



## Legislation Text

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**File #:** 2020-0025, **Version:** 4

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### Title

ORDINANCE GRANTING A SPECIAL USE FOR OVERNIGHT SLEEPING ACCOMMODATIONS (SHELTER) AS AN ACCESSORY USE TO A PLACE OF WORSHIP (HOPE COVENANT CHURCH - 14401 WEST AVENUE)

### Body

WHEREAS, an application seeking a special use 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 February 18, 2020, 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 of the public hearing in the form required by law, was given on January 31, 2020, by publication not more than thirty (30) days nor less than fifteen (15) days prior to said hearing in the Daily Southtown, a newspaper of general circulation 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 recommendations that the requested special use 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 as follows:

(a) The Subject Property is located within the Village of Orland Park in Cook County, Illinois, at 14401 West

Avenue and is zoned Old Orland Historic District.

(b) Specifically, Petitioner, Hope Covenant Church, proposes to establish and operate a portion of the existing house of worship for one day a week overnight sleeping accommodations (a shelter) for persons having no regular home or residence address as an accessory use.

(c) The proposed special use is consistent with the character of the immediate vicinity of the Subject Property. The surrounding property on all sides is single-family residential zoned R-3 Residential on the south and west and zoned Old Orland Historic District on the north and east. Overnight sleeping accommodations without charge is a special use as an accessory use to an existing place of worship and is consistent with the surrounding area.

(d) The 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 Downtown Planning District/Community and Institutional. The proposed accessory use will be consistent with this designation. There will be adequate parking and landscaping.

(e) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The proposed accessory use will blend in with the community character of the residential properties in the vicinity and will not pose any potential adverse impacts on adjacent properties.

(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.

(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 in this or another Ordinance.

### SECTION 3

A special use permit in the Old Orland Historic District is hereby granted and issued for overnight sleeping accommodations (a shelter), without charge, from 6:00 p.m. to 7:00 a.m., limited to one (1) such time period in seven (7) days for people having no regular home or residence address as an accessory use to an existing place of worship to be located on property legally described as:

#### PARCEL 1:

LOTS 1 TO 13, BOTH INCLUSIVE, IN BLOCK 10 IN SEDGWICK, A SUBDIVISION OF PART 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.

#### PARCEL 2:

THAT PART OF THE NORTHEAST ¼ OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH AND WEST OF THE NORTHWESTERLY LINE OF THE WABASH, ST. LOUIS AND PACIFIC RAILROAD AND LYING SOUTH OF THE SOUTH LINE OF SAID BLOCK 10 IN SEDGWICK, A SUBDIVISION OF THE PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SAID SECTION 9, ALL IN COOK COUNTY, ILLINOIS.

PIN(s): 27-09-205-012-0000 and 27-09-205-013-0000

The Subject Property shall be established and operated substantially in accordance with the Development Petition and Petition for Plan Review and Approval submitted by Petitioner, subject to the following conditions:

1. Petitioner must meet Building Code requirements, including required permits from outside agencies if required.
2. The Petitioner must comply with the terms set forth in the Settlement Agreement between the Village and Petitioner executed by the Village of Orland Park on November 27, 2019.
3. The Petitioner must restrict the total amount of overnight guests to the occupancy limits as defined by the Village Building Code or other applicable codes and ordinances.
4. The Petitioner must submit plans for food service that meet the Food and Drug Administration statutory requirements for pot luck.
5. The Petitioner must install surveillance cameras in the existing parking lot, the location of which will be determined in conjunction with the Orland Park Police Department.
6. The Petitioner shall submit building permit plans outlining the proposed operations. In instances where the Petitioner is seeking relief from a Code requirement, it must indicate which specific section it is requesting relief from and provide an alternative to help mitigate the impact of the request.
7. The Petitioner must institute a fire watch procedure for volunteers during overnight shelter operations until the sprinkler system and the fire alarm system in the building are evaluated and upgraded.
8. The overnight shelter operations will only be allowed from October 1<sup>st</sup> until April 30<sup>th</sup>.
9. The Petitioner must submit specific interpretation requests for the Illinois Accessibility Code to the Illinois Capital Development Board. It is understood that the Village cannot waive or vary any requirement of the Illinois Accessibility Code.
10. The Petitioner and staff will work together to detail the protocol to accept a guest who is a “walk-in” and not a registered participant.
11. The Petitioner shall comply with all lawful Proclamations and Executive Orders issued by the Village President of the Village of Orland Park, the President of the Cook County Board of Commissioners, the Governor of the State of Illinois and the President of the United States for the duration of disaster proclamations and shall follow and implement all applicable World Health Organization and Center for Disease Control (CDC) guidelines and recommended mitigation measures and strategies in connection with any disaster proclamation.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this special use, covering the Subject Property, except as specifically amended by this or another Ordinance, 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 this special use permit as aforesaid.

SECTION 6

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