



Legislation Details (With Text)

**File #:** 2015-0750    **Version:** 1    **Name:** 66 Orland Square Drive Parking Variance - Ordinance  
**Type:** ORDINANCE    **Status:** PASSED  
**File created:** 11/25/2015    **In control:** Board of Trustees  
**On agenda:** 5/2/2016    **Final action:** 5/2/2016  
**Title:** ORDINANCE GRANTING A VARIANCE - (66 Orland Square Drive Parking)  
**Code sections:**  
**Attachments:** 1. 66 Orland Square - 12.28.15, 2. Sky Zone Parking Study, 3. Ordinance 66 Orland Square Drive Parking Variance

Date	Ver.	Action By	Action	Result
5/4/2016	4	Village Clerk	PUBLISHED	
5/2/2016	3	Board of Trustees		
5/2/2016	3	Development Services Department	INTRODUCED TO BOARD	
3/7/2016	2	Board of Trustees		
3/7/2016	2	Development Services Department	INTRODUCED TO BOARD	
2/15/2016	1	Development Services Department	INTRODUCED TO COMMITTEE	
2/15/2016	1	Development Services, Planning and Engineering Committee	RECOMMENDED FOR APPROVAL	Pass
1/26/2016	0	Plan Commission		
1/12/2016	0	Development Services Department	INTRODUCED TO COMMISSION	

Title/Name/Summary  
66 Orland Square Drive Parking

History  
**QUICKFACTS**

**Project**  
66 Orland Square Drive Parking Variance

**Petitioner**  
Mitch Goltz

**Purpose**  
The petitioner is requesting a variance to reduce the parking requirement from 579 spaces to 314.

*Requested Actions:* Variance

**Project Attributes**  
*Address:* 66 Orland Square Drive

P.I.N.(s): 27-10-400-018

Size: 7.76 acres ( 338,029 s.f.)

*Comprehensive Plan Planning District:*  
Regional Core

*Comprehensive Land Designation:*  
Regional Mixed Use

*Existing Zoning:*  
COR Mixed Use

*Proposed Zoning:*  
COR Mixed Use

*Existing Land Use:*  
Furniture Gallery

*Proposed Land Use:*  
Multi-tenant commercial building with retail, indoor recreation and fitness center uses.

*Surrounding Land Use:*  
North: COR Mixed Use / Multi-family Residential  
South: COR Mixed Use / Commercial  
East: R-4 Residential / Single Family Attached Residential  
West: COR Mixed Use / Commercial

## **OVERVIEW AND BACKGROUND**

This proposal is to reduce the required amount of parking spaces from 579 to 314. Originally approved as a furniture showroom with large warehouse the building at 66 Orland Square Drive is being re-occupied by multiple tenants after being vacant for approximately 13 years.

When the building was originally built they were required to provide much less parking because a majority of the space was used as a warehouse. The petitioner cannot meet the current parking requirements given the current site layout. Although there are plenty of shared parking opportunities in the surrounding area the petitioner could not secure a formal shared parking agreement. As a result, the petitioner is seeking a variance from the existing parking requirement. Without a variance the building may never be fully reoccupied.

## **PROJECT DESCRIPTION & CONTEXT**

The petitioner is requesting a variance to reduce the number of required parking spaces 579 to 314. Currently the building has one existing tenant, Carson's Furniture, and two proposed tenants: Skyzone Indoor Trampoline Park and Charter Fitness. Charter Fitness was granted a special use permit (Legistar File Number 2015-0388). Skyzone, an indoor recreation use, was permitted as of right and the exterior building modifications were approved via an Appearance Review (Legistar File Number 2015-0292). Both Skyzone and Charter Fitness have been issued building permits and are currently working on their interior and exterior build outs.

According to the petitioner they have received interest from an additional indoor recreation user, Jak's Warehouse, to occupy the two vacant tenant spaces on the north end of the existing building. The use is permitted in the COR zoning district without additional entitlement approvals, however, they will not be able to occupy the building if the variance request is not approved. If Jak's is allowed to occupy the building there will be one remaining vacant 7,000 square foot retail space.

#### Economic Development Assistance Provided to Vacant Building

#### Class 7C Tax Incentive

In 2014, the Village supported a Class 7C tax incentive for this project to encourage redevelopment which was subsequently approved by Cook County.

This petitioner requests the following variances/modifications:

1) Reduce parking requirement from 579 spaces to 314 spaces.

The recommending motion includes the following conditions:

1) Continue to pursue a shared parking agreement with adjacent property owner, Orland Square Mall.

2) Meet any and all building code related items.

Overall, aside from the requested variance, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

#### **SITE PLAN**

The existing 166,000 square foot building sits on an approximately 7.8 acre site directly east of Orland Square Mall along Orland Square Drive. This property has already been approved for minor site modifications (Legistar File Number 2015-0292) which included: enhanced sidewalk near the entrance, better defined drop-off area, six new landscape islands and enhancements of the existing landscape areas.

At the time of the last approval (Legistar File Number 2015-0388) the petitioner was providing approximately 206 parking spaces on site. The site plan submitted by the petitioner indicates that they have added 108 additional parking spaces for a total of 314 spaces. Aside from the additional stripped parking spaces there are no other proposed site modifications a part of this petition.

#### **MOBILITY**

Vehicular/Traffic:

Four full access curb cuts on the west side of the subject property that open on to Orland Square Drive, a private street, provide access to the site.

Parking/Loading:

Parking Required - 579 spaces

Parking Provided - 314 spaces

#### **BUILDING ELEVATIONS**

For approved building elevations see Legistar File Number 2015-0292.

### **LANDSCAPING/TREE MITIGATION**

For approved landscaping enhancements see Legistar File Number 2015-0292.

### **DETAILED PLANNING DISCUSSION**

#### **Variance(s)**

The following variance is being requested as a part of this petition:

- 1) Reduce the number of required parking spaces from 579 to 314.

When considering an application for a variance, the decision making body shall consider the variance standards listed in the Code. The petitioner has provided responses to the variance standards. See Parking and Loading section below for detailed explanation of the proposed variance.

#### **Land Use/Compatibility**

Lot coverage, lot size, FAR, building setbacks and height are not being modified as a part of this petition. This building and site is in compliance for each of these requirements based on the previous entitlement approvals when the property was originally developed.

#### **Parking Analysis**

Required - 579

Proposed - 314

The petitioner is requesting a variance to reduce the amount of required parking spaces from 579 to 314. Given the ample parking surrounding the site the petitioner has engaged Orland Square Mall in talks regarding a formal shared parking agreement. Although the preliminary feedback has been positive nothing has been agreed upon. Due to the increased interest in the property by prospective tenants the petitioner is looking to move faster than the adjacent property owners to alleviate concerns about parking. In order to occupy the building as it sits today without demolishing any portion or leaving any portion vacant the petitioner must pursue this variance request.

The petitioner has provided information in regards to anticipated parking demand for the current and potential tenants at the subject property. In addition, staff has completed parking counts for the existing tenant, Carson's Furniture, to accurately predict future parking demand for the entire site.

See below for Village Staff's analysis of anticipated parking demand. The following analysis will help determine if parking can be accommodated given the current site configuration and tenant mix.

#### **Carson's Furniture**

The property was originally developed as a Homemaker's Furniture gallery. The use was required to provide 68 spaces for the showroom and 37 spaces for the warehouse portion. In total 231 parking spaces were provided. In 2008 Carson's furniture occupied the same tenant space as the former Homemaker's approximately 71,783 square feet while the remaining 91,363 square feet representing

56% of the buildings area was vacant. As stated above a majority of the building has remained vacant for approximately 13 years. Carson's Furniture is allowed to occupy their existing tenant subject to the parking requirement (105 spaces) outlined in the above mentioned approval for Homemakers, considering the use had not changed and they were occupying the same tenant space. Based on current code requirements Carson's Furniture would have to provide 257 parking spaces (247 for retail, 10 for storage).

It has been observed by staff that although the code requires a significant amount of parking spaces that the existing furniture gallery rarely uses more than the two parking lot aisles directly adjacent to their tenant space. To help confirm this assumption Village Staff collected parking count data from November 12, 2015 to January 4, 2016. Parking counts were made at approximately 10:30am, 2:15pm, and 4:15pm Monday-Friday, including only business days. The average parking counts for these time periods are as follows: 10:30am - 8 cars, 2:15pm - 11 cars, and 4:30pm - 9 cars. The largest total parking count observed was 16 cars and lowest observed during this time period was 5 cars.

This information suggests that Carson's Furniture can operate at significantly lower amount of parking than is required by the current Land Development Code. Based on the collected data, that Carson's can operate with only approximately 25 parking spaces (9 spaces higher than the highest recorded on site), they are thus only occupying approximately 9% of the required parking spaces.

Skyzone Indoor Trampoline Park was the first tenant to petition to occupy Tenant Space B approximately 28,794 square feet. Per code this use is required to provide 115 parking spaces. Given the current site plan showing 314 spaces and accounting for the 105 spaces required for the existing tenant both Skyzone and Carson's meet code for parking and leave 94 spaces remaining for future tenants.

Charter Fitness at 18,298 square feet is required by code to provide 111 parking spaces. Although, there are not enough parking spaces on site to accommodate this requirement, approval of the special use permit relied on several factors to justify the provided parking. First of all the subject property is directly east of Orland Square Mall which provides a total of 6,923 parking spaces. 2,444 of these parking spaces are directly adjacent to the subject property. At the time of special use approval parking could be accommodated for the three potential users given that Carson's uses significantly less than is required, and there is a significant amount of shared parking opportunities in the area.

To provide further support for a reduction in the amount of required parking for the subject property the petitioner provided supplemental information documenting the existing and proposed tenants anticipated parking demand.

Skyzone provided a parking study prepared by RK Engineering group, Inc. RK Engineering collected parking data on June 10, 2011 and June 11, 2011 (Friday and Saturday) at 30 minute intervals from open to close at 3 California locations. The observed locations were similar in size to the proposed Orland Park location. Two of the observed locations shared parking with adjacent uses and one was a stand alone. However, care was taken to ensure that only vehicles parked specifically to visit the indoor trampoline uses were counted.

According to the study the weighted average peak parking rate for all three locations for Friday was 1.51 parking spaces per 1,000 square feet of gross floor area. On Saturday the weighted average

peak parking rate for all three locations was 2.08 parking spaces per 1,000 square feet of gross floor area. The study used the highest observed parking rate of 2.94 per 1,000 square feet to determine the parking demand rates at future locations.

Per the Village of Orland Park Land Development Code, Skyzone is required to provide 5 parking spaces per 1,000 square feet. This parking requirement is 42% higher than the highest observed parking rate per the referenced study. This information further suggests that Skyzone may require significantly less parking spaces than is required by code.

The petitioner has also provided information on a potential indoor recreation user, Jak's Warehouse. The use caters to children's birthday parties and offers various activities such as go carts, laser tag etc. In their current location in Schereville, Indiana, they occupy a 50,000 square foot tenant space and provide 130 parking spaces. This location is a multi-tenant building that is shared along with the 130 spaces with a Health Club. They have been in operation at that location for three years and have not experienced a parking shortage.

By comparison the Village of Orland Park Land Development code requires the proposed use that will occupy approximately 36,000 square feet to provide 185 parking spaces.

The proposed tenants also provided information on their hours of operation and anticipated peak times based on previous locations.

SkyZone - August - May T-Th 3pm - 8pm, F 12pm-11pm, Sa 10am-12am and Su 12pm-7pm  
May - August M. 10-8, T-Th 10am-10pm, F 10am-11pm, Sa 10am-12am and Su 12pm-7pm  
Busiest Times Friday night and All Day Saturday and Sunday

Charter Fitness - Hours: M-F 5am-11pm, Sa & Su 7am-7pm  
Busiest Times: M-Th 4pm-8pm

Jak's Warehouse - Hours M-Th 3-10, F 3-11, Sa 10-11, Su10-8  
Busiest Times 1pm-7pm Sat/Sun

The information provided seems to encourage shared parking amongst these uses considering the peak times for the indoor recreation uses align and would lead to higher parking counts on weekends while the majority of the parking demand generated by the fitness center will be seen during the week. In addition, the indoor recreation uses open later in the afternoon while the other uses open in the early morning. It appears from this information that the parking field should not be experiencing peak usage by the proposed tenants at the same time.

See below for a summary of required parking spaces per current Land Development Code requirements:

Carson's Furniture - 257 spaces  
Vacant Tenant Space (7,716SF) - 31  
Skyzone - 144  
Charter Fitness - 107  
Jak's Warehouse - 185

The total parking required is 724 spaces. The Land Development Code allows a 20% reduction in the

amount of required parking spaces if shared parking exists in the surrounding area. Given this information the total required amount of parking spaces is 579. Village Staff is in support of granting the requested variance given the provided background information which is summarized below:

1. Village Staff has worked with the petitioner to secure a Class 7c Cook County Tax incentive to assist in full re-occupancy of the building and remodel a blighted building adjacent to Orland Park's busiest commercial area.
2. Parking count data collected from Carson's furniture indicates over the past month the user has only occupied approximately 9% of the required parking spaces
3. Charter Fitness, Skyzone and Jak's warehouse provided information indicating that their peak usage of the parking field alternates among the users allowing for provided parking to accommodate each use.
4. Skyzone provided an engineering study that indicates previous locations were able to operate at peak times using 42% less parking than is required by the Village Land Development Code.
5. Jak's Warehouse provided documentation that indicates they have operated a larger facility for the last three years with 30% less parking than is required by current code. That location shares these spaces with a health club and the petitioner reported no instances of a parking shortage during that time period.
6. The petitioner has worked diligently to find a solution to this parking issue. They have maximized the amount of parking on the site and engaged in talks to secure a formal shared parking agreement.
7. If the variance is not approved approximately 40,000 square feet of the existing building must remain vacant indefinitely. A majority of the building sat vacant for the past 13 years. Now in less than one year the entire building (aside from one 7,000sf space) can be re-occupied pending variance approval.
8. Although the petitioner has not secured a formal shared parking agreement, there are 2,444 parking spaces directly adjacent to the subject property.

While Village staff is recommending approval of the requested variance a condition of approval will be to continue to pursue a shared parking agreement with Orland Square Mall.

This is now before Plan Commission for consideration.

### **PLAN COMMISSION MOTION**

On January 26, 2016, the Plan Commission, by a vote of 5-0 moved to recommend to the Village Board of Trustees approval of a Variance as fully referenced below.

The motion includes the following conditions:

- 1) To continue to pursue a shared parking agreement with adjacent property owner, Orland Square Mall.
- 2) Meet any and all building code related items

## **PLAN COMMISSION DISCUSSION**

The Plan Commission viewed the proposed Variance request favorably and thus recommended no modifications to the petition as proposed. In addition, there was no one in the audience regarding this project.

This agenda item is now before the Development Services and Planning Committee for consideration.

### Recommended Action/Motion

I move to recommend to the Village Board approval of the preliminary site plan titled 66 Orland Square Drive Landlord Renovation and dated December 28, 2015 subject to the following conditions.

- 1) To verify the existing shared parking agreement between the subject property and Orland Square Mall. If the current agreement is not applicable, the petitioner shall continue to pursue a shared parking agreement with adjacent property owner, Orland Square Mall.
- 2) Meet any and all building code related items.

And

I move to recommend to the Village Board approval of a Variance reducing the amount of required parking from 579 spaces to 314 spaces.