



Legislation Details (With Text)

**File #:** 2017-0219    **Version:** 5    **Name:** Ordinance Granting a Special Use Permit - Teas & Things Sip & Go Café - 9911 W. 143rd Place

**Type:** ORDINANCE    **Status:** PASSED

**File created:** 3/22/2017    **In control:** Board of Trustees

**On agenda:** 6/19/2017    **Final action:** 6/19/2017

**Title:** ORDINANCE GRANTING A SPECIAL USE PERMIT FOR TEAS & THINGS SIP & GO CAFE - 9911 WEST 143RD PLACE

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
6/23/2017	5	Village Clerk	PUBLISHED	
6/19/2017	4	Board of Trustees		
6/14/2017	4	Development Services Department	INTRODUCED TO BOARD	
6/5/2017	3	Board of Trustees		
5/25/2017	3	Development Services Department	INTRODUCED TO BOARD	
5/15/2017	2	Development Services, Planning and Engineering Committee	RECOMMENDED FOR APPROVAL	Pass
5/10/2017	2	Development Services Department	INTRODUCED TO COMMITTEE	
5/5/2017	1	Development Services Department	INTRODUCED TO COMMISSION	
4/17/2017	0	Development Services Department	INTRODUCED TO COMMISSION	

**Title/Name/Summary**

ORDINANCE GRANTING A SPECIAL USE PERMIT FOR TEAS & THINGS SIP & GO CAFE - 9911 WEST 143RD PLACE

**BODY**

WHEREAS, an application seeking a special use permit to operate a restaurant within 300 feet from a residential parcel at 9911 West 143<sup>rd</sup> Place 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, said Plan Commission of this Village held a public hearing on May 9, 2017, 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 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 be granted with this President and Board of Trustees, and this Board of Trustees have 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 of this Village has made its report of findings and recommendations regarding the proposed special use. The findings of the Plan Commission are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearings are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed special use is in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

## SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permit to operate a restaurant within 300 feet from a residential parcel at 9911 West 143<sup>rd</sup> Place, as follows:

(a) The Subject Property is located at 9911 West 143<sup>rd</sup> Place within the Village of Orland Park in Cook County, Illinois. The proposal is to operate a 900 square foot tea specialty café in the Old Orland Historic District Union Avenue Commercial Sub-Area. A special use permit is required pursuant to Section 6-209.B.3 of the Land Development Code because the Subject Property is within 300 feet of a residential parcel. A restaurant is an allowable special use for the OOH Old Orland Historic District provided that it complies with the procedures and standards set forth in Section 5-105 of the Land Development Code. The Petitioner is not proposing any changes to the exterior of the site. There are no modifications or variances proposed for this project.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The proposed land use as a restaurant is compatible with the OOH Old Orland Historic District's permitted commercial area, although it requires a special use permit. The proposed land use is also compatible with the Comprehensive Plan's designation of the Subject Property as Neighborhood Mixed Use.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned OOH Old Orland Historic District - Medical Office to the north, OOH Old Orland Historic District - Single Family Residential to the south, OOH Old Orland Historic District - Single Family Residential to the east, and OOH Old Orland Historic District - Commercial to the west, and includes medical offices, retail tobacco, and other restaurants.

(d) The design of the development will minimize adverse effects, including visual impacts, on adjacent properties. The proposed use will fill a vacant space. There will be no changes to the exterior of the site with the exception of signage, which will adhere to the local regulations, and no landscaping or trees will be removed during the project. The proposed site will not alter any entry way that will disrupt access to the property, and it has been determined that there is adequate parking capacity to accommodate the restaurant. The building has historically been used as commercial, and is in good condition with medium integrity. Its architectural style will remain "19<sup>th</sup> Century Commercial/Storefront." Pursuant to Section 6-209 of the Land

Development Code, the building is not recognized as a contributing structure to the OOH Old Orland Historic District. Accordingly, there will be no adverse effect on the value of the adjacent property.

(e) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire 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 existing building footprint shall remain, and all utilities for this development are present and available. The proposed site will not alter any entry way that will disrupt access to the property.

(f) Petitioner has made adequate legal provision 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.

(h) The proposed development shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances and regulations of the Village.

### SECTION 3

A special use for the operation of a restaurant at 9911 West 143<sup>rd</sup> Place, which is located within 300 feet from a residential parcel, is hereby granted and issued to Teas & Things Sip & Go Cafe for the following described property, subject to the conditions below:

LOTS 1, 2, 3, 4 AND ALL OF THE 16 FOOT VACATED ALLEY LYING SOUTHEASTERLY OF LOTS 1, 2, AND 3 AND LOT 4 AND THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH OF LOTS 3 & 4 AS PER ORDINANCES RECORDED AS DOCUMENT 2684060 AND 17491429 IN BLOCK 6 IN THE TOWN OF SEDGWICH (NOW ORLAND), A SUBDIVISION OF THE NORTH 20 ACRES OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINS: 27-09-204-006-0000; 27-09-204-007-0000

This special use permit is subject to the following conditions:

A. That all necessary building permit applications with the correct address are submitted to the Building Department.

B. That the Petitioner paint any and all mechanical equipment sky grey to blend them into the background.

### SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance and all other codes and ordinances of the Village unless specifically amended by this or another ordinance. In the event of non-compliance, the special use 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 as aforesaid.

SECTION 6

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.