



## Legislation Details (With Text)

<b>File #:</b>	2019-0101	<b>Version:</b>	1	<b>Name:</b>	Orland Square Mall proposed Multipurpose Activity Space Site Plan, Landscape Plan, Elevations, and Special Use Permit with Modifications
<b>Type:</b>	MOTION	<b>Status:</b>			IN BOARD OF TRUSTEES
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<b>On agenda:</b>	5/6/2019	<b>Final action:</b>			
<b>Title:</b>	Orland Square Mall proposed Multipurpose Activity Space Site Plan, Landscape Plan, Elevations, and Special Use Permit with Modifications				
<b>Code sections:</b>					
<b>Attachments:</b>	1. Site Plan Overall, 2. Context Site Plan Color Rendering, 3. Site Plan Color Rendering updated, 4. Security Plan Packet, 5. Site Layout and Materials, 6. Playground Equipment Plan, 7. Overall Landscape Plan updated, 8. Preliminary Landscape Plan, 9. Berliner Playground 3D Exhibits, 10. Perspectives Color, 11. 2019 Aerial Map, 12. ALTA, 13. Play Ground Equipment Cut Sheets, 14. Special Use Standards, 15. Variance Standards, 16. OSM Aerial				

Date	Ver.	Action By	Action	Result
3/25/2019	1	Development Services Department	INTRODUCED TO BOARD	
3/19/2019	0	Plan Commission		
3/13/2019	0	Development Services Department	INTRODUCED TO COMMISSION	

### Title/Name/Summary

Orland Square Mall proposed Multipurpose Activity Space Site Plan, Landscape Plan, Elevations, and Special Use Permit with Modifications

### History

### Project

Orland Square Mall proposed Multipurpose Activity Space

### Petitioner

Roderick Vosper, Simon Property Group

### Purpose

The petitioner proposes to construct a privately owned and maintained, but publicly accessible (no fee) outdoor park in the southeastern parking lot of Orland Square Mall.

## **Project Attributes**

Address: 288 Orland Square Drive

PIN: 27-103-010-070-0000

Size: 11.51 acre project area

Current Zoning: COR Mixed Use Zoning District

Comprehensive Plan designation: Regional Core Planning District/ Regional Mixed Use

Surrounding land use and zoning:

North: Orland Square Mall (COR Zoning District)

South: Orland Square Mall (COR Zoning District)

West: Orland Square Mall (COR Zoning District)

East: Orland Square Mall outer ring commercial, detention pond (COR Zoning District)

## **OVERVIEW AND BACKGROUND**

The existing 1.2 million square foot Orland Square Mall was constructed in the mid-1970s at the northeast corner of Lagrange Road and 151st Street. The Village's first planned unit development (PUD) included both 130 acres of commercial development and 100 acres of multi-family residential development, which was fully developed and still exists today. Orland Square Mall is an established fixture and focal point in the Village, and purportedly includes some of the highest performing stores in the region. It has evolved through the years to include a wide variety of commercial uses.

## **PROJECT SUMMARY**

Simon Property Group proposes to construct an approximately two acre outdoor park in the Orland Square Mall parking lot near the southeast entrance to the indoor mall. The active park is designed for families of all ages and is focused around an extensive children's playground area, sitting areas, an interactive water feature, a mounded climbing area, a flat grassy area and a small stage. This 'family entertainment' concept is an innovative approach many large mall owners are now implementing throughout the nation to revitalize and invigorate aging indoor malls. The recent addition and success of entertainment establishments such as Gizmo's Fun Factory and Sky Zone Trampoline Park directly across Orland Square Drive show that recreational experiences are in

demand.

## **Comprehensive Plan**

The Village's 2013 Comprehensive Plan supports the Orland Square Mall as a regional mixed use area with infill potential, and recommends improvements and redevelopment of aging commercial areas, including Orland Square Mall. Additionally, the Community & Culture Chapter encourages the development of 'Third Places' that help strengthen the community with gathering places where people meet to socialize. One of the overall visions of the Comprehensive plan is the improvement of quality of life for residents, including accessible green space and recreational opportunities.

## **ANALYSIS**

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area, with the exception of the listed modifications. The proposed privately owned and operated, but publicly accessible park, in tandem with the new AMC Theater and the Von Maur Store, as well as other new Mall tenants, represent a significant investment and improvement into the Mall by Simon Properties and other investors, and will give a much needed boost to the entire Mall. The park will particularly enliven the eastern Mall parking lot, and put eyes on an area that often feels desolate. The new park represents a significant investment by the Mall owners into the Mall's future, and privately finances a publicly available park amenity that provides unique recreational opportunities for the community. The new park provides 1.8 acres of additional green space and adds 100 additional trees. The project improves vehicular and pedestrian safety by reducing the number of direct curb cuts from the ring road to the parking lot from 14 to 3, and constructing a new sidewalk is along the ring road.

As Forbes magazine states, "The future of the malls is not about shopping. No longer is it good enough for malls to be passive places to buy stuff, they have to be engaging places to do stuff. Otherwise this particular retail format will be relegated to relic status." Although Orland Square Mall is still a thriving commercial center that is quickly recovering from the loss of some anchor stores, those closings remind us of the need to proactively create and support a roadmap for the future of the Mall. Aesthetically, the new park will transition a sea of asphalt into a green welcoming experience, and offer options for healthy active play. Open space amenities improve the quality of life for visitors and residents of Orland Park.

## **PLAN COMMISSION MOTION**

On March 19, 2019, Plan Commission voted 7-0 to recommend to the Village Board approval of the

Preliminary **Site Plan** titled “Orland Square Mall proposed Multipurpose Activity Space Site Plan”, sheet C200, prepared by Rundell Ernstberger Associates dated 02.21.19, revised 03.08.19; and color exhibits titled “Proposed Multipurpose Activity Space Context Plan and as titled “Proposed Multipurpose Activity Space Site Plan”, both prepared by Rundell Ernstberger Associates and received 03.07.19, and as shown on plan titled “Orland Square Mall proposed Multipurpose Activity Space Site Layout and Materials Plan”, sheet LA101, prepared by Rundell Ernstberger Associates, dated 02.21.19, revised 03.08.19; and as titled “Orland Square Mall proposed Multipurpose Activity Space Playground Equipment Plan”, sheet LA104, prepared by Rundell Ernstberger Associates, dated 02.21.19, with the following conditions:

- 1) Per petitioner request, work with staff to make minor changes to the circulation pattern and islands in the drop off area.
- 2) Meet Village requirements for parking lot pavement improvements, as determined by Village inspection post-construction.
- 3) Signs are subject to additional review and approval via the sign permitting process.
- 4) Meet all final engineering and building division requirements and approvals including Lighting Plan.

And

Voted 7-0 to recommend to the Village Board of Trustees approval of the Preliminary **Landscape Plans** as shown on sheets LA 400, 401 - 407 and 501 prepared by Rundell Ernstberger Associates dated 02.21.19; revised 03.08.19, subject to the following conditions:

- 1) Meet conditions outlined in the Hey and Associates review letter dated March 11, 2019.
- 2) Submit a Final Landscape Plan to Village for final approvals.

And

Voted 7-0 to recommend to the Village Board of Trustees approval of the **Elevations** as shown on sheets titled “Berliner Play Equipment for Life” color 3D exhibit # USP0332000, dated 11.15.18, and “Berliner Play Equipment for Life” color plan # USP0332001, dated 11.15.18; and as shown on the three color perspectives of the park received 03.11.19.

- 3) Screen all new mechanical equipment either at grade level with landscaping or hidden behind the roofline.
- 4) Meet all final engineering and building division requirements including Lighting Plan review and approval.
- 6) All signs are subject to additional review and approval via the sign permitting process.

And

Voted 7-0 to recommend to the Village Board approval of a **Special Use Amendment** for the Orland

Square Mall Planned Development to allow construction and operation of a private park subject to all site plan conditions of approval, with the following Land Development Code **modifications**:

- 1) Exceed lot coverage.
- 2) Reduce Landscaping requirements for buffers and foundation plantings.
- 3) Reduce parking buffers and setbacks.

## **PLAN COMMISSION DISCUSSION**

On March 19, 2019, Plan Commission held a public hearing for the “Orland Square Mall Multipurpose Activity Space” petition. Six members of the public spoke regarding the proposal. Below is a summary of issues discussed, also see the recommended conditions of approval in the Board motion.

### **Resident concerns:**

1. Security and public safety: What are Operating hours and enforcement? What is the plan for safety and security of the park area?

Petitioner response: Simon is very much committed to the safety and security of its Malls, and will proactively address any issues that arise. The Park represents a significant investment into the Mall and Simon will give full attention to be sure it is a successful Mall amenity. Operating hours will for the most part be the same as the Mall, except for special events. Simon has a full time (24 hour) security operation at the Mall that will be expanded as needed to meet the requirements of the Park.

2. Parking: Will there be enough parking? Gizmos and Sky Zone already spills over into the ‘Park’ parking lot.

Petitioner response: The mall was constructed to meet much higher parking ratios than currently required by Code, and exceeds Code requirements. The Park will be a significant amenity that will reduce storm water run-off and reduce unused asphalt. The Park was purposefully located to the rear of the Mall to lessen impact on the more heavily used front parking lots.

(Note: The Mall has an almost 1500 parking space surplus over Code requirements, and the eastern portion of the lot is typically less than half full. The complimentary mix of uses at the mall with varying peak times allows for shared parking.)

3. Upkeep: The north mall berm near abutting homes north of the Mall and other areas is unkempt

and has dead plant material.

Petitioner: Simon will discuss this issue with their maintenance staff and address berm issues.

(Note: Residents were advised to contact the Village to handle property maintenance complaints)

4. Lighting: Spillage onto residential properties.

Petitioner: Existing tower lighting fixtures near the Park parking lot exist and will not be changed.

(Note: One tower light will be displaced in the Park area but will be replaced with park and pedestrian focused architectural lighting)

5. Noise: Noise may radiate from the park and stage to nearby homes.

Petitioner: Noise limits are subject to Village Codes, and any special events will be licensed.

(Note: Stage is only 450 square feet to accommodate only smaller events and is oriented toward Mall buildings. Also it is spaced at least 700' from any residential use)

6. Salt Bin and Plow storage: What will happen to the existing snow plows and equipment stored in the parking lot? Will it be moved closer to our homes?

(Note: Village will work with Simon to relocate equipment, while maintaining balance between Simon operations and aesthetics)

7. Pedestrian crossing safety: The many Gismos/ Sky Zone customers attempting to cross the Ring Road to get to the Mall already creates a safety hazard.

(Note that there are already some pedestrian signs and cross walks installed in this location)

**After the Plan Commission meeting, Village staff worked with Simon Mall to develop the following conditions of approval which will be added to the Special Use Permit motion:**

1) Petitioner must work with Village staff to develop a Park Operations Plan that will address issues such as hours of operation, cameras, security surveillance, lighting, noise, and prohibitions such as scooters, skateboards, alcohol, smoking, firearms, pets, etc. This will be enforced through a modification to the current written agreement between Simon Mall and the Village of Orland Park, and codified by a Village Ordinance. Village Police will serve as a security back up, however Mall owner will continue to provide primary security coverage for the Park and entire Mall. This issue must

be addressed within 60 days of Board approval, and finalized prior to the Park's opening.

2) Petitioner must arrange and conduct quarterly meetings with Village Staff, including the Police Department, to evaluate and discuss Park operations and create a mutually agreeable Action Plan to address Police safety and security concerns.

3) Petitioner must provide the Village with an annual Schedule of Events for approval.

4) Petitioner must assure that the playground has passed inspection by a Certified Playground Inspector at the time of installation, and then again on a twice yearly basis.

5) Petitioner must explore and submit written procedures to the Village for meeting Code requirements for mitigating lighting levels at the northern property line within 60 days of Board approval.

6) Petitioner must explore and submit written procedures to the Village showing improved Mall trash and debris removal procedures within 30 days of Board approval.

7) Petitioner must inventory all dead or dying plant material along northern planting berm and buffer, and submit a Plant Replacement Plan for Village approval. Petitioner must address this issue within the 2019-2020 planting season or a mutually agreed upon schedule.

8) Petitioner must work with staff to select a mutually agreeable storage site for concrete blocks, snow materials and equipment within 60 days of Board approval.

9) Petitioner must work with staff to develop a plan to incrementally improve pedestrian crossing safety across the ring road to the Park within 60 days of board approval.

10) All bollards, including sign bollards, must match appearance of architectural bollard shown in Security Plan packet on page 3.

**On April 1, 2019 Village staff, the Mayor, and the petitioner met at the Mall to discuss concerns with the Park proposal.** Discussion items included:

1) Traffic and pedestrian safety.

2) Bollard and natural barrier protection.

3) Park safety and security issues including Code of Conduct and hours of operation.

4) Procedures for large group visitors.

As a result of the April 1st meeting, an additional condition of approval was added to the recommended final Board of Trustees motion concerning the ring road pedestrian-crossing safety. Additionally, the petitioner was requested to provide additional security information and detail on the

Park proposal.

On **April 28th the petitioner submitted a Security Plan Packet** that shows the location, description, and graphic illustrations of the petitioner's proposed security enhancements for the Park, as summarized below by the petitioner:

- 1) "We would be adding 20 on-site **security patrol hours** per week for the park. Allied Universal is currently contracted to provide this service for the mall and would provide the additional hours of patrol. As we discussed there may be certain events as permitted through the Town that would require additional on-site staff and those would be addressed on an individual basis in advance of the event.
- 2) We are adding **surveillance cameras**. Four new pole mounted cameras will be added to the existing coverage. This will be tied into the system the mall activated in fall 2017. The cameras are monitored from our Indianapolis Corporate security office with additional monitors available at the mall security office. The Indianapolis office has a direct line of communication with on-site security officers. Camera footage is available to the Orland PD. Also note that in conjunction with the redevelopment of the former Sears building, Seritage is planning to add additional on-site cameras on their property which will be tied to the same monitoring system.
- 3) The perimeter of the park area has multiple layers of safety measures designed to **separate vehicular activity from the park** while maintaining an environment that isn't confined to the point where activities proposed for park can no longer function. Page 3 shows those measures which include fencing within mounded and landscaped areas adjacent to the playground, addition of vehicle rated bollards on sidewalks adjacent to parking, raised areas defined by steps and grade changes, sign bollards where ADA parking abuts the park areas.
- 4) **In combination these measures will secure the park and allow the space to function with a variety of events that will be programmed throughout the year.** We look forward to the creation of this first class amenity dedicated to our customers and the Orland Square community."

### **DEVELOPMENT SERVICES COMMITTEE DISCUSSION**

The Development Services Committee Chair has consented for this project to skip the Development Service's Committee. **This case is now before the Village Board of Trustees for final consideration.**



## Recommended Action/Motion

I move to approve the **Site Plan, Preliminary Landscape Plan, Elevations, and Special Use Permit Amendment for a planned development with a private park, with Modifications**, for the Orland Square Mall Multipurpose Activity Space located in the southeast Orland Square Mall parking lot, as recommended at the March 19, 2019 Plan Commission meeting and as fully referenced below.

### **THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)**

I move to approve the **Preliminary Site Plan** titled “Orland Square Mall proposed Multipurpose Activity Space Site Plan”, sheet C200, prepared by Rundell Ernstberger Associates dated 02.21.19, revised 03.20.19; and color exhibits titled “Proposed Multipurpose Activity Space Context Plan, received 03.18.19; and Security Plan packet and updated Site Plan, titled “Proposed Multipurpose Activity Space Site Plan on page 1, Activity Spaces on page 2, Security - Vehicular Access Barriers” on page 3, and Security Surveillance Coverage pages 4-6, received 04.29.19, all prepared by Rundell Ernstberger Associates; and also as shown on plan titled “Orland Square Mall proposed Multipurpose Activity Space Site Layout and Materials Plan”, sheet LA101, prepared by Rundell Ernstberger Associates, dated 02.21.19, revised 03.08.19; and as titled “Orland Square Mall proposed Multipurpose Activity Space Playground Equipment Plan”, sheet LA104, prepared by Rundell Ernstberger Associates, dated 02.21.19, with the following conditions:

- 1) Petitioner must meet Village requirements for parking lot pavement improvements, as determined by Village inspection, post construction.
- 2) Signs are subject to additional review and approval via the sign permitting process.
- 3) Meet all final engineering and building division requirements and approvals including Lighting Plan.

And

I move to approve the **Preliminary Landscape Plans** as shown on sheets LA 400 - 407 and LA 501 prepared by Rundell Ernstberger Associates dated 01.18.19, latest revision 03.22.19, subject to the following conditions:

- 1) Meet conditions outlined in the Hey and Associates review letter dated March 11, 2019, and all subsequent review letters.
- 2) Submit a Final Landscape Plan to Village for final approvals.

And

I move to approve the **Elevations** as shown on sheets titled “Berliner Play Equipment for Life” color

3D exhibit # USP033 2000, 2001, 2002, and 2010, dated 11.15.18, latest revision 01.16.19; and as shown on the three color perspectives of the park received 03.11.19.

- 1) Screen all new mechanical equipment either at grade level with landscaping or hidden behind the roofline.
- 2) Meet all final engineering and building division requirements including Lighting Plan review and approval.
- 3) All signs are subject to additional review and approval via the sign permitting process.

And

I move to approve a **Special Use Amendment** for the Orland Square Mall Planned Development to allow construction and operation of a private park with the following **modifications**:

- Exceed lot coverage.
- Reduce Landscaping requirements for buffers and foundation plantings.
- Reduce parking buffers and setbacks.

AND subject to the below conditions of approval:

- 1) Petitioner must work with Village staff to develop a Park Operations Plan that will address issues such as hours of operation, cameras, security surveillance, lighting, noise, and prohibitions such as scooters, skateboards, alcohol, smoking, firearms, pets, etc. This will be enforced through a modification to the current written agreement between Simon Mall and the Village of Orland Park, and codified by a Village Ordinance. Village Police will serve as a security back up, however Mall owner will continue to provide primary security coverage for the Park and entire Mall. This issue must be addressed within 60 days of Board approval, and finalized prior to the Park's opening.
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- 3) Petitioner must provide the Village with an annual Schedule of Events for approval.
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