



VILLAGE OF ORLAND PARK

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

Ordinance No: 4179

File Number: 2006-0049

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - CAR WASH,
MERCEDES BENZ OF ORLAND PARK

VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

Published in pamphlet form this 19th day of September, 2006 by authority of the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois.

VILLAGE OF ORLAND PARK

Ordinance No: 4179

ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - CAR WASH,
MERCEDES BENZ OF ORLAND PARK

WHEREAS, an application seeking an amendment to a special use permit 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 June 13, 2006, on whether the requested amendment to a special use permit should be granted, at which times 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 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 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 for vehicle sales in the BIZ General Business District to permit the

VILLAGE OF ORLAND PARK

Ordinance No: 4179

addition of an automatic car wash as follows:

(a) The Subject Property is located at 8430 West 159th Street, and is zoned BIZ General Business District within the Village of Orland Park, Cook and Will Counties, Illinois. The Petitioner, Mercedes Benz of Orland Park is seeking amendment to a special use permit for vehicle sales on the Subject Property, a major special use in the BIZ General Business District, to permit the addition of an automatic car wash to the building.

(b) On March 2, 1998, by Ordinance 3115, a special use permit for vehicle sales was granted to Petitioner for a 41,830 square foot building on the 4.34 acre site. Parking of 380 spaces was approved, to include employee and visitor spaces and display and inventory spaces. A subsequent amendment allowed for a 2,975 addition to the service area bringing the total building size to 44,805 square feet, while reducing the parking provided to 355 spaces.

(c) The Petitioner requests further amendment of the special use permit to provide for an approximately 1,000 square foot automatic car wash to be added at the north portion of the existing building.

(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 Automobile Service District in the Village of Tinley Park to the south. There are existing automobile dealerships to the south and to the west of the Subject Property. The lot to the east contains a bank. The residential area to the north of the Subject Property will be appropriately buffered. The proposed automobile sales use with an automatic car wash will be compatible with these surrounding uses.

(e) The proposed amendment to a special use 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 inclusion of a one bay automatic car wash will not affect that appropriateness.

(f) The design of the proposed special use will minimize any adverse effects, including visual impacts, on adjacent properties. Landscaping will be extensive with large caliper trees provided in numerous locations. At the public hearing, several residents to the north of the existing dealership expressed concern about the upkeep of previously-installed landscaping and about noise coming from later operations at the dealership. Petitioner clarified that the carwash would be operational only during business hours and would be closed at 6:00 p.m. Saturday and all day Sunday. In addition, a landscape plan showing an increased buffer between the dealership and the adjacent residences to the north was submitted, but a few additions are needed to it.

VILLAGE OF ORLAND PARK

Ordinance No: 4179

(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.

(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 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

A further amendment to a special use permit granted by Ordinance 3115 subject to the conditions below, is hereby granted and issued to Mercedes Benz of Orland Park to allow for a one-story automatic car wash addition along the north side of the project as shown in the site plan titled "Addition for Mercedes Benz of Orland Park," prepared by PECO & Associates Consulting Civil Engineers, dated 12-20-05, project number 05-113, sheet 1 of 1 and the floor plan and building elevations titled "Building Addition to Mercedes Benz of Orland Park," prepared by Oliviere, Shousky, & Kiss P.A. Architects and Planners, dated 10-28-05, job number 160.45, sheet A1-1 and A2-1, subject to the conditions below. The Subject Property is legally described as follows:

LOT 3 IN HARRIS BANK ARGO ORLAND PARK SUBDIVISION, BEING A SUBDIVISION OF THE WEST 165 FEET OF THE SOUTH 264 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, AND ALSO PART OF THE SOUTH 500 FEET OF THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 14, ALL IN COOK COUNTY, ILLINOIS.

This amendment to a special use permit is subject to the conditions that:

1. All final engineering related items are met.
2. All building code related items are met.

VILLAGE OF ORLAND PARK

Ordinance No: 4179

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 special use permit granted by Ordinance 3115, except as any terms and conditions of Ordinance 3115 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 18th day of September, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

Aye: 5 Trustee Fenton, Trustee Murphy, Trustee Schussler, Trustee O'Halloran, and Village President McLaughlin
Nay: 0
Absent: 2 Trustee Dodge, and Trustee Gira

DEPOSITED in my office this 18th day of September, 2006

/s/ David P. Maher

David P. Maher, Village Clerk

APPROVED this 18th day of September, 2006

/s/ Daniel J. McLaughlin

Daniel J. McLaughlin, Village President

VILLAGE OF ORLAND PARK

Ordinance No: 4179

PUBLISHED this 19th day of September, 2006

/s/ David P. Maher

David P. Maher, Village Clerk