



## Legislation Text

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**File #:** 2017-0431, **Version:** 3

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### **Title/Name/Summary**

ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MOTOR VEHICLE SERVICES IN THE GENERAL BUSINESS DISTRICT (CARZ N MORE)

### Body

WHEREAS, an application seeking a special use permit for a motor vehicle service facility in the BIZ General Business District 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 July 11, 2017, on whether the requested 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 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 for a motor vehicle service facility in the BIZ General Business District, as follows:

(a) The Subject Property is located at 15642 S. 70<sup>th</sup> Court in the South Pointe Industrial Building. The business will focus primarily on the repair and maintenance of vehicles, including the following work: diagnosis and repair of drivability problems, engine performance diagnosis and repair, electrical repair and diagnosis (power shortages, fuse replacements, electrical harness issues), computer replacement and diagnosis (vehicle communication system repairs), fuel injection diagnosis and repair, emission test troubleshooting and repair, steering repairs (suspension, steering, antilock braking and braking), complete exhaust system diagnosis and repairs, and general vehicle maintenance. The proposed business proposes to occupy a 2,500 square foot unit, which includes a large indoor garage space, a 100 square foot office, a 140 square foot storage space, and two (2) restrooms. A special use permit is necessary pursuant to Section 6-207.C.11 of the Land Development Code, which requires a special use permit for motor vehicle services in a BIZ General Business District. There are no modifications or variances proposed for this project.

(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 Manufacturing Employment Emphasis, and there are at least four (4) other motor vehicle service business located in the surrounding parcels.

(c) The proposed development will be consistent with the character of the immediate vicinity of the Subject Property, which is presently zoned BIZ General Business District to the north, south, east and west, where multi-tenant building, commercial/retail, office/storage yard and motor vehicle service uses are located.

(d) The design of the development will minimize adverse effects, including visual impacts, on adjacent properties. The Petitioner is not proposing any changes to the exterior building or property, and the proposed use should not have any negative impact on surrounding land uses. The proposed work is to be contained entirely within the business, and the Subject Property is not adjacent to or facing any residential property. The closest residential district is located approximately 600 feet to the east of the Subject Property with a road and construction contractor business as a buffer in between. Additionally, Petitioner shall abide by the noise control requirements set forth in Chapter 2 and Chapter 4 of Title 6 of the Village Code. The proposed development will not adversely affect the value of adjacent property, but will fill in a vacant space. Parking is available and has been determined to be adequate. All outdoor storage will be screened per the Land Development Code requirements, and garbage enclosures will be located to the rear of the Subject Property.

(e) 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. Access to the Subject Property is available from three (3) curb cuts along 157<sup>th</sup> Street to the south, and an additional four (4) curb cuts to the east along 71<sup>st</sup> Court. A shared cross access point on the north property line also exists, connecting to the Subject Property to the neighboring businesses and parking lots. In accordance with the Village Code, the proposed garage shall be provided with floor drains or trench drains connected to a gas and oil interceptor. Additionally, a triple basin will be installed by the Petitioner inside the building upon approval of the special use permit. All hazardous waste materials shall be contained in a volatile waste container and picked up by Crystal Clean Waste located at 2175 Point Blvd, Suite 375, Elgin, IL 60123.

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

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

(h) 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 for the operation of motor vehicle service facility at 15642 S. 70<sup>th</sup> Court is hereby granted, subject to the conditions below, and issued to Carz N More, for the following described property:

PARCEL 1: THE SOUTH 385 FEET OF LOT 112 IN CATALINA'S COMMERCIAL AND INDUSTRIAL SUBDIVISION OF LOTS 3 AND 6 IN SILVER LAKE GARDENS UNIT NUMBER 7, A SUBDIVISION OF PART OF THE WEST 1/4 OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 2, 1973 AS DOCUMENT 22532993, IN COOK COUNTY, ILLINOIS.

PINs: 28-18-309-009-0000

This special use permit is subject to the following conditions:

1. That no new or used automobile sales of any kind are allowed on the premises;
2. That all work is conducted indoors;
3. That the garage doors facing residential areas remain closed at all times except for the exchange of vehicles;
4. That vehicles parked outside for more than five (5) business days are considered outdoor storage and will require additional screening per Village requirements;
5. That no more than eight (8) vehicles are parked on the premises at any time;
6. That no unlicensed and/or unregistered cars may be on the premises at any time;
7. That a triple basin is installed and inspected by the Village;
8. That the violation of any of these stated conditions or any Village of Orland Park statute may result in the revocation of the special use permit associated with the project.

### 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 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.