



Legislation Text

File #: 2018-0619, **Version:** 3

Title

ORDINANCE GRANTING A SPECIAL USE WITH MODIFICATIONS (TOMMY’S CAR WASH - 15819 S. WOLF ROAD)

Body

WHEREAS, an application seeking a special use permit, with modifications has been filed by the Petitioner (Daniel Elliot) with the Village Clerk of this Village and has been referred to the Plan Commission of the Village and has been processed in accordance with the Land Development Code of the Village of Orland Park (the “Code”), as amended; and

WHEREAS, the Plan Commission held a public hearing on April 16, 2019, on whether the requested special use permit with modifications should be granted, at which time all persons present were offered 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 Daily Southtown, a newspaper of general circulation in this Village; and

WHEREAS, the Plan Commission has filed its report of findings and recommendations that the requested special use with modifications be granted with this Village 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 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 hearing 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 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. The Subject Property is Zoned BIZ General Business and the Special Use is in accordance with the provisions of the Comprehensive Land Use Plan of the Village, which designates the site at 15819 S. Wolf Road (“Subject Property”) as “Neighborhood Mixed Use” in the “Centennial 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 Special Use to allow for a 5,167 square foot car wash building on a 1.54 acre parcel on the Subject Property in the BIZ General Business Zoning District with modifications as follows:

(a) The Subject Property is located at 15819 S. Wolf Road within the Village and the proposal is to develop the Subject Property for a 5,167 square foot car wash building on the 1.54 acre parcel.

(b) The proposed development is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Code. The Comprehensive Plan designates this area as “Neighborhood Mixed Use” in the “Centennial Planning District”, and the Subject Property is located in the BIZ General Business Zoning District. The Subject Property will fulfill the BIZ General Business District’s established principles by providing for higher volume and higher intensity commercial uses, including motor vehicle retail sales and service and which provide employment and revenue for the Village.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, i.e., to the north is a vacant lot zoned BIZ; to the south (across 159th Street) is a bank, zoned RSB; to the east is a vacant lot zoned BIZ; and to the west (across Wolf Road) is a commercial strip center zoned BIZ.

(d) The design of the development will minimize adverse effects. The proposed site plan will pre-treat stormwater run-off through use of “bio swale”, prior to entering a shared detention pond; adequately accommodates traffic and access for vehicles and pedestrians.

(e) There will be no adverse effects on the value of adjacent property. The Subject Property is currently vacant, and this special use will facilitate new landscaping on and around the Subject Property, and will have adequate access and improve parking and update the Village pedestrian access and circulation. The proposed use is compatible with the BIZ General Business Zoning District.

(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 special use at an adequate level of service. All utilities are accounted for and can accommodate the proposed development layout. Specifically, adequate capacity for sanitary and water service is available on site, the storm water management system has adequate capacity to service the development improvements.

(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 with modifications as specified in SECTION 2 of this Ordinance is hereby granted, subject to the conditions below for the Tommy’s Car Wash, as described in SECTION 2, at 15819 S. Wolf Road, legally described as follows;

LEGAL DESCRIPTION:

PARCEL 1: LOT 1 IN WOLF POINT PLAZA, BEING A SUBDIVISION OF THE SOUTH 20 ACRES OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS SHOWN ON THE PLAT RECORDED SEPTEMBER 17, 2010 AS DOCUMENT No. 1026045035, IN COOK COUNTY, ILLINOIS.

PARCEL 3: EASEMENTS FOR ACCESS, INGRESS AND EGRESS IN THAT DECLARATION OF RECIPROCAL EASEMENT AND USE RESTRICTIONS AGREEMENT BY WOLF POINT PLAZA, LLC DATED SEPTEMBER 2, 2010, AND RECORDED SEPTEMBER 17, 2010 AS DOCUMENT 1026004128, AND AS DELINEATED ON THE PLAT OF SUBDIVISION RECORDED SEPTEMBER 17, 2010 AS DOCUMENT No. 1026045035.

PIN: 27-17-315-001-0000

The Special Use with modifications hereinafter described, is approved and shall be developed substantially in accordance and as shown on the Preliminary Site Plan entitled "Preliminary Site Plan" prepared by V3 Companies, Sheet C1.0 dated August 31, 2018, last revised April 1, 2019, subject to:

- 1) Meeting all Building Code and final engineering requirements, including securing all required permits from outside agencies;
- 2) Screening all mechanical equipment at either grade or roof top levels, with landscaping or parapets, respectively;
- 3) Petitioner must submit a sign permit application to the Development Services Department for separate review and approval via the Village sign permitting process as additional restrictions may apply;
- 4) Providing a cross access easement from Ziegler Drive to the cross access drives on the east property line;
- 5) The photometric plan shall comply with all lighting requirements in accordance with Code Section 6-315.

In addition, the Subject property shall be developed substantially in accordance with the Elevations titled "Exterior Elevations" prepared by Progressive Architecture Engineering, PC. Sheet A305 dated September 10, 2018, subject to the following conditions:

- 1) All mechanical equipment shall be screened either at grade level with landscaping or hidden behind the roof line;
- 2) All masonry must be of anchored veneer type masonry with a 2.625 inch minimum thickness.
- 3) Petitioner must submit a sign permit application to the Village Development Services Department for separate review and approval in accordance with the Village sign permitting process and additional restrictions may apply.
- 4) All final engineering and Building Code requirements must be met.

Finally, the Subject Property shall be landscaped in accordance with the Preliminary Landscape Plan titled "Landscape Plan" prepared by Daniel Weinbach & Partners, Ltd., Sheets L-1.0, L-2.0, and L-3.0 dated February 12, 2019, and "Wall Elevation" Sheet LSK-1 dated February 8, 2019 conditioned upon submission to the Village of a final landscape plan meeting all Village Codes and with all supporting documentation addressing all outstanding landscape items in conjunction with Petitioner's final engineering submittal.

SECTION 4

The following modifications to the Special Use permit hereby granted are hereby approved and include:

- 1) A modification to locate drive-through lanes in the setback areas between the building facade and the street;
- 2) A modification to increase the number of drive-through lanes between the building facade and the street from one (1) lane with a maximum width of fourteen (14) feet to three (3) lanes with a combined width of thirty-six and one-half (36.5) feet;
- 3) A modification to Code Section 6-306.B to increase the number of parking spaces from two (2) spaces to twenty-two (22).

SECTION 5

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 permit and modification of this Ordinance shall be subject to revocation by appropriate legal proceedings.

SECTION 6

Any Ordinance in conflict with the provisions of this Ordinance is hereby repealed to the extent of such conflict.

SECTION 7

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 with a modification for the development as aforesaid.

SECTION 8

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