



# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)

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**Ordinance No: 4205**

**File Number: 2006-0338**

ORDINANCE GRANTING A SPECIAL USE PERMIT - MEDITERRANEAN HOUSE  
RESTAURANT

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 21st day of November, 2006 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

# VILLAGE OF ORLAND PARK

## Ordinance No: 4205

### ORDINANCE GRANTING A SPECIAL USE PERMIT - MEDITERRANEAN HOUSE RESTAURANT

WHEREAS, an application seeking 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 August 22, 2006, 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 Star and The Daily Southtown, newspapers of general circulation in this Village, there being no newspaper published 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 its recommendation that the requested special use permit be granted, and this Board of Trustees has duly considered said report and findings and recommendation;

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 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 special use permit for a restaurant in one of the tenant spaces of an existing commercial center:

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(a) The Subject Property is the existing 2.67 acre Waterfall Plaza commercial center at 8752 West 159th Street, and is zoned BIZ General Business District within the Village of Orland Park, Illinois. The Petitioner, Mediteraanean House Restaurant, is seeking a special use permit for a restaurant in a tenant space in the commercial center. A restaurant is a Major Special Use in the BIZ General Business District, when located, as the proposed restaurant is, within 300 feet of a residential area..

(b) The requested special use permit is for a restaurant to be located in a 1200 sq. ft. tenant space in an 18,300 sq.ft. existing building in the shopping center. The existing building is a single-story, multi-tenant retail and office center. No exterior changes in the building are proposed.

(c) The proposed special use will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned BIZ General Business District to the south, east and west, and is used for retail and commercial purposes to the south and east. Property to the west is vacant. Property to the north is zoned R-3 and contains the Orlan Brook Subdivision. A stockade fence exists along the north border of the Subject Property. The restaurant in an existing building will be consistent with these surrounding uses.

(d) The proposed 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 Community Intensity Commercial/Office. A restaurant is appropriate in such an area.

(e) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The restaurant will occupy about 1200 square feet in an existing building and will seat up to 54 persons indoors. No outdoor seating is requested. There is a stockade fence along the north side of the Subject Property, where it borders a residential area. The proposed special use will not have an adverse effect on the value of adjacent property, provided that the dumpster is kept in the designated area.

(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 commercial center has access to 159th Street and to Orlan Brook Drive. Parking at the commercial center site is adequate for this use, particularly because a number of the storefronts in the commercial center are currently occupied by office-type uses, with peak hours different from those for a restaurant.

(g) The Petitioner has made adequate legal provisions to guarantee the provision and development of any

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open space and other improvements associated with the proposed development.

- (h) The development will not adversely affect a known archaeological, historical or cultural resource.
- (i) The 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 by this or another Ordinance.

### SECTION 3

A special use permit is hereby granted and issued subject to the conditions below, for the operation of a 1200 square foot restaurant (Mediterranean House Restaurant) seating up to 54 persons indoors only, in a portion of an existing building in the existing Waterfall Plaza commercial center, at 8752 West 159th Street, legally described as follows:

PARCEL 1: THAT PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AND ABUTTING THE EAST LINE OF THE WEST 30 ACRES OF SAID WEST ½ OF THE SOUTHWEST ¼ AND LYING WEST OF AND ABUTTING THE WESTERLY LINE OF ORLAN BROOK DRIVE, AND LYING NORTH OF AND ABUTTING THE NORTH LINE OF 159TH STREET, AND LYING SOUTH OF AND ABUTTING THE SOUTH LINE OF ORLAN BROOK UNIT - 2 (EXCEPT THE SOUTH 158.0 FEET THEREOF) ALL IN ORLAND TOWNSHIP, COOK COUNTY, ILLINOIS.

PARCEL 2: THE WEST 170.0 FEET OF THE SOUTH 158.0 FEET OF THAT PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AND ABUTTING THE EAST LINE OF THE WEST 30 ACRES OF SAID WEST 30 ACRES OF SAID WEST ½ OF THE SOUTHWEST ¼ AND LYING WEST OF AND ABUTTING THE WESTERLY LINE OF ORLAN BROOK DRIVE, AND LYING NORTH OF AND ABUTTING THE NORTH LINE OF 159TH STREET AND LYING SOUTH OF AND ABUTTING THE SOUTH LINE OF ORLAN BROOK UNIT NO. 2, ALL IN ORLAND TOWNSHIP, COOK COUNTY, ILLINOIS.

This special use is subject to the condition that construction be pursuant to the site plan titled “8752-6 W. 159th St.,” faxed 06-22-06, subject to the following further conditions:

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1. That the Petitioner provide a signed 10-minute parking space for carry-out customers if carry-out services are provided at the restaurant.
2. That the Petitioner only use a dumpster that is located within the existing trash enclosure.
3. That all building code related items be met.

### SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit and in the event of non-compliance, said permit 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 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.

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PASSED this 20th day of November, 2006

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/s/ David P. Maher

**David P. Maher, Village Clerk**

**Aye:** 7 Trustee Fenton, Trustee Murphy, Trustee Dodge, Trustee Gira, Trustee Schussler, Trustee O'Halloran, and Village President McLaughlin

**Nay:** 0

DEPOSITED in my office this 20th day of November, 2006

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/s/ David P. Maher

**David P. Maher, Village Clerk**

# VILLAGE OF ORLAND PARK

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APPROVED this 20th day of November, 2006

*/s/ Daniel J. McLaughlin*

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**Daniel J. McLaughlin, Village President**

PUBLISHED this 21st day of November, 2006

*/s/ David P. Maher*

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**David P. Maher, Village Clerk**