

ORDINANCE GRANTING AN AMENDED SPECIAL USE PERMIT AND ASSOCIATED SITE PLAN (ALDI EXPANSION – 13145 S. LAGRANGE ROAD)

WHEREAS, an application seeking an Amended Special Use Permit for a Planned Development to construct, operate and maintain a 2,297 square foot expansion of the existing ALDI grocery store and to reconfigure the associated parking lot and associated site plan, has been filed by the Petitioner (as herein identified) 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 May 21, 2018, on whether the requested amended special use permit 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 amended special use with modifications 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 amended special use permit with modifications. 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 amended special use permit with modifications 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 amended special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village, which designates the site at 13145 S. LaGrange Road (“Subject Property”) as “Neighborhood Mixed Use” in the Sandburg Planning District.

SECTION 2

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed Amended Special Use for a Planned Development to allow for a 2,297 square foot expansion of the existing ALDI grocery store and reconfiguration of the associated parking lot in the BIZ General Business Zoning District and associated site plan as follows:

(a) The Subject Property is located at 13145 S. LaGrange Road within the Village. The proposal is to construct a 2,297 square foot expansion to the existing 16,219 square foot ALDI grocery store, located on Lot 6 of Southmoor Commons. This expansion is to be constructed south of the existing ALDI building utilizing 14 existing parking spaces. The proposal is also to reconfigure the parking lot north of the ALDI building to accommodate the loss of the 14 parking spaces so there will be no net loss of parking spaces.

(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 as “Neighborhood Mixed Use”, and the Subject Property is located in the BIZ General Business Use Zoning District. The Subject Property will fulfill the BIZ General Business Use District’s established principles by providing a location for processing and distribution of goods, provide employment and revenue for the Village and is designed to buffer the BIZ District from nearby residential properties.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, i.e., to the north is BIZ General Business (Buona Beef restaurant with drive-through) and across 131st Street is unincorporated area improved with Peoples Republic Bank; to the south is BIZ General Business, currently vacant/undeveloped land but approved as an Office P.U.D. (Southmoor Commons); to the east is R-4 Residential and vacant undeveloped land but approved as a Condominium P.U.D. (Southmoor Commons); and to the west is BIZ General Business consisting of a mix of uses approved as a part of the Southmoor Commons P.U.D., including a restaurant with drive-through, commercial retail/personal service/medical offices and a financial institution.

(d) The design of the development will minimize adverse effects. The proposed site plan illustrates a 2,297 square foot expansion to the existing ALDI grocery store with a reconfigured parking lot to meet Village parking requirements as well as new landscaping. Additionally, the modification to reconfigure the existing parking lot to the north of the ALDI grocery store is acceptable to provide the required amount of parking for the expansion while minimizing any disturbance to the existing site.

(e) There will be no adverse effects on the value of the property. The Subject Property is currently utilized by parking spaces for the existing ALDI grocery store, and this Amended Special Use development will bring commerce to the Village as well as provide residents an expanded grocery store and additional employment opportunities. Additionally, the development will facilitate new landscaping on and around the Subject Property.

(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 will be capable of serving the amended special use at an adequate level of service. All utilities are accounted for and can accommodate the proposed development plan.

(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

An Amended Special Use permit to allow for a 2,297 square foot expansion to the existing 16,219 square foot ALDI grocery store and a reconfiguration of the parking lot is hereby granted, subject to the conditions below for the following described property:

LOT 6 IN SOUTHMOOR COMMONS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 31, 2007 AS DOCUMENT 703106114, IN COOK COUNTY, ILLINOIS.

PIN: 23-34-302-023-0000

This Amended Special Use Permit is subject to the following conditions:

A. The Subject Property shall be developed substantially in accordance with the Final Site Plan entitled "Final Site Dimensional and Paving Plan," prepared by Manhard Construction dated June 4, 2018, subject to the following conditions to be met by Petitioner:

- 1) Meet all Village final engineering requirements; and
- 2) Screen all mechanical equipment either at grade or at roof top with landscaping or parapets respectively.

B. The Development shall be developed substantially in accordance with the elevation drawings entitled "Final Exterior Elevations," sheet A.201, prepared by Manhard Construction dated June 4, 2018, subject to the following conditions to be met by Petitioner:

- 1) Submit a sign permit application for all proposed signage;

- 2) Meet all Village engineering and Building Code requirements; and
- 3) Screen all mechanical equipment either at grade or at roof top with landscaping or parapets respectively.

C. The Development shall be developed substantially in accordance with the preliminary landscape plan entitled "Landscape Plan," prepared by Jon Bradley Dethloff and submitted by Manhard Construction, dated September 29, 2017, sheet 9, subject to the condition that:

- 1) Petitioner must submit a final landscape plan and all required supporting documentation in coordination with final engineering submittal; and
- 2) Screen all mechanical equipment either at grade or at roof top with a landscaping or parapets respectively.

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 Amended Special Use Permit granted by 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 Amended Special Use for the 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.