

ORDINANCE GRANTING A SPECIAL USE PERMIT – RIDGEWAY PETROLEUM – 183RD PLACE AND WOLF ROAD

WHEREAS, an application seeking a special use permit with modifications for certain real estate, as set forth below, has been filed with the Village Clerk of this Village and has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code of the Village of Orland Park, as amended; and

WHEREAS, the Plan Commission of this Village held a public hearing on June 10, 2014 on whether a special use permit should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice 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 permit be granted with this President and Board of Trustees, and this Board of Trustees has 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 has made its report of findings and recommendations, and such are hereby adopted by reference as findings of this President and Board of Trustees as fully as if completely set forth at length herein. All exhibits submitted at the aforesaid public hearing are also incorporated by reference into this Ordinance. This President and Board of Trustees find that the proposed special use permit with modifications is in the public good and in the best interests of the Village and its residents, is consistent with the Comprehensive Plan of the Village, and is consistent with and fosters the purposes and spirit of the Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds as follows in relation to the special use permit to construct and operate a motor vehicle service station facility as a planned development in the ORI Mixed Use Zoning District with modifications as follows:

(a) The Subject Property is owned by Smith Brothers Realty III, LLC, an Illinois limited liability company, is located at 18300 South Wolf Road and consists of approximately 1.6 acres that is currently a vacant lot. It is zoned ORI Mixed Use Zoning District within the Village of Orland Park, Cook and Will Counties, Illinois. The owner will work with the developer, Ridgeway

Petroleum, Inc., an Illinois corporation. Collectively, the owner and developer are referred to herein as the “Petitioners.” Petitioners are seeking a special use permit to construct a motor vehicle service station facility that includes a car wash with entrance canopy, fuel pumps with canopy, and ancillary retail store with carry out food service and consisting of two buildings on the Subject Property. Also requested are modifications to exceed the number of parking spaces by more than twenty percent (20%) and to allow parking and drives to be located between the building and the street.

(b) The Orland Park Land Development Code provides that motor vehicle services and planned developments are special uses in the ORI Mixed Use Zoning District.

(c) Granting the requested modifications will enhance the ability of the proposed special use to meet the general standards for all special uses set out in Section 5-105 (E) of the Land Development Code of the Village. Specifically, granting the requested parking variance is based on experience at similar motor vehicle service station facilities. The modification to permit parking and drives to be located between the building and the street is appropriate because the site is surrounded on three sides by public roadways. In addition, the car wash building has a drive-through, with a drive aisle that exists between 183rd Place and the southern façade. Due to the multiple buildings proposed for the Subject Property, it is treated as a planned development and improvements were required to offset the impact of the planned development on the surrounding area. Those incremental improvements are as follows: the building architecture was upgraded and designed to blend in with the surrounding area; lighting and coloration of the canopy has been reduced in intensity; signage has been reduced in size, quantity and intensity; outdoor sales will be restricted; a multi-purpose path along Wolf Road has been proposed; and there has been a strong interest from the public for a gas station along Wolf Road.

(d) The proposed special use permit will be consistent with the character of the immediate vicinity of the Subject Property. The Subject Property is located in the ORI Mixed Use Zoning District. Property to the north of the Subject Property is vacant and across 183rd Street contains single family residential properties. Property to the south of the Subject Property is zoned ORI Mixed Use District and includes an animal hospital. Property to the east contains a tank farm and property to the west contains offices and is zoned ORI Mixed Use. These uses will not be adversely affected by construction and operation of a motor vehicle service station facility/planned development.

(e) The proposed special use is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code of the Village of Orland Park. The Comprehensive Plan designates this area as Office Employment Emphasis. The motor vehicle service station facility/planned development is consistent with the Comprehensive Plan, and it includes a retail use with the primary intent to serve the local work force.

(f) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. The building architecture has been upgraded and designed to blend in with the surrounding area and lighting and signage have been reduced in intensity to

reduce impact. The proposed special use as conditioned by this Ordinance will not have an adverse effect on the value of adjacent property.

(g) Petitioners have demonstrated that public facilities and services, including but not limited to roadways, park facilities, police 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. Access to the site is from 183rd Place and the right in/right out on Wolf Road. To address safety concerns, a left turn lane on Wolf Road at 183rd Place will be installed. In addition, a multi-purpose 8' asphalt path will be constructed along the east property line in the right of way adjacent to Wolf Road to allow for increased pedestrian access.

(h) Petitioners have made adequate legal provisions to guarantee the provision and development of any open space and other improvements associated with the proposed development.

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

(j) The special use shall in all aspects conform to the applicable regulations of the Land Development Code of the Village of Orland Park as amended, for the district in which it is located as well as all applicable regulations and ordinances of the Village, except as specifically amended or modified by this or another Ordinance.

SECTION 3

A special use permit is hereby granted and issued, subject to the conditions below, for the construction and operation of a planned development with multiple buildings for a motor vehicle service station facility that includes an automatic drive-through car wash with entrance canopy, fuel pumps with canopy, and ancillary retail store with carry out restaurant, subject to the conditions below, on property legally described as follows:

LOT 3 IN SUBDIVISION OF LOT 2 IN GOLDEN EAGLE PARK, BEING A SUBDIVISION OF PART OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED JULY 20, 2001 AS DOCUMENT R2001-93298, IN WILL COUNTY ILLINOIS.

PIN NUMBER 19-09-06-202-002-0000

This special use permit includes modifications to permit the parking to exceed the Code requirements by more than twenty percent (20%) and to permit parking and drives to be located between the building and the street, and is subject to the following further conditions:

1. That the Subject Property be developed substantially in accordance with the hereby approved Preliminary Site Plan entitled "Ridgeway Petroleum Preliminary Site Plan" prepared

by Corporate Design and Development Group, dated September 11, 2013, revised June 30, 2014, sheet A001, and subject to the following further conditions:

- a. As part of the IDOT permit process, IDOT has required a north bound left turn lane at 183rd Place and Wolf Road. Petitioners shall design, permit and construct a north bound left turn lane at 183rd Place on Wolf Road; and
 - b. No outdoor sale items will be permitted within the minimum and/or actual building setback areas along street frontages; and
 - c. All lighting must meet Codes and is subject to engineering approvals; and
 - d. In conjunction with the acquisition of the Subject Property, Petitioners must provide to the Village and cause to be recorded a fully executed version of the cross access easement with the property to the north in form and content substantially similar to the Cross-Easement Agreement attached to the Development Agreement; and
 - e. Provide a curb between the parking spaces and sidewalk along the front elevations of the store building and car wash; and
 - f. Meet all Building Code requirements; and
 - g. Meet all final engineering requirements, including but not limited to IDOT approvals and permits; and
 - h. Submit a Final Landscape Plan meeting all Village Codes, for separate Village review and approval within 60 days of final engineering approval.
2. That the Subject Property be developed substantially in accordance with the Elevations entitled "Preliminary C-Store Exterior Elevations," Sheets CS A200, Preliminary Car Wash Exterior Elevations CW A200, Preliminary Fuel Canopy Details, page A005, Preliminary Car Wash Canopy Details, page A004, Preliminary Enclosure and Sign Details page A003, Preliminary Site Details page A002, 3-D Renderings, pages R-1 and R-2, all prepared by Corporate Design and Development Group, all dated September 11, 2013, and revised June 30, 2014, and subject to the following conditions:
- a. All mechanical equipment must be screened at grade level with landscaping or hidden behind the roofline; and
 - b. All Building Code requirements must be met. All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness; and
 - c. All signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply; and
 - d. In the case of discrepancies between the elevations referenced above, the stricter design standard shall apply.

SECTION 4

Petitioners hereunder shall at all times comply with the terms and conditions of this special use permit and in the event of non-compliance, said permit 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 permit as aforesaid.

SECTION 6

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