



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Ordinance No: 4314

File Number: 2007-0380

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - INFINITI OF
ORLAND PARK, INC.

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STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 20th day of November, 2007 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

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ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - INFINITI OF ORLAND PARK, INC.

WHEREAS, an application seeking an amendment to a special use permit and a modification 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 October 23, 2007, on whether the requested amendment to a special use permit and modification 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 Star and The Daily Southtown, newspapers of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested amendment to a special use permit and modification 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 amendment to a special use and modification 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 in relation to the amendment to a special use permit and modification for vehicle sales in the BIZ General Business District as

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follows:

(a) The Subject Property is located at 8500 West 159th Street, and is zoned BIZ General Business District within the Village of Orland Park, Cook and Will Counties, Illinois. The Petitioner, Infiniti of Orland Park, Inc. is seeking an amendment to a special use permit for vehicle sales on the Subject Property, which is a major special use in the BIZ General Business District. Petitioner also seeks a modification of the requirement that lot coverage in the BIZ District not exceed 75%. The Subject Property is also the subject of Special Use Permits granted by Village Ordinances 1787 and 2147.

(b) Specifically, Petitioner proposes to build two single story additions totaling 5,806 square feet to the existing car dealership building on the Subject Property. Plans show a 1,116 square foot vehicle delivery addition on the west side of the building and a 4,690 square foot service addition on the north side of the building.

(c) Petitioner also requests a modification to the maximum lot coverage to permit 85.5% lot coverage. While BIZ District regulations cite a maximum of 75% lot coverage, currently lot coverage is 86.1%. Nevertheless, no modification was granted in the previous ordinances for this property. Granting the requested modification will allow the current plan to be implemented, resulting in a reduced lot coverage to increase the ability of the overall special use to meet the general standards for all special uses.

(d) The proposed amendment to a special use will be consistent with the character of the immediate vicinity of the Subject Property. The surrounding property is zoned BIZ General Business District to the east and west, R-3 Residential to the north and commercial in the Village of Orland Hills to the south. There are existing automobile dealerships to the south and to the east of the Subject Property. The lot to the east contains a Mercedes Benz auto dealership. The single family residential area to the north of the Subject Property is appropriately screened by the mature bufferyard. The proposed Infiniti automobile sales use will be compatible with these surrounding uses.

(e) The proposed amendment to a special use for additions to an automobile dealership 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 site as Community Intensity Commercial/Office. Automobile sales are appropriate in such an area, and the building additions on the 1.74 acre parcel will not affect that appropriateness.

(f) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. Additional landscaping has been requested to fill gaps along with bufferyard and around foundation of the service addition.

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(g) The Petitioner has 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 amended special use at an adequate level of service. The site has access to 159th Street, a six-lane state- maintained major arterial. No new curb cuts are proposed. Parking will be reduced by twenty-seven (27) spaces, but will still meet Village standards.

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

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

(j) The special use amendment and modification as granted 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, unless specifically addressed in this or another Ordinance.

SECTION 3

An amendment to a special use permit and a modification to the maximum permitted lot coverage, subject to the conditions below, are hereby granted and issued to Infiniti of Orland Park for the construction and operation of a 1,116 square foot vehicle delivery addition and a 4,690 square foot service addition, on the west and north sides, respectively, of the existing automobile dealership on the Subject Property. The Subject Property is legally described as follows:

PARCEL 1:

LOT 1 IN INFINITI RESUBDIVISION OF LOT 693 IN ORLAND GOLF VIEW UNIT 9-A, A SUBDIVISION OF PART OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 27-14-313-036

PARCEL 2:

THE EAST 48.79 FEET OF LOT 692 IN ORLAND GOLF VIEW UNIT 9-A, A SUBDIVISION OF PART OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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This amendment to a special use permit includes a modification of the otherwise-applicable 75% maximum lot coverage to permit 85.5% lot coverage on the Subject Property and is issued on the condition that construction be pursuant to the Preliminary Plan and building elevations entitled "Additions to Infinity of Orland Park," prepared by EAI, project number 27-002, dated 5/30/07, most recent revision 10-11-07, sheets C 1.0 and A 2.0, subject to the following further conditions:

1. That the petition submit a landscape plan for separate review and approval that provides extensive foundation landscaping around the service addition and fills the gaps and areas of dead vegetation along the north bufferyard.
2. That the Petitioner correct the sunken utility box and hole in the north bufferyard.
3. That all final engineering related items are met.

SECTION 4

The Petitioner hereunder shall at all times comply with the terms and conditions of this amendment to a special use permit and the prior special use permits for the Subject Property, except as any terms and conditions of the prior ordinances are specifically amended by this or another ordinance and in the event of non-compliance, said permits 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, be amended so as to be in conformance with the granting of the amendment to a 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.

PASSED this 19th day of November, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 5 Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President
McLaughlin

Nay: 0

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Absent: 2 Trustee Murphy, and Trustee Dodge

DEPOSITED in my office this 19th day of November, 2007

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 19th day of November, 2007

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

PUBLISHED this 20th day of November, 2007

/s/ David P. Maher

David P. Maher, Village Clerk