



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4463

File Number: 2008-0521

ORDINANCE GRANTING A SPECIAL USE PERMIT - EL PUEBLITO RESTAURANT (ORLAND PARK SQUARE PLAZA)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 17th day of February, 2009 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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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 November 25, 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 30 days nor less than 15 days prior to said hearing in the SouthtownStar, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed with the President and Board of Trustees its report of findings and recommendations that the requested special use permit 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 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 units of a commercial building under construction, as follows:

VILLAGE OF ORLAND PARK

Ordinance No: 4463

(a) The Subject Property is located in an existing commercial center, Orland Park Square Plaza at 9111 West 151st Street, that is zoned BIZ General Business District within the Village of Orland Park, Cook County, Illinois. The Petitioner is seeking a special use permit for a restaurant to be located in a portion of an existing retail unit in the plaza. A restaurant is a Major Special Use in the BIZ General Business District when located within 330 feet of a residential parcel, as the Subject Property is. The restaurant is proposed to occupy 2,600 square feet of a 4,050 square foot unit in a retail building, and seat forty eight (48) persons.

(b) 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 contains commercial/retail buildings, and R-3 Residential to the south and contains single-family homes. To the north across 151st Street is COR Mixed Use Zoning and a pond. A restaurant with indoor seating in an existing commercial center is consistent with the varied character of these surrounding uses.

(c) 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 in a commercial center is appropriate in such an area.

(d) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The restaurant will occupy about 2,600 square feet of a 4,050 square foot unit in an existing building and seat up to forty-eight (48) persons. The proposed special use will not have an adverse effect on the value of adjacent property because no exterior changes are proposed. Residential property to the south will not be adversely affected by the restaurant because no changes to the exterior are proposed and because a tree will be planted on the south side of the building for screening.

(e) 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. Adequate parking is available for all the uses in the Plaza, including the new restaurant. Access to the property is from 151st Street as well as Regent Drive and Windsor Drive.

(f) 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.

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

VILLAGE OF ORLAND PARK

Ordinance No: 4463

(h) The special use 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.

SECTION 3

A special use permit for a restaurant in the BIZ General Business District, subject to the condition below, is hereby granted and issued to El Pueblito Restaurant for the operation of a restaurant seating up to forty-eight (48) persons at 9111 West 151st Street in Orland Park Square Plaza on property described as follows:

LOT 4 IN ORLAND SQUARE VILLAGE UNIT II, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

This Special Use permit is subject to the condition that the restaurant be developed and operated as shown on the sketch floor plan titled "El Pueblito Inc.," prepared by the Petitioner, received 11-4-08, and per the submitted sketch building layout plan titled "Orland Park Square Plaza 9105/9111 W. 151st Street, Orland Park," prepared by Charilaos Balaskas, dated 11-3-08, received 12-3-08, as a 2,600 square foot restaurant with forty-eight (48) seats, twenty (20) parking spaces, and to be within 330 feet from residential properties in the Village Square of Orland Subdivision, subject to the following further conditions:

1. That El Pueblito Restaurant have its own dumpsters;
2. That the Petitioner installs a new garbage enclosure made of wood to screen three (3) sides of the enclosure;
3. That the fourth side of the garbage enclosure be a gate to secure the enclosure and screen it from view;
4. That all utility conduits and mechanical equipment are screened from the public rights-of-way and from any neighboring residential properties;
5. That any new signage is submitted for approval and permits;
6. That the Petitioner and the property owner mitigate the impacts of the restaurant's proximity to the residences by planting 1 Callery Pear tree (*Pyrus calleryana*) in the strip of pervious surface area at the rear of the plaza building behind the proposed use;

VILLAGE OF ORLAND PARK

Ordinance No: 4463

7. That all building code related items are met;
8. That all health code related items are met; and
9. That the proposed restaurant have the same operating hours as the connected retail business in the event 9111 W. 151st Street is connected to the neighboring retail unit inside the building.

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 County, Illinois, 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.

PASSED this 16th day of February, 2009

/s/ David P. Maher

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 16th day of February, 2009

/s/ David P. Maher

David P. Maher, Village Clerk

VILLAGE OF ORLAND PARK

Ordinance No: 4463

APPROVED this 16th day of February, 2009

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 17th day of February, 2009

/s/ David P. Maher

David P. Maher, Village Clerk