

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (SECTIONS 6-205.1, 6-207, 6-208, 6-210, 6-211 AND 6-306 – DRIVE-THROUGH LANES AND STACKING REQUIREMENTS)

WHEREAS, the Corporate Authorities of the Village of Orland Park, an Illinois home rule municipality, have on February 8, 1991, adopted a Land Development Code (“the Code”) and zoning map; and

WHEREAS, amendments to the Code are adopted from time to time to insure that the Code is up to date and responsive to community needs; and

WHEREAS, an amendment has been proposed regarding drive-through lanes and stacking requirements in the Large Scale Planned Development (LPSD), General Business (BIZ), Manufacturing (MFG), Mixed Use Core (COR), and Mixed Use Office, Research and Industrial (ORI) Districts in the Code; and

WHEREAS, requiring a special use modification requirement for any drive-through between a building and the street is appropriate and allows for stronger design control; and

WHEREAS, regulating stacking requirements for drive-through lanes by land use is more effective than regulating by zoning district; and

WHEREAS, the Plan Commission of the Village held a public hearing on November 10, 2009 on whether the proposed amendments should be approved, 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 thirty (30) days nor less than fifteen (15) days prior to said date in the Orland Park Prairie, a newspaper of general circulation published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendation that the proposed amendments to Sections 6-205.1, 6-207, 6-208, 6-210, 6-211, and 6-206 of the Land Development Code of the Village be made, 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

This Board finds and determines that the adoption of the amendments to the Land Development Code of the Village of Orland Park is in the best interests of the Village and its residents, is in the public interest, constitutes an improvement to the Land

Development Code of the Village of Orland Park, and is in keeping with the spirit and in furtherance of the purpose of the Land Development Code of the Village of Orland Park, as set forth in Section 1-102 thereof.

SECTION 2

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 9 of Paragraph C, Special Uses, of Section 6-207 and substitute the following as new text for Subsection 9 of Paragraph C of Section 6-207:

9. Drive-in service windows, provided that:
 - a. The principal use is an office, retail establishment, financial institution or restaurant located on the same lot;
 - b. Stacking spaces are provided per Code requirements as indicated in Section 6-306, Off Street Parking; and
 - c. The amount of stacking space and circulation patterns on the lot is adequate to keep traffic from backing up into the street, based upon documentation of similar circumstances.

SECTION 3

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add a new Subsection 18 to Paragraph C, Special Uses, of Section 6-208, which shall read in its entirety as follows:

18. Drive-in service windows, provided that:
 - a. The principal use is an office, retail establishment, financial institution or restaurant located on the same lot;
 - b. Stacking spaces are provided per Code requirements as indicated in Section 6-306, Off Street Parking; and
 - c. The amount of stacking space and circulation patterns on the lot is adequate to keep traffic from backing up into the street, based upon documentation of similar circumstances.

SECTION 4

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 8 of Paragraph C, Special Uses, of Section 6-210 and substitute the following as new text for Subsection 8 of Paragraph C of Section 6-210:

8. Drive-in service windows, provided that:

- a. The principal use is an office, retail establishment, financial institution or restaurant located on the same lot;
- b. Stacking spaces are provided per Code requirements as indicated in Section 6-306, Off Street Parking; and
- c. The amount of stacking space and circulation patterns on the lot is adequate to keep traffic from backing up into the street, based upon documentation of similar circumstances.

SECTION 5

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 4 of Paragraph C, Special Uses, of Section 6-211 and substitute the following as new text for Subsection 4 of Paragraph C of Section 6-211:

4. Drive-in service windows, provided that:
 - a. The principal use is an office, retail establishment, financial institution or restaurant located on the same lot;
 - b. Stacking spaces are provided per Code requirements as indicated in Section 6-306, Off Street Parking; and
 - c. The amount of stacking space and circulation patterns on the lot is adequate to keep traffic from backing up into the street, based upon documentation of similar circumstances.

SECTION 6

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 4, Uses Not Permitted in Building Setbacks Along Streets, of Paragraph E, Setbacks, of Section 6-205.1 and substitute the following as new text for Subsection 4 of Paragraph E of Section 6-205.1:

4. USES NOT PERMITTED IN BUILDING SETBACKS ALONG STREETS

Parking lots or structures (exception cited below), drive-through facilities, loading facilities or trash enclosures are not allowed within the setback area between the building facade and the street.

Drive through facilities in the setback area shall be allowed via Special Use modification only, when there are no reasonable alternatives. In order to qualify for a Special Use Modification, the drive through facility must meet all of the following conditions:

- a. The drive through should be designed as a single lane with a maximum width of 14' and a minimum turning radius of 20' from the centerline of the drive aisle.
- b. Drive through lanes must be a minimum of 10' from all property lines.

- c. The drop off area or drive aisle must be constructed with decorative pervious pavement or pervious pavers.
- d. Any order windows and menu boxes must be designed to integrate into the architecture of the building and appear 'hidden' from vehicular and pedestrian view. All efforts should be made to keep the order windows and menu boxes out of the setback between the building and the street.
 - 1. Menu boxes must include masonry architectural details, matching the materials and design of the building.
 - 2. Menu boxes must be screened with landscaping and/or masonry walls so they are not visible from the street.
 - 3. Order windows must be designed with trim and detail so they appear similar in appearance to other windows on the building.
- e. The drop off area or drive aisle must be screened with a combination of masonry walls and/or decorative landscaping in order to provide a solid buffer at a minimum height of 36".
- f. The drop off area or drive aisle shall not obstruct any direct connections between the sidewalk along the street and the entrances to the building and shall include crosswalks connection pedestrian routes.
- g. The architectural design of the building elevations facing the street should have the appearance of a primary façade and include transparency in the form of full or clerestory windows.

SECTION 7

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 4, Uses Not Permitted in Building Setbacks Along Streets, of Paragraph F, Setbacks, of Section 6-207 and substitute the following as new text for Subsection 4 of Paragraph F of Section 6-207:

4. USES NOT PERMITTED IN BUILDING SETBACKS ALONG STREETS

Parking lots or structures (exception cited below), drive-through facilities, loading facilities or trash enclosures are not allowed within the setback area between the building facade and the street.

Drive through facilities in the setback area shall be allowed via Special Use modification only, when there are no reasonable alternatives. In order to qualify for a Special Use Modification, the drive through facility must meet all of the following conditions:

- a. The drive through should be designed as a single lane with a maximum width of 14' and a minimum turning radius of 20' from the centerline of the drive aisle.
- b. Drive through lanes must be a minimum of 10' from all property lines.
- c. The drop off area or drive aisle must be constructed with decorative pervious pavement or pervious pavers.
- d. Any order windows and menu boxes must be designed to integrate into the architecture of the building and appear 'hidden' from vehicular and pedestrian view. All efforts should be made to keep the order windows and menu boxes out of the setback between the building and the street.
 - 1. Menu boxes must include masonry architectural details, matching the materials and design of the building.
 - 2. Menu boxes must be screened with landscaping and/or masonry walls so they are not visible from the street.
 - 3. Order windows must be designed with trim and detail so they appear similar in appearance to other windows on the building.
- e. The drop off area or drive aisle must be screened with a combination of masonry walls and/or decorative landscaping in order to provide a solid buffer at a minimum height of 36".
- f. The drop off area or drive aisle shall not obstruct any direct connections between the sidewalk along the street and the entrances to the building and shall include crosswalks connection pedestrian routes.
- g. The architectural design of the building elevations facing the street should have the appearance of a primary façade and include transparency in the form of full or clerestory windows.

SECTION 8

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to add a new Subsection 5, Uses Not Permitted in Building Setbacks Along Streets, to Paragraph F, Setbacks, of Section 6-208 which shall read in its entirety as follows:

5. USES NOT PERMITTED IN BUILDING SETBACKS ALONG STREETS

Parking lots or structures (exception cited below), drive-through facilities, loading facilities or trash enclosures are not allowed within the setback area between the building facade and the street.

Drive through facilities in the setback area shall be allowed via Special Use modification only, when there are no reasonable alternatives. In order to qualify for a Special Use Modification, the drive through facility must meet all of the following conditions:

- a. The drive through should be designed as a single lane with a maximum width of 14' and a minimum turning radius of 20' from the centerline of the drive aisle.
- b. Drive through lanes must be a minimum of 10' from all property lines.
- c. The drop off area or drive aisle must be constructed with decorative pervious pavement or pervious pavers.
- d. Any order windows and menu boxes must be designed to integrate into the architecture of the building and appear 'hidden' from vehicular and pedestrian view. All efforts should be made to keep the order windows and menu boxes out of the setback between the building and the street.
 1. Menu boxes must include masonry architectural details, matching the materials and design of the building.
 2. Menu boxes must be screened with landscaping and/or masonry walls so they are not visible from the street.
 3. Order windows must be designed with trim and detail so they appear similar in appearance to other windows on the building.
- e. The drop off area or drive aisle must be screened with a combination of masonry walls and/or decorative landscaping in order to provide a solid buffer at a minimum height of 36".
- f. The drop off area or drive aisle shall not obstruct any direct connections between the sidewalk along the street and the entrances to the building and shall include crosswalks connection pedestrian routes.
- g. The architectural design of the building elevations facing the street should have the appearance of a primary façade and include transparency in the form of full or clerestory windows.

SECTION 9

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 4, Uses Not Permitted in Building Setbacks Along Streets, of Paragraph F, Setbacks, of Section 6-210 and substitute the following as new text for Subsection 4 of Paragraph F of Section 6-210:

4. USES NOT PERMITTED IN BUILDING SETBACKS ALONG STREETS

Parking lots or structures (exception cited below), drive-through facilities, loading facilities or trash enclosures are not allowed within the setback area between the building facade and the street.

Drive through facilities in the setback area shall be allowed via Special Use modification only, when there are no reasonable alternatives. In order to qualify for a Special Use Modification, the drive through facility must meet all of the following conditions:

- a. The drive through should be designed as a single lane with a maximum width of 14' and a minimum turning radius of 20' from the centerline of the drive aisle.
- b. Drive through lanes must be a minimum of 10' from all property lines.
- c. The drop off area or drive aisle must be constructed with decorative pervious pavement or pervious pavers.
- d. Any order windows and menu boxes must be designed to integrate into the architecture of the building and appear 'hidden' from vehicular and pedestrian view. All efforts should be made to keep the order windows and menu boxes out of the setback between the building and the street.
 1. Menu boxes must include masonry architectural details, matching the materials and design of the building.
 2. Menu boxes must be screened with landscaping and/or masonry walls so they are not visible from the street.
 3. Order windows must be designed with trim and detail so they appear similar in appearance to other windows on the building.
- e. The drop off area or drive aisle must be screened with a combination of masonry walls and/or decorative landscaping in order to provide a solid buffer at a minimum height of 36".
- f. The drop off area or drive aisle shall not obstruct any direct connections between the sidewalk along the street and the entrances to the building and shall include crosswalks connection pedestrian routes.
- g. The architectural design of the building elevations facing the street should have the appearance of a primary façade and include transparency in the form of full or clerestory windows.

SECTION 10

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Subsection 5, Uses Not Permitted in Building Setbacks Along Streets, of Paragraph F, Setbacks, of Section 6-211 and substitute the following as new text for Subsection 5 of Paragraph F of Section 6-211:

5. USES NOT PERMITTED IN BUILDING SETBACKS ALONG STREETS

Parking lots or structures (exception cited below), drive-through facilities, loading facilities or trash enclosures are not allowed within the setback area between the building facade and the street.

Drive through facilities in the setback area shall be allowed via Special Use modification only, when there are no reasonable alternatives. In order to qualify for a Special Use Modification, the drive through facility must meet all of the following conditions:

- a. The drive through should be designed as a single lane with a maximum width of 14' and a minimum turning radius of 20' from the centerline of the drive aisle.
- b. Drive through lanes must be a minimum of 10' from all property lines.
- c. The drop off area or drive aisle must be constructed with decorative pervious pavement or pervious pavers.
- d. Any order windows and menu boxes must be designed to integrate into the architecture of the building and appear 'hidden' from vehicular and pedestrian view. All efforts should be made to keep the order windows and menu boxes out of the setback between the building and the street.
 1. Menu boxes must include masonry architectural details, matching the materials and design of the building.
 2. Menu boxes must be screened with landscaping and/or masonry walls so they are not visible from the street.
 3. Order windows must be designed with trim and detail so they appear similar in appearance to other windows on the building.
- e. The drop off area or drive aisle must be screened with a combination of masonry walls and/or decorative landscaping in order to provide a solid buffer at a minimum height of 36".
- f. The drop off area or drive aisle shall not obstruct any direct connections between the sidewalk along the street and the entrances to the building and shall include crosswalks connection pedestrian routes.
- g. The architectural design of the building elevations facing the street should have the appearance of a primary façade and include transparency in the form of full or clerestory windows.

SECTION 11

The Land Development Code of the Village of Orland Park, as amended, is hereby further amended to delete in its entirety the text of Table 6-306(B) of Section 6-306 and substitute therefor Exhibit A attached hereto and incorporated herein as new text for Table 6-306(B) of Section 6-306.

SECTION 12

All sections of the Land Development Code not addressed in this Ordinance or another amending ordinance shall remain in full force and effect.

SECTION 13

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

SECTION 14

This Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner provided by law. It is ordered that publication of this Ordinance be made by the duplication thereof in pamphlet form, said pamphlets to be deposited in the office of the Village Clerk of the Village of Orland Park, for general distribution.

EXHIBIT A

Off Street Parking – Section 6-306

TABLE 6-306(B)	
LAND USE	REQUIRED NUMBER OF PARKING SPACES*
RESIDENTIAL USES:	
Congregate Elderly Housing	0.5 per resident + 1 per staff person
Dwellings - detached, including Fee Simple Lot and Common Ownership	2 per dwelling unit
Dwellings – multifamily, including condominiums and apartments	2 per dwelling unit
Dwellings – townhouses and rowhouses	2 per dwelling unit + 0.5 per bedroom over 2 bedrooms
Residential care homes	0.25 per resident + 1 per staff person
Residential units above retail or commercial establishments	2 per dwelling unit + retail spaces as required by ordinance
COMMERCIAL USES:	
Animal hospitals, pounds, and boarding	1 per 300 square feet
Automobile / Car washes	3 stacking spaces per stall + 1 per employee
Automobile repair with outside storage (maximum of 10 vehicles)	1 per 300 square feet
Automobile sales and rentals	1 per 300 square feet
Automobile service stations	1 per pump + 1 stacking space per pump + 1 per 500 square feet of commercial space
Cemeteries	1 per each full time employee + required spaces for offices
Conference Centers	1 per 4 seats
Commercial retail building footprint up to 5,000 sq. ft. in floor area	1 per 200 square feet + <u>4 stacking spaces per drive through lane</u>
Commercial retail building footprint 5,001 to 50,000 sq. ft. in floor area	1 per 200 square feet + <u>4 stacking spaces per drive through lane</u>

Commercial retail building footprint exceeding 50,000 sq. ft. in floor area	1 per 250 square feet + 4 stacking spaces per drive through lane
Composting facilities	1 per 300 square feet
Day care centers and day care homes (check definition to add elderly care)	1 per 300 square feet
Dry-cleaning and laundry processing stations	1 per 500 square feet
Excavating and recycling services	1 per employee
Facilities handling hazardous materials	1 per employee
Financial Institutions	1 per 300 square feet + 3 stacking spaces per drive through lane
Food Processing Plant	1 per employee
Funeral parlors	1 per 200 square feet
Golf Courses	6 per green + 1 per employee on the peak shift
Health clubs and fitness centers	1 per employee + 1 per 200 square feet
Hotels, Motels and Extended Stay	1 per sleeping room
Indoor Recreational Facilities	1 per 200 square feet
Nurseries and greenhouses	1 per 400 square feet
Nursing homes	0.25 per resident + 1 per staff person
Offices (general)	1 per 300 square feet
Offices (medical or dental clinics with no overnight stay)	1 per 200 square feet
Personal service establishment	1 per 200 square feet
Restaurants and banquet halls	1 per 3 seats + 1 per employee (peak)
Restaurants, Fast Food	(Drive In) 1 per 3 seats + 1 per employee at peak business hours + <u>7 stacking spaces per drive through lane</u>
Stadium or arena	Parking spaces equal in number to 33% of the capacity in persons
Swimming Pools	1 per 75 square feet of water area
Tennis or Racquet Court	3 per court

Theatres	1 per 3 seats
Wholesale Establishments	1 per 1,000 square feet
CIVIC AND INSTITUTIONAL USES	
Boarding Schools, Seminaries and Convents	1 per 1000 square feet
Community Centers, Clubs and Lodges	1 per 300 square feet
Colleges and Universities	1 per classroom + 1 per 3 students
Government Uses, including offices, and incubator and research facilities	Fire/Police: 1 per 500 square feet Libraries: 1 per 400 square feet Post Offices: 2 per station + 4 per service bay Offices: 1 per 300 square feet
Hospitals	1 per 2 hospital beds + 1 per each full-time employee
Medical / Institutional uses including surgery centers, out patient centers, testing facilities and research laboratories	1 per 200 square feet
Museums, Civic and Cultural Centers	1 per 1000 square feet
Parks (public)	Ballfields/Picnic Areas: 10 per acre Swimming: 1 per 75 square feet of water area Tennis/Racquet Court: 3 per court
Places of worship within 300 feet of a residential use	1 per 4 sanctuary seats or one space per each 12 feet of bench length (if no seating, one space per 60 sq. ft. of sanctuary space) + spaces required for other uses
Private Schools and Instructional Facilities for arts, athletics and vocational training	2 per classroom + 1 per 2 students
Schools – Elementary, Middle, Junior High	1.5 per classroom
Schools - High	1 per classroom + 1 per 5 students
INDUSTRIAL, MANUFACTURING AND STORAGE	

Light Industry and Assembly	2 per 1000 square feet -OR- 1 per each employee on the largest shift (whichever is greatest)
Office Warehouse and Flex Space	1 per 300 square feet office space + 1 per 1000 square feet of warehouse space.
Manufacturing	1.25 per 1000 square feet -OR- 1 per each 0.75 employees on the largest shift (whichever is greatest)
Petroleum Storage Facilities	1 per employee
Warehouses or Distribution Establishments	1 per 1000 square feet
TRANSPORTATION AND UTILITIES	
Public Utility Structures	1 per 2 employees
Utility Substations	1 per employee
Wireless Communication Facilities	1 service space

(Ord. 3949 - 11/1/04; Amd. Ord. 4210 – 12/18/06)

*-Requirements based on square feet mean square feet of gross floor area, except as otherwise indicated.

-Requirements based on the number of seats or students mean the number that is the design capacity of the building.

-Requirements based on the number of staff or employees mean the maximum number of staff or employees on one shift, as certified by the applicant.

** -If no on-street parking is allowed, every dwelling unit must provide 2.5 spaces, or a parking agreement must be provided with a parking lot within 500 feet of the dwelling units. (Ord. 2586 - 6/6/94)