY DEED DATED OCTOBER 31, 1979, AND RECORDED NOVEMBER 13, 1979 AS DOCUMENT 25237746.

This amendment to a special use permit includes a modification for a drive-through facility located between the building façade and the street on the Subject Property and is subject to the following conditions:

1. That construction be pursuant to the Plan entitled "Final Site Plan, Renovation of the Existing Building and New Addition Orland Park Medical Center," prepared by H & L Architects, Inc., dated July 31, 2009, last revised March 22, 2010, sheet number A-1, subject to the following further conditions:
 - a. That Petitioner submit a Final Landscape Plan, that meets all Village Codes, for separate review and approval within 60 days of final engineering approval. The plan shall preserve all existing trees in the landscape buffers around the site and protect them during construction, except for those requiring removal for the parking re-grade. Any trees removed as a result of construction that exceed 4" in diameter must be identified and mitigated per Section 6-205.1 of the Land Development Code; and
 - b. That all final engineering and building code related items are met.

2. That construction be pursuant to the elevations titled “Elevations, Renovation of the Existing Building and new Addition Orland Park Medical Center,” by H & L Architects, sheet A-3, dated July 31, 2009, last revised March 22, 2010, subject to the following condition:

a. That all mechanical equipment is screened either at grade level with landscaping or hidden behind the roofline.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this amendment to a special use permit and the prior special use permit for the Subject Property, granted by Ordinance 468, except as any terms and conditions of the prior ordinances are specifically amended by this or another ordinance, and in the event of non-compliance, said permits 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 amendment to a special use permit as aforesaid.

SECTION 6

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