

ORDINANCE NO. 13-27

AN ORDINANCE AUTHORIZING A SPECIAL USE PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A GAS STATION TO BE LOCATED AT 111 SOUTH MARQUETTE PLACE, MANTENO, ILLINOIS

WHEREAS, a petition was filed by Casey's Retail Company, petitioner and purchaser of the property commonly known as 111 South Marquette Place, Manteno, IL, seeking a special use permit to allow the construction and operation of a gas station in the C-2 Zoning District; and

WHEREAS, on January 14, 2014, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the above-referenced special use; and

WHEREAS, the Plan Commission did consider the parties' testimony and exhibits entered into evidence; and

WHEREAS, the Plan Commission did submit to the Village Board its findings of fact and its recommendation to approve the special use allowing the construction and operation of a gas station on the property located at 111 South Marquette Street, otherwise attached hereto as Exhibit "A."

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

That pursuant to the provisions of the Village of Manteno Zoning Ordinance, Title 9, Section 8B-4, Special Uses Permitted, a special use be granted and the same is hereby allowed for the property located at 111 Marquette Place, Manteno, Illinois to allow the construction and operation of a gas station, being legally described as follows:

LEGAL DESCRIPTION: Lot 5, South Creek, 1st Addition, being a subdivision of part of the West half the Northeast Quarter of Section 21, Township 32 North, Range 12 East of the Third Principal Meridian in Kankakee County, Illinois.

P.I.N: 03-02-21-217-005

Section 2

The above special use was approved after public hearing before the Plan Commission on January 14, 2014 and is in conformance with Recommendation No. 13-10, dated January 14th, 2014.

Section 3

The Plan Commission’s findings of fact are hereby adopted, by reference, as the findings of fact of the President and Board of Trustees for the Village of Manteno, and are otherwise attached hereto as Exhibit “B.”

Section 4

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 5

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 6

This ordinance shall be in full force and effect after its passage.

PASSED by the Village President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 21st day of January, 2014.

RECORD OF THE VOTE	Yes	No	Abstain	Absent
President Timothy Nugent				
Trustee Timothy Boyce				
Trustee Samuel Martin				
Trustee Diane Dole				
Trustee Todd Crockett				
Trustee Joel Gesky				
Trustee Wendell O. Phillips				
TOTAL VOTES <i>or</i>				
BY OMNIBUS VOTE				

DEPOSITED with the Village Clerk
this 21st day of January, 2014.

Alisa Blanchette
ALISA BLANCHETTE, Village Clerk

APPROVED by me this 21st
day of January, 2014.

Timothy O. Nugent
TIMOTHY O. NUGENT, Village President

PLAN COMMISSION RECOMMENDATION NO. 13-10

A RECOMMENDATION APPROVING A SPECIAL USE PERMIT FOR CONSTRUCTION AND OPERATION OF A GAS STATION FACILITY TO BE LOCATED AT 111 SOUTH MARQUETTE PLACE, MANTENO, ILLINOIS.

WHEREAS, automobile service station uses constitute permitted Special Uses in the C-2 zoning district pursuant to 9-8B-4 of the Municipal Code for the Village of Manteno; and

WHEREAS, a petition was filed by Casey's Retail Company, petitioner and purchaser of the property commonly known as 111 South Marquette Place, seeking a Special Use Permit to allow construction and operation of a gas station facility; and

WHEREAS, on January 14, 2014, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the above-referenced special use; and

WHEREAS, at the hearing, the Plan Commission did consider the testimony and exhibits entered into evidence.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

That the application of the petitioner, Casey's Retail Company, seeking a special use permit for the allowance of construction and operation of a gas station facility, pursuant to the provisions of the Village of Manteno Zoning Ordinance, Section 9-8B-4, Special Uses Permitted, be hereby recommended for approval for the property located at 111 South Marquette Place, Manteno, Illinois and legally described as follows:

- a) LEGAL DESCRIPTION:
Lot 5, South Creek, 1st Addition, being a subdivision of part of the West half of the Northeast Quarter of Section 21, Township 32 North, Range 12 East of the Third Principal Meridian in Kankakee County , Illinois.

PIN NUMBER: 03-02-21-217-005

Section 2

The approval of the above-referenced Special Use Permit shall be conditioned upon the following:

- a. The gas station facility shall be constructed in accordance with the site plan attached hereto as Exhibit "A"; pending request and approval of a 12.5' variance of the rear yard setback requirement; and shall otherwise be approved by the Village Engineer and the Director of Building and Zoning.
- b. The gas station facility building shall be constructed in accordance with all applicable codes and ordinances of the Village of Manteno, and shall otherwise be approved by Keslin Engineering (third-party review) and the Director of Building and Zoning.

Passed by the Plan Commission of the Village of Manteno at a regular meeting thereof held on the 14th day of January, 2014 and approved by me as Chairman on the same day.



Francis Smith
Plan Commission Chairman

ATTEST:



Darla Hurley
Deputy Village Clerk

