

ORDINANCE GRANTING A SPECIAL USE PERMIT WITH MODIFICATIONS FOR
RIZZA PORSCHE OF ORLAND PARK 8760 WEST 159TH STREET WITH ASSOCIATED
SUBDIVISION, SITE PLAN AND ELEVATION CHANGES

WHEREAS, an application seeking a special use permit with modifications to construct a new automobile dealership facility on 159th Street with associated subdivision, site plan and elevation changes, has been filed with the Village Clerk of this Village and has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on March 14, 2017 on whether the requested special use permit with modifications should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said public hearing by publication not more than 30 days nor less than 15 days prior to said hearing in the Orland Park Prairie, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use be granted with this President and Board of Trustees, and this Board of Trustees have duly considered said report and findings and recommendations;

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The Plan Commission of this Village has made its report of findings and recommendations regarding the proposed special use. The findings of the Plan Commission are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearings are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed special use is in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permit with modifications to construct an approximately 18,010 square foot, automobile dealership facility at 8760 West 159th Street, with associated subdivision, site plan and elevation changes, as follows:

(a) The Subject Property is located at 8760 West 159th Street within the Village of Orland Park in Cook County, Illinois. A three (3) lot subdivision is proposed for the Subject Property, which consists of approximately 7.65 acres. The largest lot, which is approximately six (6) acres, will accommodate a new 18,010 square foot automobile dealership facility with a 276 space parking lot and detention pond. The two smaller outlots are currently set aside for future development and will return to the Village for additional approvals prior to development. The detention pond will be relocated to the rear of the site and is designed to accommodate storm water run-off from all three lots. The Subject Property is zoned BIZ General Business District, and auto dealers in the BIZ Zoning District require a special use permit. The proposed modifications are to allow parking drives and lots located between the building and the street, to allow parking space numbers that exceed the Land Development Code by more than twenty (20%) percent, to allow lighting foot candles that exceed Code maximums, subject to final engineering approvals, on the Porsche lot only, not to exceed a maximum of fifty (50) foot candles at the 159th Street property line and thirty (30) foot candles interior to the site, to allow detention slopes that exceed twenty-five (25%) percent to no more than thirty-three (33%) percent, to reduce the western landscape buffer, shifted eastward approximately twenty-four (24') feet, and to allow the retaining wall to exceed three (3') feet in height to a maximum of three and one-half (3.5') feet in height.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Comprehensive Plan designates this area for Neighborhood Mixed Use and is identified as an "opportunity site" for development. Automobile dealerships are an important economic development component in the Village and are an existing and established use in the surrounding area, which is nicknamed "Auto Row."

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned R-4 Residential to the north, underdeveloped and BIZ General Business District to the south, and BIZ General Business District and R-3 Residential to the east, where commercial uses are located. To the west is Georgio's Banquet Hall, which is located in Orland Hills. The special use will also be consistent with the community character of the immediate vicinity of the Subject Property because the application does not propose to change the zoning and will be consistent with other approved automotive sales land uses nearby.

(d) The design of the development will minimize adverse effects. The site layout places the Porsche dealership building near 159th Street, but with a double stack of parking/display area and drive aisle between the building and the street. The site plan with the loop driveway accommodates three (3) users on the site, and provides good access for the outlots. The parking at the rear of the site will accommodate the bulk of the new car storage area and will include tree islands and buffering. Petitioner has amended his proposal regarding the masonry of the facility to comply with the Land Development Code. The building style and architecture will evoke a sleek modern look and provide a nice architectural presence in this commercial area. The landscape detention pond to the rear provides a heavy buffer for much of the abutting residential area, and Petitioner has committed to mitigate or provide a cash payment into the tree mitigation fund for any trees removed due to re-grading of the site to ensure a buffer to the residential view. In response to residents' concerns about lighting intensity, noise, storm water detention,

construction traffic, and buffering, the Petitioner explained that the brightest lighting will only be along 159th Street and will utilize cut-of fixtures, there will be no loud speakers, the storm water detention has been engineered to accommodate newly generated storm water, construction access will be from 159th Street only, and an exceptionally wide landscape buffer and detention pond will help buffer the new development from the residential area.

(e) There will be no adverse effects on the value of the property. Most of the existing site is undeveloped and has been challenging to market and develop due to visibility issues related to the grade and slope of the site as well as the detention pond located along with 159th Street frontage. The proposed development suggests a solution, and will promote and facilitate economic development in the Village. The expansion and retention of existing businesses is an important economic principle in Orland Park's 2013 Comprehensive Plan.

(f) The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers and schools will be capable of serving the special use at an adequate level of service. The existing detention pond will accommodate storm water runoff for the entire site, including the two undeveloped outlots. Additionally, the circulation plan shows the ability to have large truck circulation (i.e. service/fire/delivery truck access).

(g) Petitioner has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development.

(h) The development will not adversely affect a known archaeological, historical or cultural resource.

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

SECTION 3

A special use permit to construct and operate an approximately 18,010 square foot, automobile dealership facility at 8760 West 159th Street and relocate the existing detention pond to the rear of the site with modifications to allow parking drives and lots located between the building and the street, to allow parking space numbers that exceed the Land Development Code by more than twenty (20%) percent, to allow lighting foot candles that exceed Code maximums, subject to final engineering approvals, on the Porsche lot only, not to exceed a maximum of fifty (50) foot candles at the 159th Street property line and thirty (30) foot candles interior to the site, to allow detention slopes that exceed twenty-five (25%) percent to no more than thirty-three (33%) percent, to reduce the western landscape buffer, shifted eastward approximately twenty-four (24') feet, and to allow the retaining wall to exceed three (3') feet in height to a maximum of three and one-half (3.5') feet in height, with associated subdivision, site plan and elevation changes is hereby granted, subject to the conditions below, and issued to Rizza Porsche of Orland Park, for the following described property:

PARCEL A:

THE SOUTH 10.55 ACRES (EXCEPT THE NORTH 211.0 FEET THEREOF) AND ALSO EXCEPT, THE WEST 163 FEET OF THE SOUTH 387 FEET OF THE SOUTH 10.55 ACRES OF THE WEST 30 ACRES OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (ALSO EXCEPTING THE SOUTH 47 FEET, AND EXCEPTING THAT PART OF THE WEST 30 ACRES AS TAKEN BY STATE OF ILLINOIS THROUGH CONDEMNATION PROCEEDING 72134348 ON MAY 23, 1972 AND DESCRIBED AS FOLLOWS: BEGINNING AT INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION 14, WITH THE NORTH LINE 159TH STREET AS PER DOCUMENT NUMBER 10909314 RECORDED MAY 26, 1931 THENCE EAST ALONG SAID NORTH LINE A DISTANCE OF 100 FEET TO A POINT; THENCE NORTH ALONG A LINE FORMING A RIGHT ANGLE WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 10 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL WITH SAID NORTH LINE OF 159TH STREET TO A POINT ON SAID WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 14 THENCE SOUTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL B:

THE WEST 163 FEET OF THE SOUTH 387 FEET OF THE SOUTH 10.55 ACRES OF THE WEST 30 ACRES OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING THE SOUTH 47 FEET THEREOF), AND ALSO EXCEPTING THAT PART OF THE WEST 30 ACRES AS TAKEN BY STATE OF ILLINOIS THROUGH CONDEMNATION PROCEEDING 72134348 ON MAY 23, 1972 AND DESCRIBED AS FOLLOWS: BEGINNING AT INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION 14, WITH THE NORTH LINE 159TH STREET AS PER DOCUMENT NUMBER 10909314 RECORDED MAY 26, 1931 THENCE EAST ALONG SAID NORTH LINE A DISTANCE OF 100 FEET TO A POINT; THENCE NORTH ALONG A LINE FORMING A RIGHT ANGLE WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 10 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL WITH SAID NORTH LINE OF 159TH STREET TO A POINT ON SAID WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 14 THENCE SOUTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PINS: 27-14-300-059; 27-14-300-062; 27-14-300-063

A. The Subject Property shall be developed substantially in accordance with the preliminary site plan titled "Preliminary Site Plan", Rizza Porsche, 8760 W. 159th Street" by W-T Engineering, job CEI6063, dated March 24, 2017, subject to the following conditions:

1. The "future expansion area" must return to the Village for approvals prior to development.
2. Outlots A and B must return to the Village for approvals prior to development.

3. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within sixty (60) days of final engineering approval. Construct the required landscape buffer around all sides of the entire 7.65 acre site at the time of Porsche construction.

4. Meet all final engineering and building division requirements and approvals.

B. The Subject Property shall be developed substantially in accordance the preliminary site plan titled “Preliminary Site Plan”, Rizza Porsche, 8760 W. 159th Street” by W-T Engineering, job CEI6063, dated March 24, 2017 subject to final engineering approval and subject to the submission of a Record Plat of Subdivision to the Village for approval and recording, and subject to following condition:

1. The front eastern Porsche parking lot must be consolidated into Outlot B prior to development of that outlot.

C. The Subject Property shall be developed substantially in accordance with the elevations titled “Exterior Elevations” page A06.01 and A06.02, revised March 24, 2017; and “Exterior Finish Schedule” page A06.03, revised February 8, 2017; and “Site Details” page A00.51, revised February 8, 2017; and mesh exhibits received February 9, 2017; all by Simon Design Group, subject to the following conditions:

1. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline.

2. All masonry must be anchored veneer type masonry with a 2.625” minimum thickness.

3. Signs are conceptual only and are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

4. Meet all final engineering and building division requirements.

SECTION 4

Petitioner shall at all times comply with the terms and conditions of this Ordinance and all other codes and ordinances of the Village unless specifically amended by this or another ordinance. In the event of non-compliance, the special use permit and modifications of this Ordinance shall be subject to revocation by appropriate legal proceedings.

SECTION 5

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, shall be amended so as to be in conformance with the granting of the special use with modifications for the planned unit development as aforesaid.

SECTION 6

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