



VILLAGE OF ORLAND PARK

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Department Requested Action

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TRUSTEES

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Title/Name/Summary

BMW of Orland Park - Special Use Amendment and Variance

History

PROJECT: BMW of Orland Park

PETITIONER: David B. Sosin

REQUESTED ACTION: Site Plan, Landscape Plan, Special Use Permit Amendment and Variance

PURPOSE:

The petitioner requests approval for a Special Use Permit Amendment with modifications to increase parking and increase the maximum height of a flagpole. The petitioner also requests variances to increase lighting.

LOCATION: 11030 W. 159th Street

P.I.N. NUMBERS: 27-17-300-003

ATTACHMENTS:

Project Aerial
Site Plan
Landscape Plan
Lighting Plans
Flag Pole Brochure
Special Use Standards
Variance Standards
Board Approved Plan for Wolf Point Plaza

SIZE:

Wolf Point Plaza Property: 18.21 Acres (793,267 s.f.)
BMW Property: 8.64 Acres (376,250 s.f.)

EXISTING ZONING: BIZ General Business District

EXISTING LAND USE: Under construction BMW Dealership

SURROUNDING ZONING AND LAND USE:

North: E1 Estate Residential, R3 Residential and OL Open Lands
South: RSB Residential Supporting Business and LSPD Large Scale Planned Development
East: E1 Estate Residential (forced annexed into the Village in 2007)
West: (across Wolf Road) BIZ Business District (existing strip retail center)

PROJECT BACKGROUND:

The Village Board approved a Special Use Permit (Ordinance Number 4558) for the Planned Development of Wolf Point Plaza in January of 2010. The permit provided for the operation of a vehicle sales and repair facility for BMW's relocation and expansion of their dealership to the site, located at the northeast corner of Wolf Road and 159th Street.

The BMW portion of the project is currently under construction and the petitioner has returned with the following requests:

1. Site Plan and Landscape Plan approval for the BMW site for revised parking lot and landscape areas.
2. Special Use Permit Amendment to allow for 24 additional parking spaces on the BMW property, with modifications to allow a reduction in parking stall length from 18' to 17.5' and to allow for and increase in the height of the flagpole from 18' to 50'.
3. Variances to increase the allowable maximum lighting intensity during operating hours from 15 foot candles to 78.1 foot candles, decrease the right of way setback from 40' for 0-250W lights, to 8 ft. for 401+ watt lights at the south property line (159th St. ROW) and 18 ft. setbacks for 401+ watt lights along the north property line. Lights in excess of 400W also require a variance (1000W shielded in this case) Setback reduction applies to those areas abutting a residential zoning district (north) and street ROW (south)

Requests for lighting increases have been processed as both variances (like for the Lexus Dealership) and as special use modifications (like for the Honda dealership). In this case, the petition for approval for Wolf Point Plaza included a condition that specifically stipulated that any lighting increase be handled as a variance.

SITE PLAN:

The proposed site plan includes some minor changes from the Board approved plan including:

- 1) The addition of two concrete display areas at each of the 159th Street entrances, measuring 20' x 35' each.
- 2) The conversion of three regular parking spaces along the west side of the building into two handicap accessible spaces.
- 3) The addition of 24 new parking spaces, 12 directly in front of the main entry (previously landscape island) and 12 in the large landscape island located in the

southeast corner of the site.

4) The addition of new landscape area in the cul de sac on the north side of the site and along the edges of the parking lots where storage spaces have been decreased from 18' to 17.5'.

The petitioner contends that 24 new spaces are needed for customer use, but the site data box does not show any change in customer spaces. The petitioner should confirm that there is no change in customer parking with the additional 24 stalls, or revise the site plan data box to indicate the correct number of customer stalls. With the 24 stalls, the parking for BMW will increase from a previously approved 659 cars to 686 cars.

Per the site plan data box, total proposed new impervious area equals 5,288 square feet while total proposed new pervious area equals 5,401 square feet, for an increase in pervious area of 113 square feet. Because impervious lot coverage has slightly decreased, there will be no impact on planned stormwater system.

The petitioner achieved the additional pervious area by constructing a circular landscape island in the middle of the cul de sac, adding landscape islands to the parking lot and decreasing the length of some of the perimeter storage stalls from 18' to 17.5'. These areas are indicated graphically with bubbles on the submitted site plan.

LANDSCAPE PLAN:

The landscape plan provided has not been revised to address the increased buffer areas on the edges of the parking lot, the proposed display areas along 159th Street, or the trees in the parking lot.

The site plan changes proposed with this petition require a revised landscape plan and the parking lot trees were discussed in more detail with the approval of the previous plan as noted below.

During the project review process, the BMW dealership requested a waiver to the parking lot island landscape requirements. Based on the nature of the land use, and the precedence set by other Orland Park dealerships, the Village agreed to not require any parking lot island trees as long as the trees that are required are planted somewhere else on the site, or a cash-in-lieu payment to the Tree Mitigation Account is provided to the Village. The landscape plan as submitted reflected this waiver but also included some parking lot trees in front and on the east side of the building.

The petitioner should provide a revised landscape plan addressing the above items prior to the Village Board meeting.

SPECIAL USE PERMIT:

Ordinance Number 4558 corresponds to the Special Use Permit for the Wolf Point Plaza property. The motion of approval included conditions specifically related to the BMW parcel as related to overhead doors, automobile loading, no installation of an

outdoor speaker system and that the petitioner return for a lighting variance.

This petition satisfies the condition to submit for the Code lighting and the other conditions have been included in the Development Agreement for Wolf Point Plaza.

As part of the Special Use Amendment, the petitioner proposes modifications to decrease some of the parking stalls from 18' to 17.5' and to increase the height of the flagpole from 18' to 50'. The parking stall length reduction is only proposed along the perimeter of the property and is also for auto storage stalls, not customer use stalls.

The proposed flagpole is not labeled on the site plan but is proposed to be in the center of the large landscape island south of the main entry of the building. The petitioner has requested an increase in the height of the flagpole from 18' to 50'. Although the Code maximum of 18' is written for single family residences, a 32' increase in the permitted height of a flagpole is a substantial increase. Most of the taller flagpoles throughout the Village do not exceed 40'. Due the existing residential development to the North, staff recommends an increase in height from 18' to 40' rather than to 50'. This would correspond to Model Number EC401H on the brochure provided by the Petitioner. The petitioner is doing some additional research on this issue and should be prepared to respond at the Plan Commission meeting.

The petitioner's response to the Special Use standards is attached for review, but did not go into detail about the modification requests.

LIGHTING VARIANCE:

The petitioner is requesting variances to increase lighting. Substantial increases in lighting intensity are typically requested for dealerships, given the nature of on-street visual display use of the street-fronting parking areas for vehicles. The requested variance for this project does fits contextually with other variances granted for similar uses.

In the case of BMW of Orland Park, the 159th Street frontage region will be the most intensely lit at approximately mid-high 70 footcandle levels in the middle row display area, where light pole spread overlap occurs most. The west side of the building, where additional new car inventory is to be displayed, will have a centrally intense region of approximately 60 footcandles. The rear parking area, typically in-service customer vehicles, which abuts residential neighbors does not require approval of a light intensity variation. The rear area along the north property line is within code, and is also screened by the sizeable landscape berm that is currently in place and fully landscaped.

Setback variances for the light poles are requested along 159th Street and the north property. The 159th Street setback (40' to 8') ensures adequate light for the display cars. Along the north property, the petitioner requests a setback reduction from 40' to 18'. However, it should be noted that this setback is from the property line adjacent to the north curb of the parking lot. The setback from the residential development adds 80' to the physical distance between the light pole and the adjacent homes.

It should also be noted that the lighting intensity will be reduced during off-hours. The petitioner has submitted a non-operating hours plan to accompany the primary lighting plan. Lighting intensities during off-hours will be reduced by approximately 63% of business hours at the brightest location- 159th Street front display region. In the off-hour plan submitted, the footcandles shown in the storage lot west of the building demonstrate foot candles in the 20's, the same light intensity proposed along LaGrange Road. Due to the adjacent residential development and due to the west lots function as a storage lot rather than a display lot, the petitioner should consider reducing the off-hours footcandles in this area.

Actual visual and physical impact of the lights is intended to be as minimal as possible. The construction of the lights is proposed to be bright white poles and fixtures, with lightweight high strength aluminum construction to ensure long lasting durability in terms of appearance and safety. Full cutoff light fixtures are being used to focus the light where it needs to be, on the ground, and thereby reducing excessive light spillage outside of the site. However, the reflectivity of the new vehicles underneath the lights can sometimes counteract the effect of the cutoff lenses.

The petitioner's response to the Variance standards is attached for review.

CONCLUSION:

This case will go before the Development Services/Planning Committee for review prior to being sent to the Board of Trustees for final review/approval.

Note:

1. This approval is subject to meeting Building Code
2. This approval is subject to meeting engineering related items.
3. Signage will be approved through a separate permitting process.

This is now before Plan Commission for consideration.

Recommended Action/Motion

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated September 13, 2011.

and

I move to recommend to the Village Board approval of the preliminary site plan titled 'Proposed BMW Site Plan - Wolf Point Plaza,' prepared by Craig R. Knoche & Associates, job number 8-048, dated 3-04-09, date stamped September 01, 2011, sheet C1.5 subject to the following conditions.

1. Submit a revised landscape plan, including site plan changes and addressing parking lot trees, before the Village Board meeting.
2. Submit a revised site plan that labels the location of the flagpole, concrete display areas, and indicates the correct number of customer parking spaces.

3. Meet all final engineering and building code related items.
4. Allow the height of the flagpole to be 50 feet.
5. Fly only the United States and/or Illinois State flag on the flagpole.
6. Relocate the parking lot landscape trees to be relocated south of the property located at the end of the cul de sac on the east side of Shire Drive.

and

I move to recommend to the Village Board approval of a Special Use Amendment for Wolf Point Plaza, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Increase the parking stalls for the auto dealership from 659 to 682.
2. Increase the height of the flagpole from 18' to 50'.

and

I move to recommend to the Village Board approval of variances for maximum business hours lighting to not exceed 78 footcandles, allowance of 1000W full cutoff light fixtures, minimum 8 ft. light setbacks from the south property line (159th St. ROW), and minimum of 18 ft. light pole setbacks from the north property line.