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**Staff Report to the Committee of the Whole  
11/07/23 Land Development Code Amendments**

Prepared: 11/14/23

**PLAN COMMISSION SUMMARY**

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The below Code Amendment cases were presented at the Plan Commission on Tuesday, November 7, 2023. Present at the Plan Commission were 6 commissioners and members of staff. No members of the public were in attendance. The below sections contain information about the Plan Commission discussions for each of the cases. **For background information about each case, please refer to the November 7, 2023 Meeting Minutes and attached Amendment Report.**

CODE AMENDMENTS

- 2023-0855 Change Certified Mail Requirement
- 2023-0856 Remove Net Buildable Acres from Density Definition
- 2023-0857 Remove Appearance Review Requirement for Residential Solar Panels
- 2023-0858 Car Dealership Parking and Storage
- 2023-8859 Clarify Loading Zone Requirements

**2023-0855 SUBSTANTIVE AMENDMENT: CHANGE CERTIFIED MAIL REQUIRMENTS**

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PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Commissioner Paul asked if the proposed change was following a specific incident. Staff explained that it was more about making things smoother and cheaper for most project applicants, who often express concerns with the expensive process of sending out certified mail. Staff estimated that 90% of applicants have expressed disapproval of the Village’s certified mail requirement. Chairman Parisi mentioned the positive impact of the amendment on the ongoing issue of certified mail problems. Commissioner Nugent brought up the importance of ensuring notifications reach the right people, especially in cases of property and address changes, letting staff know to consider certified mail for different scenarios and larger-impact cases. Staff stated that the checks put in place (adding a list of addresses and mailing receipt) would help mitigate this issue to make sure all residents are being notified properly. Ultimately, the Plan Commission unanimously recommended approval of the certified mail amendment.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0855, also known as Substantive Amendment: Change Public Hearing Notice Mailing Requirements.

*This Part Is For Reference Only (Not Necessary To Be Read)*

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 5-101.G.2.b as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

### **2023-0856 SUBSTANTIVE AMENDMENT: REMOVE NET BUILDABLE ACRES FROM DENSITY DEFINITION**

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#### PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked about setback requirements for major roads using 143rd Street by Metro East as an example. Staff responded that setback requirements vary depending on the Zoning District and that that development is located in the Village Center District to create a pedestrian scale, walkable neighborhood. Staff mentioned in the presentation that the proposed density change would not alter any setback requirements but might reduce the need for setback variances or modifications due to the code adjustment. Overall, the Plan Commission supported the code amendment and recommended approval unanimously.

#### COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0856, also known as Substantive Amendment: Remove Net Buildable Acres from Density Requirements.

*This Part Is For Reference Only (Not Necessary To Be Read)*

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 2-102 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

### **2023-0857 SUBSTANTIVE AMENDMENT: CHANGE SOLAR PANEL REVIEW PROCESS**

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#### PLAN COMMISSION DISCUSSION

After the staff presentation, Commissioner Schussler asked why commercial solar panels were not included in the code amendment. Staff explained that there have not been enough commercial solar panel reviews to have a standard approach for quick approvals and that they will consider the change in the future if or when it becomes more common. Overall, the Plan Commission agreed with and recommended approval for the amendment unanimously.

#### COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend to the Village Board of Trustees to approve the Plan Commission recommended action for case number 2023-0857, also known as Substantive Amendment: Change Solar Panel Review Process.

*This Part Is For Reference Only (Not Necessary To Be Read)*

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-314 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

### **2023-0858 SUBSTANTIVE AMENDMENT: CAR DEALERSHIP PARKING AND STORAGE**

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#### PLAN COMMISSION DISCUSSION

The commissioners had no comments and were overall supportive of the Amendment. The Amendment was recommended for approval by the Plan Commission unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0858, also known as Substantive Amendment: Car Dealership Parking and Storage.

*This Part Is For Reference Only (Not Necessary To Be Read)*

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306 as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.

**2023-0858 SUBSTANTIVE AMENDMENT: LOADING SPACES**

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PLAN COMMISSION DISCUSSION

Following the presentation from Staff, Chairman Parisi stated that he knows we have addressed several similar situations quite often. Overall, the Plan Commission expressed support for the amendment and recommended approval unanimously.

COMMITTEE OF THE WHOLE RECOMMENDED ACTION/MOTION

I move to recommend the Village Board of Trustees to approve the Plan Commission recommended action as presented in the staff report regarding Case Number 2023-0859, also known as Technical Amendment: Loading Spaces.

*This Part Is For Reference Only (Not Necessary To Be Read)*

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Section 6-306.J and Table 6-306(L)a as presented in the attached amendment report titled "11/07/23 Land Development Code Amendments" dated November 3, 2023.