



## Legislation Text

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**File #:** 2017-0485, **Version:** 5

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### Title/Name/Summary

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE FOR PLANNED DEVELOPMENT - LAGRANGE RETAIL DEVELOPMENT (PDQ RESTAURANT - 15610 LAGRANGE ROAD)

### Body

WHEREAS, an application seeking an amendment to a special use for planned development for certain real estate with a modification, 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 October 10, 2017, 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 October 10, 2017 public hearing by publication not more than thirty (30) days nor less than fifteen (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 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 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 for planned development as follows:

(a) The Subject Property is located within the Village of Orland Park in Cook County, at 15610 S. La Grange Road and is zoned COR Mixed Use Core District. It is an approximately 0.82-acre site.

(b) The Subject Property is the subject of Special Use Ordinance No. 5266, which approved the LaGrange Retail planned development.

(c) Specifically, Petitioner, PDQ and LFI, Inc., propose to construct an approximately 3,500 square foot restaurant building on a 35,623 square foot lot, which is Lot 3 of the 15610 LaGrange Retail Development, with a drive-through facility.

(d) Petitioner also requests a modification to move the dumpster to a location behind the restaurant building as depicted in the original plans submitted to the Village on June 19, 2017. This modification will not negatively impact neighboring property owners because it is on an interior lot line of the planned development behind the restaurant building.

(e) Granting the requested modification 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.

(f) The proposed amended special use for planned development is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property to the north and west is zoned COR Mixed Use District and is the 15610 LaGrange Retail Development, with parking and a future retail facility to the west and Miller's Ale House and Chuy's Mexican Restaurant to the north. Lakeview Plaza shopping center is to the south and restaurants and retail businesses are located to the east across LaGrange Road (U.S. Route 45). A restaurant is an enumerated special use in the COR District, and amending Ordinance 5266 to allow for the restaurant use is consistent with these surrounding uses.

(g) The amendment to a 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 Regional Mixed-Use. The restaurant building will be consistent with this designation. There will be adequate parking and landscaping.

(h) The design of the proposed amended special use will minimize any adverse effects, including visual impacts, on adjacent properties. The restaurant building has been designed to blend in with the restaurants being constructed and the planned retail facility and to incorporate green space and landscaping to further minimize any potential adverse impacts on adjacent properties.

(i) 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.

(j) 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.

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

(l) 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 below, an amendment to a special use permit for planned development in the COR Mixed Use Core District, originally granted by Ordinance No. 5266 is hereby granted and issued for an approximately 3,500 square foot restaurant, with a drive-through facility, to be located on property legally described as:

Proposed Lot 3 (the 35,623 square foot parcel at the southeast corner of the following described property):

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, AND A LINE DRAWN PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 322.50 FEET TO A POINT ON A LINE DRAWN PARALLEL WITH AND 322.50 FEET WEST OF THE EAST LINE OF SAID QUARTER-QUARTER SECTION; THENCE NORTH ALONG SAID PARALLEL LINE, A DISTANCE OF 130.00 FEET TO A LINE DRAWN PARALLEL WITH AND 180.00 FEET NORTH OF THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION; THENCE WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 250.00 FEET TO A POINT ON A LINE DRAWN PARALLEL WITH AND 572.50 FEET WEST OF THE EAST LINE OF SAID QUARTER-QUARTER SECTION; THENCE NORTH ALONG SAID PARALLEL LINE, A DISTANCE OF 200.00 FEET TO A POINT ON A LINE DRAWN PARALLEL WITH AND 380.00 FEET NORTH OF THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION; THENCE EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 572.50 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH ALONG THE EAST LINE, A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS (the Subject Property).

This amendment to a special use permit for planned development permit includes a modification to move the dumpster to a location behind the restaurant building as depicted in the original plans submitted to the Village on June 19, 2017, and is subject to the following conditions:

The Subject Property shall be developed substantially in accordance with the Preliminary Site Plan appended hereto and incorporated herein as EXHIBIT A entitled "PDQ Orland Park, SWC 156<sup>th</sup> St. & LaGrange Road, Orland Park, Illinois," prepared by InterPlan, LLC, dated June 19, 2017, last revised August 29, 2017, Sheet C1, subject to the condition that the dumpster is to be located behind the restaurant building as depicted in the original plan submitted to the Village on June 19, 2017.

The Subject Property shall also be developed substantially in accordance with the Elevations appended hereto and incorporated herein as EXHIBIT B, entitled "Exterior Elevations," and the drawings titled "Proposed Exterior Elevations" prepared by InterPlan, LLC, dated June 19, 2017, last revised August 29, 2017, Sheet C1.

The Subject Property shall also be developed substantially in accordance with the approved preliminary landscape plan titled "PDQ Orland Park, SWC 156<sup>th</sup> St. & LaGrange Road, Orland Park, Illinois," prepared by InterPlan, LLC, dated June 19, 2017, last revised August 29, 2017, Sheets LP-1 and LP-2.

#### SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this amended special use for planned development and Ordinance No. 5266, 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 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 amended special use permit for planned development as aforesaid.

#### SECTION 6

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