

ORDINANCE GRANTING A SPECIAL USE PERMIT – PUBLIC WORKS BULK STORAGE TEMPORARY FACILITY – 16401 108TH AVENUE

WHEREAS, an application seeking a special use permit with modifications 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 May 27, 2014 on whether 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 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 Prairie, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use permit be granted with this President and Board of Trustees, 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 permit with modifications 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 as follows in relation to the special use permit to construct and operate a bulk storage temporary transfer facility for the Village's Public Works Department in the E-1 Estate Residential Zoning District with modifications as follows:

(a) The Subject Property is owned by the Village, is located at 16401 108th Avenue and is currently vacant. It is zoned E-1 Estate Residential Zoning District within the Village of Orland Park, Cook and Will Counties, Illinois. The Village is the Petitioner and is seeking a special use permit to provide for a bulk storage temporary transfer facility, which is considered a governmental use, on the Subject Property. Also requested are modifications to increase lot

coverage from 25% to 57%, to reduce the north side yard setback from 25 feet to 17.5 feet, to allow a fence in the font setback area and to permit a non-residential fence to be more than 50% transparent/open.

(b) The Orland Park Land Development Code provides that governmental uses are special uses in the E-1 Estate Residential Zoning District.

(c) Granting the requested modifications 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 of the Village. Specifically, granting the requested fence variances will enhance the ability of the special use to minimize adverse effects on adjacent properties by providing added screening for the use. The variance for lot coverage is appropriate because the Subject Property is surrounded by properties zoned MFG Manufacturing District and ORI Mixed Use District, except for the property across 108th Avenue, which is zoned R-4 Residential District. The lot coverage permitted for MFG Manufacturing District is 80% and for ORI Mixed Use District is 75%. Therefore, the lot coverage of 57% is far below the permitted lot coverage for those districts and will not have an adverse impact on neighboring properties. The reduction in setback is necessary to accommodate the privacy fence and to provide room for the access drive.

(d) The proposed special use permit will be consistent with the character of the immediate vicinity of the Subject Property. The Subject Property is located in the E-1 Estate Residential Zoning District. Property to the north and east of the Subject Property is zoned MFG Manufacturing District and includes offices, light industrial uses and vacant land. Property to the south of the Subject Property is zoned OR Mixed Use District and includes offices and vacant land. The property to the west of the Subject Property (across 108th Avenue) is zoned R-4 Residential and contains multi-family residential. These uses will not be adversely affected by the addition of the bulk storage temporary transfer facility. The temporary nature of the facility preserves the Comprehensive Plan's long term designation for office development within an ORI Mixed Use District.

(e) 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 area as Office Employment Emphasis. The bulk storage temporary transfer facility is consistent with the industrial character of the area and preserves the long term designation consistent with the Comprehensive Plan.

(f) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. No inappropriate or adverse visual impacts or effects will result because the use will be screened by a privacy fence and dense bufferyard C type landscaping. The proposed special use as conditioned by this Ordinance will not have an adverse effect on the value of adjacent property.

(g) 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. Access to the site is from 108th Avenue, a major collector street, and will be provided via an existing curb cut. The driveway will extend from 108th Avenue and be aligned parallel to the north property line inside the facility. There will be a cul-de-sac at the east end of the site for a turnaround for public works trucks.

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

SECTION 3

A special use permit is hereby granted and issued, subject to the conditions below, for the construction and operation of a bulk storage temporary transfer facility, subject to the conditions below, on property legally described as follows:

THE NORTH 5 ACRES OF THE SOUTH 20 ACRES OF THE NORTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.: 27-20-400-002

This special use permit includes modifications to increase lot coverage from 25% to 57%, to reduce the north side yard setback from 25 feet to 17.5 feet, to allow a fence in the front setback area and to permit a non-residential fence to be more than 50% transparent/open, and is subject to the condition that construction on the Subject Property be pursuant to the hereby approved Preliminary Site Plan entitled "Site Plan Bulk Transfer Storage Facility" prepared by Christopher B. Burke Engineering Ltd, project number 140077, dated May 7, 2014, sheet SD-1, and subject to the following further conditions:

1. That petitioner ensures that the privacy fence adjacent to the north property line extends at a minimum to the east property line of 10777 163rd Place office development;
2. That petitioner submits a landscape plan within 60 days of final engineering for separate review and approval;
3. That petitioner meets all final engineering and building code related items; and
4. That petitioner submits signage plans for separate review and permit that identify the facility as Village property.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this 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.