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Staff Report to the Board of Trustees

Project: Proposed Land Development Code Amendment - Special Uses for Restaurants within 300' of Residential Parcels

Case Number: 2025-0619

Prepared: 09/17/2025

Requested Actions: Village staff seeks approval of a text amendment to Sections 6-207, 209, 210, 211 and 212 of the Land Development Code to allow restaurants within 300' of a residential parcel to be permitted uses in the BIZ General Business District, OOH Old Orland Historic District, COR Mixed Use District, ORI Mixed Use District and VCD Village Center District, if certain criteria are met.

Please see attached Staff Report to the Plan Commission for full scope of proposal.

PLAN COMMISSION DISCUSSION

Present at the Plan Commission were 6 Commissioners, with 1 commissioner joining via phone, and members of staff. One member of the public attended the meeting. The Commissioners discussed the rationale for the amendment and compliance with Code.

Village staff stated that the goal of the amendment is as follows:

1. A new construction restaurant within 300' of a residential parcel will be a permitted use; however, it will require a Plan Commission recommendation and Board of Trustees approval of the Site Plan, Landscape Plan, and Building Elevations.
2. A new restaurant in an existing stand-alone building or existing shopping center and an expansion of an existing restaurant within 300' of a residential parcel will be a permitted use; therefore, no Plan Commission or Board of Trustees review will be required.
3. A new restaurant with outdoor seating and/or drive-through service will require a Plan Commission recommendation and Board of Trustees approval for a Special Use permit.

Village staff noted that the amendment would yield cost savings for residents and time savings for both residents and village staff.

Addressing a concern about a potential loss of public participation if restaurants were deemed permitted uses and not special uses - staff noted that in the past 9 public meetings related to Special Use Permits for restaurants within 300' of a residential parcel, members of public attended only 1 meeting, and raised only one concern related to outdoor seating.

Additionally, staff noted that issues related to noise, odors, smoke, waste, parking etc. are already regulated under the Land Development Code Section 6-313 Pollution Control Standards, Section 6-306 Off-Street Parking and Loading Requirements. These code sections offer regulatory control over potential violators.

The Commissioners commended staff's effort to make Orland Park friendly to businesses through a more streamlined approval process, thus allowing businesses to open their doors sooner.

PLAN COMMISSION MOTION

The Plan Commission voted and approved the following motion, with a vote of 7 ayes and 0 nays:

Regarding Case Number 2025-0619 I move to approve the text amendments prepared by Village Staff.

BOARD OF TRUSTEES RECOMMENDED ACTION

The Plan Commission recommends the Board of Trustees approve the text amendments prepared by Village Staff.

BOARD OF TRUSTEES RECOMMENDED MOTION

Regarding Case Number 2025-0619, I move to approve the Plan Commission Recommended Action for this case.

And

I move to adopt an Ordinance entitled: AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED.