



## Legislation Details (With Text)

<b>File #:</b>	2020-0751	<b>Version:</b>	1	<b>Name:</b>	Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan
<b>Type:</b>	MOTION	<b>Status:</b>		<b>Status:</b>	PASSED
<b>File created:</b>	10/29/2020	<b>In control:</b>		<b>In control:</b>	Board of Trustees
<b>On agenda:</b>	5/3/2021	<b>Final action:</b>		<b>Final action:</b>	5/3/2021
<b>Title:</b>	Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan				
<b>Code sections:</b>					
<b>Attachments:</b>	1. Preliminary Site Plan, 2. Preliminary Elevations, 3. Preliminary Landscape Plan, 4. Special Use Standards, 5. Business Operations Narrative, 6. Floor Plan				

Date	Ver.	Action By	Action	Result
5/3/2021	1	Development Services Department	INTRODUCED TO BOARD	
5/3/2021	1	Board of Trustees		
4/20/2021	0	Plan Commission		
4/20/2021	0	Development Services Department	INTRODUCED TO COMMISSION	

### Title/Name/Summary

Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan

### History

#### QUICKFACTS

#### Project

Joe Rizza Lincoln Dealership - Development Petition for Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan  
2020-0751

#### Petitioner

Simon Yu - Simon Design Group

#### Purpose

The petitioner seeks the approval of a Special Use Permit Amendment with Modifications to allow for the expansion of the buildings footprint by roughly 2,100 square feet and to make alterations to the site plan of the eastern portion of the subject property which will be occupied by Joe Rizza Lincoln. No changes to the western portion of the subject property (Acura Dealership) are proposed as part of this project.

**Requested Actions:** Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan

**Address:** 8130 159<sup>th</sup> Street

**P.I.N.(s):** 27-14-402-022-0000; 27-15-302-027-0000; 27-15-302-028-0000

**Parcel Size:** 3.63 Acres (158,122 Square Feet)

**Comprehensive Plan Planning District & Designation:** 159<sup>th</sup> & Harlem Planning District with Community

Commercial and Automobile Dealership Designation

**Existing Zoning:** BIZ General Business District

**Existing Land Use:** Motor Vehicle Sales and Motor Vehicle Services

**Proposed Land Use:** Motor Vehicle Sales and Motor Vehicle Services

**Surrounding Land Uses & Zoning:**

North: R-3 Residential District - Multi-Family Residential

South: Not Orland Park / Tinley Park - (across 159<sup>th</sup> Street) Motor Vehicle Sales (Hyundai)

East: BIZ General Business District - Motor Vehicle Services (Joe Rizza Ford)

West: Not Orland Park / Unincorporated Cook County - ComEd Easement / Vehicular Storage

**BACKGROUND**

The subject property is part of a greater Planned Development. In 1986, per Ordinance Number 1513, a Special Use Permit for a commercial Planned Development was granted to the petitioner for the construction of four (4) automobile dealerships at the northwest corner of 159<sup>th</sup> Street and 80<sup>th</sup> Avenue known as the Nives Rizza Subdivision. The Acura dealership, with a common address of 8150 159<sup>th</sup> Street, was constructed at this time.

In 1994, per Ordinance Number 2540, the Village Board of Trustees approved a Special Use Permit Amendment to construct the Rizza Ford World as well as to allow for Motor Vehicle Services at the proposed Ford dealership and at the existing Acura dealership. Modifications granted at this time included a reduction of impervious surface ratio from 25% to 15% (maximum lot coverage of 85%). In 1997, the two (2) existing dealerships (Acura and Rizza Ford World) were subdivided to each have their own lot.

In 2004, per Ordinance Number 3971, the Village Board of Trustees approved a Special Use Permit Amendment to allow for the construction of a 3,714 square foot building (Porsche Dealership) located on the parcel with a common address of 8150 159<sup>th</sup> Street (Acura Dealership site). No modifications were requested as part of this petition.

In 2015, the Village Board of Trustees approved a Special Use Permit Amendment with Modifications for the Acura Planned Development proposing to rectify many of the nonconformities that resulted from the 2004 subdivision. In addition to this Special Use Permit Amendment, the Board of Trustees approved the re-subdivision of the subject property to reduce bulk requirement variances. At this time, it was proposed that lot coverage would be roughly 95.8%, with underground detention, and a modification was granted for lot coverage exceeding 75% without a specific maximum. The project approved by the granted Special Use Permit Amendment with Modifications did not take place. Per Section 5-105 of the Land Development Code, Special Use Permits shall expire three (3) years after the date of approval by the Board of Trustees if the applicant has not started the approved work. No extensions were requested for the project, and an Ordinance was not passed.

Since this time, there have not been any changes to the subject properties.

**PROJECT DESCRIPTION & CONTEXT**

The petitioner is proposing to increase the proposed Rizza Lincoln Dealerships (currently Maserati dealership) foot print by roughly 2,100 square feet. Expansions to the building will take place on the east, south, and west sides of the structure. This expansion results in the structure encroaching in the east side yard setback.

Changes to the site plan, only including the area of impact for Rizza Lincoln and not Acura, include the reconfiguration and construction of the parking and drive aisles to the south of the building, reconfiguration of the rear employee parking area, new internal pedestrian sidewalk connections, and new landscaped areas.

The project closely resembles the project that the Village Board of Trustees approved in 2015 with the exception of re-subdivision and underground detention. Many of the modifications being requested reflect those previously approved with a few exceptions such as the encroachment into the east side setback.

The project conforms to the Village's Comprehensive Plan and the Land Development Codes and policies for this area, aside from the described modifications.

## **SITE PLAN**

The subject property currently consists of one (1) 16,696 square foot structure occupied by Joe Rizza Acura as well as one (1) 3,600 square foot structure currently occupied by Joe Rizza Maserati. There are currently two-hundred and forty-eight (248) parking spaces on site. Of these two-hundred and forty-eight (248) parking spaces, two-hundred and twenty-five (225) are utilized as inventory parking, nineteen (19) are standards stalls, and four (4) are accessible spaces.

This property also contains a portion of the existing detention area, a shared garbage enclosure to the rear of the Acura building, monument signage to the east and west of the direct access point from 159<sup>th</sup> Street, a pedestrian sidewalk that runs east-west along 159<sup>th</sup> Street which is stubbed at the western property line, as well as established cross-access drive-aisles between the subject property and the adjacent properties to the east and west.

There are no proposed changes to the Acura building nor are there proposed improvements to the Acura "area of impact" as part of this project.

The petitioner is proposing to increase the proposed Rizza Lincoln Dealerships (currently Maserati dealership) foot print by roughly 2,100 square feet. A portion of the building will be expanded to the east to serve as a customer lane for service write-ups. The existing structure will also expand to the south and west. This expansion will primarily serve as an inventory showroom but it also includes an office that will be relocated.

Proposed changes to the site plan include the reconfiguration of the parking lot to the south of the building, reconfiguration of the rear parking area adjacent to the building on the north side, the construction of new foundation landscaping on the north, south, east, and west sides of the subject building, the construction of parking lot islands in the new double parking row to the south of the subject building, the establishment of a drive-aisle along the east property line, the construction of internal pedestrian sidewalks, relocation of light poles in the south parking lot, and a new curb cut to the west of the building to provide new inventory access into the building.

In addition, roughly seven (7) new parking spaces will be created on site. Conceptual signage is shown immediately to the south of structure via a "dealer sign" and conceptual directional signage is shown in the proposed drive-aisle along the eastern property line.

## **PLAN COMMISSION DISCUSSION - APRIL 20, 2021**

A public hearing was held before the Plan Commission on April 20, 2021. The issues discussed at the public hearing are summarized below.

Noise Pollution. Cheryl Rogers, a homeowner on Foxbend Court, expressed discontent with the amount of noise and the visibility of the business operations behind the Joe Rizza Ford Dealership (adjacent property to the subject property). Ms. Rogers explained that there are high levels of noise from deliveries that occur in the middle of the night from 1 a.m. to 4 a.m. regularly. She stated that when the deliveries arrive, the tailgate is dropped and oftentimes loud music is playing that can be heard beyond the Ford property. She continued that

any further expansion to the north, both in building footprint or in regards to operations, would be atrocious.

Chairman Parisi clarified that the area in question was not the area being discussed in the current proposal. Ms. Rogers expressed concern about the potential increase in vehicular traffic as a result of the Lincoln motor vehicle service lane as these vehicles would be taken to Ford for servicing. Ms. Rogers expressed further concern regarding the inability of the dealership to control the time of deliveries, the lack of a sound buffer between the residential and commercial properties, as well as the unsightliness of the triple stack parking to the rear of the Lincoln dealership

Dan McMillan, CFO for Joe Rizza, stated that the car brands determine the time for deliveries, the triple stack parking to the rear of the proposed Lincoln building is existing, and that the existing Maserati dealership currently services Maserati's and Alfa Romeo's at the Ford dealership and therefore, there would not be a substantial increase in vehicular traffic if there were to be any.

Chairman Parisi asked what was happening with the deliveries which are taking place very late at night or early in the morning. Mr. McMillan explained that parts are being delivered, not vehicles, as there are very strict timeframes for delivering cars between 9 a.m. and 5 p.m. so they can be checked in properly. He continued, stating that they have tried with Ford to have the deliveries come later in the day or in the morning, but they have not had success in doing so. Chairman Parisi suggested that Mr. McMillan speak with Ford again regarding the matter.

Vice-Chairman Schussler asked if it would be possible to deliver the materials someplace else to mitigate the noise pollution. Mr. McMillan indicated that they will investigate moving the deliveries either to the side of the Ford dealership or possibly to the Acura dealership.

Light Pollution. Ms. Rogers asked for clarification on the increased lighting. Chairman Parisi indicated that he was also concerned about the lighting, but that Kyle Quinn, Village Planner, adequately addressed the issue as it will only pertain to the south parking lot along 159<sup>th</sup> Street.

Vice-Chairman Schussler asked for the area to be identified where the increased lighting would be placed. Mr. Quinn indicated three (3) light poles that are to be relocated within the south parking lot, along 159<sup>th</sup> Street. Vice-Chairman Schussler asked if the residents to the north would be getting any additional light pollution. Mr. Quinn stated that the submitted photometric plan shows that there will not be further light pollution to the north.

Commissioner Zaatar expressed support for the project and noted that the building looks very nice. He expressed concern regarding the lighting intensity and indicated maybe an adjustment to the motion and to specify it is just for what is on the drawing which is to the south of the building. Commissioner Zaatar also asked what other businesses have similar lighting intensity to that which is being proposed. Kyle Quinn explained that the BMW and Porsche dealerships along 159<sup>th</sup> Street have similar lighting primarily in the parking lots directly off of 159<sup>th</sup> Street. Commissioner Zaatar stated that the Porsche dealership is located on a hill and is more isolated, as is BMW. He continued by saying that he is not sure that he would like to see all the dealerships have that intensity of lighting and asked if there was a way to control the lighting during operating hours. Mr. McMillan stated that there are timers that are adjusted throughout the year so that they turn on when it becomes dark. Commissioner Zaatar asked for confirmation that the intensity would only be for

operating hours and not in the middle of the night. Mr. McMillan answered that there are poles that have two (2) LED's on it and both will be turned off at night and some will have one (1) LED on as the police appreciate the extra lighting along 159<sup>th</sup> Street.

Landscape Bufferyard. Ms. Rogers requested information on the required Type D landscape bufferyard along the north property line of the proposed Lincoln dealership. Kyle Quinn explained that he does not have the Type D landscape bufferyard requirements in front of him and he could not elaborate on the requirements because the Type D bufferyard is no longer in the Land Development Code. However, due to the fact that the Type D bufferyard was required in previous approvals, he required it as well. Kyle Quinn continued that the Type D bufferyard is much wider and denser than what is currently required in the landscape code and he would be happy to provide the information to Ms. Rogers at a later time.

Ms. Rogers asked if the bufferyard could be extended all the way down. Chairman Parisi explained that the Ford dealership is not part of the current petition. Kyle Quinn responded that as part of the original approval the Acura and Ford site were all part of one planned development and the Type D bufferyard was installed on the north property line of the Ford dealership. Kyle Quinn further explained that as part of the Lincoln approval, the bufferyard would be further extended to the west. At such a time that the Acura dealership is expanded, the bufferyard would be required to be completed along that portion of the north property line as well.

Vice-Chairman Schussler indicated that although it is not required, it would be nice if the landscaping could be "beefed" up behind the Ford dealership. Mr. McMillan indicated that an idea would be to plant the four (4) parking lot island trees that cannot be located in the south parking lot in the bufferyard to the north of the Ford dealership. Chairman Parisi asked staff if that was agreeable instead of using the cash contribution. Kyle Quinn indicated that it would be the departments preference, and there would be no issue with it due to the fact that the landscape bufferyard was in the planned development and under same ownership.

Commissioner Paul expressed support for doing something in the rear regarding the bufferyard as well as moving the deliveries at night from the back to the front.

Increased Service Traffic. Chairman Parisi continued about noise abatement and insufficient bufferyard on the north end of the property line as well as an increase in traffic creating additional noise and deliveries being made late in the night or early morning. Mr. McMillan stated there should not be any additional traffic as they are doing the same process for Maserati and Alfa Romeo currently. Chairman Parisi clarified that there would not be an increase in traffic but an increase in space for the dealership and it will service the same amount of cars. Mr. McMillan clarified that there is not a new franchise center being brought in but rather the Lincoln dealership is currently located inside the Ford dealership. He further explained that the Ford dealership wanted to split the dealerships so that they would be in separate buildings but with the same amount of cars.

Vice-Chairman Schussler asked if there would be fewer cars because there will not be Maserati and Alfa Romeo vehicles. Mr. McMillan confirmed that they will not have cars from Maserati and Alfa Romeo so there may be fewer cars if they do not increase the inventory of Ford or Lincoln.

Bicycle Parking. Commissioner Sanchez expressed that the required eighteen (18) bicycle spaces seemed excessive and wondered if that was a previous approval given to go down to zero. Kyle Quinn indicated that

the amount of required bicycle parking spaces is based on the amount of parking spaces and is attributed to the inventory parking. Further, Kyle Quinn explained that there had not been a modification granted previously regarding the bicycle parking.

Design Standards. Commissioner Sanchez asked if the first modification, regarding the anchored brick design standards, is common. Kyle Quinn explained that it is fairly common for other car dealerships but it is not an everyday request that is received.

East Lot Line Encroachment. Commissioner Nugent expressed concern regarding the zero lot line in the future. Kyle Quinn indicated that all of the dealerships are part of a planned development and are under same ownership. However, hypothetically, there could be a conflict if Mr. Rizza sold the Ford property and if someone else wanted to construct an outlet. Kyle Quinn further explained that when the Acura dealership plan is proposed for expansion, the topic of subdividing the property will be explored because of lot coverage and detention requirements that will be triggered as part of any further expansion. Mr. McMillan confirmed that the subdivision has been discussed previously, and that it is something they are looking at for the future.

Motion Change. Vice-Chairman Schussler stated that the Commission was making changes to the modifications and conditions of approval for the landscaping and lighting. The landscaping motion is to now require the relocation of the four (4) parking lot island trees to the bufferyard north of the Ford dealership. Further, the condition of approval regarding the lighting was altered to be more specific about the location of the modification.

Overall, the Plan Commission expressed support of the project.

### **PLAN COMMISSION MOTION - APRIL 20, 2021**

On April 20, 2021, the Plan Commission moved by a vote of 7-0 to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated April 20, 2021.

And moved, by a vote of 7-0, to recommend to the Village Board approval of the **Preliminary Site Plan** titled "Preliminary Site Plan," Sheet 4/6, prepared by MeritCorp, dated February 15, 2019, and last revised February 19, 2021.

And moved, by a vote of 7-0, to recommend to the Village Board approval of the **Preliminary Landscape Plan** titled "Landscape Plan", prepared by Dahl Landscaping, bearing no date.

And moved, by a vote of 7-0, to recommend to the Village Board approval of the **Preliminary Elevations** titled "Exterior Elevations," on Sheets A04.01 and A04.02, prepared by Simon Design Group, dated December 29, 2016, and last revised February 14, 2021.

And moved, by a vote of 7-0, to recommend to the Village Board approval of a **Special Use Permit Amendment** to the Ordinance Number 1513 to allow for the changes to the Planned Development, subject to the same conditions as outlined in the Preliminary Site Plan motion. **Modifications** to the Special Use Permit include:

1. A modification to waive the requirements that anchored brick, stone or similar masonry materials shall extend from the adjacent grade to the top of each story (Section 6-308.K).

2. A modification to allow for drive-aisles and parking lots between the building and the street (Section 6-207.F.4).
3. A modification to decrease the east side setback from a minimum of fifteen (15) feet to zero (0) feet (Section 6-207.F.2).
4. A modification to allow to increase the number of required parking spaces from seventy-five (75) to two-hundred and fifty-five (255) parking spaces (Section 6-306).
5. A modification to decrease the amount of required bicycle parking from eighteen (18) to as little as zero (0) (Section 6-306.H).
6. A modification to allow for triple stacked parking spaces without direct and unrestricted access to an aisle for the rear vehicle inventory parking lot area (Section 6-306.C.2).
7. A modification to increase the allowed lot coverage from 75% to 86% (Section 6-207.G).
8. A modification to waive the parking lot island requirement for the rear vehicle inventory parking lot area (Section 6-305.D.6.a.2)
9. A modification to increase the allowable maximum lighting intensity during operating hours from 40 foot candles to 82.8 foot candles and lumens per square foot from 7.0 to 103 (Section 6-315.A.2). This modification will be limited to the area south of the building on the site.

This case is now before the Village Board of Trustees for final consideration.

#### Recommended Action/Motion

I move to approve the Special Use Permit Amendment with Modifications, Site Plan, Elevations, and Landscape Plan for the proposed Joe Rizza Lincoln Development Petition, as recommended at the April 20, 2021 Plan Commission meeting, and as fully referenced in the motion below.

#### **THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)**

I move to approve the **Preliminary Site Plan** titled "Preliminary Site Plan," Sheet 4/6, prepared by MeritCorp, dated February 15, 2019 and last revised February 19, 2021, subject to the following conditions:

1. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
2. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the code requirements listed in Section 6-308.J.
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply;

And,

I move to approve the **Preliminary Landscape Plan** titled "Landscape Plan", prepared by Dahl Landscaping, bearing no date, subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. Submit a final landscape plan meeting all Village Code and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal.
2. Install the Type D landscape bufferyard along a portion of the north property line, directly north of the proposed Joe Rizza Lincoln Dealership, as required by Ordinance Numbers 1513, 2540, and 3971.
3. Relocate the four (4) required parking lot island trees to the north buffer area to the north side of the Rizza Ford site.
4. Provide the required amount of ornamental trees for foundation and interior landscaped areas as part of Final Landscaping;

And,

I move to approve the **Elevations** titled "Exterior Elevations," on Sheets A04.01 and A04.02, prepared by Simon Design Group, dated December 29, 2016 and last revised February 14, 2021 subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness.
2. Roof-mounted mechanical equipment shall be fully screened from view by parapet walls, the roof structure, architectural elements, or an alternative screening structure.
3. Submit roof-top screening details to Development Services Department for review and final approval prior to Ordinance adoption.

And,

I move to approve a **Special Use Permit Amendment** to the Ordinance Number 1513 to allow for the changes to the Planned Development, subject to the same conditions as outlined in the Preliminary Site Plan motion. **Modifications** to the Special Use Permit include:

1. A modification to waive the requirements that anchored brick, stone or similar masonry materials shall extend from the adjacent grade to the top of each story (Section 6-308.K).
2. A modification to allow for drive-aisles and parking lots between the building and the street (Section 6-207.F.4).
3. A modification to decrease the east side setback from a minimum of fifteen (15) feet to zero (0) feet (Section 6-207.F.2).
4. A modification to allow to increase the number of required parking spaces from seventy-five (75) to two-hundred and fifty-five (255) parking spaces (Section 6-306).
5. A modification to decrease the amount of required bicycle parking from eighteen (18) to as little as zero (0) (Section 6-306.H).
6. A modification to allow for triple stacked parking spaces without direct and unrestricted access to an aisle for the rear vehicle inventory parking lot area (Section 6-306.C.2).
7. A modification to increase the allowed lot coverage from 75% to 86% (Section 6-207.G).
8. A modification to waive the parking lot island requirement for the rear vehicle inventory parking lot area (Section 6-305.D.6.a.2)
9. A modification to increase the allowable maximum lighting intensity during operating hours from 40 foot candles to 82.8 foot candles and lumens per square foot from 7.0 to 103 (Section 6-315.A.2). This modification will be limited to the area south of the building on the site.