



City of Oakbrook Terrace  
Planning & Zoning Commission Meeting  
Tuesday, December 7, 2021  
Case #22-06

The Planning and Zoning meeting was called to order by Vice Chairperson Walberg at 6:00 P.M.

Vice Chairperson Walberg asked Building and Zoning / Planning and Zoning Secretary Lozano to take roll call.

Present: Commissioners Ventura, Jackson, Freda, Donoval, Cardenas, Vice Chairperson Walberg

Absent: Chairman Caslin

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Addy Lozano, Building and Zoning / Planning and Zoning Secretary

Vice Chairperson Walberg said the first order of business was to approve the minutes of November 16, 2021, Case #22-05, 17W220 22<sup>nd</sup> Street, Petitioner, 17W220 22<sup>nd</sup> LLC.

Vice Chairperson Walberg asked if there was any final discussion.

MOTION Commissioner Jackson moved, and Commissioner Freda seconded the motion to approve the minutes of November 16, 2021, Case #22-05, 17W220 22<sup>nd</sup> Street, Petitioner, 17W220 22<sup>nd</sup> LLC.

Vice Chairperson Walberg asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Commissioners Ventura, Donoval, Jackson, Freda, Cardenas, Vice Chairperson Walberg

Nays: None

Absent: Chairman Caslin

MOTION PASSED WITH A 6-0 VOTE.

Building and Zoning Administrator Dragan took the floor and stated, City Council directed a public hearing before the Planning and Zoning Commission for further review and input concerning text amendments for building height in the B-2 Professional Office District, number of freestanding signs allowed per zoning lot, amendment to B-3 General Retail District to add café as a permitted use with video gaming permitted in the café only if the premises is granted a video gaming location license under Chapter 124 of the City Code, and to prohibit short-term rentals that are less than 28 days.

1. Section 156.086 (H) of the Zoning Ordinance reads as follows:

Building height shall not exceed 40 feet, plus mechanicals.

In the B-2 Professional Office District, the allowable building height is 40 feet plus mechanicals. In the other business districts, B-1, B-3, B-4, B-5, and B-6 there is also a maximum allowable building height, however, mechanicals are included in the maximum allowable building height. So, the height is to the highest point of the building which includes mechanicals on the rooftop. It is proposed to delete “plus mechanicals” in the B-2 District to be consistent with the other business districts on how we calculate the building height.

Commissioner Jackson asked, which building is the highest in the B-2 District?

Building and Zoning Administrator Dragan answered, it’s hard to tell without any records available, but many buildings are 3 stories in height including 1S443 Summit Avenue, Three Oaks, and Terrace Oaks.

2. The second proposed text amendment refers to the number of freestanding signs allowed per zoning lot. In 2020, the Zoning Committee recommended only one freestanding sign to be allowed per zoning lot. The Zoning Committee felt that too many signs do not look esthetically pleasing. At the time, the Planning and Zoning Commission also concurred with the Zoning Committee’s recommendation and the City Council approved Ordinance No. 20-29 passed on August 2020. Recently, I noticed that the ordinance states that “not more than one freestanding sign shall be allowed”. However, for some reason the code in effect prior to 2020 was not deleted. That code allows one freestanding sign as well, but on a corner or through lot, one freestanding sign was allowed to be erected along each frontage of the

zoning lot. Based on this, we recommend deleting the previous code because it conflicts with the new code.

3. The third proposed text amendment is to amend Section 156.087 (B) to add item (85) Café as a permitted use with video gaming permitted in the café only if the premises is granted a video gaming location license under Chapter 124 of the City Code. for consistency with City Code of Ordinances. Section 156.087(B) refers to B-3 General Retail District. We always allow Gaming Café's if they are approved by the City Council, but it is not shown as a permitted use. There are currently 84 permitted uses, and the proposal would be to add item 85 Café.

Attorney Pacione added, just to clarify, we are adding café as a permitted use with video gaming permitted in the café only if the premises is granted a video gaming location license under Chapter 124 of the City Code.

4. The fourth and last text amendment is to prohibit short-term rentals that are less than 28 days.

Attorney Pacione added, there is a proposed change to the code which defines what a short-term rental is. A short-term rental is a house, condominium, and time share that is rented for less than 28 days. The City is not going to allow that in residential districts.

Commissioner Freda commented, we have so many long-term rentals now, I'm worried if we were to ever approve Vrbo or Airbnb to come into our residential areas.

Attorney Pacione added, the city would not allow that.

Commissioner Freda asked, even if it is for more than 28 days?

Attorney Pacione answered, if it is 28 days or more it is allowed.

Commissioner Ventura asked, why can't we say the short-term rentals have to be under 120 days not 28 days? Why not longer?

Commissioner Freda also asked, do we have to agree with 28 days?

Attorney Pacione answered, you can make a recommendation.

Commissioner Jackson asked, who recommended 28 days?

Building & Zoning Administrator Dragan answered, City Attorney Ramallo made a presentation at the 9/28/21 City Council meeting of the draft ordinance and recommended to prohibit short-term rentals that are less than 28 days.

Commissioner Ventura asked, are bedrooms allowed to be leased?

Building and Zoning Administrator answered, yes, but we have specific restrictions.

Commissioner Freda added, Chairman Caslin asked what are the existing subdivisions within the city doing as far as Vrbo and Airbnb?

Building and Zoning Administrator Dragan answered, the issue came up in the central south of the city and Versailles on the Lakes.

MOTION Commissioner Jackson moved, and Commissioner Freda seconded to approve items 1, 2, 3, 5, 6, 7, and 9 per legal notice.

Vice Chairperson Walberg asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Commissioners Ventura, Freda, Jackson, Cardenas, Donoval, Vice Chairperson Walberg

Nays: None

Absent: Chairman Caslin

MOTION PASSED WITH A 6-0 VOTE

MOTION Commissioner Freda moved, and Commissioner Ventura seconded the recommendation to prohibit short-term rentals that are less than 180 days or the appropriate number that conforms with the rental code.

Vice Chairperson Walberg asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Commissioners Ventura, Freda, Jackson, Cardenas, Donoval, Vice Chairperson Walberg

Nays: None

Absent: Chairman Caslin

MOTION PASSED WITH A 6-0 VOTE

MOTION Commissioner Freda moved, and Commissioner Ventura seconded to approve items 4 and 8 per legal notice as previously amended.

Vice Chairperson Walberg asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Commissioners Ventura, Freda, Jackson, Cardenas, Donoval, Vice Chairperson Walberg

Nays: None

Absent: Chairman Caslin

MOTION PASSED WITH A 6-0 VOTE

Building and Zoning Administrator Dragan added, the Letter of Recommendation will be placed on the agenda for the December 14, 2021, City Council meeting at 7:00 p.m. There is no public hearing meeting scheduled for December 21, 2021.

MOTION Commissioner Freda moved and Commissioner Ventura seconded the motion to cancel the December 21, 2021, meeting.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 6-0.

MOTION Commissioner Freda moved and Commissioner Jackson seconded the motion to adjourn the meeting.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 6-0.

Vice Chairperson Walberg adjourned the meeting at 6:38 P.M.

Respectfully submitted by,

Addy Lozano

Building and Zoning / Planning and Zoning Secretary