



# 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: 4405**

**File Number: 2008-0329**

ORDINANCE GRANTING A SPECIAL USE PERMIT - JEWEL OF SIAM (9216 WEST 159TH STREET)

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 5th day of August, 2008 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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ORDINANCE GRANTING A SPECIAL USE PERMIT - JEWEL OF SIAM (9216 WEST 159TH STREET)

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 June 24, 2008, 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 thirty (30) days nor less than fifteen (15) days prior to said hearing in the SouthtownStar, a newspaper 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

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

(a) The Subject Property is located at 9216 West 159th Street, in the Park Hill Plaza Shopping Center, an existing commercial center, zoned BIZ General Business District within the Village of Orland Park, Illinois. The Petitioner, Jewel of Siam, is seeking a special use permit for a restaurant in a vacant 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 three hundred thirty feet (330') of a residential area.

(b) The requested special use permit is for a restaurant with forty-eight (48) seats to be located in an approximately 1,440 sq. ft. tenant space in an existing building in a shopping center. The existing building is a single-story, multi-tenant retail and office center. The proposed restaurant is approximately three hundred twenty-five feet (325') from the nearest residential parcel, which is the Park Hill Subdivision to the north. No exterior changes in the existing 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 east and west, and is used for small business retail and commercial purposes, and R-3 Residential District to the north, used for a residential subdivision. Property to the south (across 159th Street) is located in Orland Hills and contains various retail uses. A restaurant in an existing commercial center building can 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 have forty-eight (48) seats and occupy about 1,440 square feet in an existing building. It is moving from a similar unit in the same shopping center. There will be no change in the exterior of the existing shopping center building. The proposed special use will not have an adverse effect on the value of adjacent property, provided that trash from the new unit is adequately addressed and the rear of the shopping center is cleaned up.

(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 via two (2) access drives with full turning capabilities. Parking at the Park Hill Plaza Shopping Center site is adequate for this use.

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(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 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 an approximately 1,440 square foot restaurant (Jewel of Siam) with forty-eight (48) seats, located at 9216 West 159th Street in a tenant portion of an existing building in the existing Park Hill Plaza Shopping Center, legally described as follows:

THAT PART OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHEAST  $\frac{1}{4}$ , 57.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST  $\frac{1}{4}$ ; THENCE NORTHERLY ALONG SAID WEST LINE A DISTANCE OF 400.00 FEET; THENCE EASTERLY ALONG A LINE 457.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST  $\frac{1}{4}$ , A DISTANCE OF 719.90 FEET TO A POINT OF CURVE. SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF PARK HILL DRIVE AS DEDICATED BY PARK HILL SUBDIVISION UNIT NO. 1-A; THENCE SOUTHERLY ALONG A CURVE (BEING ALSO THE WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE) WHOSE CENTER LINE LIES EASTERLY AND HAS A RADIUS OF 852.00 FEET AN ARC DISTANCE OF 266.31 FEET TO A POINT ON THE SAID WESTERLY RIGHT-OF-WAY LINE, BEING 195.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST  $\frac{1}{4}$ ; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 138.00 FEET; THENCE WESTERLY ALONG LINE 57.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST  $\frac{1}{4}$  A DISTANCE OF 676.22 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING: THAT PART BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL 1; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID PARCEL 1, A DISTANCE OF 270.00

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FEET; THENCE NORTHERLY PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 160.00 FEET; THENCE EASTERLY ALONG A LINE 160.00 FEET; THENCE EASTERLY ALONG A LINE 160.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF PARCEL 1, A DISTANCE OF 270.28 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE AS DEDICATED BY PARK HILL SUBDIVISION UNIT NO. 1-A, THENCE SOUTHERLY ALONG A CURVE (BEING ALSO THE WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE) WHOSE CENTER LIES EASTERLY AND HAS A RADIUS OF 852.00 FEET AN ARC DISTANCE OF 22.00 FEET; THENCE SOUTHERLY A DISTANCE OF 138.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF PARK HILL DRIVE TO THE POINT OF BEGINNING; AND ALSO EXCEPTING THEREFROM THE FOLLOWING: COMMENCING AT THE INTERSECTION OF THE WEST LINE OF PARK HILL DRIVE AS DEDICATED BY PARK HILL SUBDIVISION UNIT NO. 1-A AND A LINE 5700 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE WESTERLY, ALONG SAID LINE 57.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 324.00 FEET TO THE POINT OF BEGINNING, CONTINUING WESTERLY, ALONG THE LAST DESCRIBED LINE, 151.65 FEET; THENCE NORTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, 100.00 FEET; THENCE EASTERLY ALONG A LINE 157.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST 1.4, A DISTANCE OF 151.65 FEET; THENCE SOUTHERLY, PERPENDICULAR TO THE LAST DESCRIBED LINE, 100.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

This special use is subject to the following conditions:

1. That the site manager/Petitioner provides a dumpster specifically for the use of Jewel of Siam that follows and meets the Village's code requirements for screening and enclosure.
2. That the site manager/Petitioner cleans up the entire site to the rear of the Park Hill Plaza shopping center, removing debris, materials, and any undesirable plant growth.
3. That all building code related items are met.
4. That all health code related items are met.
5. That all sign related materials be approved by the Building Division.
6. That the site manager/Petitioner repairs the rear fence by October 2008.

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## SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of the special use permit herein granted 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 4th day of August, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

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

**Nay:** 0

DEPOSITED in my office this 4th day of August, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**

APPROVED this 4th day of August, 2008

/s/ Daniel J. McLaughlin

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**Daniel J. McLaughlin, Village President**

PUBLISHED this 5th day of August, 2008

/s/ David P. Maher

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**David P. Maher, Village Clerk**