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AGENDA

PLANNING & ZONING COMMISSION MEETING City of Oakbrook Terrace

**Tuesday, September 2, 2014
Council Chambers - 7:00 P.M.**

- I. Roll Call**

- II. Approval of the August 5, 2014 Minutes
Chicago Title Trust Company / John Wendland
17W626 Butterfield Road
Case #15-4**

- III. Approval of the August 5, 2014 Minutes
Jerzy Jablecki
1S673 MacArthur Drive
Case #15-5**

- IV. Specialty's Café & Bakery, Inc.
17W626 Butterfield Road
Case #15-6**

To consider the request by Specialty's Café & Bakery, Inc. ("Petitioner"), to approve special uses under Sections 156.024(B) with variations authorized under 156.023(B) of the Zoning Ordinance of the City of Oakbrook Terrace (the "Zoning Ordinance") as follows:

- 1. Pursuant to Section 156.024(B) of the Zoning Ordinance, a special use with variations noted herein for outdoor dining with an area exceeding 25% of the indoor dining space pursuant to Section 156.087(C)(28) of the Zoning Ordinance for a single tenant on the Subject Property according to the plans on file with the City which reflect a gross conditioned interior area of 5,013 sq. ft., an interior**

dining area of 1,550 sq. ft. and a patio dining area of 1,225 sq. ft., and as these plans may be modified during the hearing and meeting process through the City Council's decision;

2. Pursuant to Section 156.024(B) of the Zoning Ordinance, a special use with variations for outdoor dining with aggregate and individual areas exceeding 25% of the total indoor dining space and of the area of each interior dining space, pursuant to Section 156.087(C)(28) of the Zoning Ordinance for two tenants on the Subject Property (areas provided in Item 1);

3. Pursuant to Section 156.024(B) of the Zoning Ordinance, a special use with variations to allow business, service, repair and processing, storage and merchandise display to be conducted without an enclosed building pursuant to Sections 156.087(A)(2) and 156.087(C)(28) of the Zoning Ordinance to allow exterior sales, display and storage of merchandise on the patios at the Subject Property utilizing a mobile display case or a display fixed at a location approved by staff and the Fire Protection District;

4. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.104 reducing the number of loading zones required from one (1) to zero (0) for a building with a gross area of more than 5,000 sq. ft. but less than 6,000 sq. ft.;

5. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.087(G)(2) reducing the required east side yard from ten (10) feet to five (5) feet;

6. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.087(G)(3) reducing the required rear yard from thirty (30) feet to ten (10) feet and reducing the required separation of paved areas from the north lot line from five (5) feet to zero (0) feet;

7. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.087(G)(4) to permit a common access drive to serve as more than one-half of the rear yard requirement;

8. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.035(C)(3) and Section 156.045(B)(30) of the Zoning Ordinance, limiting the height of accessory structures to sixteen (16) feet above grade, in order to permit the continuation, repair and maintenance of the existing structures at the Subject Property, which include (a) light poles along the west lot line not to exceed thirty (30) feet in height and (b) the use of existing freestanding signs (one situated near the southwest corner of the Subject Property and one situated on Lot 2 and along Summit) not to exceed their present height, while requiring new installations to comply with the Zoning Ordinance;

9. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.087(I) and Section 156.049 waiving the interior and perimeter parking lot and other site landscaping requirements to permit that landscaping which is provided for in the Site Plan and Landscape Plan on file with the City, and as this plan may be amended through the City Council's consideration of this request, including but not limited to a variation from the area of landscape islands;

10. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from the prohibition in Section 156.035(B) and Section 156.039(B)(2) of the Zoning Ordinance against fences in the front yard in a business district in order to allow an opaque eight (8) foot high fence to extend from a point along the east lot line to the intersection of the east lot line with the required front yard line which is forty (40) feet north of Butterfield Road and roughly twenty (20) feet south of the south face of the proposed building;

11. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.101(A)(2)(b) in order to permit the parking of vehicles of patrons, occupants or employees of Applicant on the adjacent Lot 2 which lies directly north of the Subject Property and on the west line of Summit;

12. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.101(B)(1) in order to avoid the cessation of parking of vehicles of patrons, occupants or employees of Applicant on the adjacent Lot 2 directly north of the Subject Property along the west line of Summit in the event that they shall no longer be in the same right of possession or ownership as the Subject Property;

13. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation under Section 156.101(C) to allow a joint parking facility on Lot 2 two north of the Subject Property and along the west line of Summit for the parking of vehicles of patrons, occupants or employees of Applicant on Lot 2;

14. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.045(B)(3), note 2, in order to permit porches (the patios) to extend more than four (4) feet into the required east side yard, not beyond a line that is five (5) feet from the east lot line;

15. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.045(B)(4), note 1, in order to permit canopies to extend more than four (4) feet into the required east side yard, not beyond a line that is five (5) feet from the east lot line;

16. Pursuant to Section 156.023(B) of the Zoning Ordinance, a variation from Section 156.045(B)(14) in order to permit driveways in the required rear yard of the Subject Property;

17. Pursuant to Section 156.023(B), such other variations and authorizations as may be required to permit the development of the use and improvements according to the plans on file with the City and as these plans may be amended through the City Council's consideration of this request; and

18. Pursuant to Section 156.023(B), a variation from Section 156.023(E) imposing a time limit on the variation, if any, allowed for the side yard fence extension south of the building face in order to permit the application for building permit for the fence on a date not later than five (5) years from the date a variation is approved in order to permit petitioner to consider the effect of existing and proposed alternative buffering techniques.

Petitioner and Owner seek the above relief in order to allow the improvements and use of the Subject Property according to the landscape plan by Robert Mowat Associates last revised on August 4, 2014 (subject to the City Council's determination of a pending application for variations relating to landscape buffering of the transformer pad) and the site plan and elevations by Gensler last revised on August 4, 2014 (bearing various revision dates by sheet), both of which are on file with the City of Oakbrook Terrace.