



# VILLAGE OF ORLAND PARK

14700 S. Ravinia Avenue  
Orland Park, IL 60462  
www.orlandpark.org

## Department Requested Action

File Number: 2012-0473

Agenda Date: 11/5/2012

Version: 1

Status: PASSED

In Control: Board of Trustees

File Type: MOTION

Agenda Number: M.

### [Title/Name/Summary](#)

17151 Wolf Road Land Donation

History

### **QUICKFACTS**

#### **Project**

17151 Wolf Road Land Donation

#### **Purpose**

Donation of a land parcel to the Village of Orland Park

#### **Project Attributes**

Owner: Land trust represented by Kathleen Gerhardstein

Address: 17151 Wolf Road

Size: 3 acres

Comprehensive Land Designation: Low intensity residential development

Existing Zoning: Currently unincorporated Cook County

Proposed Zoning: OL = Open Lands District (subject to Annexation into the Village)

### **OVERVIEW AND BACKGROUND**

The land owner of this property has approached the Village with an interest in donating land held by a family trust. The three acre unincorporated parcel is located on the east side of Wolf Road just north of the former El Cortez Restaurant. It is undeveloped and located almost entirely in the flood plain and/or wetland. K Fence, who owns the property to the north, currently informally leases the front portion of the property to display their fences for \$1,400 per year. Additionally, Clear Channel Outdoor currently leases a billboard space on the site for \$1,200 per year. The parcel is located in the Marley Creek floodplain, which has been identified in the draft Comprehensive Plan's Open Space Chapter as a proposed greenway. Two other Open Lands holdings, Marley Creek and

Marley Creek West, are located less than one half mile downstream in the same floodplain.

Much of the development in this unincorporated area along Wolf Road has not been up to standards of the surrounding Orland Park residential areas. Due to physical constraints on land in this area, land owners struggle to find a financially viable way to utilize their property, possibly resulting in undesirable or sub-standard unincorporated development, such as billboards, cell towers, or other difficult-to-locate development.

This proposal was taken to the Open Lands Commission meeting on July 10, 2012 for consideration. There were questions regarding costs related to acceptance of the land, such as inspection and legal fees, and who would be responsible for them. Ms. Gerhardtstein does not wish to cover any costs associated with the transfer of the land. There was also a concern with possible environmental contamination that might exist on the site. The Commission discussed the acceptance of the land as an Open Lands holding, and supported the acceptance in conjunction with a broader effort to target and protects the Marley Creek Watershed, with the hope that additional land along the Marley Creek floodplain could be aggregated into a protected greenway.

After donation, the parcel would need to be annexed into the Village and rezoned into the Open Lands Zoning District.

#### **Financial Impact**

Other than typical legal and closing costs, staff does not anticipate any immediate financial obligations for this property. This property is considered an opportunity acquisition that would be a part of a larger Marley Creek greenway project, identified in the draft Comprehensive Plan update and supported by the Open Land Commission. Restoration of this specific site would be a part of a larger greenway initiative in the future, as identified and financially supported by the Open Lands Commission.

#### **OPEN LANDS COMMISSION MOTION**

On July 10, 2012, Open Lands Commission voted 5-0 to recommend to the Village Board "acceptance of the land donation, pending verification by the Village that the site is clean".

#### **DEVELOPMENT SERVICES COMMITTEE MOTION**

On August 20, 2012, the Development Services Committee voted 3-0 to recommend to the Village Board acceptance of the land donation of a 3 acre parcel located at 17151 Wolf Road, subject to the following conditions:

1. An inspection will be conducted of the site for visible signs of illegal dumping and potential contamination, with the understanding that the Village will decline the donation if issues are observed.
2. The closing costs including legal fees be paid for by the Village out of the General Fund after a source is identified; and if the Board approves this item; and if not the Open Lands Commission consents to cover the legal fees and closing costs.
3. Prior to acceptance of the donation, the Village must receive an executed copy of the Clear Channel billboard lease on the property, and the Village will decline the donation if

the lease is not received, or if the terms of the lease are considered to be onerous by the Village Board or staff.

## **DISCUSSION**

Since the Committee meeting the following has occurred:

1. The land owners have forwarded information to the Village including the parcel's trust documents and a copy of the current Clear Channel billboard lease. The lease expires on March 5, 2013, and must be cancelled 90 days prior to the end of the lease, otherwise the current lease will automatically renew for a period of six years. Additionally, Clear Channel has sent the current land owners a new lease they want the owners to sign, which states that "If a government or quasi-government entity acquires the property, then the lease shall be extended to the date which is thirty (30) years from the date of acquisition." The landowner has verbally informed Clear Channel that they wish to terminate the lease, and will follow up with a written cancellation after the Board approves acceptance of the donation. A condition of approval has been added to the recommended motion that the billboard lease must be terminated before Village will accept the land donation.
2. A visual inspection of the property was conducted by Village staff, and although there is trash and debris on the site, there were no overt visible signs of environmental dumping on the site.

This case is now before the Village Board for final consideration

### **Recommended Action/Motion**

I move to accept the land donation of a 3 acre parcel located at 17151 Wolf Road as recommended at the August 20, 2012 Development Services Committee Meeting and as fully referenced below.

### **THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)**

I move to accept the land donation of a 3 acre parcel located at 17151 Wolf subject to the following conditions:

1. The closing costs including legal fees will be paid for by the Village out of the General Fund after a source is identified that is approved by the Board; otherwise the Open Lands Commission must consent to cover the legal fees and closing costs.
2. The land owner must terminate the lease for the billboard on the property, and the Village must receive written legal confirmation of that termination, prior to the Village's acceptance of the land.