



VILLAGE OF ORLAND PARK

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

Ordinance No: 4142

File Number: 2005-0754

AN ORDINANCE GRANTING A SPECIAL USE AND A VARIATION (AMBASSADOR CAR CARRIERS, 16242 SOUTH 107TH AVENUE)

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 6th day of June, 2006 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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AN ORDINANCE GRANTING A SPECIAL USE AND A VARIATION (AMBASSADOR CAR CARRIERS, 16242 SOUTH 107TH AVENUE)

WHEREAS, a petition seeking a special use and a variation 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 and has been processed in accordance with the Orland Park Land Development Code, as amended; and

WHEREAS, the Plan Commission of this Village held a public hearing on February 14, 2006, properly continued to March 14, 2006, on whether the requested special use and variation should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice, in the form required by law, was given of said February 14, 2006, public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in The Orland Park Star and The Daily Southtown, newspapers of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the proposal be granted with this President and Board of Trustees, and this Board of Trustees has duly considered said reports, 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 report of the Plan Commission of this Village is herein incorporated by reference, as completely as if fully recited herein at length. Also, all exhibits submitted at the public hearings held by the Plan Commission are hereby incorporated by reference as fully as if attached hereto. This Board of Trustees further finds that the proposed special use and variation are in the public good and in the best interests of the Village and its residents and are consistent with and foster 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 proposed special use and variation as follows:

- a. The Subject Property is an approximately 1-acre parcel located at 16242 S. 107th Avenue in Orland

VILLAGE OF ORLAND PARK

Ordinance No: 4142

Park, Illinois. The site is zoned MFG Manufacturing District. The request is to build a 3,200 square foot building on the Subject Property and operate a vehicle towing and storage facility.

b. The Subject Property is located in the Beemsterboer Industrial Park on lot 37. Although a towing facility is permitted under the MFG District regulations, under the Beemsterboer Industrial Park Special Use Ordinance, Ordinance 1874, a special use permit is required for such a use.

c. Petitioner also requests a variance from the permitted maximum size of the outdoor storage area from 25% to 51.9% of the area of the Subject Property to accommodate the large number of towed cars anticipated to be stored there.

d. The proposed special use will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned MFG to the north, south, east and west and is all vacant land within the Beemsterboer Industrial Park. Railroad right-of-way exists to the northwest of the Subject Property, about 100 feet away, and to the direct west is detention for the industrial park. One lot away to the north is Apple Chevrolet vehicle storage and detailing. The proposed use will be consistent with these uses as well as other possible uses for the vacant parcels in the industrial park.

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. By the proposed use meeting the special use standards, the Beemsterboer Industrial Park plan is complied with. The proposed use is permitted in the MFG District, and the Comprehensive Plan designates the Subject Property as Regional Intensity Commercial. The proposed vehicle towing and storage use is therefore consistent with all these purposes and goals.

f. The design of the proposed special use will minimize any adverse effects, including visual impacts on adjacent properties. All setback requirements are met and the building height is 18 feet, far below the 40 feet permitted. Supplementary detention will be provided.

g. The special use and variation if granted will not alter the essential character of the locality because the Subject Property is in an industrial park and all setbacks and landscaping requirements will be met.

h. The variation requested will be consistent with the character of the immediate vicinity. The Subject Property is located in an industrial park. Permitting a large outdoor storage area on the Subject Property will not affect the character of the area as a whole. Apple Chevrolet has outdoor vehicle storage on its property, just one lot to the north of the Subject Property.

i. The property in question cannot yield a reasonable return if permitted to be used only under the outdoor

VILLAGE OF ORLAND PARK

Ordinance No: 4142

storage requirements of the Land Development Code. There is not enough room to store the many vehicles that Petitioner's use requires.

j. The Petitioner has demonstrated that public facilities and services will be capable of serving the proposed special use at an adequate level of service.

k. The plight of the owner is due to the unique circumstances of the need for storage on the Subject Property, as well as the nature of the partly gravel vehicle storage area requested, which is less intrusive than many other possible forms of development. The owner is a towing and storage business and requires a large outdoor storage area.

l. The denial of the requested special use and variation would be a hardship to the Petitioner because it would render the Subject Property unusable for his purposes.

m. The granting of the special use and variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, for the reasons cited above.

n. The proposed special use and variation will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire or endanger the public safety or impair property values within the neighborhood. They will not detrimentally impact neighboring properties, as stated above. No fire danger increase will result.

SECTION 3

Subject to the conditions below, a special use and a variation are hereby granted to Ambassador Car Carriers to permit the construction and operation of a vehicle towing and storage facility with outdoor storage on 51.9% of the lot, rather than the 25% otherwise permitted, on property legally described as:

LOT 39 IN BEEMSTERBOER'S INDUSTRIAL PARK, PHASE 5, A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 20, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 1993, AS DOCUMENT NO. 93046791, IN COOK COUNTY, ILLINOIS.

The above special use and variation are subject to the following conditions:

A. That development on the Subject Property be pursuant to the hereby-approved final plan entitled "Site Plan - Lot 39, Beemsterboer Industrial Park," prepared by Geotech Inc., Job No. 16698, dated April 1, 2005, last revised April 26, 2006, Page 1 of 1, subject to the following further conditions:

VILLAGE OF ORLAND PARK

Ordinance No: 4142

1. That the east portion of the storage yard surface be paved with asphalt (amount to be determined by the Building Division);
2. That a Landscape Plan based on final engineering drawings that meets code requirements is submitted for separate review and Board approval within sixty (60) days of final engineering approval; and
3. That this be subject to final engineering approval.

B. That building elevations be pursuant to the hereby-approved Building Elevations entitled, "Elevations - Ambassador Car Carrier Inc.," prepared by Farhad Niroumand-Rad Architects, dated January 8, 2006, Sheets No. A-3 and A-4, subject to the condition that building code requirements are met.

SECTION 4

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

SECTION 5

The Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form, said pamphlet to be deposited in the office of the Village Clerk for general distribution.

PASSED this 5th day of June, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 7 Trustee Fenton, Trustee Murphy, Trustee Dodge, Trustee Gira, Trustee Schussler, Trustee O'Halloran, and Village President McLaughlin

Nay: 0

DEPOSITED in my office this 5th day of June, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

VILLAGE OF ORLAND PARK

Ordinance No: 4142

APPROVED this 5th day of June, 2006

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 6th day of June, 2006

/s/ David P. Maher

David P. Maher, Village Clerk