

**ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE –
YASINI JEWELERS (30 ORLAND SQUARE DRIVE)**

WHEREAS, an application seeking an amendment to a special use for planned development for certain real estate with modifications, 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 17, 2020, 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 March 17, 2020 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 amendment to a special use for planned development 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 amendment to a special use for planned development are in the public good and in the best interests of the Village and its residents, are consistent with the Comprehensive Plan of the Village, and are 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 for planned development as follows:

(a) The Subject Property is located within the Village of Orland Park in Cook County, at 30 Orland Square Drive, within the Orland Square Mall (Shopping Center), and is zoned COR Mixed Use Zoning District. It is an approximately .50 acre site.

(b) The Subject Property is the subject of Special Use Ordinance No. 468, which approved the Orland Square Mall Planned Development.

(c) Specifically, Petitioner proposes to construct a new 3,434 square foot jewelry store in a vacant retail store (formerly Collectors Sports Gallery and Cricket Wireless).

(d) The proposed amended special use is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property in all directions is COR Mixed Use Zoning District with a financial institution to the north, a restaurant to the south, the Orland Square Mall to the east and retail to the west.

(e) The amendment to 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 a Regional Core Planning District. The new jewelry store will be consistent with this designation. There will be new wide sidewalks installed and two (2) new parking lot lights.

(f) The conditions on the amended special use as hereinafter set forth in SECTION 4 are reasonable, necessary and appropriate.

(g) The design of the proposed amended special use will minimize any adverse effects, including visual impacts, on adjacent properties. The proposed building elevations have been designed to represent a significant aesthetic improvement to the site and area and will incorporate landscaping to prevent any potential adverse impacts on adjacent properties. The new five (5) foot wide sidewalk on the north side of the building and the new seven (7) foot wide sidewalk on the west side of the building is a substantial improvement to the pedestrian environment and will enhance mobility to and from the site.

(h) 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 amended special use at an adequate level of service.

(i) 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.

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

(k) The amended 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 in SECTION 4 below, an amendment to the special use permit for planned development in the COR Mixed Use District, originally granted by Ordinance No. 468, is hereby granted and issued for construction and operation of a 3,434 square foot jewelry store to be located on property legally described as:

LEGAL DESCRIPTION: PARCEL 1: LOT F-2 IN ORLAND SQUARE PLANNED DEVELOPMENT UNIT NO. F-TWO, BEING A TRACT OF LAND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 01 MINUTES 40 SECONDS EAST 1011.69 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 58 MINUTES 20 SECONDS EAST 361.04 FEET TO A PLACE OF BEGINNING; THENCE DUE NORTH 180 FEET; THENCE DUE EAST 12.35 FEET TO A POINT OF CURVE; THENCE EASTERLY ON A CURVE CONVEX TO THE SOUTH HAVING A RADIUS OF 138.20 FEET AN ARC DISTANCE OF 59.08 FEET AND A CHORD BEARING OF NORTH 77 DEGREES 45 MINUTES 09 SECONDS TO A POINT ON A CURVE; THENCE SOUTHERLY ON A CURVE CONVEX TO THE WEST HAVING A RADIUS OF 1962.16 FEET, AN ARC DISTANCE OF 199.80 FEET AND A CHORD BEARING OF SOUTH 27 DEGREES 24 MINUTES 45 SECONDS EAST TO A POINT ON CURVE, SAID POINT OF BEING THE NORTHEAST CORNER OF ORLAND SQUARE PLANNED DEVELOPMENT UNIT NO. F-ONE; THENCE WESTERLY ON A CURVE CONVEX TO THE SOUTH HAVING A RADIUS OF 110.56 FEET, AN ARC DISTANCE OF 58.59 FEET AND A CHORD BEARING TO SOUTH 74 DEGREES 50 MINUTES 07 SECONDS WEST TO A POINT TO TANGENT; THENCE DUE WEST 105.71 FEET TO THE PLACE OF BEGINNING ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2: A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 ABOVE AS ESTABLISHED BY AND CONTAINED IN ARTICLE 10, PARAGRAPH H, SUBPARAGRAPH (B) (1) OF THE EASEMENT AND OPERATING AGREEMENT DATED MARCH 15, 1976 AND RECORDED AUGUST 10, 1976 AS

DOCUMENT 23591873, FOR ACCESS INGRESS AND EGRESS TO PARCEL 1, IN COOK COUNTY, ILLINOIS

PIN: 27-10-300-025-0000

SECTION 4

This amendment to the special use permit is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Preliminary Site Plan appended hereto and incorporated as EXHIBIT A titled “Site Improvement Plans Yasini Jewelers,” prepared by Woolpert, Sheet C-200, dated January 4, 2020, subject to the following conditions:

- a) Petitioners shall meet all Building Code requirements and final engineering requirements, including required permits from outside agencies;
- b) All mechanical equipment must be screened either at grade or rooftop levels with landscaping or parapets, respectively;
- c) Petitioner must submit a sign permit application to the Development Services Department for review and approval. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply; and
- d) Petitioner shall include the location of bicycle parking on the revised Site Plan.

B. The Subject Property shall further be developed substantially in accordance with the Landscape Plan appended hereto and incorporated as EXHIBIT B titled “Jewelry Store” prepared by Ronald Daye, and dated January 22, 2020, subject to the following conditions:

- a) Petitioner must submit a final landscape plan meeting all Village Codes and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal;
- b) Prior to final approval, Petitioner must comply with Code Section 6-305.6.b., regulations for plant diversity, and revise the landscape plan accordingly;
- c) Prior to final approval, Petitioner must comply with Code Section 6-305.F.3.h. and submit a Tree Survey and Tree Mitigation Plan; and

- d) Prior to final approval, Petitioner must provide a revised landscape cost estimate.

C. The Subject Property shall further be developed substantially in accordance with the Elevations appended hereto and incorporated as EXHIBIT C titled “Yasini Jewelers” prepared by Nicholas Scarlatis, dated September 21, 2019, subject to the following conditions:

- (a) Petitioner must screen all new mechanical equipment either at grade level with landscaping or hidden behind the roofline.

- (b) All masonry must be of anchored veneer type masonry with a 2.625” minimum thickness.

- (c) All signs are subject to additional review and approval by the Village via the sign permitting process and additional restrictions may apply.

- (d) Petitioner must meet all final engineering and Building Code requirements.

SECTION 5

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended special use and Ordinance No. 468, as amended, prior special use ordinances covering the Subject Property, except as specifically amended by this or another Ordinance, and in the event of non-compliance, said permit and this amendment 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, shall be amended so as to be in conformance with the granting of the amended special use permit as aforesaid.

SECTION 7

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