

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org



Meeting Agenda

Tuesday, April 20, 2021

7:00 PM

Village Hall

Plan Commission

Nick Parisi, Chairman

Edward Schussler, Vice Chairman

*Commissioners: John J. Paul, Laura Murphy, Patrick Zomparelli, Yousef Zaatar
and Daniel Sanchez*

Short Agenda Council Boiler

CALLED TO ORDER/ROLL CALL

APPROVAL OF MINUTES

[2021-0312](#) Minutes of April 6, 2021 Plan Commission Meeting

Attachments: [April 6, 2021 Meeting Minutes](#)

PUBLIC HEARINGS

NON-PUBLIC HEARINGS

[2020-0751](#) Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan

Attachments: [Preliminary Elevations](#)
[Preliminary Landscape Plan](#)
[Preliminary Site Plan](#)
[Special Use Standards](#)
[Business Operations Narrative](#)
[Floor Plan](#)

KQ

[2021-0234](#) 2021 Land Development Code Amendment I

Attachments: [2021-0234 Plan Commission Amendment Report](#)
[2021-0234 Exhibit A Proposed Code Amendment](#)
[2021-0234 Exhibit B Redlined Code Amendment](#)
[2021-0234 Exhibit C Legal Notice](#)

DP

OTHER BUSINESS

[2021-0304](#) Memo: New Petitions

Attachments: [04-20-2021 Plan Commission Memo](#)

NON-SCHEDULED CITIZENS & VISITORS

ADJOURNMENT

DATE: April 20, 2021

REQUEST FOR ACTION REPORT

File Number: **2021-0312**

Orig. Department:

File Name: **Minutes of April 6, 2021 Plan Commission Meeting**

BACKGROUND:

BUDGET IMPACT:

REQUESTED ACTION:

VILLAGE OF ORLAND PARK

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Meeting Minutes

Tuesday, April 6, 2021

7:00 PM

Village Hall

Plan Commission

Nick Parisi, Chairman

Edward Schussler, Vice Chairman

*Commissioners: John J. Paul, Laura Murphy, Patrick Zomparelli, Yousef Zaatar
and Daniel Sanchez*

CALLED TO ORDER/ROLL CALL (AUDIO: 4:21)

Present: 6 - Chairman Parisi; Vice Chairman Schussler; Member Paul; Member Murphy; Member Zomparelli, Member Zaatar

Absent: 1 - Member Sanchez

APPROVAL OF MINUTES (AUDIO: 5:17)**2021-0254 Minutes of March 16, 2021 Plan Commission Meeting**

A motion was made by Vice Chairman Edward Schussler, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 4 - Chairman Parisi, Vice Chairman Schussler, Member Paul and Member Zaatar

Nay: 0

Abstain: 2 - Member Murphy and Member Zomparelli

Absent: 1 - Member Sanchez

NON-PUBLIC HEARINGS (AUDIO: 6:55-18:14)**2021-0031 Orland Ridge - Amendment to Development Agreement and Revised Referenced Exhibits for Elevations, Site Plan, and Landscape Plan**

Staff presentation was given by Valerie Berstene in accordance with the written report dated April 6, 2021.

The Commission, staff, and the Petitioner attended the public hearing in person.

Chairman Parisi swore in Petitioner, Manny Kianicky of SR Jacobson Development Corporation.

Mr. Kianicky provided an explanation of why the amendment to the clubhouse was being proposed. He continued that originally they submitted plans for a clubhouse that generally followed the architectural style and layout that would be used as a basis of the final design. Mr. Kianicky further explained that when they originally submitted the design for the clubhouse they were focused on the design for the ranch style villas and wanted construction to begin as soon as possible. He indicated that they wanted the opportunity to meet with the maintenance staff as well as the leasing staff so that a design could be created specifically for the project. Mr. Kianicky continued that they borrowed the conceptual design from a similar project in Montgomery, Illinois because they believed it was the right architecture for the project, but explained that the Montgomery project was designed by a Michigan architect for a younger demographic. He explained that they realized they were going to have to make changes to the floor plan but wanted to stay true to the architecture that was presented to the Board. He

indicated that they did not realize they were going to be held to the conceptual design that was initially submitted. Mr. Kianicky explained that the specific design for a particular community requires a lot of input from the leasing, marketing and management people that are going to be involved in that community. He continued that there were a number of meetings over an 8-10 week period last fall and he also worked with the local architect Linden Group with what was the correct floorplan for the clubhouse while trying to stay true to the spirit of the architecture and what was previously presented to the Plan Commission. Mr. Kianicky explained the exterior dimensions of the final building design are very close to the original Board approved plans. The front elevation is actually four inches wider. The right elevation is six inches narrower. The left elevation is ten inches wider and the rear elevation is three feet four inches narrower because the offseason furniture storage room was eliminated. He continued to explain that the overall square footage was reduced from 5,000 to 4,730 feet in the final plan mostly due to reductions in two areas. Mr. Kianicky explained that they eliminated the offseason pool furniture storage area at the request of the maintenance staff who preferred to store the tables and lounge chairs in an offsite location rather than tripping over them all winter long. He continued that they also eliminated one of the two management offices. Mr. Kianicky explained that they just didn't need two leasing offices so a leasing area with three leasing desks was created instead. He continued that the demographic is different and that the turnover for garden style apartments is much shorter versus ranch villas and townhomes creating much less leasing traffic. He further clarified that there were changes made to the floorplan including reconfiguring the fitness area for the specific fitness equipment that was selected for the demographic of the future residents and as a result, it was made slightly smaller in size. The business portion of the clubhouse was reduced in total area because of the elimination of one of the management offices. The leasing area with the three desks has been slightly expanded from what it was before with a little bit of a different use. He continued that they relocated the dog wash to the opposite side of the buildings so that there could be better control of access to the building after hours. Mr. Kianicky explained that they actually increased the men's and women's bathrooms in size and at the recommendation of the maintenance staff a bigger garage workshop area was created. He expressed that all the changes in the floorplan drove the revisions to the exterior elevations. Mr. Kianicky continued that the changes to the roofline are the result of the interior floorplan modifications noting the biggest one is the deletion of the projection on the right that was originally needed for storage of offseason furniture. He explained the roof dormers were removed for aesthetic reasons but then were placed back after the comments from the previous plan commission meeting. He expressed that the approved elevation had siding along a low belt line and that from listening to the last meeting they got the impression due to code and the plan commission's comments that masonry was preferred below the roofline all the way around the building. Mr. Kianicky explained further that they have limestone columns on the fence that go around the pool and tie it all together very nicely. He explained that the management staff did not like the heavy gabled roof on the rear elevation and they didn't feel like it was the right

place to put it on a pool deck and therefore it was removed and the pergola was added instead for architectural interest.

Commissioner Zomparelli commented that he missed the dormers and was happy to see them back. He asked how many units have sold already.

Mr. Kianicky reminded everyone that this is a for lease project and that they are amazed at the reaction to this project. He continued that they have 37 preleases and the first units will not be delivered until mid to late June. He expressed that they have Village Green, one of the biggest management companies in the Midwest and that may have something to do with the success. He explained that they did complete a brochure recently. Mr. Kianicky explained that the data has shown that they are well qualified for the lease and that they are renters by choice. He said that there are all ages. The older people are renting the villas and it is evenly split between the villas and the townhomes. The townhomes are early 30's age group and a mix in the ranches with quite a few people that are over age 55 that want that ranch style home.

Commissioner Zomparelli indicated that it was a great location and he could see why the rentals go quick. He continued that the reduction of the building by nine percent is not a huge reduction and he likes the stonework and masonry and the tie in.

Commissioner Murphy thanked Mr. Kianicky for the thorough explanation and that she thinks it is a great project and the changes that were made are understandable. She further commented that she especially likes the changes made to the East elevation and is looking forward to seeing this project come to fruition.

Vice Chairman Schussler indicated that the small changes are good and that they are not too concerned about the changes made to the inside but rather the changes to the outside appearance making it architecturally attractive.

Commissioner Paul expressed that he liked the explanation and the changes make sense. He continued that he understands that the original design was just conceptual and it being made smaller is not a big deal. He indicated that the changes are better and it looks a lot nicer and is up to code.

Commissioner Zaatar agreed with the Commissioners that the updates look good.

Chairman Parisi agreed that the changes are good and the explanations pointed out the need for why the square footage changed and he had no objections.

Overall, the Plan Commission expressed support of the project.

Regarding Case Number 2021-0031, also known as Orland Ridge Clubhouse, I move to accept and make findings of fact for an Amendment to the Development Agreement and Revised Referenced Exhibits for Elevations, Site Plan, and Landscape Plan as discussed at this Plan Commission meeting and within this staff report, dated April 6, 2021. The previous approvals for Orland Ridge, approved at the April 1, 2019; April 6, 2020; and August 17, 2020 Village Board of Trustees meeting shall remain in effect, except those amended in the following motion.

And

I move to recommend to the Village Board of Trustees to approve amending the development agreement and revised referenced exhibits for elevations, site plan, and landscape plan. The previous approvals for Orland Ridge, approved at the April 1, 2019; April 6, 2020; and August 17, 2020 Village Board of Trustees meeting shall remain in effect, except those amended in the following motions.

And

I move to recommend to the Village Board of Trustees to approve the black and white clubhouse elevations sheets A-4.0 "Elevation East & North," and A-4.1 "Elevation West & South," and the color rendered clubhouse elevations sheets A-4.0 "Elevation East & North," and A-4.1 "Elevation West & South" prepared by LindenGroup, Inc, dated last revision March 26, 2021.

And

I move to recommend to the Village Board of Trustees to approve the Preliminary Site Plan titled "Community Building and Pool Area Improvement Plans" sheets C1.0-C2.1 prepared by Kimley Horn and Associates, dated January 22, 2021 in addition to previous site plan exhibits for Orland Ridge approved April 1, 2019; August 6, 2020; and August 17, 2020.

And

I move to recommend to the Village Board of Trustees to approve the Preliminary Landscape Plan titled "Community Building and Pool Area Improvement Plans" sheets L1.0.0-L4.0 prepared by Kimley Horn and Associates, dated January 22, 2021 in addition to previous landscape plan exhibits for Orland Ridge approved April 1, 2019; August 6, 2020; and August 17, 2020

A motion was made by Vice Chairman Schussler, seconded by Chairman Parisi, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Murphy, Member Zomparelli and Member Zaatar

Nay: 0

Absent: 1 - Member Sanchez

PUBLIC HEARINGS

OPEN PUBLIC HEARING (AUDIO: 37:08)

A motion was made by Chairman Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Murphy, Member Zomparelli and Member Zaatar

Nay: 0

Absent: 1 - Member Sanchez

2020-0169 Belle Tire - Development Petition for Special Use Permit for Planned Development, Special Use Permit for Motor Vehicle Services, Rezoning, Site Plan, Elevations, Landscape Plan, and Plat of Subdivision

Staff presentation was given by Kyle Quinn in accordance with the written report dated April 6, 2021.

The Commission, staff, and the Petitioner attended the public hearing in person.

Chairman Parisi swore in Petitioner, Christopher Enright of Enright Architects.

Mr. Enright explained that they have been working on this project for a while and originally the challenge was the contaminated soil on the property and that a significant number of studies were conducted making sure the property could be developed safely. He further explained there were a few issues with platting as well as the consolidation of the property and existing zoning and proposed zoning. He explained that they also wanted to be sure that they were able to work with the seller that will eventually be their neighbor which was done successfully. He said that they have met all the standards not requiring any variances which we worked diligently through with landscape, engineering etc. Mr. Enright explained that they have landscaping approval and they are pretty close to getting MWRD approval with the storm water. He expressed there was an additional challenge that the storm water was being discharged through the Target property behind the space. He explained that they had to get approval from Target to extend the system with their system to be sure there were not any problems with the storm water being discharged. Mr. Enright further clarified that when they spoke to Target they explained that they were doing all underground detention and any drainage they are receiving now would be detained underground and that there is also an environmental unit that is being added as well as the environmental features of the underground detention. He said that Belle Tire is a privately owned company with 130 stores in Michigan, Ohio, Indiana and Orland Park will be one of the first

groupings of stores in Illinois. The first store in Illinois will probably be in Naperville and then some scattered throughout the area waiting to break ground. Mr. Enright explained that Belle Tire has been his client for over 25 years and that there have been 100 of the 122 stores built with Mr. Enright. He continued that Belle Tire has grown to approximately 2,000 employees and that they have a very active and thorough property management company.

Commissioner Zaatar asked regarding the current property lines and lot lines and if there are currently two properties.

Kyle Quinn commented that there are currently three properties.

Commissioner Zaatar asked if there is only one owner.

Kyle Quinn responded yes.

Commissioner Zaatar commented that he is quite familiar with this site and it is a difficult site to develop and that any improvement would be great. He noted that the dry cleaners has been vacant for a long time. Commissioner Zaatar clarified that the Petitioner is representing a company offering to buy half of the parcel and split it into two parcels with the current owner keeping the right side (Lot 2) and the Petitioner's client keeping the left side (Lot 1). Commissioner Zaatar asked for an explanation of the current zoning on the three properties.

Kyle Quinn explained that the current zoning is E-1, Estate Residential. He further commented that these particular parcels were involuntarily annexed into the Village around the late 1990's or early 2000's. Mr. Quinn expanded by saying when a property is involuntarily annexed that they must follow the most restrictive zoning district in the Village which is E-1, Estate Residential. He explained further that they are allowed to continue to operate as nonconforming uses as long as they don't expand, move or do anything that increases the degree of nonconformity.

Commissioner Zaatar said he is really focused on the future safety of the site. He asked for clarification as to what the future Lot 2 would be zoned as in the future. He continued that currently they are operating as vehicle service business.

Kyle Quinn confirmed that they are currently operating as a vehicle service business which is a nonconforming use and they are allowed to operate there. Mr. Quinn continued that the recommendation would be that Lot 2 be rezoned as BIZ, Business District. He said that this would be the most fitting zoning district for 159th Street.

Commissioner Zaatar indicated that he vocally disagreed with the recommendation and expressed concern that the future owner of the right side (Lot 2) of the property could demolish that property and put up a restaurant. He continued by saying that the land is dirty and the cleanup activities should go along

with rezoning, whatever the future business on the right side (Lot 2) would be. He continued that his concern is that we automatically recommend to zone them as general business and that they are not going to need to come back to us for zoning approval to start up a general business and demolish the buildings that are there today.

Kyle Quinn clarified that Lot 2 is not being rezoned as part of this but could be at such time when that property submits a Development Petition.

Ed Lelo further clarified that it would be rezoned as part of a future development and not part of what is being approved currently.

Commissioner Zaatar said it is a great idea and he is glad to see the Petition.

Commissioner Paul indicated that it is good use for that property and that he knows there is quite a bit of challenges on that site. He continued that he feels like there hasn't ever been anything nice there on that site and he appreciates the efforts of the investment to make the property good and clean it up.

Commissioner Zomparelli said he agreed with the other Commissioners and that he is glad to see that area get cleaned up. He indicated that he really liked the road in the back and if there was any thought of access to Target. Commissioner Zomparelli further explained that he believed it could really make things easier should 159th Street have a backup.

Mr. Enright explained that it is a good thought but there is a precipitous drop off. He continued that they have a good relationship with the seller and with Target and it could potentially be proposed to the seller.

Commissioner Murphy concurred with the Commissioners and said it was a good use for that location and a huge improvement to that site. She continued with the elevations are very nice and turned out beautiful. Commissioner Murphy indicated that the Petitioner has done their due diligence.

Vice Chairman Schussler provided an overview history of the current zoning. Mr. Schussler asked what the proposed use of Lot 2 was going to be.

Mr. Enright expressed that the seller has not informed them what the development plans are at this point. He continued that as they clean up the property and get working on the site, the thought is that will inspire someone to develop the East side of the property and that it would be sold to someone for development. There are no current plans for development at this particular point.

Vice Chairman Schussler asked if all the buildings are being cleared off the entire site.

Mr. Enright clarified just two buildings were being taken down.

Vice Chairman Schussler reiterated the old dry cleaners and Sparks Automotive are going to stay for right now. He asked where the contamination on the site was located.

Mr. Enright indicated that it was pretty much throughout and there was a previous use of some sort of large oil tanks or petroleum.

Vice Chairman Schussler explained that Cooper Oil was previously located there and they did bulk oil delivery.

Mr. Enright said they found Benzene and that the contents of the site would be going to a contaminated landfill and must be removed from the site no matter what because the entire site is flagged by the Environmental Protection Agency.

Vice Chairman Schussler clarified that the only concern as far as contamination is for Lot 1. He expressed he was happy to see the elimination of the billboard in that area. He continued that the elevations for a tire outlet are very attractive. Vice Chairman Schussler continued by saying he is generally in favor of curb cuts, but also cautioned about cut through traffic.

Commissioner Zaatar asked about the 30ft easement agreement across the two properties. He asked if the agreement would need to be created concurrent with approval and if that would force the demolition of the Sparks building.

Kyle Quinn clarified that is for the easement on the plat and that they wouldn't construct the cross access drive aisle on Lot 2 for that exact reason that it would force the demolition of the Sparks building.

Chairman Parisi indicated that he agrees with the Commissioners and it will be a nice improvement and that the Petitioner has spent a lot of time and significant investment in preparing this property.

Overall, the Plan Commission expressed support of the project.

Regarding Case Number 2020-0169, also known as Belle Tire, I move to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated April 6, 2021.

And

I move to recommend to the Village Board approval of the Plat of Subdivision titled "Subdivision Plat", prepared by Woolpert, dated January 30, 2020 and last revised May 14, 2020, subject to the following conditions:

1. Submit a Record Plat of Subdivision to the Village for approval, execution, and recording.
2. Establish the proposed 30' cross-access easement at the rear of the subject property.

And

I move to recommend to the Village Board approval of the Rezoning of Lot 1 of the subject property located at 9500 159th Street from E-1 Estate Residential District to BIZ General Business District.

And

I move to recommend to the Village Board approval of the Preliminary Site Plan titled "Site Plan," Sheet C-200, prepared by Woolpert, dated March 4, 2021, subject to the following conditions:

1. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
2. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the code requirements listed in Section 6-308.J.
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

And

I move to recommend to the Village Board approval of the Preliminary Landscape Plan titled "Landscape Plan", Sheet C-500, prepared by Woolpert, dated January 8, 2021, subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following condition:

1. Submit a final landscape plan meeting all Village Codes and all required supporting documentation addressing the outstanding landscape items in conjunction with the final engineering submittal.

And

I move to recommend to the Village Board approval of the Preliminary Elevations titled "Building Elevations," on Sheets A201, A202, and A203, dated May 15, 2020, subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. All masonry must be of anchored veneer type masonry with a 2.625" minimum

thickness.

2. Meet all building code requirements and final engineering requirements.

And

I move to recommend to the Village Board approval of a Special Use Permit for a commercial Planned Development for Belle Tire in the BIZ General Business District and E-1 Estate Residential District, subject to the same conditions as outlined in the Preliminary Site Plan Motion and subject to the following conditions:

1. All overhead utilities on Lot 1 of the commercial Planned Development must be buried and all overhead utilities on Lot 2 of the commercial Planned Development must be buried at the time of future development.
2. At such a time that Lot 2 of the commercial Planned Development is developed, the cross-access must be completed and the guardrail must be removed.
3. The owner of Lot 2 of the commercial Planned Development must provide official authorization for the proposed off-site grading for Belle Tire as well as confirmation of agreement to remove the billboard as part of Final Engineering.
4. No contract for the existing billboard may be extended or entered into and the existing billboard must be removed within six (6) months of the current contract which expires on November 1, 2023 or upon development of Lot 2, whichever occurs first.
5. Existing nonconformities on Lot 2 shall not be expanded, enlarged, moved, or altered in any manner that would increase the degree of the non-conformity.
6. At such a time of future development, Lot 2 must be rezoned to BIZ General Business District.
7. The property owners of Lot 1 and Lot 2 must enter into a Development Agreement with the Village prior to Ordinance adoption.

And

I move to recommend to the Village Board approval of a Special Use Permit to allow for Motor Vehicle Services in the BIZ General Business District on Lot 1 of the Planned Development.

A motion was made by Vice Chairman Edward Schussler, seconded by Chairman Nick Parisi, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Murphy, Member Zomparelli and Member Zaatar

Nay: 0

Absent: 1 - Member Sanchez

OTHER BUSINESS

2021-0258 Memo: New Petitions

NON-SCHEDULED CITIZENS & VISITORS**ADJOURNMENT (AUDIO: 1:19:59)**

Meeting adjourned at 8:19 p.m.

A motion was made by Chairman Nick Parisi, seconded by Member Patrick Zomparelli, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Murphy, Member Zomparelli and Member Zaatar

Nay: 0

Absent: 1 - Member Sanchez

These minutes are not a verbatim record of the meeting but a summary of the proceedings.

Respectfully submitted,

Gerianne Flannery
Recording Secretary

REQUEST FOR ACTION REPORT

File Number: **2020-0751**
Orig. Department: **Development Services Department**
File Name: **Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan**

BACKGROUND:

QUICKFACTS

Project

Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan
2020-0751

Petitioner

Simon Yu - Simon Design Group

Purpose

The petitioner seeks the approval of a Special Use Permit Amendment with Modifications to allow for the expansion of the buildings footprint by roughly 2,100 square feet and to make alterations to the site plan of the eastern portion of the subject property which will be occupied by Joe Rizza Lincoln. No changes to the western portion of the subject property (Acura Dealership) are proposed as part of this project.

Requested Actions: Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan

Address: 8130 159th Street

P.I.N.(s): 27-14-402-022-0000; 27-15-302-027-0000; 27-15-302-028-0000

Parcel Size: 3.63 Acres (158,122 Square Feet)

Comprehensive Plan Planning District & Designation: 159th & Harlem Planning District with Community Commercial and Automobile Dealership Designation

Existing Zoning: BIZ General Business District

Existing Land Use: Motor Vehicle Sales and Motor Vehicle Services

Proposed Land Use: Motor Vehicle Sales and Motor Vehicle Services

Surrounding Land Uses & Zoning:

North: R-3 Residential District - Multi-Family Residential

South: Not Orland Park / Tinley Park - (across 159th Street) Motor Vehicle Sales (Hyundai)

East: BIZ General Business District - Motor Vehicle Services (Joe Rizza Ford)

West: Not Orland Park / Unincorporated Cook County - ComEd Easement / Vehicular Storage

BACKGROUND

The subject property is part of a greater Planned Development. In 1986, per Ordinance Number 1513, a Special Use Permit for a commercial Planned Development was granted to the petitioner for the construction of four automobile dealerships at the northwest corner of 159th Street and 80th Avenue known as the Nives Rizza Subdivision. The Acura dealership, with a common address of 8150 159th

Street, was constructed at this time.

In 1994, per Ordinance Number 2540, the Village Board of Trustees approved a Special Use Permit Amendment to construct the Rizza Ford World as well as to allow for Motor Vehicle Services at the proposed Ford dealership and at the existing Acura dealership. Modifications granted at this time included a reduction of impervious surface ratio from 25% to 15% (maximum lot coverage of 85%). In 1997, the two existing dealerships (Acura and Rizza Ford World) were subdivided to each have their own lot.

In 2004, per Ordinance Number 3971, the Village Board of Trustees approved a Special Use Permit Amendment to allow for the construction of a 3,714 square foot building (Porsche Dealership) located on the parcel with a common address of 8150 159th Street (Acura Dealership site). No modifications were requested as part of this petition.

In 2015, the Village Board of Trustees approved a Special Use Permit Amendment with Modifications for the Acura Planned Development proposing to rectify many of the nonconformities that resulted from the 2004 subdivision. In addition to this Special Use Permit Amendment, the Board of Trustees approved the re-subdivision of the subject property to reduce bulk requirement variances. At this time, it was proposed that lot coverage would be roughly 95.8%, with underground detention, and a modification was granted for lot coverage exceeding 75% without a specific maximum. The project approved by the granted Special Use Permit Amendment with Modifications did not take place. Per Section 5-105 of the Land Development Code, Special Use Permits shall expire three years after the date of approval by the Board of Trustees if the applicant has not started the approved work. No extensions were requested for the project and an Ordinance was not passed.

Since this time, there have not been any changes to the subject properties.

PROJECT DESCRIPTION & CONTEXT

The petitioner is proposing to increase the proposed Rizza Lincoln Dealerships (currently Maserati dealership) foot print by roughly 2,100 square feet. Expansions to the building will take place on the east, south, and west sides of the structure. This expansion results in the structure encroaching in the east side yard setback.

Changes to the site plan, only including the area of impact for Rizza Lincoln and not Acura, include the reconfiguration and construction of the parking and drive aisles to the south of the building, reconfiguration of the rear employee parking area, new internal pedestrian sidewalk connections, and new landscaped areas.

The project closely resembles the project that the Village Board of Trustees approved in 2015 with the exception of re-subdivision and underground detention. Many of the modifications being requested reflect those previously approved with a few exceptions such as the encroachment into the east side setback.

The project conforms to the Village's Comprehensive Plan and the Land Development Codes and policies for this area besides the requested modifications.

SITE PLAN

The subject property currently consists of one (1) 16,696 square foot structure occupied by Joe Rizza Acura as well as one (1) 3,600 square foot structure currently occupied by Joe Rizza Maserati. There are currently two-hundred and forty-eight (248) parking spaces on site. Of these two-hundred and forty-eight (248) parking spaces, two-hundred and twenty-five (225) are utilized as inventory parking, nineteen (19) are standards stalls, and four (4) are accessible spaces.

This property also contains a portion of the existing detention area, a shared garbage enclosure to the rear of the Acura building, monument signage to the east and west of the direct access point from 159th Street, a pedestrian sidewalk that runs east-west along 159th Street which is stubbed at the western

property line, as well as established cross-access drive-aisles between the subject property and the adjacent properties to the east and west.

There are no proposed changes to the Acura building nor are there proposed improvements to the Acura “area of impact” as part of this project.

The petitioner is proposing to increase the proposed Rizza Lincoln Dealerships (currently Maserati dealership) foot print by roughly 2,100 square feet. A portion of the building will be expanded to the east to serve as a customer lane for service write-ups. The existing structure will also expand to the south and west. This expansion will primarily serve as an inventory showroom but it also includes an office that will be relocated.

Proposed changes to the site plan include the reconfiguration of the parking lot to the south of the building, reconfiguration of the rear parking area adjacent to the building on the north side, the construction of new foundation landscaping on the north, south, east, and west sides of the subject building, the construction of parking lot islands in the new double parking row to the south of the subject building, the establishment of a drive-aisle along the east property line, the construction of internal pedestrian sidewalks, relocation of light poles in the south parking lot, and a new curb cut to the west of the building to provide new inventory access into the building.

In addition, roughly seven (7) new parking spaces will be created on site. Conceptual signage is shown immediately to the south of structure via a “dealer sign” and conceptual directional signage is shown in the proposed drive-aisle along the eastern property line.

MOBILITY

Vehicular/Traffic

The subject property is located north of 159th Street, a major arterial street under IDOT jurisdiction. Direct access to the site will be from 159th Street.

Cross-Access

Cross-access is provided to the adjacent properties to the east and west via drive-aisles to the north of the two (2) dealerships on the subject property.

Parking

Required - 75 spaces (including 3 accessible parking spaces)

Existing - 248 spaces (including 4 accessible parking spaces)

Proposed - 255 spaces (including 4 accessible parking spaces)

Per Section 6-306, motor vehicle sales and services are required to provide one (1) parking space per three-hundred (300) square feet of floor area. Provided parking is proposed to be 340% over the required parking due to the need for vehicle inventory storage.

Currently, there is no bicycle parking provided on site nor is there any bicycle parking proposed as part of this project. A modification is being requested to reduce the bicycle parking from the required eighteen (18) spaces to zero (0).

Pedestrian

There is no existing pedestrian access, via sidewalk connection, on site. No new pedestrian connection to the existing sidewalk along 159th Street is proposed.

BUILDING ELEVATIONS

The existing 3,714 square foot building is comprised of beige concrete masonry unit (CMU) on the north elevation as well as partially on the east and west elevations. Beige EIFS is also present on the east and west elevations. Silver metal panels are present above the top of the window lines on the east and west elevation. The south elevation is comprised of storefront windows, as this area serves as the showroom, as well as silver metal panels extending from the top of the windows to the top of the building.

It's important to note that the proposed elevations, as described below, include aluminum composite panels below the top of the window line to some extent on all elevations. A modification is being requested to Section 6-308 of the Land Development Code to waive the requirements that anchored brick, stone or similar masonry materials shall extend from the adjacent grade to the top of each story. The aluminum panels will be masonry backed to conform to the Village's amended building code.

South Elevation (Front - Facing 159th Street)

The south elevation serves as the primary storefront, being visible from 159th Street. The building is to be expanded by roughly twenty (20) feet to the south and the expansion will be utilized as the new showroom. The proposed eastern and western expansions are also visible from this elevation.

The primary material used on this elevation is white aluminum composite panels. Storefront windows, a service door, and an overhead door are proposed on this elevation to provide access to the proposed eastern expansion which will be utilized for vehicle service processing. A white bezel frame is to be installed around the storefront windows, extending to the east building line. Further, a brown utility cap will be installed above the bezel frame and a brown concrete band will be constructed below the storefront windows.

West Elevation (Side - Facing Acura Dealership)

The west elevation is primarily comprised of "delicate" white concrete masonry unit. White aluminum composite panels are the secondary material. A new clear glass auto door for new car delivery will be installed on this elevation, near the rear building line.

The southern building expansion is also visible from this elevation. A brown utility cap, white bezel frame, storefront windows, storefront door, and brown concrete band will be installed on the west elevation of the expansion.

North Elevation (Rear)

The north elevation is distinguished by its sense of "back-of-house". The proposed eastern and western expansions are visible from this elevation.

The primary material on this elevation is "delicate" white concrete masonry unit. White aluminum composite panels are to be installed on the new expansions. The two (2) existing overhead doors are to be removed and filled with CMU to match the primary material.

A new service door and overhead door are shown on this elevation for the eastern expansion. A brown utility cap and white bezel frame are proposed above the overhead door.

East Elevation (Side - Facing Ford Dealership)

The east elevations primary material is white concrete masonry unit. White aluminum composite panels are to be installed on the remainder of the new building addition.

The south expansion is also visible from this elevation. The new showroom will be comprised of storefront windows and a storefront door. A brown utility cap and white bezel frame are also proposed on this elevation around the storefront windows as well as along the top of the eastern addition.

LANDSCAPING/TREE MITIGATION

A preliminary Landscape Plan has been submitted, reviewed, and approved by the Village's landscape consultant Hey & Associates. Landscaping requirements have largely been met and will be confirmed during final landscape plan review. The petitioner must submit a final landscape plan for separate review and approval in conjunction with final engineering. All conditions included in the most recent and future comment letters must be addressed during final landscape plan review. It is imperative that the landscape design professional and project engineer coordinate their work to provide grading required for landscape compliance.

Proposed improvements to existing landscape areas are proposed on site. Improvements are proposed

to the monument sign landscape area, the south landscape corridor, and the east parking lot perimeter for the southern parking lot.

Per Ordinance Number 1513, approved in 1986, a conditional of approval for the Nives Rizza Planned Development was to establish a "Type D" bufferyard, as provided for under the landscape code at the time, along the north property line between the Planned Development and the residential properties to the north. The Type D bufferyard was established to the north of the existing Ford dealership as well as the detention pond. However, it was not established when the Acura dealership was constructed. The establishment of the Type D bufferyard to the north of the Planned Development was also a condition of approval for Ordinance Number 3971. To date, this bufferyard area has not been constructed along the entirety of the north property line.

Village staff, in regards to this petition, were requiring that the Type D bufferyard be established along the entire north property line as part of this project. However, the petitioner has insisted that the required bufferyard be established only to the portion of the property line directly to the north of the proposed Rizza Lincoln area-of-impact and that the remainder of the area would be proposed with a future Acura project. The completion of the Type D bufferyard at such a time that the Acura dealership proposes a project is a condition of approval for the development petition.

Several new landscape areas are proposed as part of this project. In total, roughly 1,550 square feet of new pervious surface is proposed via the creation of new landscape areas. New foundation landscaping is proposed along the north, west, and south of the building. In addition, five (5) new landscaped parking lot islands are proposed. One (1) is located in the north parking row adjacent to the structure. The remaining four (4) are located in the proposed south parking lot, on both ends of the double-parking row. It is important to note that the four (4) landscaped parking lot islands in the south parking lot are not proposed to have the required number of trees due to conflicts with the relocated light poles.

The Village's consultant Hey & Associates has confirmed the conflict with the relocated utilities and has recommended that the four (4) required trees either be relocated elsewhere on site or that the petitioner pays cash-in-lieu, in the amount of \$1,600 (\$400 each), for the omitted trees. These options will be confirmed and approved as part of Final Landscaping. A landscape cost estimate and Letter of Credit must be provided prior to Final Landscape plan approval. All improvements and amenities depicted on the landscape plans must be included.

Further, the required amount of ornamental trees for foundation and interior landscaped areas are not provided. The petitioner has not requested permission for the omission of these required trees.

Parking lot island requirements are not met for the rear parking lot area which is used for vehicle inventory. The petitioner has requested a modification to waive the requirement for parking lot islands in this area.

DETAILED PLANNING DISCUSSION

Preliminary Engineering

Preliminary engineering approval has been granted for this project by the Village's engineering consultant, Christopher B. Burke Engineering Ltd. (CBBEL). Final engineering submittal must address all previous review letter comments as well as any future engineering comments.

Detention/Retention - Stormwater management is provided for in the existing detention pond on site. The proposed development does not require further detention by the Metropolitan Water Reclamation District (MWRD) as the expansion does not meet the threshold. However, it must be noted that because there is no additional stormwater detention provided for as part of this project, any future expansion/construction project will likely require that stormwater detention be increased to meet the requirements of MWRD.

Lighting - A preliminary photometric plan has been submitted for review. The three (3) light poles located in the south parking lot are to be relocated within the same parking lot area. As shown on the preliminary photometric plan, these existing light poles exceed the allowed foot-candles and lumen per square foot

as required by Section 6-315 of the Land Development Code. While these light poles exceed the required amount, they are similar in brightness as those that have been approved for other motor vehicle sales projects. A modification is being requested to allow for this exception.

A photometric plan will be reviewed during final engineering and shall meet the requirements of Section 6-315.

Comprehensive Plan

According to the Village's Comprehensive Plan, the subject property is located in the 159th & Harlem Planning District and is designated Community Commercial and Automobile Dealership. The proposed development, with the addition of motor vehicle services, are considered a conditionally appropriate land use within this designation.

Land Use/Compatibility

The existing land use is consistent with the existing uses of the adjacent properties as well as the uses along this portion of 159th Street which is designated as "Auto Row".

Special Use Permit

The petitioner is seeking approval of a Special Use Permit Amendment with Modifications to Ordinance Number 1513. Modifications being requested are as follows:

1. A modification to waive the requirements that anchored brick, stone or similar masonry materials shall extend from the adjacent grade to the top of each story (Section 6-308.K).
2. A modification to allow for drive-aisles and parking lots between the building and the street (Section 6-207.F.4).
3. A modification to decrease the east side setback from a minimum of fifteen (15) feet to zero (0) feet (Section 6-207.F.2).
4. A modification to allow to increase the number of required parking spaces from seventy-five (75) to two-hundred and fifty-five (255) parking spaces (Section 6-306).
5. A modification to decrease the amount of required bicycle parking from eighteen (18) to as little as zero (0) (Section 6-306.H).
6. A modification to allow for triple stacked parking spaces without direct and unrestricted access to an aisle for the rear vehicle inventory parking lot area (Section 6-306.C.2).
7. A modification to increase the allowed lot coverage from 75% to 86% (Section 6-207.G).
8. A modification to waive the parking lot island requirement for the rear vehicle inventory parking lot area (Section 6-305.D.6.a.2)
9. A modification to increase the allowable maximum lighting intensity during operating hours from 40 foot candles to 82.8 foot candles and lumens per square foot from 7.0 to 103 (Section 6-315.A.2).

Per Section 5-105.E. of the Land Development Code, the Plan Commission shall consider the extent to which the proposed project will meet the eight Special Use Standards, which are attached for review.

Signage

The existing monument sign located to the east of the 159th Street access point is to remain. The petitioner has provided conceptual signage on the south and west elevations. Signage is not included as part of this petition. All signs are subject to a separate sign permit review by the Development Services Department and must comply with Section 6-307 of the Land Development Code.

Accessory Structures

Garbage Enclosure

An existing shared dumpster enclosure is located to the rear of the Acura Dealership.

Mechanicals/Utility Conduits

All mechanical equipment must be screened, either at grade level with landscaping or hidden behind the roofline. Exterior roof ladders are not permitted and should be located interior to the building. As proposed, the roof-top mechanical units are to be exposed as a result of the decrease in building height.

The petitioner has verified that all mechanical equipment will be screened from view via mechanical screening around each of the units. Details for the proposed screening shall be submitted to Development Services Department for approval.

Bulk Requirements

Lot Size

Minimum - 10,000 square feet

Existing - 155,976 square feet

Lot Coverage

Maximum - 75% (Up to 80% when Best Management Practices are used)

Existing - 87%

Proposed - 86%

Density/Floor Area Ratio (F.A.R)

Maximum - 1.0

Proposed - 0.14

Setbacks

Front Setback (South - Facing 159th Street):

Required - 25 feet

Proposed - 118.6 feet

Rear Yard (North):

Required - 30 feet

Proposed - 298 feet

East Side Yard:

Required - 15 feet

Proposed - 0.57 feet

West Side Yard:

Required - 15 feet

Proposed - 209.6 feet

Building Height

Maximum - 50'

Existing - 28'

Proposed - 22'

This is now before Plan Commission for consideration.

BUDGET IMPACT:

REQUESTED ACTION:

Regarding Case Number **2020-0751**, also known as **Joe Rizza Lincoln Development Petition**, I move to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated April 20, 2021.

And

I move to recommend to the Village Board approval of the **Preliminary Site Plan** titled "Preliminary Site

Plan,” Sheet 4/6, prepared by MeritCorp, dated February 15, 2019 and last revised February 19, 2021, subject to the following conditions:

1. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
2. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the code requirements listed in Section 6-308.J.
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

And

I move to recommend to the Village Board approval of the **Preliminary Landscape Plan** titled “Landscape Plan”, prepared by Dahl Landscaping, bearing no date, subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. Submit a final landscape plan meeting all Village Code and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal.
2. Install the Type D landscape bufferyard along a portion of the north property line, directly north of the proposed Joe Rizza Lincoln Dealership, as required by Ordinance Numbers 1513, 2540, and 3971.
3. Relocate the four (4) required parking lot island trees elsewhere on site or pay cash-in-lieu in the sum of \$1,604 for the omitted trees as part of Final Landscaping.
4. Provide the required amount of ornamental trees for foundation and interior landscaped areas as part of Final Landscaping.

And

I move to recommend to the Village Board approval of the **Preliminary Elevations** titled “Exterior Elevations,” on Sheets A04.01 and A04.02, prepared by Simon Design Group, dated December 29, 2016 and last revised February 14, 2021 subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. All masonry must be of anchored veneer type masonry with a 2.625” minimum thickness.
2. Roof-mounted mechanical equipment shall be fully screened from view by parapet walls, the roof structure, architectural elements, or an alternative screening structure.
3. Submit roof-top screening details to Development Services Department for review and final approval prior to Ordinance adoption.

And

I move to recommend to the Village Board approval of a **Special Use Permit Amendment** to the Ordinance Number 1513 to allow for the changes to the Planned Development, subject to the same conditions as outlined in the Preliminary Site Plan motion. **Modifications** to the Special Use Permit include:

1. A modification to waive the requirements that anchored brick, stone or similar masonry materials shall extend from the adjacent grade to the top of each story (Section 6-308.K).
 2. A modification to allow for drive-aisles and parking lots between the building and the street (Section 6-207.F.4).
 3. A modification to decrease the east side setback from a minimum of fifteen (15) feet to zero (0) feet (Section 6-207.F.2).
 4. A modification to allow to increase the number of required parking spaces from seventy-five (75) to two-hundred and fifty-five (255) parking spaces (Section 6-306).
 5. A modification to decrease the amount of required bicycle parking from eighteen (18) to as little as zero (0) (Section 6-306.H).
-

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6. A modification to allow for triple stacked parking spaces without direct and unrestricted access to an aisle for the rear vehicle inventory parking lot area (Section 6-306.C.2).
 7. A modification to increase the allowed lot coverage from 75% to 86% (Section 6-207.G).
 8. A modification to waive the parking lot island requirement for the rear vehicle inventory parking lot area (Section 6-305.D.6.a.2)
 9. A modification to increase the allowable maximum lighting intensity during operating hours from 40 foot candles to 82.8 foot candles and lumens per square foot from 7.0 to 103 (Section 6-315.A.2).
-

CIVIL:

MeritCorp Group, LLC

Engineering/Planning/Surveying
 3697 Darlene Court
 Aurora, IL 60504

Tel: 630-723-6970
 Attn: Todd Roberts

MECH / PLUMB / ELEC:

ALPHA COMM. ENG.

1363 Shermer Road
 Northbrook, IL 60062

Tel: 224-353-9000
 Attn: Rogeh Alhammar

STRUCTURAL:

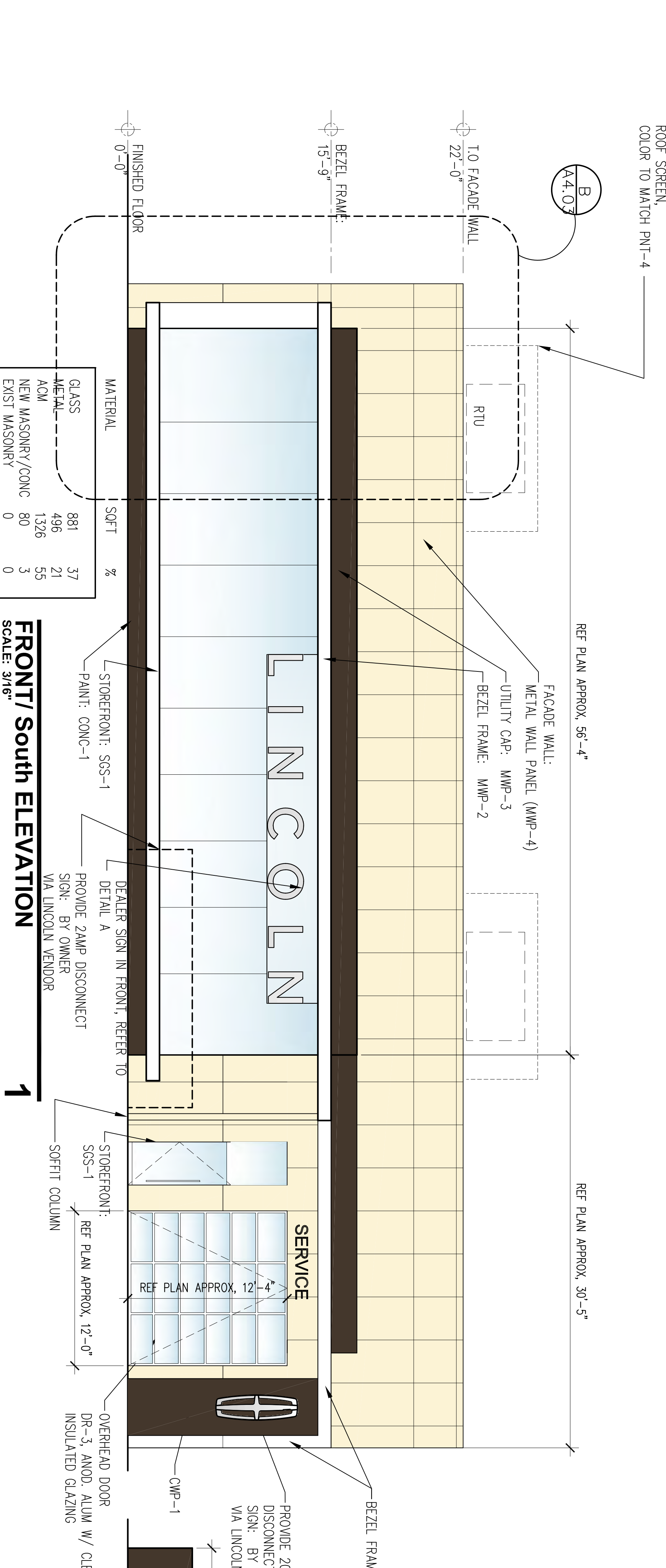
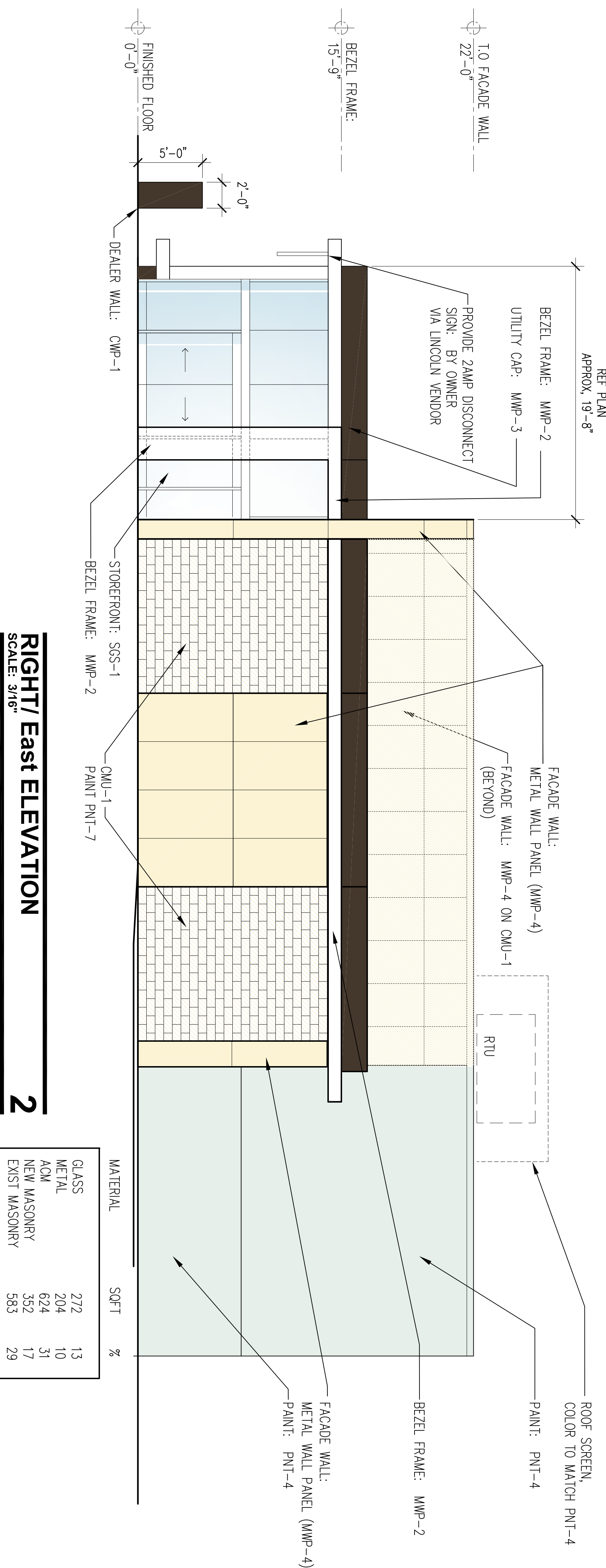
Virgilio & Associates, LTD
 Structural Engineers
 24069 North Echo Lake Road
 Lake Zurich, IL 60047

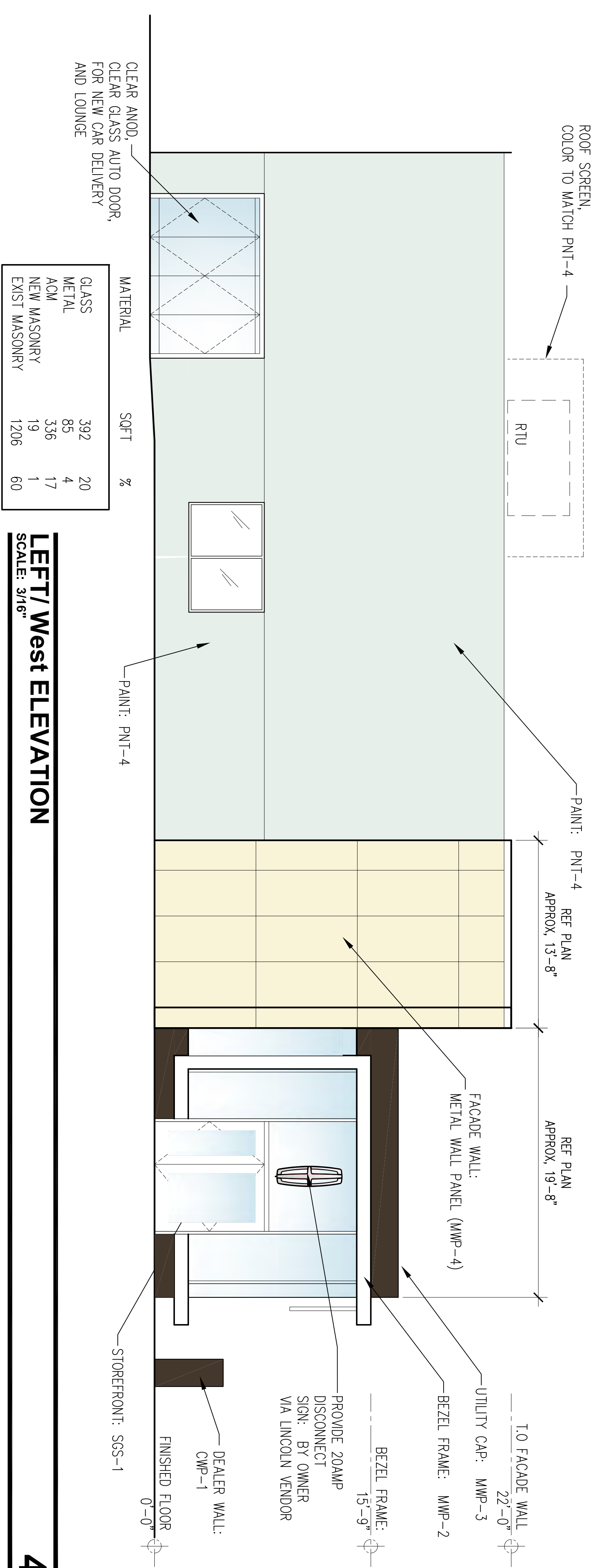
Tel: 847-550.8411
 www.virgilioassoc.com
 Attn: Ryan Freund

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|--|
| DEC 29 2016 - DESIGN REVIEW |
| JAN 14 2019 - DESIGN REVIEW 30% |
| FEB 13 2019 - DESIGN REVIEW 30% - RESUBMIT |
| FEB 13 2019 - APPEARANCE REVIEW |
| MARCH 18 2020 - PROGRESS - BLDG ENG |
| JAN 06 2021 - PROGRESS - BLDG ENG |
| FEB 14 2021 - PROGRESS - PLANNING |

EXTERIOR ELEVATIONS

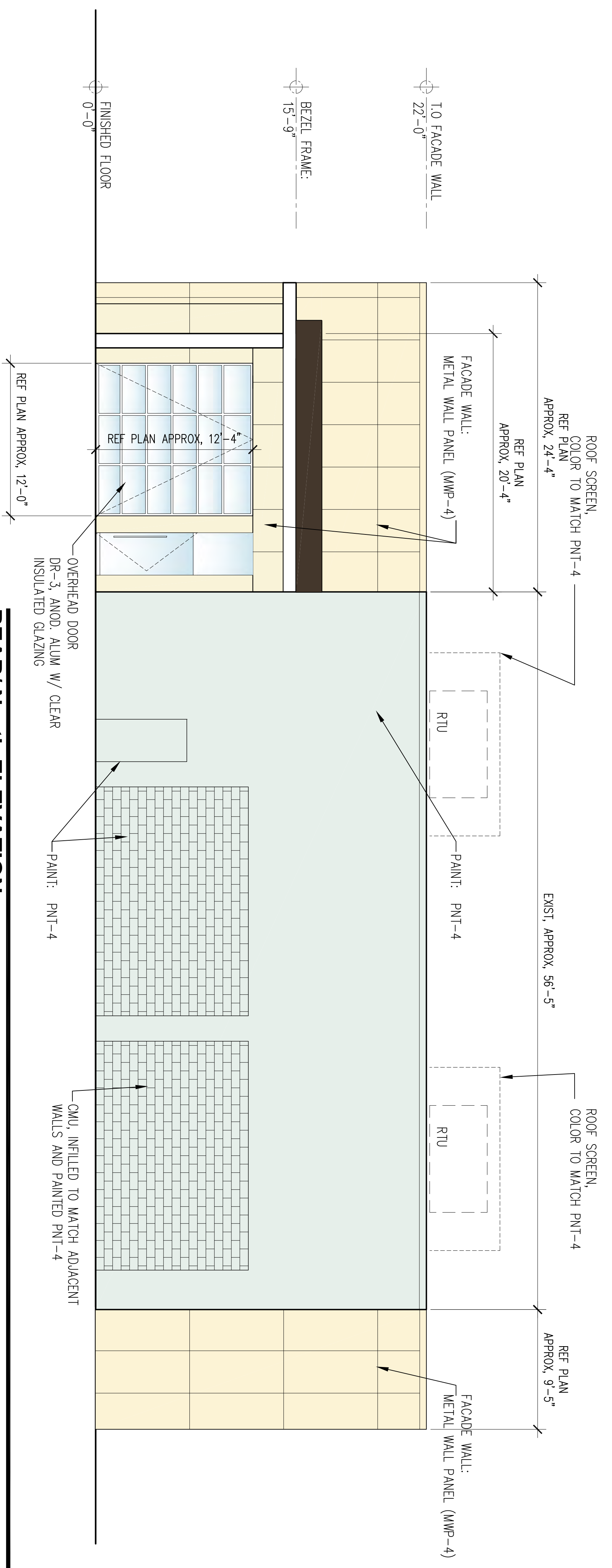
A04.01





LEFT/West ELEVATION
 SCALE: 3/16"

4



REAR/North ELEVATION
 SCALE: 3/16"

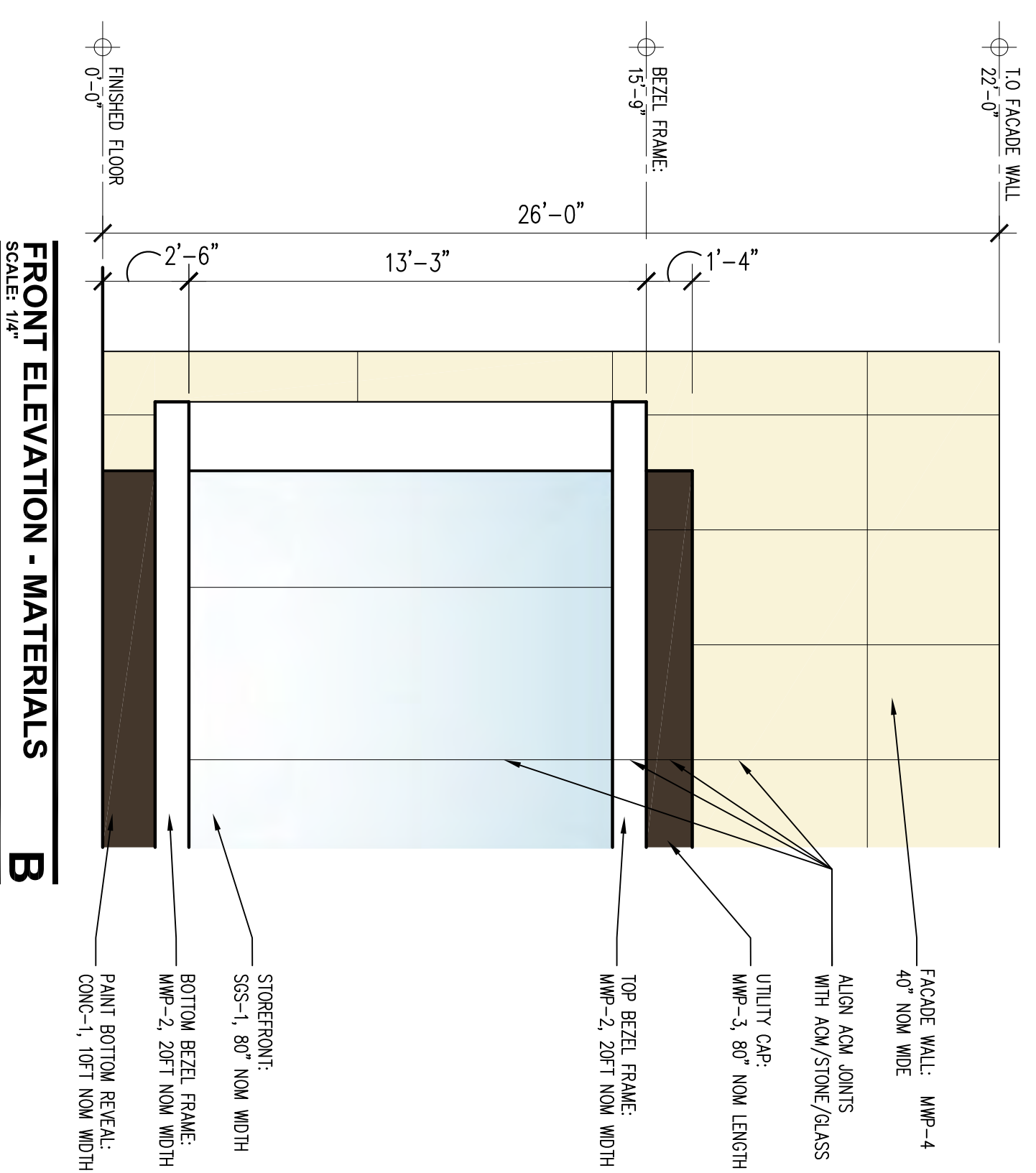
3



EXTERIOR RENDERING

SCALE: 1/4"

1



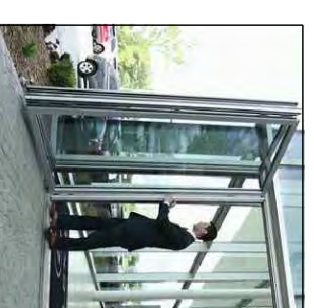
FRONT ELEVATION - MATERIALS

SCALE: 1/4" **B**

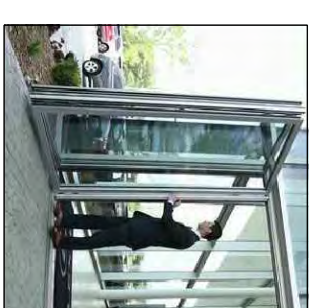
DOORS



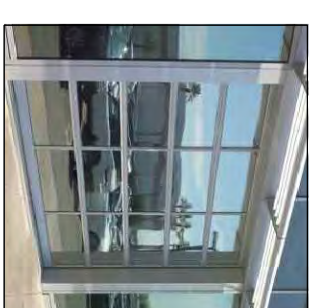
DR-1
DESCRIPTION: AUTOMATIC SLIDING DOOR SYSTEM
MANUFACTURER: STANLEY (800-7-ACCESS)
PRODUCT: DURA-GUIDE 3000 ALL GLASS SLIDING DOOR
TYPE: 8-PART FULL BREAKOUT
PACKAGE WIDTH: 144" (168" IF VEHICLE LOADINGS IS REQUIRED)
FINISH: CLEAR ANODIZED
GLASS: 1/2" TEMPERED
LOCATION: MAIN GUEST ENTRY



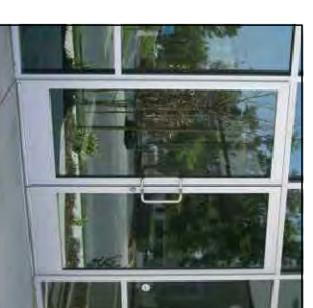
DR-2A
DESCRIPTION: FOLDING GLASS DOOR SYSTEM
MANUFACTURER: NANA WALL (888-411-6262)
TYPE: FRAMELESS GLASS WALL SYSTEM
PACKAGE WIDTH: SPECIFY
FINISH: CLEAR ANODIZED
GLASS: TO MATCH STOREFRONT
LOCATION: SHOWROOM LOADING



DR-2B
DESCRIPTION: FOLDING GLASS DOOR SYSTEM
MANUFACTURER: NANA WALL (888-411-6262)
PRODUCT: SL70
TYPE: FOLDING GLASS WALL SYSTEM
PACKAGE WIDTH: SPECIFY
FINISH: CLEAR ANODIZED
GLASS: TO MATCH STOREFRONT
LOCATION: NEW VEHICLE DELIVERY



DR-3
DESCRIPTION: GLASS SECTIONAL OVERHEAD DOOR
MANUFACTURER: OVERHEAD DOOR CO (800-928-3687)
TYPE: MODEL 821
PACKAGE WIDTH: PER PLANS
JAMB: PER PLANS
FINISH: CLEAR ANODIZED
GLASS: 1/2" TEMPERED
LOCATION: SERVICE RECEPTION



DR-4
DESCRIPTION: GLASS ENTRY DOOR
MANUFACTURER: KAWNEER (www.kawneer.com)
PRODUCT: TO MATCH STOREFRONT SYSTEM
JAMB: SAME AS STOREFRONT
FINISH: CLEAR ANODIZED
GLASS: INSULATED
LOCATION: WITHIN STOREFRONT SYSTEM



DR-5
DESCRIPTION: UTILITY MAIN DOOR
MANUFACTURER: KAWNEER (www.kawneer.com)
PRODUCT: INSULATED GALVANIZED METAL DOOR
SIZE: 3070
COLOR: PAINT TO MATCH CMU-1
JAMB: STEEL MASONRY JAMB
LOCATION: SERVICE/PARTS/CAR WASH

EXTERIOR MATERIALS LEGEND

| | |
|-----------------------------|---|
| FACADE WALL | MWP-4 DESCRIPTION: ALUMINUM MANUFACTURER: ALPOLIC COLOR: SWIFT WHITE 4MM PER LOCATION LOCATION: FACADE WALL INSTALLATION METHOD: RAIN CONTACT: 1.800.422.7270 |
| WALL SYSTEM | GWP-1 DESCRIPTION: COMPOSITE WALL PANEL. MANUFACTURER: TRESPA COLOR: VENGE (MWB) SATIN LOCATION: STAR WALL, DEALER WALL GRAIN DIRECTION: VERTICAL OUTSIDE CORNER: FABED CORNERS K.BELLINGER@TRESPA.COM |
| UTILITY CAP CLADDING | MWP-5 DESCRIPTION: ALUMINUM COMPOSITE PANEL, MANUFACTURER: ALPOLIC COLOR: BROWN LINCOLN (PWB) VALTORN 1248 LOCATION: UTILITY CAP ONLY INSTALLATION METHOD: RAIN SCREEN IDRY JOINT CONTACT: 1.800.422.7270 |
| BEZEL CLADDING | MWP-2 DESCRIPTION: ALUMINUM COMPOSITE PANEL, MANUFACTURER: ALPOLIC COLOR: FORD LINCOLN WHITE RW4 912015 SIZE: PER ELEVATIONS LOCATION: BEZEL INSTALLATION METHOD: RAIN SCREEN (DR JOINT) CONTACT: 1.800.422.7270 |
| SHOWROOM GLASS | SGS-1 DESCRIPTION: GLAZING MANUFACTURER: KAWNEER PRODUCT: STAN WALL - 4928 SYSTEM 2.5SG FINISH: CLEAR ANODIZED GLASS: TO MATCH STOREFRONT (IF CLEAR, MAY VARY BY GEOGRAPHIC LOCATION AND ENERGY CODE REQUIREMENTS) CONTACT: 1.877.556.5726 |

| | |
|--------------|---|
| PAINT | PNT-4 DESCRIPTION: EXTERIOR PAINT MANUFACTURER: PPG FINISH: GLOSS NOTE: LEVEL 5 FINISH REQUIRED LOCATION: EXTERIOR COLUMNS |
| | PNT-6 DESCRIPTION: EXTERIOR PAINT MANUFACTURER: BENJAMIN MOORE FINISH: LOW-LUSTRE COLOR: OC-GREATERS DOWN LOCATION: EXTERIOR COLUMNS UNDER BEZEL CONTACT: 1.800.441.9696 |
| | PNT-7 DESCRIPTION: EXTERIOR PAINT MANUFACTURER: BENJAMIN MOORE FINISH: LOW-LUSTRE COLOR: OC-GREATERS DOWN LOCATION: EXTERIOR COLUMNS UNDER BEZEL CONTACT: 1.800.441.9696 |

| | |
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| | PNT-8 DESCRIPTION: EXTERIOR PAINT MANUFACTURER: BENJAMIN MOORE FINISH: LOW-LUSTRE COLOR: OC-GREATERS DOWN LOCATION: EXTERIOR COLUMNS UNDER BEZEL CONTACT: 1.800.441.9696 |
|--|---|

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|-------------------------------|---|
| SERVICE RECEPTION TILE | CT14 DESCRIPTION: SERVICE RECEPTION TILE PRODUCT: AMERICAN CLEAN RELIANCE SIZE: 12" X 24" COLOR: CHARCOAL, RL14 FINISH: TEXTURED LOCATION: SERVICE RECEPTION AREA CONTACT: 1.800.514.6453 |
| | CT17 DESCRIPTION: PLAZA TILE MANUFACTURER: VIRGINIA TILE COLOR: CONTEMPORARY CREAM RL11 SIZE: 12" X 24" LOCATION: BUILDING ENTRANCE / SERV RECEPTION CONTACT: 1.800.514.6453 |

| | |
|-------------------|---|
| PLAZA TILE | CT17 DESCRIPTION: PLAZA TILE MANUFACTURER: VIRGINIA TILE COLOR: CONTEMPORARY CREAM RL11 SIZE: 12" X 24" LOCATION: BUILDING ENTRANCE / SERV RECEPTION CONTACT: 1.800.514.6453 |
| | CT18 DESCRIPTION: PLAZA TILE MANUFACTURER: VIRGINIA TILE COLOR: CONTEMPORARY CREAM RL11 SIZE: 12" X 24" LOCATION: BUILDING ENTRANCE / SERV RECEPTION CONTACT: 1.877.556.5726 |
| | CT19 DESCRIPTION: PLAZA TILE MANUFACTURER: VIRGINIA TILE COLOR: CONTEMPORARY CREAM RL11 SIZE: 12" X 24" LOCATION: BUILDING ENTRANCE / SERV RECEPTION CONTACT: 1.877.556.5726 |

PROJECT:
JOE RIZZA
Orland Park LINCOLN

Joe Rizza Lincoln
8130 W. 159th
Orland Park, IL 60462

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DESIGN GROUP, LLC
ARCHITECTURE
DESIGN

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Tel: 847-571-3814
design@simon-arch.com

CIVIL:

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Tel: 630-723-6970
Attn: Todd Roberts

MECH / PLUMB / ELEC:

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1363 Shermer Road
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STRUCTURAL:

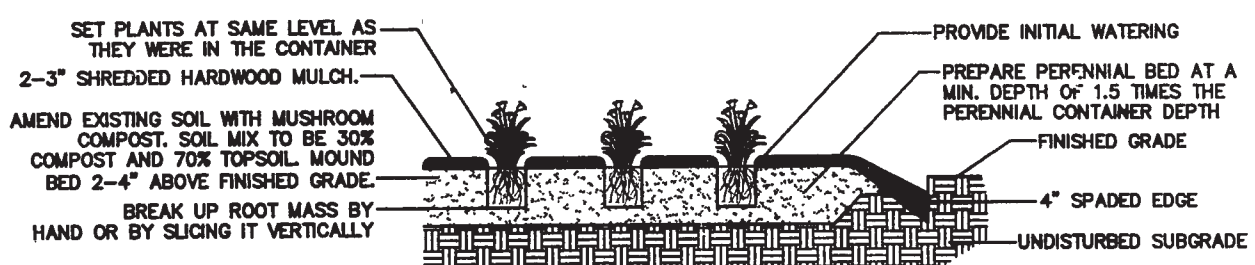
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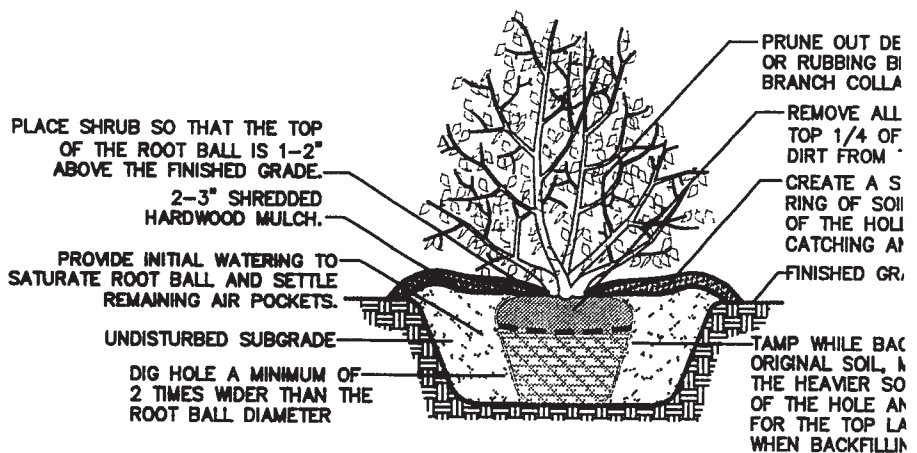
EXTERIOR MATERIALS

A04.03

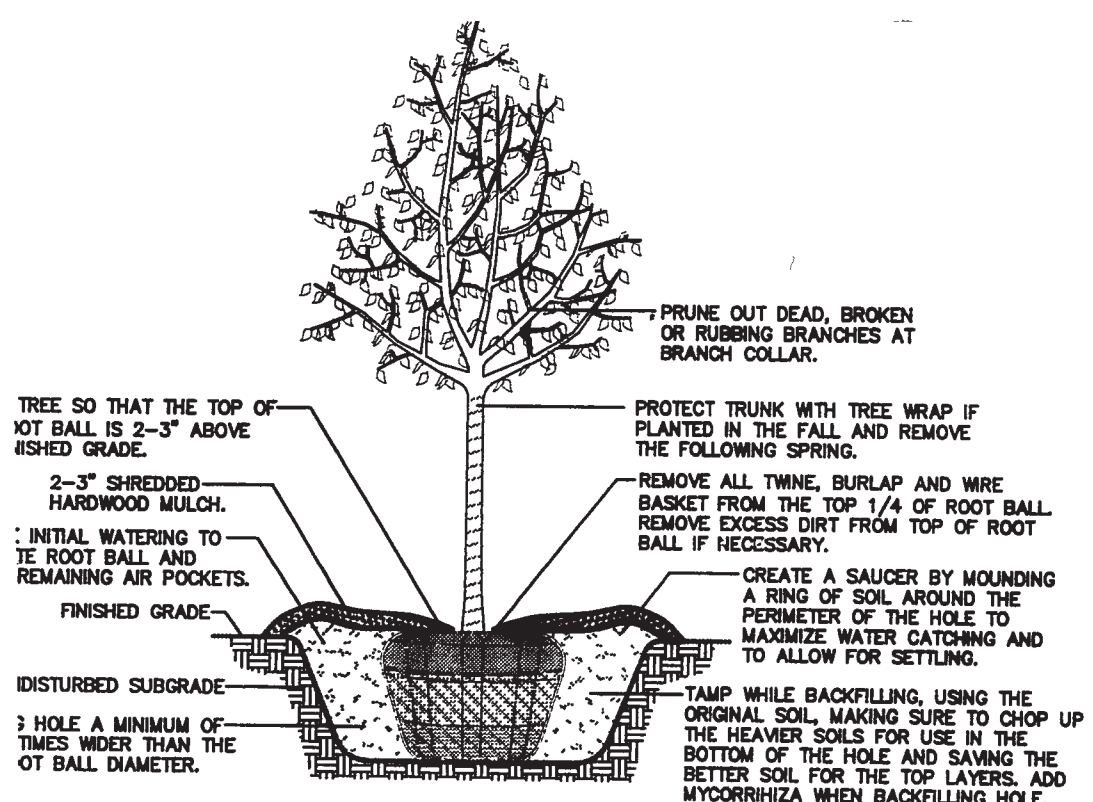
TELCO. PED.



PERENNIAL PLANTING DETAIL
NOT TO SCALE. USE ONLY ZONE HARDY PLANT MATERIAL.



SHRUB PLANTING DETAIL



TREE PLANTING DETAIL
NOT TO SCALE. USE ONLY ZONE HARDY PLANT MATERIAL.

PLANT TABLE

| Quantity | Scientific Name | Common Name | Code Name | Planting Size |
|----------|--------------------------|----------------------|-----------|---------------|
| 91 | Allium abidum millenium | Ornamental Onion | AM | 1Gal |
| 4 | Acer rubrum | Armstrong Maple | ARA | 21/2" |
| 10 | Buxus | Green Velvet | BGV | 2-Gal |
| 9 | Calamagrostis acutiflora | Feather Reed Grass | CAR | 3-GAL |
| 28 | Diervilla rivularis | Kodiak Black | DKB | 5-Gal |
| 15 | Hemerocallis | Early Bird Cardinal | HEC | 1-Gal |
| 16 | Hydrangea H paniculata | Quickfire | HPQ | 7-Gal |
| 20 | Hydrangea paniculata | BoBo | HPB | 5-Gal |
| 15 | Hypericum kalmianum Ames | St Johns Wort | HKA | 5-Gal |
| 29 | Juniperus chinensis | Daubs Frost | JCD | 3-Gal |
| 3 | Malus | Sargentina Crab | MS | 21/2" |
| 8 | Miscanthus sinensis | Maiden Grass | MSM | 2-Gal |
| 6 | Physocarpus mnebark | Summer Wine | PNS | 5-Gal |
| 12 | Pennisetum hamlem | Dwarf Fountain Grass | PHD | 2-Gal |
| 2 | Picea abies | Norway Spruce | PAN | 8"BB |
| 4 | Picea abies | Cleveland Select | PYCAC | 21/2" |
| 18 | Rhus aromatica | Gro-Low Sumac | RAG | 5-Gal |
| 15 | Ribes alpinum | Green Mound | RAM | 5-Gal |
| 23 | Rosa | Drift Rose | RDR | 2-Gal |
| 25 | Stachi monnieri | Hummelo | SMH | 1-Gal |
| 75 | Stachi officinalis | Densiflorus | STD | 5-Gal |
| 15 | Spirea betulifolia | Glow Girl Birchleaf | SBG | 5-Gal |
| 35 | Taxus media | Densiform Yew | TMD | 24"BB |
| 26 | Taxus | Hicks Yew | TMH | 24"BB |
| 16 | Viburnum dentatum | Chicago Lustre | VDC | 4"BB |
| 33 | Weigela | Spill Wine | WFW | 5Gal |

PROJECT:

JOE RIZZA

Orland Park LINCOLN

Joe Rizza Lincoln
8130 W. 159th
Orland Park, IL 60462

ARCHITECT:



505 Lake Cook Road, Suite 350
Deerfield, IL 60015

Tel: 847-571-3814
design@simon-arch.com

CIVIL:

MeritCorp Group, LLC

Engineering/Planning/Surveying

3697 Darlene Court
Aurora, IL 60504

Tel: 630-723-6870
Attn: Todd Roberts

LANDSCAPE:

DAHL LANDSCAPING

14960 W. 159TH STREET
LOCKPORT, IL 60441

Tel: 815-838-7811
Attn: Don Dahl

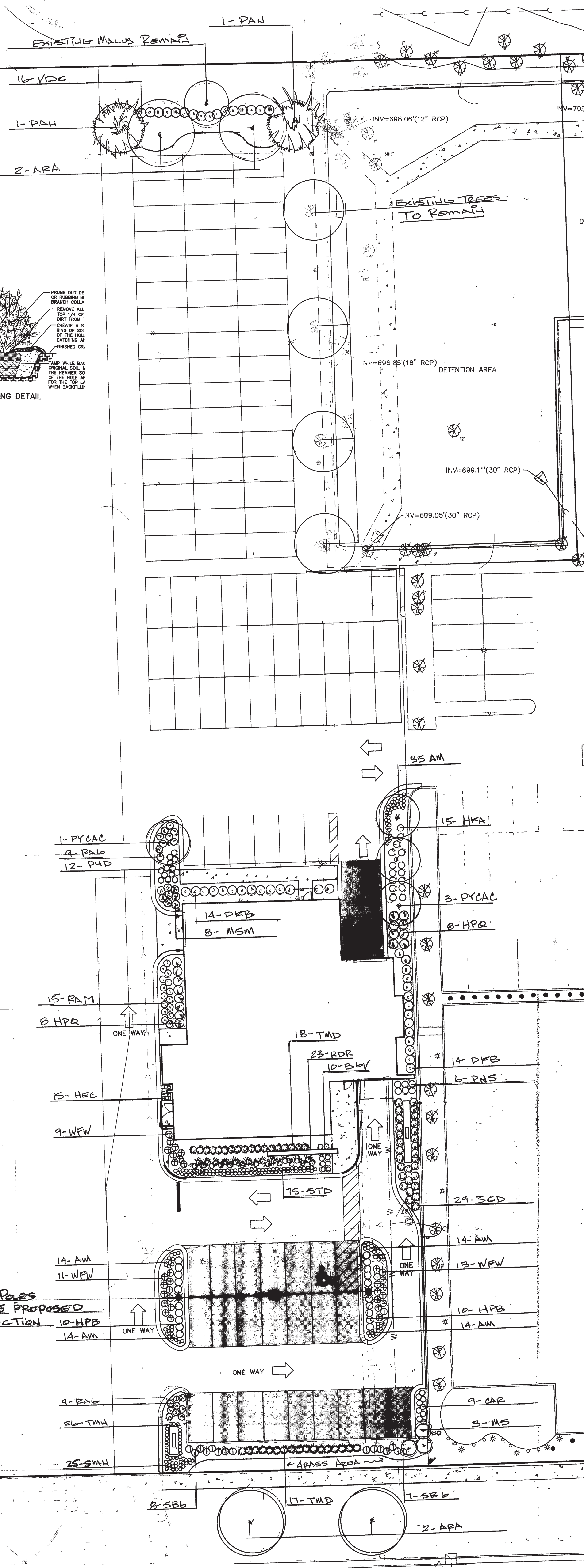
Landscape Notes

- The Landscape Contractor will be responsible for installing all material and plants shown on the landscape plan.
- All nursery stock will be well branched, healthy, full, pre-inoculated, and fertilized. Deciduous trees will be free of fresh scars. Trunks will be wrapped, if necessary, to prevent sun scald and insect damage. The landscaper will remove said wrap at the proper time as a part of his contract.
- All nursery stock will be guaranteed for one year from date of final inspection.
- Clean viable earth will be provided and graded by the General Contractor up to 6 inches below finished grade in grass areas and a minimum of 18 inches in planting areas.
- Soil will be amended with 25% sphagnum peatmoss, 5% manure, 5% humus, and 65% pulverized soil for all annual and perennial beds.
- Mulch will be three inches thick shredded hardwood bark in plant beds and tree rings. Mulch shall not contain any farm or other wastes.
- A chemical weed preventative barrier will be applied in all non-grass areas.
- A natural spaded edge will separate plant beds from grass areas.
- All sod areas noted on plan shall be sodded.
- J.U.L.I.E. will be contacted before any type of work is done at this location.

3 LIGHT POLES
NO TREES PROPOSED
LIGHT OBSTRUCTION

NORTH

SITE DETAIL
SCALE: 1/8" = 1' - 0"

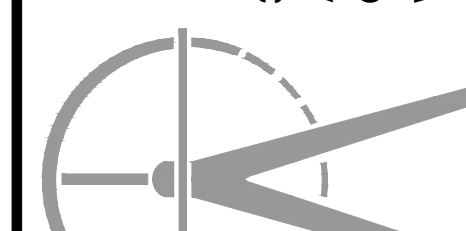


| DATE | DESCRIPTION |
|------------|---|
| 02-15-2019 | ISSUED FOR REVIEW |
| 04-09-2020 | REVISED PER ARCHITECT |
| 06-12-2020 | REVISED PER VILLAGE |
| 10-06-2020 | REVISED PER VILLAGE OF ORLAND PARK |
| 01-06-2021 | REVISED PER VILLAGE OF ORLAND PARK 11-25-20 |
| 02-19-2021 | REVISED PER VILLAGE OF ORLAND PARK 02-03-21 |

MeritCorp
 ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

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 Aurora, IL 60504
 Office 630.554.6655
 www.meritcorp.com

50 North Broadway, Suite 3-9
 Palatine, IL 60067
 Office 847.496.4170
 Lic. No. 184-005860



RIZZA LINCOLN
8130 W. 159TH ST
ORLAND PARK, (ORLAND TWP.) ILLINOIS

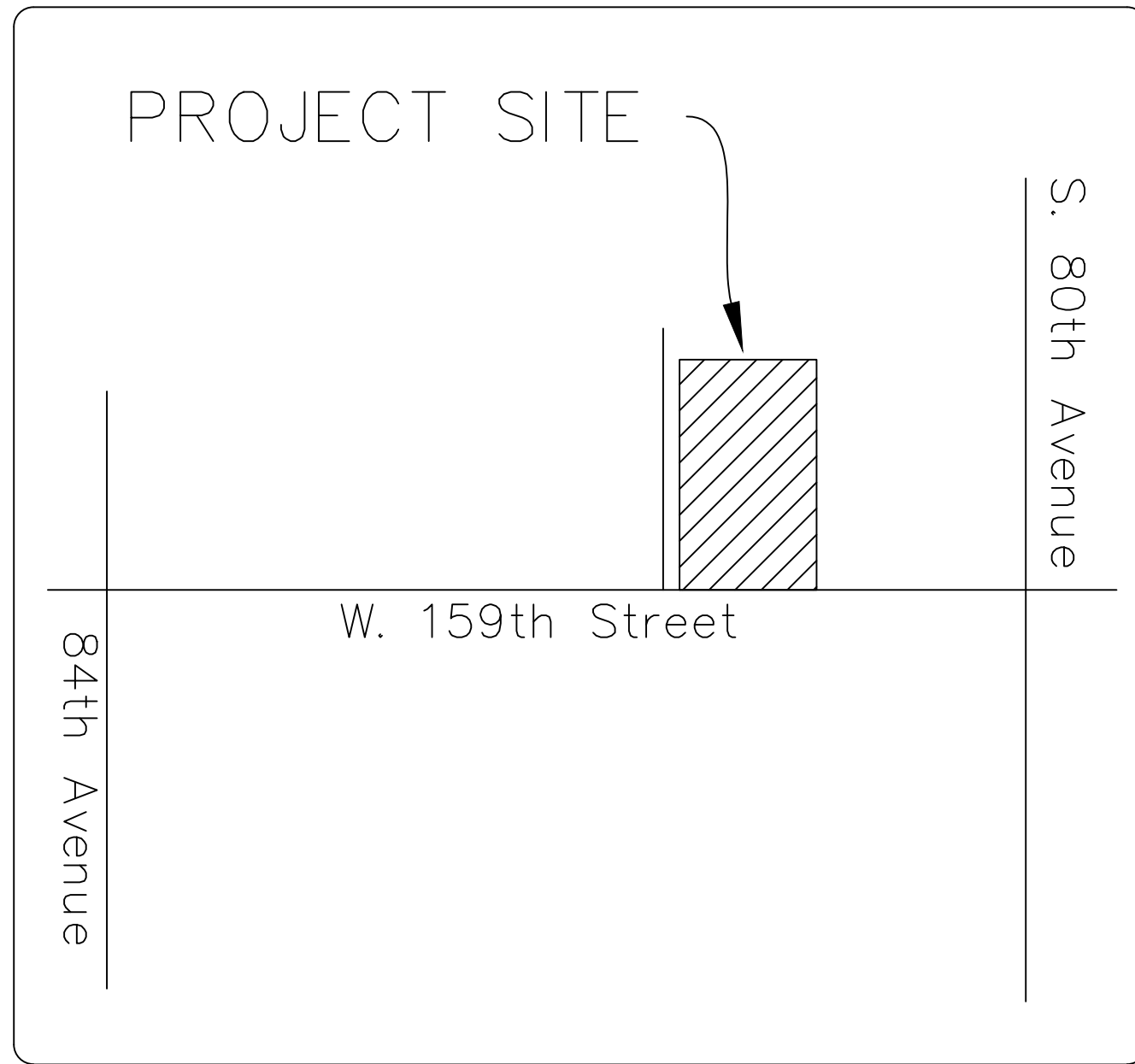
PRELIMINARY SITE PLAN

PROJECT NO. M19008

DRAWN BY: YL

CHECKED BY: TDR

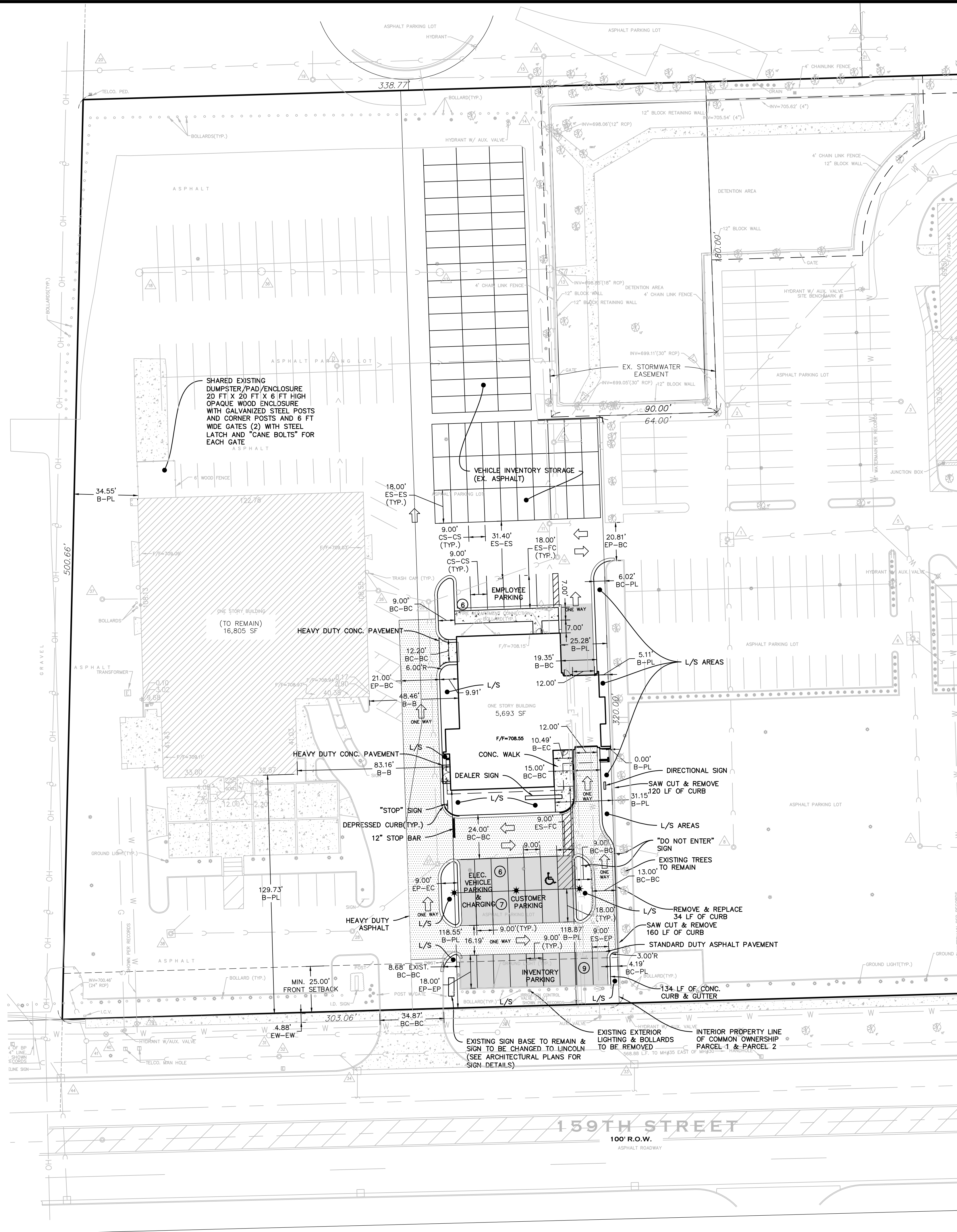
SHEET NO. 4 / 6



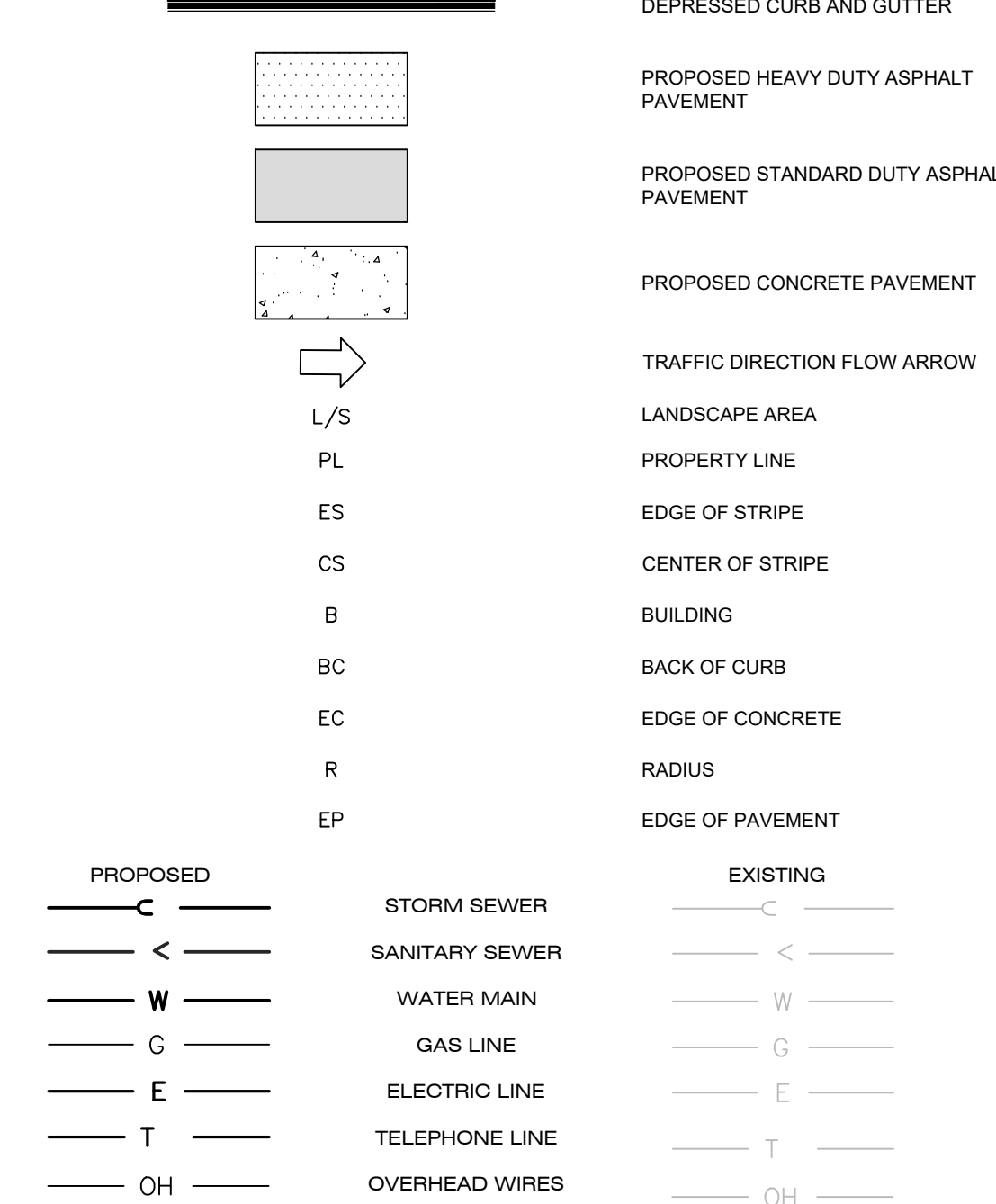
VICINITY MAP
(NOT TO SCALE)

| Site Data Box - Joe Rizza Lincoln | | | | Combined Lincoln + Acura |
|--------------------------------------|-------------------------|--|--|--|
| Zoning District | Required BIZ | Current BIZ | Proposed BIZ | Proposed BIZ |
| Existing Use | - | Motor Vehicle Sales and Motor Vehicle Services | Motor Vehicle Sales and Motor Vehicle Services | Motor Vehicle Sales and Motor Vehicle Services |
| Lincoln Building Size (sq. ft.) | - | 3,600 | 5,693 | 22,389 |
| Requirements | Required | Current | Proposed | Proposed |
| Attributable Gross Area (sq. ft.) | 10,000 | 63,876 | 63,876 | 155,976 |
| Net Area (sq. ft.) | N/A | 50,537 | 50,537 | 142,637 |
| Floor Area Ratio (1 story) | 1.00 | 0.06 | 0.09 | 0.14 |
| Detention Pond Area (sq. ft.) | N/A | 13,338.08 | 13,338.08 | 13,338.08 |
| Lot Coverage | 75% (80% w/ BMP's) | 88% | 83% | 86% |
| Green Space (sq. ft.) | 25% Min | 7,668 | 10,783 | 22,366 |
| Height (ft) | 50 | 26 | 26 | Varies see table |
| Standard Parking Stalls | 1 space/300 sq. ft. | 6 | 19 | 32 |
| Accessible Parking Stalls | 1 B.F. space/ 25 spaces | 1 | 1 | 4 |
| Inventory Parking Stalls | None | 93 +/- | 87 | 219 |
| Bicycle Parking Stalls | 3 | 0 | 0 | 0 |
| Setbacks | | | | |
| 159 th Street (South) ft. | 25 | 131.3 ft. | 118.6 ft. | - |
| Interior Side (East) ft. | 15 | 25.3 ft. | 0.57 ft. | - |
| Interior Side (West) ft. | 15 | +/- 211 ft. | 209.6 ft. | - |
| Rear (North) ft. | 30 | 298 ft. | 298 ft. | - |
| Parking Lot Setback | | | | |
| North Lot Line | 15 | 31 ft. | 31 ft. | - |
| East Lot Line | 10 | 0 | 0 | - |
| West Lot Line | 10 | 177.8 ft. | 177.8 ft. | - |
| South Lot Line | 30 | 9.97 ft. | 9.97 ft. | - |

| Site Data Box - Joe Rizza Acura | | | |
|---------------------------------------|-------------------------|--|--|
| Zoning District | Required BIZ | Current BIZ | Proposed BIZ |
| Existing Use | N/A | Motor Vehicle Sales and Motor Vehicle Services | Motor Vehicle Sales and Motor Vehicle Services |
| Acura Building Size (sq. ft.) | N/A | 16,696 sq. ft. | 16,696 |
| Requirements | Required | Current | Proposed |
| Gross Area (sq. ft.) | N/A | 92,099.78 | 92,099.78 |
| Net Area (sq. ft.) | N/A | 92,099.78 | 92,099.78 |
| Floor Area Ratio (1 story) | 1.00 | 0.18 | 0.18 |
| Detention Pond Area | N/A | 0 | 0 |
| Lot Coverage | 75% (80% w/ BMP's) | 87% | 87% |
| Green Space | 25% min | 11,583 | 11,583 |
| Height (ft) | 50 | 24 | 24 |
| Standard Parking Stalls | 1 space/300 sq. ft. | 13 | 13 |
| Accessible Parking Stalls | 1 B.F. space/ 25 spaces | 3 | 3 |
| Vehicle Inventory Stalls | None | 132 +/- | 132 |
| Bicycle Parking Stalls | 3 | 0 | 0 |
| Setbacks | | | |
| 159 th Street (South) feet | 25 | 129.7 | 129.7 |
| Interior Side (East) feet | 15 | 129.9 | 129.9 |
| Interior Side (West) feet | 15 | 217.8 | 217.8 |
| Rear (North) feet | 30 | | |
| Parking Lot Setback | | | |
| North Lot Line (ft.) | 15 | 31.2 | 31.2 |
| East Lot Line (ft.) | 10 | 0 | 0 |
| West Lot Line (ft.) | 10 | 0 | 0 |
| South Lot Line (ft.) | 30 | 10.9 | 10.9 |



LEGEND



NOTES:

- PORTIONS OF EXISTING BUILDING TO BE REMOVED AND MODIFIED. PLEASE SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION. ABOVE BUILDING OUTLINE IS PROPOSED.
- EXISTING ASPHALT TO BE REMOVED AND REPLACED WHERE NEW L/S OR NEW CONCRETE AND ASPHALT IS PROPOSED.
- PIN #27-14-402-022-0000



Jan 10, 2021

Kyle Quinn
Village of Orland Park,
Development Services
14700 Ravinia Ave

Regarding : Rizza Lincoln – Special Use standards
8130 W. 159th Street
Orland Park , IL

Gerianne,

Regarding the Special Use Standards, you asked us to include in our petition explaining how the standards will be met. This letter to explain the petition:

Summary:

This subdivision involves updating and existing luxury auto dealerships on existing subdivision, in anticipation of growing sales and to meet the new automotive corporate branding standards. Currently, the Ford dealership houses both the Ford and Lincoln Brands. In the future, the Lincoln Brand will be moved over to this renovated property. The previous brands will be moved to a new ground up dealership in a property next to the Porsche Dealerships. The dealerships have been owned by the same entity for 20+ years, serving a similar use prior to that. The new Lincoln Dealership will increase the size by approximately 1850sf, addition to the existing 3,800sf. The additions will increase the size of the showroom and add a service drop off. The development will allow for both the Lincoln and Ford brands to expand.

The sidewalks or greenspace along the street will not be affected. Variances will be requested, which will be outlined in a separate memo.

This engineering is outlined on the Civil drawings.

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. This development facility a high quality of life. As luxury auto brands and as tax-generating businesses, and as participating corporate citizens, Rizza Automotive continues to add to the quality of life for the area's residents and business.
 - ii. This development reflects a unique sense of place. As being luxury brands, there are only about 400 Lincoln dealerships thought-out the entire country. This current renovation will actually be the 2nd completed project in the entire country. Those are fairly exclusive numbers for retail brands. Additionally, the quality brands bring a sense of high-quality and exclusivity to the community



- iii. This development will continue to inspire residence and visitors. Few things inspire economic and quality confidence like a thriving and growing luxury brand. Refer to the above points.
 - iv. This development will attract private investment and business investment. This project will employ during construction and increase employment after construction for the increased sales volume. Joe Rizza Automotive remains very involved in various community events and businesses. This development will increase Rizza’s visibility and participation in the community
 - v. The high-quality open spaces not be changed by the project, especially regarding spaces along the road and in respect to greenspace.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. The immediate vicinity character could be described as well-maintained automotive dealerships and other retail business—the updating of this luxury dealership, which already stands out as a luxury brand among its peers.
 - 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. The character of the immediate vicinity could be described as well-maintained automotive dealerships and other retail business. The updating of this luxury dealership will ensure that this site continues to stands out as a luxury brand among its peers.
 - 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. The proposed use is the same as the previous use. The updated projects will be of similar character as the previous, with updated facilities, and will only increase the adjacent properties' value.
 - 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
 - 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
 - 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
 - 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

If you require anything further from us, please don’t hesitate to reach out to us. Thank you for your partnership in this development project and we look forward to hearing any comments that you have.

Respectfully and Cordially Submitted,

Simon Yu AIA, NCARB, LEED AP



~~Oct 12, 2020~~

Revised: March 22, 2021

Gerianne Flannery
Kyle Qunn
Village of Orland Park,
Development Services
14700 Ravinia Ave

Regarding : Rizza Lincoln – Special Use standards
8130 W. 159th Street
Orland Park , IL

Gerianne,

Regarding the Special Use Standards, you asked us to include in our petition explaining how the standards will be met. This letter to explain the petition:

Summary:

This subdivision involves updating and existing luxury auto dealerships on existing subdivision, in anticipation of growing sales and to meet the new automotive corporate branding standards. Currently, the Ford dealership houses both the Ford and Lincoln Brands. In the future, the Lincoln Brand will be moved over to this renovated property. The previous brands will be moved to a new ground up dealership in a property next to the Porsche Dealerships. The dealerships have been owned by the same entity for 20+ years, serving a similar use prior to that. The new Lincoln Dealership will increase the size by approximately 1850sf, addition to the existing 3,800sf. The additions will increase the size of the showroom and add a service drop off. The development will allow for both the Lincoln and Ford brands to expand.

The sidewalks or greenspace along the street will not be affected. Variances will be requested, which will be outlined in a separate memo.

The Special Use will be the following:

- A. A modification to waive the requirements of anchored brick, stone or similar masonry materials extending from the adjacent grade to the top of each story entirely on the south elevation and to less than 50% on the north, east, and west elevation (Section 6-308.K).
- B. A modification to allow for drive-aisles and parking lots between the building and the street (Section 6-207.F.4).
- C. A modification to decrease the east side setback from a minimum of fifteen (15) feet to zero (0) feet (Section 6-207.F.2.).
- D. A modification to increase the number of required parking spaces from seventy-five (75) to one-hundred and eighty-three (183) which results in a 244% increase above the required parking (Section 6-306).
- E. A modification to decrease the amount of required bicycle parking from eighteen (18) to as little as zero (0) (Section 6-306.H).



- F. A modification to allow for triple-stacked parking spaces without direct and unrestricted access to an aisle at certain locations on site (Section 6-306.C.2)
- G. A modification to increase the allowed lot coverage from 75% to 87% (Section 6-207.G).
- H. A modification to waive the parking lot island requirement for vehicle inventory storage located to the north (rear) of the building (Section 6-305.D.6.a.2).
- I. A modification to increase the allowable maximum lighting intensity during operating hours from 40 foot candles to 82.8 foot candles and lumens per square foot from 7.0 to 103 (Section 6-315.A.2).

This engineering is outlined on the Civil drawings.

A) A modification to waive the requirements of anchored brick, stone or similar masonry materials extending from the adjacent grade to the top of each story entirely on the south elevation and to less than 50% on the north, east, and west elevation (Section 6-308.K).

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. This development facility a high quality of life. As luxury auto brands and as tax-generating businesses, and as participating corporate citizens, Rizza Automotive continues to add to the quality of life for the area's residents and business.
 - ii. This development reflects a unique sense of place. As being luxury brands, there are only about 400 Lincoln dealerships thought-out the entire country. This current renovation will actually be the 2nd completed project in the entire country. Those are fairly exclusive numbers for retail brands. Additionally, the quality brands bring a sense of high-quality and exclusivity to the community
 - iii. This development will continue to inspire residence and visitors. Few things inspire economic and quality confidence like a thriving and growing luxury brand. Refer to the above points.
 - iv. This development will attract private investment and business investment. This project will employ during construction and increase employment after construction for the increased sales volume. Joe Rizza Automotive remains very involved in various community events and businesses. This development will increase Rizza's visibility and participation in the community
 - v. The high-quality open spaces not be changed by the project, especially regarding spaces along the road and in respect to greenspace.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. The immediate vicinity character could be described as well-maintained automotive dealerships and other retail business—the updating of this luxury dealership, which already stands out as a luxury brand among its peers. Most dealerships in this area do not strictly meet the stone/masonry ordinance.
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. The character of the immediate vicinity could be described as well-maintained automotive dealerships and other retail business. The updating of this luxury dealership will ensure that this site continues stands out as a luxury brand among its peers.
- 4) The proposed use will not have an adverse effect on the value of the adjacent properties



- a. The proposed use is the same as the previous use. The updated projects will be of similar character as the previous, with updated facilities, and will only increase the adjacent properties' value.
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. This special use does not affect this requirement.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

B) [A modification to allow for drive-aisles and parking lots between the building and the street \(Section 6-207.F.4\).](#)

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. The Comprehensive Plan accounts for special use and variances for “automotive row”. Every dealership in automotive row allows for drive aisles and parking lot between the building and street for customer parking and vehicle inventory. This project requests the same consideration, to be consistent with those other Dealerships.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. This project will be a luxury dealership in the midst of “automotive row”. The design will be updated. The product is constantly updated. Refer to question #1.
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. The character of the immediate vicinity could be described as well-maintained automotive dealerships and other retail business. The updating of this luxury dealership will ensure that this site continues to stands out as a luxury brand among its peers.
- 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. The proposed use is the same as the previous use. The updated projects will be of similar character as the previous, with updated facilities, and will only increase the adjacent properties' value. The parking does not change from the previous condition.
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.

- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources have been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

C) A modification to decrease the east side setback from a minimum of fifteen (15) feet to zero (0) feet (Section 6-207.F.2.).

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. The special use is particular to this site because one owner owns 2 adjacent sites where the building make this less of a typical situation. Additionally, this project requires a Service Drive which can only be located on this side of the building. This Service Drive is mandated by Lincoln. Placing at the other side of the building will encroach on towards Acura.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. Though the building lot line encroaches, the building will not overly encroach on either building,
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. The only lot that this might affect is owned by the same owner, where many of Service Repair functions are shared.
- 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. Again, the only property that this might affect is owned by the same person.
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. Given that Lincoln requires the addition, placing the addition on this side of the lot allows for public vehicle access. Otherwise, access will be restricted.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. N/A
- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.



D) A modification to increase the number of required parking spaces from seventy-five (75) to one-hundred and eighty-three (183) which results in a 244% increase above the required parking (Section 6-306).

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. The parking spaces are provided as required by the ordinance. The additional spaces are retail inventory. A certain amount of inventory is required for general retail business and required by Lincoln.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. The “Auto-row” area all reflect this kind of inventory and parking ratio.
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. Refer to #2 above.
- 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. Refer to #2 above.
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

E) A modification to decrease the amount of required bicycle parking from eighteen (18) to as little as zero (0) (Section 6-306.H).

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. The nature of automotive retail is that customers or employees to use bicycles to purchase or repair luxury automobiles.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. The other dealerships in “auto-row” also have similar approaches to bicycles. In fact, this would only subtract from landscaping and from inventory.
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. See #2 above.

- 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. See #2 above.
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

F) [A modification to allow for triple-stacked parking spaces without direct and unrestricted access to an aisle at certain locations on site \(Section 6-306.C.2\)](#)

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. In a small lot, and in retail business, showing and maintaining inventory is of paramount importance.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. Many of the other “auto row” Dealerships have similar approaches to parking and inventory. This special use request will not be out of character for this area.
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. Refer to #2 above
- 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. Refer to #2 above
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.



- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

G) A modification to increase the allowed lot coverage from 75% to 87% (Section 6-207.G).

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. This special request is reflected in D+F above. The owner would like to maintain as much inventory as possible due to Lincoln and customer demands. Additionally, this special use maintains the existing conditions on the site.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. The other dealerships in “auto-row” also have similar approaches to lot coverage.
- 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. See #2 above.
- 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. See #2 above.
- 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
- 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
- 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

H) A modification to waive the parking lot island requirement for vehicle inventory storage located to the north (rear) of the building (Section 6-305.D.6.a.2).

- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. This special request is reflected in D+F+G above. The owner would like to maintain as much inventory as possible due to Lincoln and customer demands, particularly in the north side of the lot. Additionally, this special use maintains the existing conditions on the site.
- 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development

- a. The other dealerships in “auto-row” also have similar approaches to islands.
 - 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. See #2 above.
 - 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. See #2 above.
 - 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
 - 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
 - 7) The development will not adversely affect a known archaeological, historical, or cultural resource
 - a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
 - 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.
- i) [A modification to increase the allowable maximum lighting intensity during operating hours from 40 foot candles to 82.8 foot candles and lumens per square foot from 7.0 to 103 \(Section 6-315.A.2\).](#)**
- 1) The Special use will be consistent with the purposes and goals and objectives and standards of the Comprehensive plan.
 - a. This development will be consistent with and augment the Comprehensive plan and the vision of the 2030 Vision.
 - i. This special use is reflective of the character of auto row. The front line is highly displayed along the busy roadway, and the rest of the lot tends to be lower light.
 - 2) The special use will be consistence with the community character of the immediate vicinity of the parcel for development
 - a. Refer to #1 above
 - 3) The design of the proposed use will minimize the adverse effect, including visual impact on adjacent properties
 - a. See #1 above.
 - 4) The proposed use will not have an adverse effect on the value of the adjacent properties
 - a. See #1 above.
 - 5) The applicant has demonstrated that public facilities and services will be capable of servicing the special use at an adequate level of service
 - a. The development is an improvement to existing buildings which previously serve the same purpose for over 15 years. The updated will increase brand recognition update the look of the building. As such, we believe that any public services will not be effected differently and the demonstration has occurred during the past 20 years.
 - 6) The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development
 - a. This can be addressed further by the ownership should additional provisions-guarantee be required.
 - 7) The development will not adversely affect a known archaeological, historical, or cultural resource





- a. No such resources has been identified and thus are not adversely affected. The development is an improvement to existing buildings which previously serve the same purpose.
- 8) The proposed use will comply with all additional standards imposed on it by the particular provision of these regulation authorizing such use and by all other requirements of the ordinances of the village.
 - a. The project will go comply with the standards as imposed by the governing agencies.

If you require anything further from us, please don't hesitate to reach out to us. Thank you for your partnership in this development project and we look forward to hearing any comments that you have.

Respectfully and Cordially Submitted,

Simon Yu AIA, NCARB, LEED AP





REV Feb 19, 2021

Kyle Quinn
Village of Orland Park,
Development Services
14700 Ravinia Ave

Regarding : Rizza Lincoln – Business Operations
8130 W. 159th Street
Orland Park , IL

Kyle,

Regarding t#4 of your comments, you requested a detailed description of the services to be provided. The following was provided by the owner representative of Joe Rizza, Dan McMillan.

Joe Rizza Lincoln will continue to be a full service automobile dealership, providing sales, parts and service to it's customers. The new location at 8130 W 159th Street will serve as a Sales facility with a customer Lane for Service Write Up. Parts and Service will continue to be done at the Ford Dealership, 8100 W 159th Street. Joe Rizza Lincoln will be open from 9-9 Monday thru Friday and 9-7 on Saturday for Sales. Service will be open from 7:30-5 Monday thru Friday and 7:30-2:30 on Saturday. Approximately 20 Employees will be part of the Joe Rizza Lincoln Team, including Sales, Parts and Service. The existing Maserati Alfa Romeo dealership will be relocated to the Ford Dealership during the Lincoln Renovation. Maserati will then remain at the Ford Dealership during construction of a new facility in Orland Park next to the Porsche Dealership.

The Lincoln dealership will have Sales, Showroom, and Service Writers. About 12 permanent staff will be at this site. Vehicle repair/maintainance will be at the neighboring Ford facility. The Ford facility will service both Ford and Lincoln. An additional 8 staff will be the Ford Dealership, dedicated to Lincoln Service.

Dan McMillan
Joe Rizza Enterprises, Inc.
8150 W. 159th Street
Orland Park, IL 60462
708-764-3612

Respectfully and Cordially Submitted,

Simon Yu AIA, NCARB, LEED AP

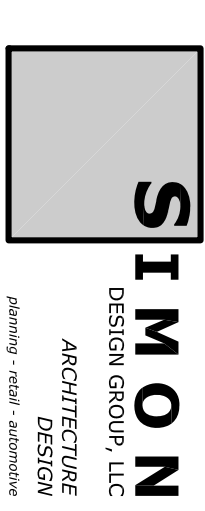


PROJECT:



Joe Rizza Lincoln
8130 W. 159th
Orland Park, IL 60462

ARCHITECT:



500 Lake Cook Road, Suite 350
Deerfield, IL 60015

Tel: 847-571-3814
design@simon-arch.com

CIVIL:

MeritCorp Group, LLC

Engineering Planning Surveying

3697 Darlene Court
Aurora, IL 60504

Tel: 630-723-6970
Attn: Todd Roberts

MECH / PLUMB / ELEC:

ALPHA COMM. ENG.

1363 Shermer Road
Northbrook, IL 60062

Tel: 224-363-9000
Attn: Roghā Alhammar

STRUCTURAL:

Virgilio & Associates, LTD

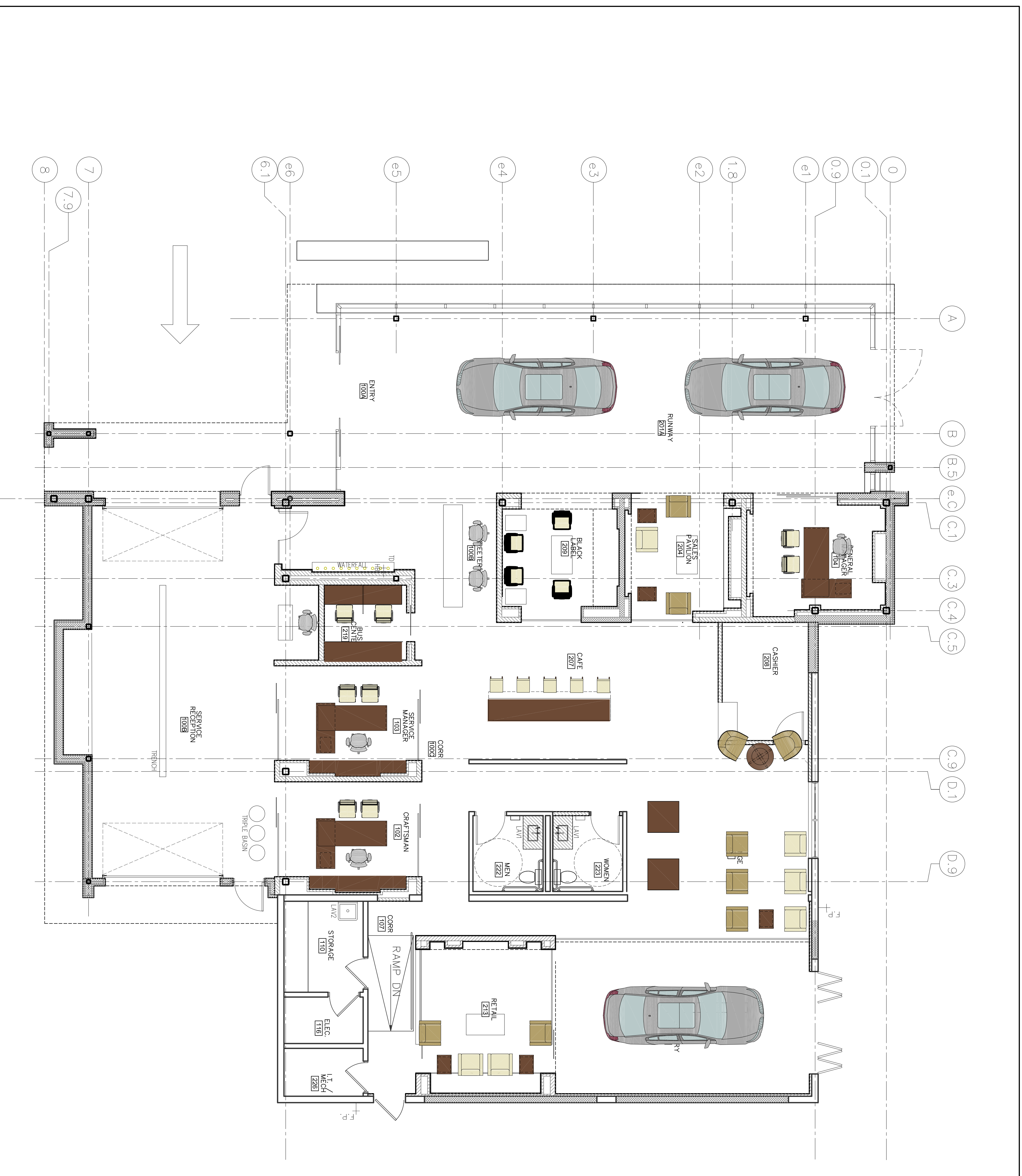
Structural Engineers
24069 North Echo Lake Road
Lake Zurich, IL 60047

Tel: 847-550-8411
www.virgilioassoc.com
Attn: Ryan Freund

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|--|
| DEC 29 2016 - DESIGN REVIEW |
| JAN 14 2019 - DESIGN REVIEW 30% |
| FEB 13 2019 - DESIGN REVIEW 30% - RESUBMIT |
| FEB 15 2019 - APPEARANCE REVIEW |
| MARCH 18 2020 - PROGRESS - BLDG ENG |
| JAN 06 2021 - PROGRESS - BLDG ENG |
| FEB 14 2021 - PROGRESS - PLANNING |

FURNITURE PLAN

A06.01



REQUEST FOR ACTION REPORT

File Number: **2021-0234**
Orig. Department:
File Name: **2021 Land Development Code Amendments I**

BACKGROUND:

QUICKFACTS

Project

2021 Land Development Code Amendment I

Petitioner

Development Services Department

Purpose

The purpose of these amendments is to update and clarify Section 5-101 of the Land Development Code pertaining to development review procedures.

Requested Actions: Land Development Code Amendment

Topic

Update to Development Review Procedures
Minor Clarifications to Previously Approved Land Development Code Amendments

Project Attributes (Section to be Amended)

Section 5-101 Development Review Procedures

Exhibits

EXHIBIT A - Proposed Code Amendment
EXHIBIT B - Redlined Version of Proposed Code Amendment
EXHIBIT C - Legal Notice

OVERVIEW AND BACKGROUND

The proposed amendment to the Land Development Code would allow preliminary plans for specified petitions to proceed directly from a unanimous Plan Commission approval to final plan preparation rather than the current process that requires Committee of the Whole and/or Board of Trustees review of said preliminary plans. The proposed change is limited to development approvals that require a Plan Commission public hearing and Board of Trustees approval.

The Amendment Report, titled "2021 Land Development Code Amendments I", summarizes the proposed amendment. The Amendment Report contains the full narrative explanation for the amendment and the Exhibits include a redlined version of the Code amendment. Language with a strike-out (~~strike-out~~) indicates elimination from the Code and language that is in **red** indicates proposed addition to the Code.

This is now before Plan Commission for consideration.

BUDGET IMPACT:

REQUESTED ACTION:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated April 15, 2021.

And

I move to recommend to the Village Board of Trustees to approve the Land Development Code amendment for **Section 5-101** as presented in the attached Amendment Report titled "2021 Land Development Code Amendment" and associated exhibits, prepared by the Development Services Department and dated April 15, 2021.

2021 LAND DEVELOPMENT CODE AMENDMENT I

Staff Report to the Plan Commission

Development Services Department

April 15, 2021

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KEY TO STAFF REPORT

The staff report is divided into two sections. The first section addresses the substantive amendments to the Land Development Code. The second section addresses clarifications to the code.

KEY TO EXHIBITS

Exhibits A and B are the proposed code amendments with Exhibit A being a clean version of the update and Exhibit B being a redlined version. Text with ~~strike through~~ is to be deleted and text in **red** is to be added.

SUBSTANTIVE AMENDMENTS: **SECTION 5-101 DEVELOPMENT REVIEW PROCEDURES:
DEVELOPMENT MAY PROCEED TO FINAL PLAN REVIEW UPON UNANIMOUS
RECOMMENDATION FROM THE PLAN COMMISSION**

AMENDMENT SUMMARY

At its December 7, 2020 meeting, the Committee of the Whole directed the Development Services Department to proceed with an amendment to the Land Development Code intended to expedite the development review process. Specifically, the amendment would allow preliminary plans for specified petitions to proceed directly from a unanimous Plan Commission approval to final plan preparation rather than the current process that requires Committee of the Whole and/or Board of Trustees review of said preliminary plans. The proposed change is limited to development approvals that require a Plan Commission public hearing and Board of Trustees approval.

The current development review process requires that the Committee of the Whole and Board of Trustees review preliminary plans after the Plan Commission public hearing and before proceeding with final plan review. The current process allows the Development Services Director to waive the Committee of the Whole review and forward the preliminary plans directly to the Board of Trustees if there is a unanimous Plan Commission recommendation. With or without Committee of the Whole review, the Board of Trustees either denies the petition or approves the petition with direction to staff and the petitioner to proceed with final plan preparation and review.

The proposed amendment would expand the discretion of the Development Services Director to allow the Director to waive both Committee of the Whole and Board of Trustees review if there is a unanimous recommendation for approval from the Plan Commission. In such cases, the development would proceed directly from the Plan Commission to final plan preparation and the Board of Trustees would only review the project upon completion of final plans.

AMENDMENT EXPLANATION

The attached **Exhibit A** is a clean version of the existing and proposed text for Section 5-101. **Exhibit B** is the redlined version showing deleted text with strikethrough and added text in red font. The red line version also includes staff review comments in the right-hand margin. Below is a description of each of the substantive changes proposed by this amendment.

SECTION 5-101.A.3: This paragraph outlines the general development review process. The changes in this paragraph, along with the flow chart, are the primary substance of this draft amendment. As outlined above, the process is modified to allow the Director to waive the requirement for Board of Trustees review if there is a unanimous Plan Commission recommendation for approval. The intent is that non-controversial development petitions would be expedited and proceed directly to final plan preparation.

SECTION 5-101.A-4: This section currently gives staff discretion to take a unanimous approval from the Plan Commission directly to the Board, skipping the Committee of the Whole. The update revises this text to skip both the Board of Trustees and the Committee of the Whole when there is a unanimous Plan Commission approval. The petition would not go to the Committee of the Whole or the Board of Trustees until after final plans are reviewed and approved by staff.

CHART 5-101.A(A): The amendment includes a revised flow chart of the development review process. The revised flow chart reflects the changes described in Sections 5-101.A-3 and A-4.

CLARIFICATION AMENDMENTS: **SECTION 5-101: DEVELOPMENT REVIEW PROCEDURES**

AMENDMENT SUMMARY

As a result of the changes to Paragraphs 5-101.A3 and A.4, several other clarifications are necessary to maintain consistency in the code.

AMENDMENT EXPLANATION

SECTION 5-101.B-3: This paragraph refers to the review of a preliminary plan by the Board of Trustees. With the possibility of skipping the Board of Trustees until after final plans are approved by staff, the second half of this paragraph is not applicable.

SECTION 5-101.C-1.a: Changes to this paragraph are not substantive but rather simplify and clarify redundant language in the text.

SECTION 5-101.C-1.b: If review by the Committee of the Whole is required (in the case of a non-unanimous recommendation from the Plan Commission), this paragraph outlines the review process at the Committee of the Whole.

SECTION 5-101.C-1.c: If there is a unanimous recommendation for approval by the Plan Commission, this new paragraph states that the petition will proceed directly to final plan preparation and staff approval before proceeding to the Committee of the Whole and Board of Trustees. Also added was a statement that draft annexation or development agreements will be prepared in anticipation of review by the Committee of the Whole and the Board of Trustees.

SECTION 5-101.C-1.d-e: These paragraphs are updated to reflect that the Committee of the Whole and Board of Trustees will review the petition after final plans are prepared and approved by staff.

SECTION 5-101.C-2.b: This paragraph is updated to reflect that the Board of Trustees will hold a public hearing and act on an annexation agreement after preparation and approval by staff of final plans and documents.

SECTION 5-101.K-3: Not directly related to the substance of this amendment, changes to this paragraph are intended to streamline the text and eliminate unnecessary detail in the code. For example, rather than outline details of what is required on a site plan, the updated text simply states that a site plan is required and that the Director of Development Services will determine the specific requirements for content of a site plan.

SECTION 5-101.K-4.d: Changes to this paragraph are not substantive but rather are intended for clarification.

SECTION 5-101.K-4.c: Text is updated to reflect the requirement that preliminary engineering is required prior to a petition being scheduled for Plan Commission review.

SECTION 5-101.K-4.e: Changes in this paragraph are necessary for clarification of the other changes to the process; specifically, that the final engineering plans are reviewed and approved prior to final action by the Board of Trustees.

END OF AMENDMENT REPORT

ARTICLE 5:
DEVELOPMENT PROCEDURES, REQUIREMENTS AND REGULATIONS

SECTION 5-101. DEVELOPMENT REVIEW PROCEDURES

A. **Due Process**

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.
2. **Organization.** The organization of this section is laid out in a manner that reflects the process of development review beginning with the determination of the type of review required, the review sequences, the review procedures, and finally the role of the Development Services Department. This section informs the public, the petitioner, the government agent, and the elected and appointed officials of the procedures of the Village of Orland Park for development review. It also simultaneously guides them through the decision-making process and acts as a map for development review in the Village of Orland Park.
3. **General Process.** There are three distinct development review processes which are outlined in Chart 5-101.A(A) at the end of this section. The three processes are summarized as follows:
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 - i. Pre-application Review with Village Staff;
 - ii. Filing of Application and Scheduling Plan Commission Public Hearing
 - iii. Plan Commission Review and Recommendation
 - iv. Committee of the Whole and/or Board of Trustees Review
 - v. Final Plan Preparation and Staff Review
 - vi. Committee of the Whole Review
 - vii. Board of Trustees Review and Decision
 - b. Development Requiring Administrative Review:
 - i. Departmental Review and Decision
 - ii. Plan Commission (if appeal is filed);
 - c. Development Requiring Hearing Officers Review (Variances):
 - i. Pre-Application Review with Village Staff
 - ii. Filing of Application and Scheduling Hearing Officer Public Hearing
 - iii. Hearing Officer(s) Review and Decision
 - iv. Board of Trustees (if appeal is filed).

4. **Appearance before Committee of the Whole.** In the case where a petition has received a unanimous recommendation from the Plan Commission and at the discretion of the Director of Development Services, the requirement to appear before the Committee of the Whole and the Board of Trustees prior to final plan preparation and staff review may be waived, therefore permitting such project to proceed directly to final plan preparation and staff review. In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to final plan preparation and review, be forwarded to the Board of Trustees, or be remanded to the Plan Commission for further consideration

B. **Petitions, Applicability, and Plan Review**

1. **Petitions.** All development and redevelopment in the Village of Orland Park requires the submittal of a petition or application to the Development Services Department for the purpose of establishing a public record and beginning the process for the Departmental Review. Petition/Application forms are obtained from the Development Services Department. For more information on the role of the Development Services Department see Section 5-101.K. In the instance that this Code requires certain distances within a regulation, the measurements shall be made to the property line, unless the measurement is defined otherwise within such regulation or unless interpreted differently by Staff based on the intent of the regulation. (Amd. Ord. 5312 - 7/16/18)
2. **Applicability.** There are two public review processes in the Village of Orland Park for petitions: a public meeting with a public hearing and a public meeting without a public hearing. The following subsections outline which petitions go to public hearings and which go to public meetings respectively for each body. Petitions listed under Plan Commission, for example, begin at Plan Commission and move through the general process. Petitions listed under Board of Trustees begin and end at the Board of Trustees and so on. In all cases, petitions are reviewed and processed by the Development Services Department. The administrative decision petitions are also outlined below.
 - a. **Public Hearing.** Public hearings require a published public notice and are held at public meetings. At a public hearing, the public can attend to provide testimony and view details regarding development review before the appropriate official body.
 1. A public hearing at Plan Commission shall be required for applications regarding:
 - Special Uses;
 - Special Use Amendments;
 - Variances (except as in 5 below);
 - Rezoning/ Map Amendments;

- Subdivision Review (with the exception of non-residential lot consolidations);
 - Designation of Historic and/or Architectural Landmarks;
 - Amending the Local Register of Significant Places (LRSP) and the Natural Heritage Sites (NHS) lists in Section 5-110;
 - Certificates of Appropriateness with major changes to any structures in the Old Orland Historic District per Section 6-209 or for historic/architectural landmarks per Section 5-110; and
 - Certificates of Appropriateness for Demolition for contributing structures of the Old Orland Historic District per Section 6-209 or for historic/architectural landmarks per Section 5-110.
2. A public hearing at Plan Commission is required when the Development Services Department or any other Village agency or department, developer or resident petitions for:
 - Comprehensive Plan Amendments; and
 - Land Development Code Text Amendments.
 3. A public hearing before the Board of Trustees is required for:
 - Annexation Agreements.
 4. All public hearings pertaining to land development take place before the Plan Commission with the exception of annexation agreements, variances affecting one (1) single family residential dwelling, and variances affecting multi-family residential dwellings of fewer than six (6) units.
 5. A public hearing before the Hearing Officer(s) is required for:
 - Variance petitions affecting one (1) single family residential dwelling;
 - Variance petitions affecting multi-family residential dwellings of fewer than six (6) units.
- b. **Public Meeting.** A published public notice is not required in order to hold a public meeting, although the requirements of the Illinois Open Meetings Act must be met. Public meetings are held at Plan Commission, at the Committee of the Whole, and at the Board of Trustees. The public can attend public meetings but are not guaranteed the opportunity to provide testimony regarding development review.
1. A public meeting at Plan Commission is required for applications regarding:
 - Site Plan Review;
 - Building Elevations; and
 - Appeals of Administrative Decisions.
 2. A public meeting by the Board of Trustees is required for:

- Plats of Subdivision (including consolidations);
 - Development Agreements; and
 - Related Ordinances. (Amd. Ord. 5221 - 9/18/17)
3. All meetings of the Committee of the Whole and the Board of Trustees are public meetings. For annexation agreements at the Board of Trustees, a public meeting with a public hearing is required.
- c. **Administrative Decisions.** Administrative decisions are a third review process. Administrative decisions are made internally by the Development Services Department.
1. Administrative decisions within the Development Services Department are required for applications pursuant to Section 5-106 regarding:
 - Minor exterior changes to sites and buildings; and
 - Restaurants that do not require preliminary plan review or special use permits.
 2. Administrative decisions within the Development Services Department are required for applications pursuant to Sections 5-110 and 6-209 regarding:
 - Routine maintenance to contributing structures in the Old Orland Historic District;
 - Routine maintenance to historic/architectural landmarks; and
 - Minor changes or routine maintenance to non-contributing structures in the Old Orland Historic District.
- d. **Commissions.** For cases where petitions are handled at a commission other than Plan Commission, the rules, procedures and standards outlined in the following subsections apply to the commission in question per the commission's particular petitions as outlined above.
3. **Plans for Review Process.** A preliminary plan shall be submitted for review to the Development Services Department as part of the application for development. The Plan Commission shall review the preliminary plan and make its recommendations pursuant to the below sections of these regulations. The Committee of the Whole, if required by Section 5-101.A.4, shall then follow with similar review. Board of Trustees which shall then either deny the application or direct the application to proceed with preparation of final plans.
- a. **Plans with Plats of Subdivision.** At a minimum, plats of subdivision must be accompanied by a preliminary plan for each subdivided lot and a conceptual plan of the surrounding area as required by the Development Services Department. Applicants for plat approval may be required to submit additional information or studies, such as building envelopes and conceptual plans for the surrounding area,

which the Development Services Department, the Plan Commission and/or the Board of Trustees may deem necessary to review at a later time. For more information on plats see Section 5-112.

- b. **Conditions.** The Plan Commission, the Committee of the Whole, if required by Section 5-101.A.4, and/or the Board of Trustees may attach to their recommendations to and/or approvals of a preliminary plan, a final plan, or a plat reasonable conditions not otherwise addressed by these regulations as are necessary to carry out the purpose of these regulations, the Comprehensive Plan, cause incremental improvements, and to prevent or minimize adverse effects upon other property, including, but not limited to: limitations on size and location, requirements for landscaping, provision of adequate ingress and egress and off site and project related improvements.
Other conditions such as the duration of the approval, hours of operation, and mitigation of environmental impacts may also be attached.
- c. **Conditions on Record Plats of Subdivision.** When conditions pursuant to Section 5-101.B.3.b above are attached to a subdivision plat, or a record plat of survey or other type of plat, review of said plat shall be continued until the conditions are deemed met by the Development Services Department or decision-making body which attached the conditions and then the plat shall be approved by the Village Board of Trustees so that the record plat of subdivision is accurate when issued to the County.
- d. **Notification.** Notification of all Village Board decisions shall be mailed to the petitioner/applicant and the owner of record if different from the applicant. (Ord. 4940 - 11/3/14)

C. **Public Meeting Sequence with a Public Hearing**

1. **Public Meeting at Plan Commission with a Public Hearing.**

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section 5-101.G on applications identified in Section 5-101.B.2(a) The Plan Commission shall review the report and recommendation of the Development Services Department and testimony given at the public hearing and make a recommendation to the Board of Trustees for approval, approval with conditions, or disapproval. The Plan Commission may also choose to forward to the Board of Trustees without a recommendation.
- b. **The Committee of the Whole.** The Committee of the Whole, if required by Section 5-101.A.4, shall review the plans and documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with conditions, or disapproval to the Board of

Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to final plan preparation and staff review as per paragraph 5-101.C.1c. If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.

- c. **Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees.
 - d. **Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.
 - e. **Board Action.** Upon receipt and review of the recommendation of the Committee of the Whole, the Board of Trustees shall grant, grant with conditions, or deny the petition.
2. **Public Meeting at Board of Trustees with a Public Hearing.**
- a. **Board of Trustees.** The Board of Trustees shall hold a public hearing for annexation agreements.
 - b. **Board Action.** Upon receipt and review of the report and recommendation of the Development Services Department, preparation of final plans and documents, and the testimony at the public hearing, the Board of Trustees shall consider the annexation

agreement and shall approve, approve with conditions, or deny the annexation agreement.

3. **Public Meeting at the Hearing Officer(s) with a Public Hearing.**

- a. **Hearing Officer(s).** The Hearing Officer(s) shall hold a public hearing in accordance with the provisions of Section 5-101.G of these regulations for applications regarding variance petitions affecting one (1) single family residential dwelling and variance petitions affecting multi-family residential dwellings of fewer than six (6) units. The Hearing Officer(s) shall review a preliminary plan or related documentation, the report and recommendation of the Development Services Department and testimony given at the public hearing and if the application for a variance is within one of those variances authorized in Section 5-109.E, grant the variance with or without conditions or deny the variance. If the variance is not within one of those variances authorized in Section 5-109.E, the Hearing Officer(s) shall review a preliminary plan or related documentation, the report and recommendation of the Development Services Department and testimony given at the public hearing and either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.
- b. **Board Action.** Upon receipt and review of the Hearing Officer(s) recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the variances requested not authorized in Section 5-109.E for the Hearing Officer(s) to grant or deny and shall grant, with or without conditions, or deny the petition/application. (Ord. 4940 - 11/3/14)

D. **Public Meeting Sequence without a Public Hearing**

1. **Public Meeting at Plan Commission.**

- a. **Plan Commission.** The Plan Commission shall hold a public meeting whenever an applicant petitions for preliminary plan review, elevations review and/or an appeal of an administrative decision that does not include a special use, special use amendment, variance, text and map amendment (rezoning) and/or subdivision review. It will also hold a public meeting regarding minor changes to landmarks. The Plan Commission shall review a preliminary plan and/or the historical/architectural significance of the petition's subject and the report and recommendation of the Development Services Department and either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.
- b. **The Committee of the Whole.** The Committee of the Whole, if required by Section 5-101.A.4, shall review the preliminary plan, the Plan Commission recommendation and the Development Services

Department report and recommendation and shall recommend approval, with or without conditions, or disapproval to the Board of Trustees.

- c. **Board Action.** Upon receipt and review of the Plan Commission's and the Committee of the Whole's, if required by Section 5-101.A.4, recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the final plan, elevations and preliminary landscape plan or the Certificate of Appropriateness for minor changes to landmarks and shall grant, grant with conditions, or deny the petition/application. (Amd. Ord. 5221 - 9/18/17)

2. **Public Meeting at Board of Trustees.**

- a. **Board of Trustees.** The Board of Trustees shall review, at a regular or special meeting, preliminary or final plans, plats of subdivision (including consolidations), development agreements, and other related ordinances.
- b. **Board Action.** Upon receipt and review of the report and recommendation of the Development Services Department, the Board of Trustees shall consider the preliminary or final plans, plats of subdivision, development agreement and/or other related ordinances and shall grant, grant with conditions, or deny these items. (Ord. 4940 - 11/3/14; Amd. Ord. 5221 - 9/18/17)

E. **Administrative Decisions Regarding Appearance and Site Plan Review**

1. **Administrative Decisions at Development Services Department.**

- a. **Administrative Decision.** Section 5-106 of these regulations regulates the administrative decision process with regard to petitions/applications that require appearance and related site plan review. The Development Services Department may approve, with or without conditions, or deny a petition for an administrative decision. Administrative decisions do not go to Plan Commission unless an appeal is made by the petitioner/applicant. The appeal to Plan Commission is heard at a public meeting.
- b. **Administrative Decision in the Old Orland Historic District or on Landmarks.** Section 6-209 of these regulations regulates the administrative decision process with regard to petitions/applications that require Certificates of Appropriateness for routine maintenance on contributing structures or landmarks, and minor changes or routine maintenance on non-contributing structures. The Development Services Department may approve, with or without conditions, or deny a petition for an administrative decision. Administrative decisions do not go to Plan Commission unless an appeal is made by the

petitioner/applicant. The appeal to the Plan Commission is heard at a public meeting. (Ord. 4940 - 11/3/14)

F. **Timeline of Process, Jurisdictional Approval and Expiration**

1. **Six Month Rule.** Any petition that has not proceeded forward within six (6) months from petition date to the Plan Commission, or within six (6) months from Plan Commission to the Committee of the Whole, if required by Section 5-101.A.4, or within six (6) months from the Committee of the Whole due to inactivity may be terminated by the Development Services Department. The Development Services Department must notify the petitioner prior to termination of the petition. (Amd. Ord. 4839 - 9/16/13)
2. **Jurisdictional Approval.** If the final plan covers land either wholly or partly outside the corporate limits of the Village, the approval of the Board of Trustees shall not be final until the applicable jurisdiction in which said development is located has approved it.
3. **Expiration.** If there is no activity after three (3) years of approval by the Board of Trustees of a special use and/or final plan, the special use and/or final plan shall expire unless an extension is granted by the Board of Trustees. (Ord. 4769 - 12/3/12)

G. **Public Hearing Procedures**

1. **Purpose.** The purpose of the following process is to provide an opportunity for the public to be notified about, to be able to view the details of, make a submission about, and/or voice their opinions on a development application, proposal, or petition.
2. **Notice of Public Hearing.** The public shall be notified about all public hearings.
 - a. Notification Details. All notices of public hearings shall include:
 1. The date, time and place of the public hearing;
 2. A summary of the proposal under consideration;
 3. The address and legal description of the specific property that is the subject of the public hearing for matters regarding a rezoning, a special use permit, a variance, an annexation, a subdivision, a landmark designation or a Certificate of Appropriateness. (Ord. 3354 - 4/17/00)
 4. That said meeting may be continued without republication up to three (3) times.
 - b. **Notification Requirements.** All notices of public hearings shall also meet the following requirements:
 1. The Development Services Department shall publish a copy of the notice in one (1) or more newspapers with general circulation in the counties in which the Village of Orland Park and contiguous unincorporated territory are located; (Ord. 4940 - 11/3/14)

2. It is the petitioner's/applicant's responsibility to send a copy of the notice by certified mail with return receipt requested to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.
3. It is the petitioner's/applicant's responsibility to post a weatherproof sign(s) at least three (3) feet by four (4) feet (or 48 inches by 36 inches) in front surface area, the bottom of which shall be mounted at least four (4) feet above the ground, and to have at least one (1) sign in the most visible location to the general public such as along a primary roadway. Such sign(s) shall be posted on private property and shall remain until the conclusion of the public hearing. Failure to comply with the provisions of this Subsection shall not render the public hearing invalid, provided that a good faith effort was made to comply. The petitioner must remove the public hearing notice sign(s) no later than thirty (30) days after the Village Board action on the proposal. The sign must display wording that at a minimum notifies the public about the public hearing for the procedure which has triggered the public hearing. It must include the date, time, place and the contact information of the Development Services Department. Arial or Arial Narrow shall be the font in which the public hearing signs are printed. The notice, date and time of the sign must be no less than 3.5 inches in height and the remaining information on the sign no less than 2.5 inches in height. (Ord. 4574 - 7/6/10; Amd. Ord. 5167 - 2/20/17)
4. All required notices shall be provided at least fifteen (15) days, but no more than thirty (30) days in advance of the published public hearing.
5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

c. **Other Requirements.**

1. For public hearings regarding Comprehensive Plan Amendments and/or Land Development Code Text Amendments, notices shall be provided by the requirements outlined in Section 5-101.G.2.b.1 and 5-101.G.2.b.4 only.

2. For amendments to the Zoning Map, notices shall be provided by the requirements outlined in Section 5-101.G.2.b.1, Section 5-101.G.2.b.2 and Section 5-101.G.2.b.4 above. (Ord. 4161 - 8/7/06)
3. Conduct of the Hearing.
 - a. Submission of Testimony. Any person may appear at a public hearing and give testimony or submit written materials, either individually or as a representative of an organization. The decision-making body may exclude information that it finds to be irrelevant, immaterial or unduly repetitious.
 - b. Duty of the Development Services Department.
 1. The Development Services Department shall present information concerning pertinent application considerations and the standards set out in these regulations and make recommendations.
 2. Upon a showing by any person made at any time during the public hearing, or on motion of the decision-making body, the petitioner/applicant or the Development Services Department may be required to produce additional information with respect to the proposed petition/application.
 - c. Continuance. The decision-making body may continue a hearing to a specified date, time and place. Unless such continuance is publicly announced at a properly noticed public hearing, the Development Services Department shall cause notice to be given to all persons originally entitled to notice of the date, time and place of such continued hearing in the same manner as specified in Section 5-101.G.2 above.

H. **Public Meeting Procedures**

1. **Purpose.** The purpose of the following process is to provide an opportunity for the decision-making body to review the development application, proposal, or petition.
2. **Notice of Public Meeting.** A public notice other than that required by the Illinois Open Meetings Act is not required for a public meeting.
3. **Conduct of the Meeting.**
 - a. **Submission of Testimony.** Decision-making bodies shall accept testimony or written materials from individuals or representatives of an organization outside of the applicant at public meetings. (Amd. Ord. 4996 - 6/15/15)
 - b. **Duty of the Development Services Department.**
 1. The Development Services Department shall present information concerning pertinent application considerations

and the standards set out in these regulations and make recommendations.

2. Upon a motion of the decision-making body, the applicant or the Development Services Department may be required to produce additional information with respect to the proposed petition/application.
- c. Continuance. The decision-making body may continue a hearing to a specified date, time and place.

I. **Record of Hearings**

1. **Recording Hearings.** The Development Services Department shall ensure that the proceedings are recorded by appropriate means.
2. **Record.** The record of proceedings shall consist of the recording of testimony, all applications, exhibits, and papers submitted in any proceeding with respect to the matter being considered, and the summary and report or reports of the Development Services Department.
3. **Open Record.** All summaries and reports of the Development Services Department shall be public records, open to inspection at a reasonable time and upon reasonable notice.
4. **Examination and Copying of Application.** Any person may examine any application for development approval and other material submitted in regard to that application, and may obtain copies of the application and other materials upon reasonable request and payment of a fee to cover the actual cost of such copies.

J. **Ethics Rules**

1. **Conflicts.** Any member of a decision-making body having any direct or indirect financial interest in property or who lives within five hundred (500) feet of any property which is the subject of a public hearing or public meeting or who might have interest in the outcome of the petition shall disclose such fact at the hearing, prior to voting on the matter.
2. **Contacts Outside of the Hearing.** If any member of a decision-making body receives a substantive communication from any person outside the hearing concerning a subject matter under consideration by that body, the member shall make a statement at the hearing describing the circumstances and substance of the communication.
3. **Other Rules to Govern.** Other matters pertaining to the public hearing or public meeting shall be governed by other provisions of these regulations applicable to the body conducting the hearing and its adopted rules of procedure.

K. **Role of the Development Services Department**

1. **Conference with the Development Services Department.**
 - a. **Pre-Application Conference.** A petitioner or an applicant for development approval may request an informal conference with the

Development Services Department prior to filing a petition or application. The pre-application conference shall be informal and its purpose shall be to discuss the proposals, views and concerns of the applicant and the Village, and to review for compliance with codes, plans and policies.

2. **Application Submission Requirements.**

- a. **Application and Fee.** When the petitioner or applicant is ready following the pre-application conference, all applications for development approval shall be submitted to the Development Services Department accompanied by the payment of a fee as authorized in Section 1-104. Applicants for development approval may be required to submit additional information.

3. **Complete Applications.**

- a. **Determination of Completeness.** Within fifteen (15) days after receipt of an application for development approval, the Development Services Department shall determine whether the application is complete. If it is determined that the application is complete, the applicant will be notified in writing that the application has been accepted for filing. If the application is not complete, the applicant shall be notified, specifying the deficiencies of the application, including any additional information which must be supplied. (Amd. Ord. 5167 - 2/20/17)

A complete application shall consist of the following documents and the requirements outlined in a petition application packet prepared by the Director of Development Services, unless otherwise determined by the Director of Development Services:

1. A fully completed notarized petition form;
2. Site plan;
3. Building elevations;
4. Required review fees as set by the Village Board of Trustees;
5. Preliminary landscape plan;
6. Preliminary engineering plans;
7. Preliminary plat of subdivision;
8. Traffic study, if required by Section 6-405;
9. Original, sealed Plat of Survey (ALTA or otherwise), including legal description;
10. Disclosure of ownership information:
 - a. A receipted copy of the most recent property tax bill, or evidence of payment (copy of bill, canceled check, etc.);
 - b. A copy of the current title insurance policy;

- c. If the property is owned by the petitioner, a copy of the latest recorded deed;
 - d. If the property is rented or leased by the petitioner, a letter of authorization to submit the petition from the property owner;
 - e. If the petitioner is a contract purchaser and the property is undergoing due diligence for a contract sale, a copy of the contract to purchase and a letter of authorization to submit the petition from the property owner;
 - f. If the property is owned by a trust, a certified copy of the trust agreement, a list of beneficiaries, and a letter of authorization to submit the petition from the trust officer;
 - g. Copy of any covenants, conditions, easements, or restrictions placed on the property and now of record concerning use limitations, the type of improvements, setbacks, area or height requirements, occupancy, etc.
11. Responses to the Special Use Standards, Variance Standards and/or Rezoning Factors, as needed on a per project basis, if applicable;
 12. Additional supporting documents listed within the Development Services Development Petition Application packet;
 13. Additional documents not listed here may be requested as needed by the Development Services Department but shall not be used to determined completeness. A complete petition does not mean the right to automatic scheduling to public meetings or public hearings.
- b. **Incomplete Application.** As long as an application remains incomplete, no further action shall be taken by the Village on the application until the deficiencies are corrected.
 - c. **Remedy of Deficiencies.** If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval may be terminated by the Village.

4. **Review by Development Services Department.**

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section 5-105, if the development requires a special use permit, Section 5-108, if the development requires an amendment to the text of these regulations or the Zoning District Map, Section 5-109, if the development requires a variance, Section 5-112, for development requirements and subdivision review, and/or Section 5-110 and 6-209, if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.
- c. **Preliminary Engineering Review Process.** The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding to the Plan Commission or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.
- d. **Final Plan Review Process.** The Development Services Department may continue to review the complete application for development throughout the decision-making process to recommend corrections or amendments to plans pursuant to recommendations by the Plan Commission, the Committee of the Whole, and the Board of Trustees.
- e. **Final Engineering Review Process.** The Development Services Department shall review the final engineering plans associated with the application for development to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, prior to consideration of the final ordinances or agreements by the Board of Trustees.
 1. If the final engineering review results in substantial alterations to the plans reviewed during the public hearing by the Plan Commission and by the Committee of the Whole, then the applicant shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.
 - a. Substantial alterations to a final plan shall include but not be limited to things such as:
 - Enlargement of storm water facility sizes;
 - Reductions in setbacks;
 - Construction of or alterations to retaining walls;

- Changes in street layout/land use;
- Increases in lot coverage;
- Changes to parking configurations;
- Changes that result in new or expanded variances or modifications to special use regulations; and
- Changes to the number of units, building area, or building stories.

L. **Timing of Applications**

1. **Waiver of Time Limits.**

- a. **By Agreement.** Any time limit imposed by these regulations may be waived or extended by agreement among the Development Services Department, the Board of Trustees, and the petitioner or applicant.
- b. **Automatic Waiver.** Any applicant who requests a continuance of a public meeting or a public hearing at which the applicant's application is being considered, or who requests an extension of any time limit imposed onto the applicant by statute or these regulations, shall be deemed to have agreed to an extension of that time limit.

2. **Successive Applications.**

- a. **One Year Rule.** Whenever any application for development approval for a special use permit, variance, text and map amendment to the Zoning Map (rezoning), subdivision, or preliminary plan is denied, the petitioner will be notified that an application involving the same property shall not be accepted for filing within one (1) year from the date of denial.
- b. **Exception.** An exception to the above rule is if the subsequent application involves a development proposal which is materially different from prior proposals, in the opinion of the Development Services Department, or is responsive, in the opinion of the decision-making body, to negative findings set forth in the denial of the prior application. (Ord. 2746 - 6/5/95)

**Chart 5-101.A(A)
General Development Review Procedures**

This flow chart includes steps that are common to the development review and approval process. Refer to Section 5-101 for a complete description of requirements.

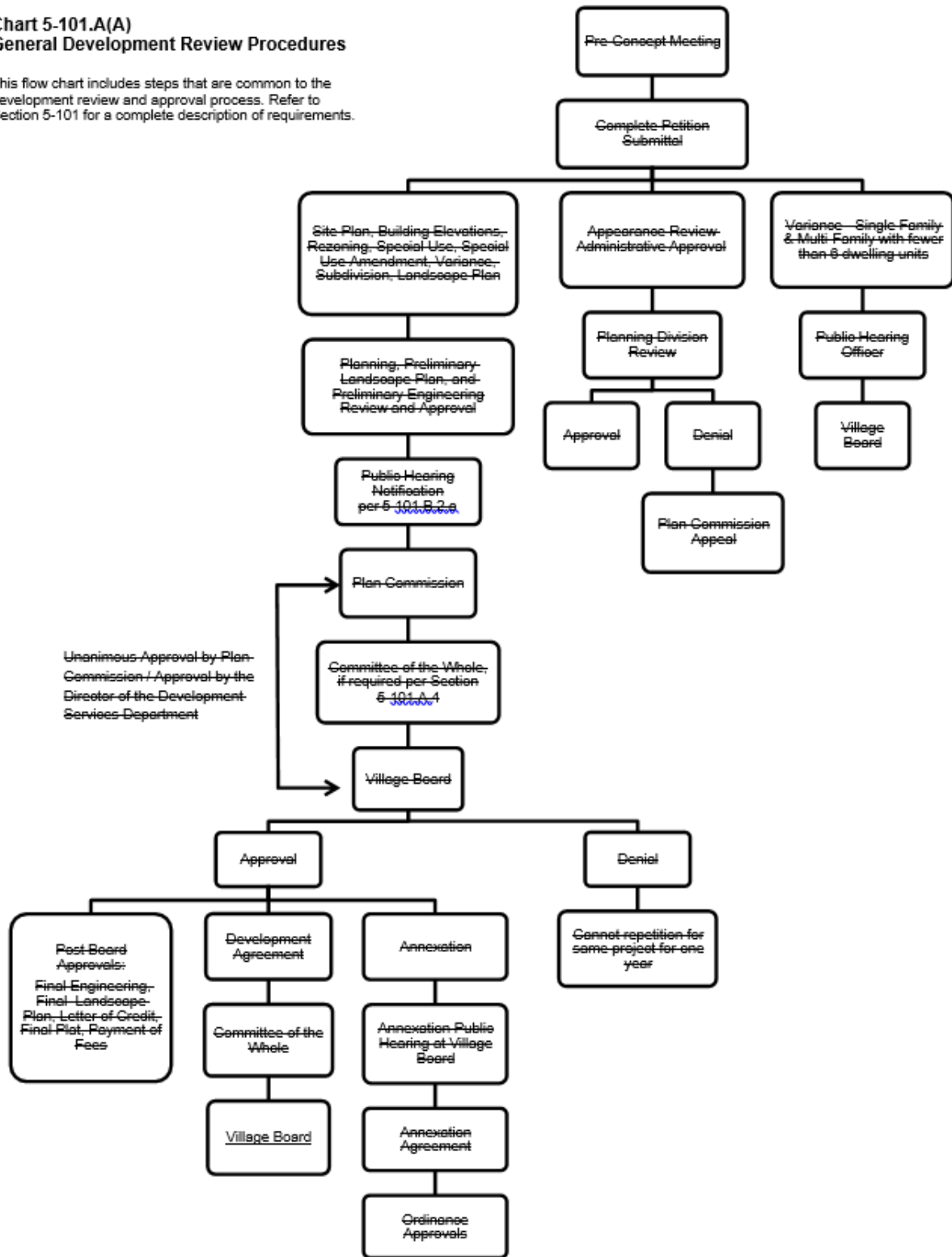


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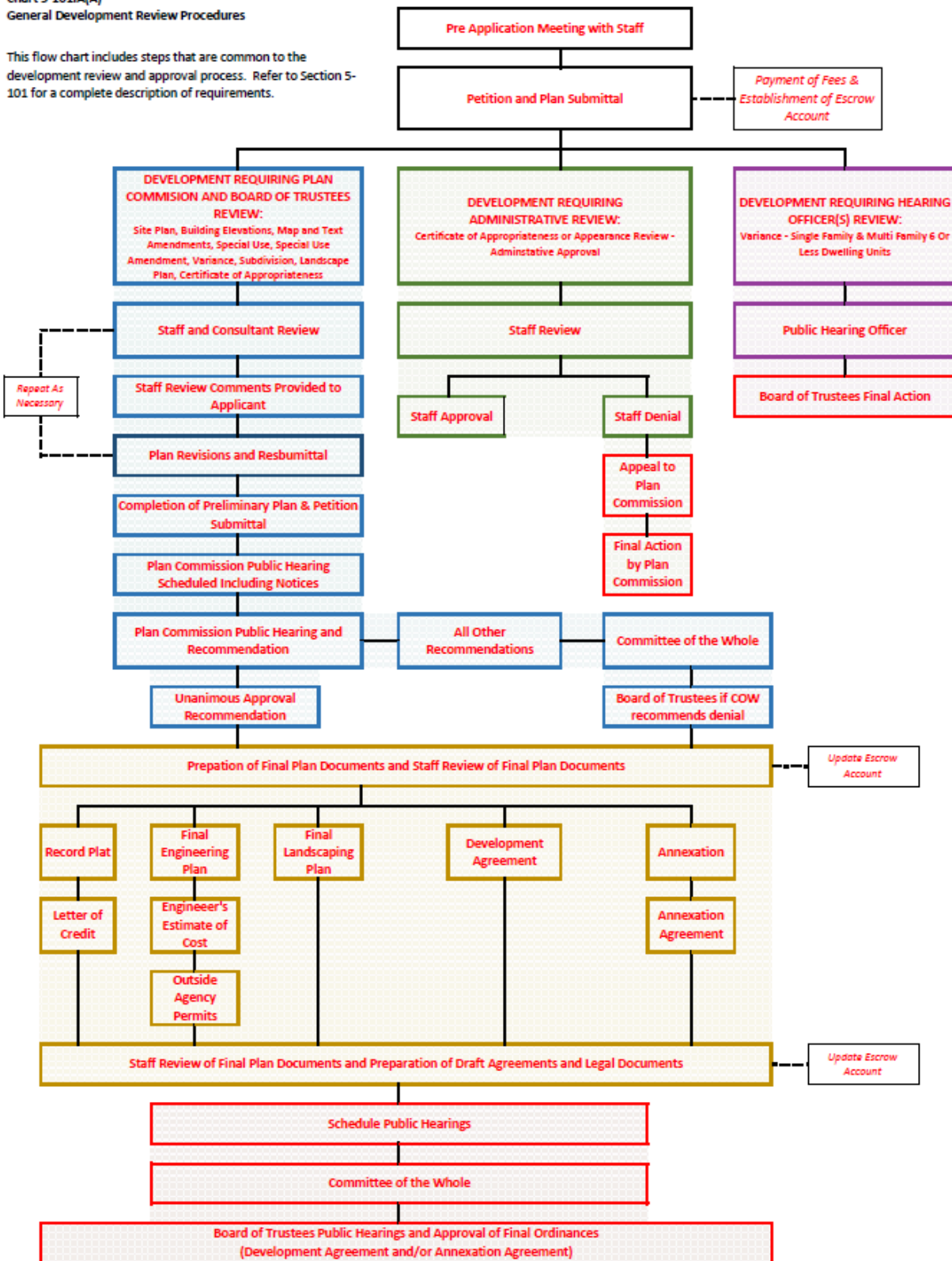


EXHIBIT B

REDLINED VERSION OF PROPOSED CODE AMENDMENTS

ARTICLE 5:
DEVELOPMENT PROCEDURES, REQUIREMENTS AND REGULATIONS

SECTION 5-101. DEVELOPMENT REVIEW PROCEDURES

A. **Due Process**

1. **Purpose.** The purpose of this section is to define and outline the development review procedures that petitioners, government agents, and elected and appointed officials follow for transparent review for development and redevelopment in the Village of Orland Park.
2. **Organization.** The organization of this section is laid out in a manner that reflects the process of development review beginning with the determination of the type of review required, the review sequences, the review procedures, and finally the role of the Development Services Department. This section informs the public, the petitioner, the government agent, and the elected and appointed officials of the procedures of the Village of Orland Park for development review. It also simultaneously guides them through the decision-making process and acts as a map for development review in the Village of Orland Park.
3. **General Process.** ~~There are three distinct development review processes general direction for moving through the decision-making process for development is shown below. For a~~ which are outlined in ~~flow chart of the decision-making process see Chart 5-101.A(A) at the end of this section. The three processes are summarized as follows:~~
 - a. Development Requiring Plan Commission and Board of Trustees Review:
 - i. Pre-application ~~Conference~~ Review with Village Staff: ➔
 - ii. Filing of Application and Scheduling Plan Commission Public Hearing
 - iii. Plan Commission Review and Recommendation
 - iv. Committee of the Whole and/or Board of Trustees Review
 - v. Final Plan Preparation and Staff Review
 - vi. Committee of the Whole Review
 - ~~i.vii. Departmental Review ➔ Plan Commission ➔ Committee of the Whole ➔ Board of Trustees~~ Review and Decision; OR
 - b. Development Requiring ~~b. Administrative Review:~~
 - i. Departmental Review and Decision ➔
 - ii. ~~Board of Trustees~~ Plan Commission (if appeal is filed); OR
 - c. Development Requiring ~~c. Hearing Officers Review (Variances):~~
 - i. ~~Departmental~~ Pre-Application Review with Village Staff ➔

Commented [DP1]: SECTION 5-101.A.3: This paragraph outlines the general development review process. The changes in this paragraph, along with the flow chart, are the primary substance of this draft amendment.

ii. Filling of Application and Scheduling Hearing Officer Public Hearing

iii. Hearing Officer(s) → Review and Decision

iii.iv. Board of Trustees (if needed appeal is filed).

4. Appearance before Committee of the Whole. In the case where a project petition has received a unanimous recommendation from the Plan Commission, and at the discretion of the Director of the Development Services Department, the requirement to appear before the Committee of the Whole and the Board of Trustees prior to final plan preparation and staff review may be waived, therefore permitting such project to proceed directly to appear before the Board of Trustees. All development agreements shall appear before the Committee of the Whole in accordance with Section 5-112.H.17. (Ord. 4940 – 11/3/14) final plan preparation and staff review. In such cases where a petition has not received a unanimous recommendation for approval from the Plan Commission, the petition shall proceed from the Plan Commission to the Committee of the Whole. The Committee of the Whole shall then determine if the application should proceed to final plan preparation and review, be forwarded to the Board of Trustees, or be remanded to the Plan Commission for further consideration

Commented [DP2]: SECTION 5-101.A-4: This section currently gives staff the discretion to take a unanimous approval from the Plan Commission directly to the Board, skipping the Committee of the Whole. The update revises this text to skip both the Board of Trustees and the Committee of the Whole when there is a unanimous approval from the Plan Commission. The petition would not go to the Committee of the Whole or the Board of Trustees until after final plans are reviewed and approved by staff.

B. Petitions, Applicability, and Plan Review

1. Petitions. All development and redevelopment in the Village of Orland Park requires the submittal of a petition or application to the Development Services Department for the purpose of establishing a public record and beginning the process for the Departmental Review. Petition/Application forms are obtained from the Development Services Department in Village Hall. For more information on the role of the Development Services Department see Section 5-101.K. In the instance that this Code requires certain distances within a regulation, the measurements shall be made to the property line, unless the measurement is defined otherwise within such regulation or unless interpreted differently by Staff based on the intent of the regulation. (Amd. Ord. 5312 - 7/16/18)
2. Applicability. There are two public review processes in the Village of Orland Park for petitions: a public meeting with a public hearing and a public meeting without a public hearing. The following subsections outline which petitions go to public hearings and which go to public meetings respectively for each body. Petitions listed under Plan Commission, for example, begin at Plan Commission and move through the general process. Petitions listed under Board of Trustees begin and end at the Board of Trustees and so on. In all cases, petitions are reviewed and processed by the Development Services Department. The administrative decision petitions are also outlined below.
 - a. Public Hearing. Public hearings require a published public notice and are held at public meetings. At a public hearing, the public can attend to provide testimony and view details regarding development review before the appropriate official body.

1. A public hearing at Plan Commission shall be required for applications regarding:
 - Special Uses;
 - Special Use Amendments;
 - Variances (except as in 5 below);
 - Rezoning/ Map Amendments;
 - Subdivision Review (with the exception of non-residential lot consolidations);
 - Designation of Historic and/or Architectural Landmarks;
 - Amending the Local Register of Significant Places (LRSP) and the Natural Heritage Sites (NHS) lists in Section 5-110;
 - Certificates of Appropriateness with major changes to any structures in the Old Orland Historic District per Section 6-209 or for historic/architectural landmarks per Section 5-110; and
 - Certificates of Appropriateness for Demolition for contributing structures of the Old Orland Historic District per Section 6-209 or for historic/architectural landmarks per Section 5-110.
 2. A public hearing at Plan Commission is required when the Development Services Department or any other Village agency or department, developer or resident petitions for:
 - Comprehensive Plan Amendments; and
 - Land Development Code Text Amendments.
 3. A public hearing before the Board of Trustees is required for:
 - Annexation Agreements.
 4. All public hearings pertaining to land development take place before the Plan Commission with the exception of annexation agreements, variances affecting one (1) single family residential dwelling, and variances affecting multi-family residential dwellings of fewer than six (6) units.
 5. A public hearing before the Hearing Officer(s) is required for:
 - Variance petitions affecting one (1) single family residential dwelling;
 - Variance petitions affecting multi-family residential dwellings of fewer than six (6) units.
- b. **Public Meeting.** A published public notice is not required in order to hold a public meeting, although the requirements of the Illinois Open Meetings Act must be met. Public meetings are held at Plan Commission, at the Committee of the Whole, and at the Board of Trustees. The public can attend public meetings but are not guaranteed the opportunity to provide testimony regarding development review.

1. A public meeting at Plan Commission is required for applications regarding:
 - Site Plan Review;
 - Building Elevations; and
 - Appeals of Administrative Decisions.
 2. A public meeting by the Board of Trustees is required for:
 - Plats of Subdivision (including consolidations);
 - Development Agreements; and
 - Related Ordinances. (Amd. Ord. 5221 - 9/18/17)
 3. All meetings of the Committee of the Whole and the Board of Trustees are public meetings. For annexation agreements at the Board of Trustees, a public meeting with a public hearing is required.
- c. **Administrative Decisions.** Administrative decisions are a third review process. Administrative decisions are made internally by the Development Services Department.
1. Administrative decisions within the Development Services Department are required for applications pursuant to Section 5-106 regarding:
 - Minor exterior changes to sites and buildings; and
 - Restaurants that do not require preliminary plan review or special use permits.
 2. Administrative decisions within the Development Services Department are required for applications pursuant to Sections 5-110 and 6-209 regarding:
 - Routine maintenance to contributing structures in the Old Orland Historic District;
 - Routine maintenance to historic/architectural landmarks; and
 - Minor changes or routine maintenance to non-contributing structures in the Old Orland Historic District.
- d. **Commissions.** For cases where petitions are handled at a commission other than Plan Commission, the rules, procedures and standards outlined in the following subsections apply to the commission in question per the commission's particular petitions as outlined above.
3. **Plans for Review Process.** A preliminary plan shall be submitted for review to the Development Services Department as part of the application for development. The Plan Commission shall review the preliminary plan and make its recommendations pursuant to the below sections of these regulations. The Committee of the Whole, if required by Section 5-101.A.4, shall then follow with similar review. ~~The Board of Trustees~~ which shall then either deny the application or direct the application to proceed with

Commented [DP3]: SECTION 5-101.B-3: This paragraph refers to the review of a preliminary plan by the Board of Trustees. With the possibility of skipping the Board of Trustees until after final plans are approved by staff, the second half of this paragraph is not applicable at this point in the process.

~~preparation of final plans, act upon the preliminary plan as a final plan and grant, grant with conditions or deny the petition/application. Upon granting of approval with or without conditions, the Board of Trustees shall recognize it to be a final plan pursuant to the same sections of these regulations.~~

- a. **Plans with Plats of Subdivision.** At a minimum, plats of subdivision must be accompanied by a preliminary plan for each subdivided lot and a conceptual plan of the surrounding area as required by the Development Services Department. Applicants for plat approval may be required to submit additional information or studies, such as building envelopes and conceptual plans for the surrounding area, which the Development Services Department, the Plan Commission and/or the Board of Trustees may deem necessary to review at a later time. For more information on plats see Section 5-112.
- b. **Conditions.** The Plan Commission, the Committee of the Whole, if required by Section 5-101.A.4, and/or the Board of Trustees may attach to their recommendations to and/or approvals of a preliminary plan, a final plan, or a plat reasonable conditions not otherwise addressed by these regulations as are necessary to carry out the purpose of these regulations, the Comprehensive Plan, cause incremental improvements, and to prevent or minimize adverse effects upon other property, including, but not limited to: limitations on size and location, requirements for landscaping, provision of adequate ingress and egress and off site and project related improvements.
Other conditions such as the duration of the approval, hours of operation, and mitigation of environmental impacts may also be attached.
- c. **Conditions on Record Plats of Subdivision.** When conditions pursuant to Section 5-101.B.3.b above are attached to a subdivision plat, or a record plat of survey or other type of plat, review of said plat shall be continued until the conditions are deemed met by the Development Services Department or decision-making body which attached the conditions and then the plat shall be approved by the Village Board of Trustees so that the record plat of subdivision is accurate when issued to the County.
- d. **Notification.** Notification of all Village Board decisions shall be mailed to the petitioner/applicant and the owner of record if different from the applicant. (Ord. 4940 - 11/3/14)

C. **Public Meeting Sequence with a Public Hearing**

1. **Public Meeting at Plan Commission with a Public Hearing.**

- a. **Plan Commission.** The Plan Commission shall hold a public hearing in accordance with the provisions of Section 5-101.G ~~below~~ on applications ~~identified in Section 5-101.B.2(a) for special uses, special~~

Commented [DP4]: SECTION 5-101.C-1.a: Changes to this paragraph are not substantive but rather simplify and clarify redundant language in the text.

use amendments, variances (with exception for Subsection 5-101.C.3.a below), text and map amendments (rezoning) and subdivision review. It shall also hold a public hearing following the same Section 5-101.G below for applications regarding historic/architectural landmark designations, amending landmark lists such as the LRSP and the NHS in Section 5-110, Certificates of Appropriateness for major changes to structures in the Old Orland Historic District or to historic/architectural landmarks, and Certificates of Appropriateness for Demolition for contributing structures of the Old Orland Historic District or for historic/architectural landmarks. The Plan Commission shall review a preliminary plan and/or the historical/architectural significance of the petition's subject and the report and recommendation of the Development Services Department and testimony given at the public hearing and either make a recommendation to the Board of Trustees for recommend approval, approval with or without conditions, or disapproval. The Plan Commission may also choose to to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees without a recommendation.

b. ~~b.~~ **The Committee of the Whole.** The Committee of the Whole, if required by Section 5-101.A.4, shall review the preliminary plans and documents, other submitted documents, the Plan Commission recommendation, and the Development Services Department report and recommendation and shall recommend approval, approval with or without conditions, or disapproval to the Board of Trustees. If the Committee of the Whole recommends approval or approval with conditions, the Committee of the Whole shall authorize the applicant to proceed to final plan preparation and staff review as per paragraph 5-101.C.1.c. If the Committee of the Whole recommends denial, the petition will proceed directly to the Board of Trustees. If there are significant changes to the development application, the Committee of the Whole or the Board of Trustees may remand the application to the Plan Commission for further review and recommendation.

c. **Final Plan Preparation and Staff Review.** Upon a positive and unanimous recommendation from the Plan Commission or as per Section 5-101.A.4, the applicant, working with the Development Services Department, shall proceed with preparation and review of final engineering and landscaping plans, final plat of subdivision, outside agency approvals, engineer's estimate of cost, letter of credit, and payment of applicable fees. Concurrently, the Development Services Department shall proceed with preparation of a draft development agreement or annexation agreement as may be applicable. The recommendation of the Plan Commission shall not be

Commented [DP5]: SECTION 5-101.C-1.b: If review by the Committee of the Whole is required (in the case of a non-unanimous recommendation for approval from the Plan Commission), this paragraph outlines the review process at the Committee of the Whole.

Commented [DP6]: SECTION 5-101.C-1.c: If there is a unanimous recommendation for approval by the Plan Commission, this new paragraph states that the petition will proceed directly to final plan preparation and staff approval before proceeding to the Committee of the Whole and Board of Trustees. Also added was a statement that draft annexation or development agreements will be prepared in anticipation of review by the Committee of the Whole and the Board of Trustees.

scheduled for review by the Committee of the Whole or the Board of Trustees until all final plans are approved by the Development Services Department and the applicable agreement is prepared in draft and is ready for review and approval by the Board of Trustees.

a.d. **Committee of the Whole.** Upon staff preparation of applicable draft agreements and determination that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, the development shall proceed to the Committee of the Whole. The Committee of the Whole shall review all pertinent information provided by the Director of Development Services, the Plan Commission, the petitioner, and the testimony and evidence from prior public meetings and hearings and provide a recommendation to the Board of Trustees for approval of the final ordinances and agreements.

e-e. **Board Action.** ~~Upon receipt and review of the Plan Commission's and recommendation of the Committee of the Whole's, if required by Section 5-101.A.4, recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the special use, special use amendment, variance, rezoning and/or subdivision along with the petition's final plans, elevations and preliminary landscape plan or the landmark designation, the Certificate of Appropriateness for major changes to contributing structures or landmarks, and/or Certificates of Appropriateness for Demolition along with the petition's final plan and/or the historic/architectural significance of the petition's subject and shall grant, grant with conditions, or deny the petition/application. (Amd. Ord. 5221-9/18/17)~~

2. **Public Meeting at Board of Trustees with a Public Hearing.**

- a. **Board of Trustees.** The Board of Trustees shall hold a public hearing for annexation agreements.
- b. **Board Action.** Upon receipt and review of the report and recommendation of the Development Services Department, preparation of final plans and documents, and the testimony at the public hearing, the Board of Trustees shall consider the annexation agreement and shall approve, modify approve with conditions, or deny the annexation agreement.

3. **Public Meeting at the Hearing Officer(s) with a Public Hearing.**

- a. **Hearing Officer(s).** The Hearing Officer(s) shall hold a public hearing in accordance with the provisions of Section 5-101.G of these regulations for applications regarding variance petitions affecting one (1) single family residential dwelling and variance petitions affecting multi-family residential dwellings of fewer than six (6) units. The Hearing Officer(s) shall review a preliminary plan or related

Commented [DP7]: SECTION 5-101.C-1.d-e: These paragraphs are updated to reflect that the Committee of the Whole and Board of Trustees will review the petition after final plans are prepared and approved by staff.

Commented [DP8]: SECTION 5-101.C-2.b: This paragraph is updated to reflect that the Board of Trustees will hold a public hearing and act on an annexation agreement after preparation and approval by staff of final plans and documents.

documentation, the report and recommendation of the Development Services Department and testimony given at the public hearing and if the application for a variance is within one of those variances authorized in Section 5-109.E, grant the variance with or without conditions or deny the variance. If the variance is not within one of those variances authorized in Section 5-109.E, the Hearing Officer(s) shall review a preliminary plan or related documentation, the report and recommendation of the Development Services Department and testimony given at the public hearing and either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.

- b. **Board Action.** Upon receipt and review of the Hearing Officer(s) recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the variances requested not authorized in Section 5-109.E for the Hearing Officer(s) to grant or deny and shall grant, with or without conditions, or deny the petition/application. (Ord. 4940 - 11/3/14)

D. **Public Meeting Sequence without a Public Hearing**

1. **Public Meeting at Plan Commission.**

- a. **Plan Commission.** The Plan Commission shall hold a public meeting whenever an applicant petitions for preliminary plan review, elevations review and/or an appeal of an administrative decision that does not include a special use, special use amendment, variance, text and map amendment (rezoning) and/or subdivision review. It will also hold a public meeting regarding minor changes to landmarks. The Plan Commission shall review a preliminary plan and/or the historical/architectural significance of the petition's subject and the report and recommendation of the Development Services Department and either recommend approval, with or without conditions, or disapproval to the Board of Trustees, or not make a recommendation but forward to the Board of Trustees.
- b. **The Committee of the Whole.** The Committee of the Whole, if required by Section 5-101.A.4, shall review the preliminary plan, the Plan Commission recommendation and the Development Services Department report and recommendation and shall recommend approval, with or without conditions, or disapproval to the Board of Trustees.
- c. **Board Action.** Upon receipt and review of the Plan Commission's and the Committee of the Whole's, if required by Section 5-101.A.4, recommendations, and the Development Services Department's report and recommendation, the Board of Trustees shall consider the final plan, elevations and preliminary landscape plan or the Certificate of Appropriateness for minor changes to landmarks and shall grant, grant

with conditions, or deny the petition/application. (Amd. Ord. 5221 - 9/18/17)

2. **Public Meeting at Board of Trustees.**

- a. **Board of Trustees.** The Board of Trustees shall review, at a regular or special meeting, preliminary ~~or final landscape plans, plats of subdivision (including consolidations), development agreements, and other related ordinances.~~
- b. **Board Action.** Upon receipt and review of the report and recommendation of the Development Services Department, the Board of Trustees shall consider the preliminary ~~or final landscape plans, plats of subdivision, development agreement and/or other related ordinances and shall grant, grant with conditions, or deny these items.~~ (Ord. 4940 - 11/3/14; Amd. Ord. 5221 - 9/18/17)

Commented [DP9]: Clarification too acknowledge that a petitioner may provide preliminary or final plans as may be determined appropriate.

E. **Administrative Decisions Regarding Appearance and Site Plan Review**

1. **Administrative Decisions at Development Services Department.**

- a. **Administrative Decision.** Section 5-106 of these regulations regulates the administrative decision process with regard to petitions/applications that require appearance and related site plan review. The Development Services Department may approve, with or without conditions, or deny a petition for an administrative decision. Administrative decisions do not go to Plan Commission unless an appeal is made by the petitioner/applicant. The appeal to Plan Commission is heard at a public meeting.
- b. **Administrative Decision in the Old Orland Historic District or on Landmarks.** Section 6-209 of these regulations regulates the administrative decision process with regard to petitions/applications that require Certificates of Appropriateness for routine maintenance on contributing structures or landmarks, and minor changes or routine maintenance on non-contributing structures. The Development Services Department may approve, with or without conditions, or deny a petition for an administrative decision. Administrative decisions do not go to Plan Commission unless an appeal is made by the petitioner/applicant. The appeal to the Plan Commission is heard at a public meeting. (Ord. 4940 - 11/3/14)

F. **Timeline of Process, Jurisdictional Approval and Expiration**

- 1. **Six Month Rule.** Any petition that has not proceeded forward within six (6) months from petition date to the Plan Commission, or within six (6) months from Plan Commission to the Committee of the Whole, if required by Section 5-101.A.4, or within six (6) months from the Committee of the Whole due to inactivity may be terminated by the Development Services Department. The Development Services Department must notify the petitioner prior to termination of the petition. (Amd. Ord. 4839 - 9/16/13)

2. **Jurisdictional Approval.** If the final plan covers land either wholly or partly outside the corporate limits of the Village, the approval of the Board of Trustees shall not be final until the applicable jurisdiction in which said development is located has approved it.
3. **Expiration.** If there is no activity after three (3) years of approval by the Board of Trustees of a special use and/or final plan, the special use and/or final plan shall expire unless an extension is granted by the Board of Trustees. (Ord. 4769 - 12/3/12)

G. **Public Hearing Procedures**

1. **Purpose.** The purpose of the following process is to provide an opportunity for the public to be notified about, to be able to view the details of, make a submission about, and/or voice their opinions on a development application, proposal, or petition.
2. **Notice of Public Hearing.** The public shall be notified about all public hearings.
 - a. Notification Details. All notices of public hearings shall include:
 1. The date, time and place of the public hearing;
 2. A summary of the proposal under consideration;
 3. The address and legal description of the specific property that is the subject of the public hearing for matters regarding a rezoning, a special use permit, a variance, an annexation, a subdivision, a landmark designation or a Certificate of Appropriateness. (Ord. 3354 - 4/17/00)
 4. That said meeting may be continued without republication up to three (3) times.
 - b. **Notification Requirements.** All notices of public hearings shall also meet the following requirements:
 1. The Development Services Department shall publish a copy of the notice in one (1) or more newspapers with general circulation in the counties in which the Village of Orland Park and contiguous unincorporated territory are located; (Ord. 4940 - 11/3/14)
 2. It is the petitioner's/applicant's responsibility to send a copy of the notice by certified mail with return receipt requested to each of the owners of record of adjacent properties and within 300 feet of any property upon which development is proposed. The petitioner/ applicant must also retain the certified mail receipts for a period of no less than seven (7) years from the final Village Board action on the proposal.
 3. It is the petitioner's/applicant's responsibility to post a weatherproof sign(s) at least three (3) feet by four (4) feet (or 48 inches by 36 inches) in front surface area, the bottom of

which shall be mounted at least four (4) feet above the ground, and to have at least one (1) sign in the most visible location to the general public such as along a primary roadway. Such sign(s) shall be posted on private property and shall remain until the conclusion of the public hearing. Failure to comply with the provisions of this Subsection shall not render the public hearing invalid, provided that a good faith effort was made to comply. The petitioner must remove the public hearing notice sign(s) no later than thirty (30) days after the Village Board action on the proposal. The sign must display wording that at a minimum notifies the public about the public hearing for the procedure which has triggered the public hearing. It must include the date, time, place and the contact information of the Development Services Department. Arial or Arial Narrow shall be the font in which the public hearing signs are printed. The notice, date and time of the sign must be no less than 3.5 inches in height and the remaining information on the sign no less than 2.5 inches in height. (Ord. 4574 - 7/6/10; Amd. Ord. 5167 - 2/20/17)

4. All required notices shall be provided at least fifteen (15) days, but no more than thirty (30) days in advance of the published public hearing.
5. It is the petitioner's/applicant's responsibility to submit a notarized affidavit to staff prior to or at the Plan Commission meeting confirming that all requirements listed above have been met.

c. **Other Requirements.**

1. For public hearings regarding Comprehensive Plan Amendments and/or Land Development Code Text Amendments, notices shall be provided by the requirements outlined in Section 5-101.G.2.b.1 and 5-101.G.2.b.4 only.
2. For amendments to the Zoning Map, notices shall be provided by the requirements outlined in Section 5-101.G.2.b.1, Section 5-101.G.2.b.2 and Section 5-101.G.2.b.4 above. (Ord. 4161 - 8/7/06)
3. Conduct of the Hearing.
 - a. Submission of Testimony. Any person may appear at a public hearing and give testimony or submit written materials, either individually or as a representative of an organization. The decision-making body may exclude information that it finds to be irrelevant, immaterial or unduly repetitious.
 - b. Duty of the Development Services Department.

1. The Development Services Department shall present information concerning pertinent application considerations and the standards set out in these regulations and make recommendations.
2. Upon a showing by any person made at any time during the public hearing, or on motion of the decision-making body, the petitioner/applicant or the Development Services Department may be required to produce additional information with respect to the proposed petition/application.
- c. Continuance. The decision-making body may continue a hearing to a specified date, time and place. Unless such continuance is publicly announced at a properly noticed public hearing, the Development Services Department shall cause notice to be given to all persons originally entitled to notice of the date, time and place of such continued hearing in the same manner as specified in Section 5-101.G.2 above.

H. **Public Meeting Procedures**

1. **Purpose.** The purpose of the following process is to provide an opportunity for the decision-making body to review the development application, proposal, or petition.
2. **Notice of Public Meeting.** A public notice other than that required by the Illinois Open Meetings Act is not required for a public meeting.
3. **Conduct of the Meeting.**
 - a. **Submission of Testimony.** Decision-making bodies shall accept testimony or written materials from individuals or representatives of an organization outside of the applicant at public meetings. (Amd. Ord. 4996 - 6/15/15)
 - b. **Duty of the Development Services Department.**
 1. The Development Services Department shall present information concerning pertinent application considerations and the standards set out in these regulations and make recommendations.
 2. Upon a motion of the decision-making body, the applicant or the Development Services Department may be required to produce additional information with respect to the proposed petition/application.
 - c. Continuance. The decision-making body may continue a hearing to a specified date, time and place.

I. **Record of Hearings**

1. **Recording Hearings.** The Development Services Department shall ensure that the proceedings are recorded by appropriate means.

2. **Record.** The record of proceedings shall consist of the recording of testimony, all applications, exhibits, and papers submitted in any proceeding with respect to the matter being considered, and the summary and report or reports of the Development Services Department.
3. **Open Record.** All summaries and reports of the Development Services Department shall be public records, open to inspection at a reasonable time and upon reasonable notice.
4. **Examination and Copying of Application.** Any person may examine any application for development approval and other material submitted in regard to that application, and may obtain copies of the application and other materials upon reasonable request and payment of a fee to cover the actual cost of such copies.

J. **Ethics Rules**

1. **Conflicts.** Any member of a decision-making body having any direct or indirect financial interest in property or who lives within five hundred (500) feet of any property which is the subject of a public hearing or public meeting or who might have interest in the outcome of the petition shall disclose such fact at the hearing, prior to voting on the matter.
2. **Contacts Outside of the Hearing.** If any member of a decision-making body receives a substantive communication from any person outside the hearing concerning a subject matter under consideration by that body, the member shall make a statement at the hearing describing the circumstances and substance of the communication.
3. **Other Rules to Govern.** Other matters pertaining to the public hearing or public meeting shall be governed by other provisions of these regulations applicable to the body conducting the hearing and its adopted rules of procedure.

K. **Role of the Development Services Department**

1. **Conference with the Development Services Department.**
 - a. **Pre-Application Conference.** A petitioner or an applicant for development approval may request an informal conference with the Development Services Department prior to filing a petition or application. The pre-application conference shall be informal and its purpose shall be to discuss the proposals, views and concerns of the applicant and the Village, and to review for compliance with codes, plans and policies.
2. **Application Submission Requirements.**
 - a. **Application and Fee.** When the petitioner or applicant is ready following the pre-application conference, all applications for development approval shall be submitted to the Development Services Department accompanied by the payment of a fee as authorized in

Section 1-104. Applicants for development approval may be required to submit additional information.

3. **Complete Applications.**

- a. **Determination of Completeness.** Within fifteen (15) days after receipt of an application for development approval, the Development Services Department shall determine whether the application is complete. If it is determined that the application is complete, the applicant will be notified in writing that the application has been accepted for filing. If the application is not complete, the applicant shall be notified, specifying the deficiencies of the application, including any additional information which must be supplied. (Amd. Ord. 5167 - 2/20/17)

A complete application shall consist of the following documents and the requirements outlined in a petition application packet prepared by the Director of Development Services, unless otherwise determined by the Director of Development Services ~~Department~~:

1. A fully completed notarized petition form;
2. Site plan;
3. Building elevations;
4. Required review fees as set by the Village Board of Trustees;
5. Preliminary landscape plan;
6. Preliminary engineering plans;
7. Preliminary plat of subdivision;
8. Traffic study, if required by Section 6-405;
9. Original, sealed Plat of Survey (ALTA or otherwise), including legal description;
10. Disclosure of ownership information:
 - a. A receipted copy of the most recent property tax bill, or evidence of payment (copy of bill, canceled check, etc.);
 - b. A copy of the current title insurance policy;
 - c. If the property is owned by the petitioner, a copy of the latest recorded deed;
 - d. If the property is rented or leased by the petitioner, a letter of authorization to submit the petition from the property owner;
 - e. If the petitioner is a contract purchaser and the property is undergoing due diligence for a contract sale, a copy of the contract to purchase and a letter of authorization to submit the petition from the property owner;
 - f. If the property is owned by a trust, a certified copy of the trust agreement, a list of beneficiaries, and a letter of

Commented [DP10]: SECTION 5-101.K-3: Not directly related to the substance of this amendment, changes to this paragraph are intended to streamline the text and eliminate unnecessary detail in the code. For example, rather than outline details of what is required on a site plan, the updated text simply states that a site plan is required and that the Director of Development Services will determine the specific requirements for content of a site plan.

- authorization to submit the petition from the trust officer;
- g. Copy of any covenants, conditions, easements, or restrictions placed on the property and now of record concerning use limitations, the type of improvements, setbacks, area or height requirements, occupancy, etc.
11. Responses to the Special Use Standards, Variance Standards and/or Rezoning Factors, as needed on a per project basis, if applicable;
 12. Additional supporting documents listed within the Development Services Development Petition Application packet;
 13. Additional documents not listed here may be requested as needed by the Development Services Department but shall not be used to determined completeness. A complete petition does not mean the right to automatic scheduling to public meetings or public hearings.
- b. ~~Site Plan. As required above, a Site Plan shall accompany all applications. Where applicable, all site plans shall include the following information. At the discretion of the Development Services Department, one or more of the following requirements may be waived or additional information may be requested.~~
1. ~~**General Requirements:**~~
 - ~~Plans prepared to a scale, sites less than 2 acres 1"=20' and 2 acres or more 1"=40', parcels greater than 15 acres may be of smaller scale however in no case less than 1"=100'.~~
 - ~~Location of tract by an insert map.~~
 - ~~Parcel Identification Number (PIN).~~
 2. ~~**Title Block and Drawing Title on Every Sheet:**~~
 - ~~Development Name.~~
 - ~~Name and address of consultant preparing plans.~~
 - ~~Project Name.~~
 - ~~Scale.~~
 - ~~North arrow.~~
 - ~~Address of site (to include township).~~
 - ~~Date, with all revision dates.~~
 - ~~Sheet Number(s) and exhibit labels.~~
 - ~~Legend.~~
 3. ~~**Data Box:**~~
 - ~~Current and proposed Zoning district classification and land use(s).~~
 - ~~Gross area of subject site and Net area (buildable).~~

- Landscaped area, total size of all principal and accessory buildings.
- Area of wetlands, floodway, floodplain detention/retention ponds, open water.
- Floor area ratio, square footage of buildings and number of floors.
- Number of required parking spaces (including handicapped).
- Number of parking spaces provided (including handicapped).
- Gross impervious surface area and lot coverage, as defined by Section 2-102, and percentage of site coverage.
- Number of lots and buildings.
- For residential developments, table indicating smallest, largest and average lot size, total number of lots/dwelling units and density (dwelling units per acre, gross and net density).
- Area of common/private open space and park land.

4. **Elements Of Drawing:**

- Location and dimensions of property boundary lines, lot lines, and street right-of-way lines, including required setbacks.
- All proposed buildings and existing buildings to remain on the site, including dimensions, square footage, setbacks, and building separation measurements.
- All buildings within fifty (50) feet of the site boundaries, including existing zoning and land use(s).
- Name, location, dimensions, widths, and materials of existing and proposed streets, right-of-ways, driveways, access points, points of ingress/egress, turn lanes (existing and proposed), parking lots, sidewalks, pedestrian paths, bike paths, and other impervious surfaces on the subject site and adjacent properties within fifty (50) feet of the site boundaries.
- Location, dimensions, and purpose of all easements and underground utilities (proposed and existing) on the subject site and adjacent properties.
- Parking areas marked with stalls and dimensioned.
- Loading areas.
- Detention or retention areas (proposed and existing), proposed high water line, existing water bodies, wetland boundaries and required buffers/setbacks, streams, floodplain/floodway.
- Location of existing trees and notable natural features.
- Location of lighting, including adjacent R.O.W. lighting.
- Location and dimension of landscaped areas, including landscape islands.
- Location of park land/open space, designated private open areas or recreational facilities, and schools.

- ~~Location of signs (existing and proposed) type, size, and height of existing and proposed.~~
- ~~Location of type, size, and height of existing and proposed screening, fencing, retaining walls, trash enclosures.~~
- ~~Turning radius showing adequate maneuverability for all emergency and delivery vehicles.~~
- ~~Floor (and seating) plan.~~
- c. ~~**Building Elevations.** As required above, when applicable, buildings elevations shall accompany all applications. All building elevations shall include the following information. At the discretion of the Development Services Department, one or more of the following requirements may be waived or additional information may be requested.~~
 1. ~~**General Requirements:**~~
 - ~~All plans prepared by a licensed architect.~~
 - ~~Plans prepared to a scale and fully dimensioned.~~
 2. ~~**Title Block and Drawing Title on Every Sheet:**~~
 - ~~Development Name.~~
 - ~~Name and address of consultant preparing the plans.~~
 - ~~Address of site (to include township).~~
 - ~~Date, with all revision dates.~~
 - ~~Sheet Number(s).~~
 3. ~~**Elements of Drawing:**~~
 - ~~Architectural depiction of all four (4) side of the proposed structure(s).~~
 - ~~Height of proposed structure(s), and all other pertinent dimensions.~~
 - ~~Proposed materials and colors clearly indicated as to where proposed. Material samples and/or specification sheets showing appearance, type, color, and texture of all exterior building materials.~~
 - ~~Proposed roofing material and color.~~
 - ~~Screening material of mechanical equipment.~~
 - ~~Elevation, style, material, color, and dimensions of fencing, retaining walls, trash enclosures, and other accessory structures.~~
 - ~~Proposed wall signage.~~
 - ~~Proposed wall lighting.~~
 - ~~All proposed special features or architectural elements.~~

- d. **Incomplete Application.** As long as an application remains incomplete, no further action shall be taken by the Village on the application until the deficiencies are corrected.
- e. **Remedy of Deficiencies.** If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application for development approval may be terminated by the Village.

4. **Review by Development Services Department.**

- a. **Application Review.** The Development Services Department shall review the complete application for development approval in accordance with these regulations and particularly with Section 5-105, if the development requires a special use permit, Section 5-108, if the development requires an amendment to the text of these regulations or the Zoning District Map, Section 5-109, if the development requires a variance, Section 5-112, for development requirements and subdivision review, and/or Section 5-110 and 6-209, if the development requires a Certificate of Appropriateness. (Amd. Ord. 4996 - 6/15/15)
- b. **Preliminary Plan Review Process.** The Development Services Department shall review the complete application for development and its preliminary plan before proceeding to Plan Commission.
- c. **Preliminary Engineering Review Process.** The Development Services Department shall review the engineering plans associated with the application for development and confirm preliminary engineering acceptance prior to proceeding ~~from to the Plan Commission to the Committee of the Whole, if required by Section 5-101.A.4,~~ or hold the application from proceeding to Plan Commission until outstanding preliminary engineering items are met.
- d. **Final Plan Review Process.** The Development Services Department may continue to review the complete application for development ~~and its preliminary plan throughout the decision-making process to make~~ **recommend** corrections or amendments to plans pursuant to recommendations by the Plan Commission, ~~and/or the Committee of the Whole, and the Board of Trustees, if required by Section 5-101.A.4,~~ and/or pursuant to conditions issued on approval by the Board of Trustees to develop a final plan for acceptance by the Board of Trustees.
- e. **Final Engineering Review Process.** The Development Services Department shall review the **final** engineering plans associated with the application for development **to determine that the plans comply with applicable codes and prior direction from the Plan Commission, Committee of the Whole, or Board of Trustees, after prior to consideration of the final ordinances or agreements approval or**

Commented [DP11]: SECTION 5-101.K-4.c: Text is updated to reflect the requirement that preliminary engineering is required prior to a petition being scheduled for Plan Commission review.

Commented [DP12]: SECTION 5-101.K-4.d: Changes to this paragraph are not substantive but rather are intended for clarification.

Commented [DP13]: SECTION 5-101.K-4.e: Changes in this paragraph are necessary for clarification of the other changes to the process; specifically, that the final engineering plans are reviewed and approved prior to final action by the Board of Trustees.

approval with conditions has been granted by the Board of Trustees for the purpose of determining final engineering plans. Confirmation from the Development Services Department that final engineering has been completed shall allow the issuance of the various necessary Village permits and the plan to proceed toward implementation.

1. If ~~the~~ final engineering ~~comments~~ review results in substantial alterations to the ~~Village Board approved final plan~~ plans reviewed during the public hearing by the Plan Commission and by the Committee of the Whole, then the applicant shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing, ~~the petitioner/applicant shall return to the Plan Commission and restart the development review process, republishing in the event of a petition requiring a public hearing.~~
 - a. Substantial alterations to a final plan shall include but not be limited to things such as:
 - Enlargement of storm water facility sizes;
 - Reductions in setbacks;
 - Construction of or alterations to retaining walls;
 - Changes in street layout/land use;
 - Increases ~~over Village Board approved~~ in lot coverage;
 - Changes to ~~Village Board approved~~ parking configurations;
 - Changes that result in new or expanded variances ~~to Village Board approved plans~~ or modifications to ~~Village Board approved~~ special use regulations; and
 - Changes to the number of units, building area, or building stories.

L. **Timing of Applications**

1. **Waiver of Time Limits.**

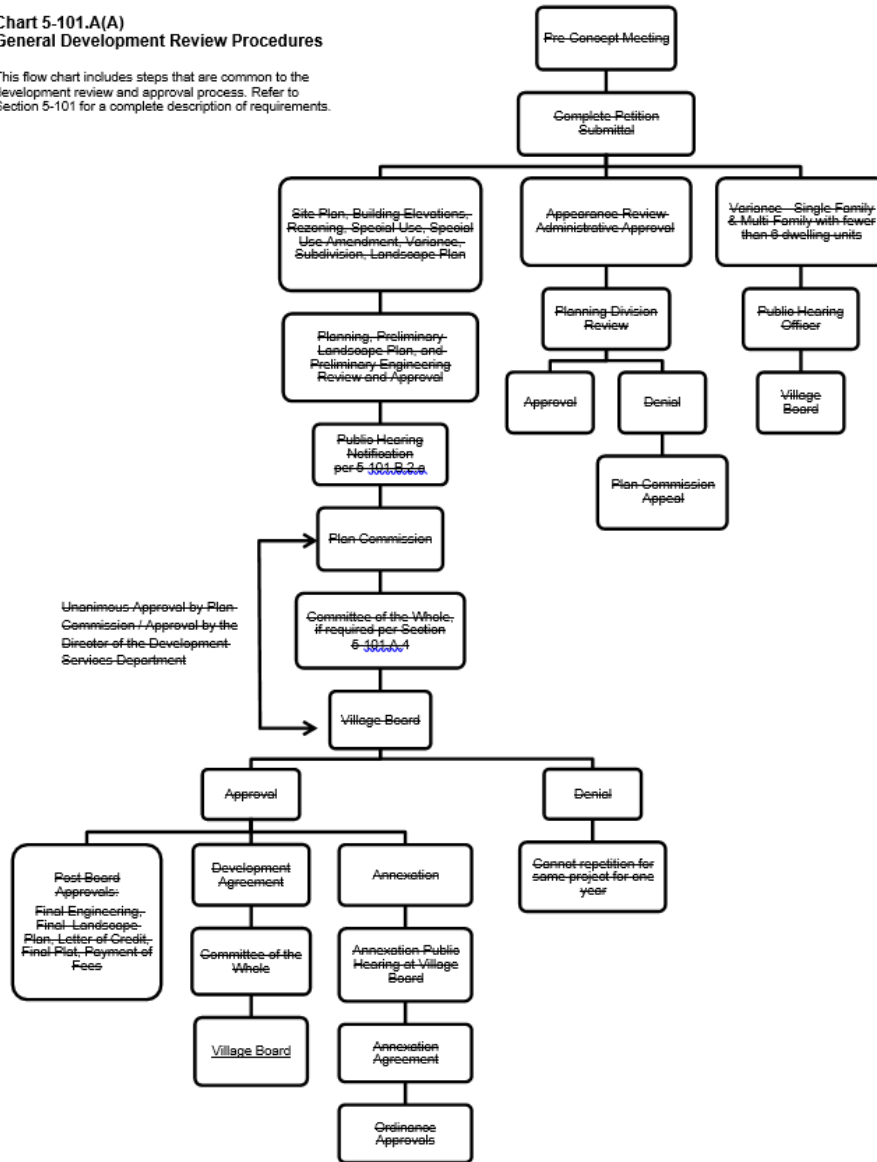
- a. **By Agreement.** Any time limit imposed by these regulations may be waived or extended by agreement among the Development Services Department, the Board of Trustees, and the petitioner or applicant.
- b. **Automatic Waiver.** Any applicant who requests a continuance of a public meeting or a public hearing at which the applicant's application is being considered, or who requests an extension of any time limit imposed onto the applicant by statute or these regulations, shall be deemed to have agreed to an extension of that time limit.

2. **Successive Applications.**

- a. **One Year Rule.** Whenever any application for development approval for a special use permit, variance, text and map amendment to the Zoning Map (rezoning), subdivision, or preliminary plan is denied, the petitioner will be notified that an application involving the same property shall not be accepted for filing within one (1) year from the date of denial.
- b. **Exception.** An exception to the above rule is if the subsequent application involves a development proposal which is materially different from prior proposals, in the opinion of the Development Services Department, or is responsive, in the opinion of the decision-making body, to negative findings set forth in the denial of the prior application. (Ord. 2746 - 6/5/95)

**Chart 5-101.A(A)
General Development Review Procedures**

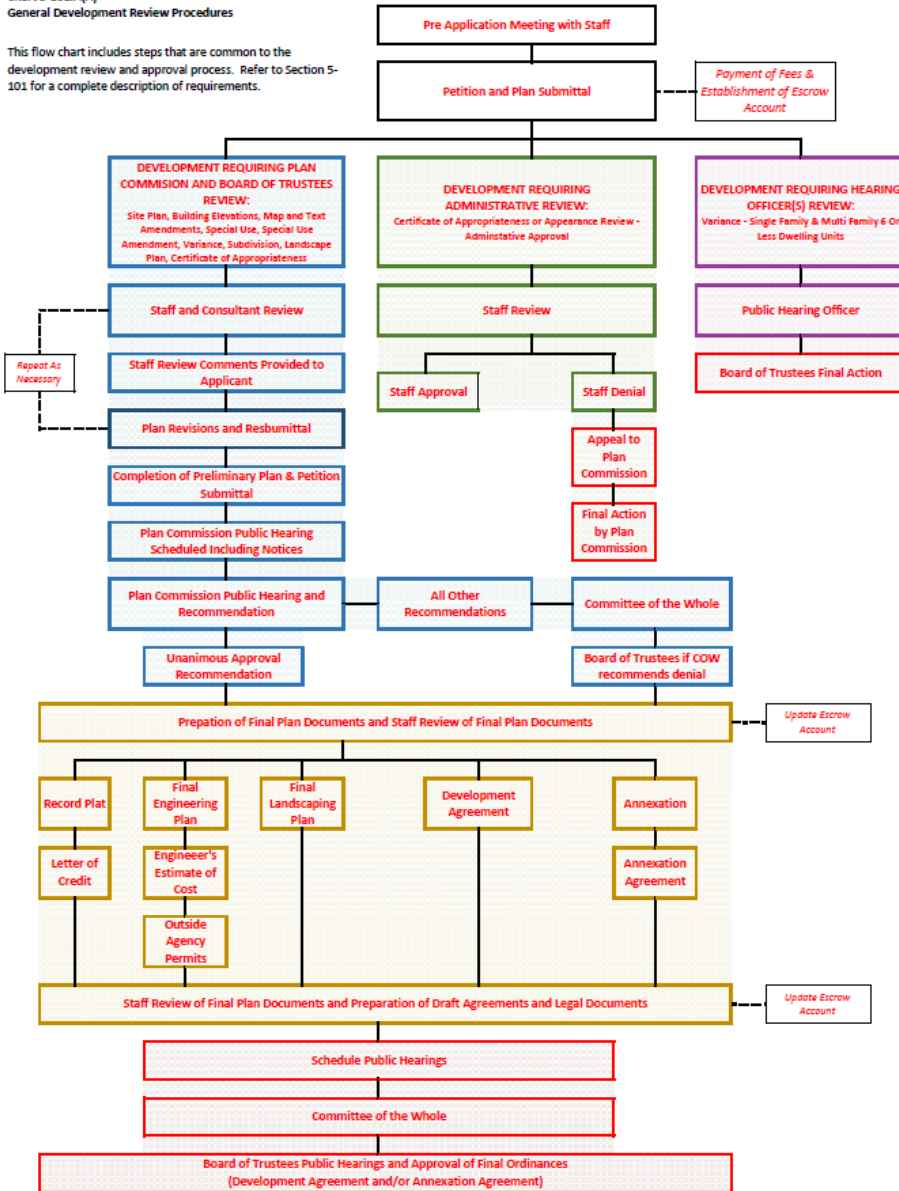
This flow chart includes steps that are common to the development review and approval process. Refer to Section 5-101 for a complete description of requirements.



Commented [DP14]: The amendment includes a revised flow chart of the development review process. The revised flow chart reflects the changes described in Sections 5-101.A-3 and A-4.

Chart 5-101.A(A)
General Development Review Procedures

This flow chart includes steps that are common to the development review and approval process. Refer to Section 5-101 for a complete description of requirements.



Chicago Tribune

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Preview

VILLAGE OF ORLAND PARK AMENDMENTS TO LAND DEVELOPMENT CODE

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVE that a Public Hearing will be held before the Plan Commission of the Village of Orland Park, Illinois beginning at 7:00 p.m., or as soon thereafter as the matter may be heard, on April 20, 2021 at the Orland Park Village Hall, located at 14700 South Ravinia Avenue, Orland Park, Cook County, Illinois, to consider amendments to Section 5-101 of the Land Development Code of the Village of Orland Park.

SUMMARY: The Village is proposing to amend Section 5-101 of the Village Land Development Code ("Development Review Procedures") to streamline the process that takes a proposed development project before the Village Board of Trustees. If the proposed amendments are adopted, a development petition will be scheduled for consideration by the Village Board of Trustees following the preparation of all final plans. The complete text of the proposed amendments to Section 5-101 of the Land Development Code may be viewed at the offices of the Village Development Services Department in

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the Orland Park Village Hall.

All interested parties should attend and will be given an opportunity to be heard. The Public Hearing may be continued by the Plan Commission without further notice up to three (3) times without republication except as required by the Illinois Open Meetings Act.

PLAN COMMISSION OF THE
VILLAGE OF ORLAND PARK, IL-
LINOIS

By: Nick Parisi, Chairperson
4/1/21 6920858

DATE: April 20, 2021

REQUEST FOR ACTION REPORT

File Number: **2021-0304**

Orig. Department:

File Name: **Memo: New Petitions**

BACKGROUND:

BUDGET IMPACT:

REQUESTED ACTION:



Memorandum

To: Plan Commission
From: Ed Lelo, Director of Development Services
Date: April 20, 2021
Subject: New Petitions & Appearance Reviews

Below, please find a summary of recently petitioned projects and appearance reviews. Petitioned projects are currently under review by staff and may or may not be on a future Plan Commission agenda. These projects have been petitioned to the Village but may not have obtained all the approvals required to begin work. Projects sometimes are terminated without moving forward for a variety of reasons. Appearance Reviews and Certificates of Appropriateness are reviewed and approved administratively. The below list does not include cell tower or solar panel projects. Please contact me with any questions regarding the below projects.

Appearance Review Petitions

Evennon – Decorative stripe on front of the building – 11351 183rd Street

Development Petitions

Crossroads of Orland Park, 132 attached multi-family residences – 9551 159th Street

Certificate of Appropriateness Petition

Board Approved Petitions