



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, August 7, 2018
Case #19-03

The Planning and Zoning meeting was called to order by Chairman Caslin at 6:05 P.M.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take roll call.

Present: Chairman Caslin, Commissioners Ventura, Jackson, Schneider, Donoval,

Absent: Commissioner Cardenas, Walberg.

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

Chairman Caslin said the first order of business was to approve the minutes of June 19, 2018, Case #19-02 for 1S055 Summit Avenue, Petitioner Winfred Ancona For Rezoning Of The Subject Property, To Grant A Special Use, And To Grant Variations From The Zoning Ordinance.

Chairman Caslin asked if there was any final discussion.

Commissioner Douglas asked prior to motion, for a correction to page two where he is asking if the Chairman is asking for a motion rather than asking for a motion to approve. He added he's been corrected, the Chairman and I asked for a motion to approve and I'd like to make sure that future readers of these minutes don't think that the Commission doesn't understand the rules and orders. It is just me.

MOTION Commissioner Schneider moved and Commissioner Ventura seconded the motion to approve the minutes of June 19, 2018, Case #19-02 for 1S055 Summit Avenue, Petitioner Winfred Ancona For Rezoning Of The Subject Property, To Grant a Special Use, And To Grant Variations From The Zoning Ordinance.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Chairman Caslin, Commissioners Ventura, Jackson, Schneider, Donoval,
Nays: None
Absent: Commissioner Cardenas, Walberg.

MOTION PASSED WITH A 5-0 VOTE.

Chairman Caslin asked Building and Zoning Administrator Dragan, to tell us about the first case. Building and Zoning Administrator Dragan stated that the first case is for 1S314 Summit Avenue, Ascension of Our Lord Catholic Church who is asking for variations from the Zoning Ordinance for signage and the petitioner is here tonight to make a short presentation of the proposed request for a digital sign.

Chairman Caslin asked all those who will be speaking this evening to please stand up and be sworn in.

Vince Zaprzal representing Ascension of Our Lord Catholic Church was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Vince Zaprzal took the floor and stated, good evening my name is Vince Zaprzal I am the director of Parish Ministry Religious Education Facility at Ascension of Our Lord Catholic Church and as you see in your packets we are looking to do an upgrade of our current sign on Summit Avenue. We would like to go to a LED sign where we can have messages available to the community, something that says Ascension of Our Lord Catholic Church and the address. Here on this page is our existing sign and it is in the same spot where the new sign will go. Our current sign versus what our new sign would look with LED. So there will be brand new cabinets, it will be raised up just a little bit. Something to make the address larger, a lot of people say they can't see the address so that is going to help immensely and then a message board where we will have our mass times, functions, anything that may catch peoples interest coming down the street.

Chairman Caslin asked for comments from the Commissions.

Commissioner Schneider asked the petitioner, what year did your church start.

Vince Zaprzal answered we started 51 years ago.

Commissioner Schneider added, okay, and you have a newsletter that goes out.

Vince Zaprzal answered we have a weekly bulletin, and a special newsletter from time to time.

Commissioner Schneider added, and your internet access, everyone has access to know what is going on.

Vince Zaprzal answered we have a website where you can get a copy of the bulletin as well.

Commissioner Schneider added, and when you started how many people did you have.

Vince Zaprzal answered at the parish? Probably 350 families when we started 51 years ago. We are now at about 900 families.

Commissioner Schneider added, okay, and with all that, and your mailing list why do you feel that is necessary to have a digital sign.

Vince Zaprzal answered, to promote our church, to promote our activities.

Commissioner Schneider added, okay, a digital sign I feel is a distraction to the drivers on the road just like cell phones are. They pick up their cell phone, they look at it, they're taking their eyes off the road. Same thing with your sign. They take their eyes off the road to look at your digital sign and there are a lot of digital sign requests for Oakbrook Terrace and it really is getting out of hand. I'm not sure yet if I support it or not. Thank you.

Chairman Caslin then asked if there were any additional questions from the Commission.

Commissioner Ventura and Jackson answered, no.

Commissioner Donoval commented, I have no questions. It is a good looking sign.

Vince Zaprzal answered, thank you, we've taken a lot of time to design something that is going to be attractive and what is nice too, is that you are able to control the brightness. So if it is a really sunny day, it turns down. If it

is darker, it gets brighter. But what is nice too, it doesn't flash in people's faces, so it's not as much of a distraction.

Chairman Caslin added, it will be nicer in the evening at the darkest time at night; it will be dimmed down a little bit.

Vince Zaprzal answered; sure, we can control all those types of things.

Building and Zoning Administrator Dragan added, the new proposed digital sign totals 105.2 square feet in area, and 9'11" in height, and therefore the necessary variations from the Zoning Ordinance need to be addressed. To permit a digital free standing sign as well as a variation for the height of the sign from maximum allowed 9 feet to allow 9 feet 11 inches and from the required 6 foot clearance to allow a clearance of 2 feet 9 inches. So these are the actual variations from the sign code that I requested. The sign is very similar to the existing sign just a little bit larger and a little bit higher than the existing sign and it will be installed in the same location.

Commissioner Schneider asked if he could ask another question.

Chairman Caslin answered, sure.

Commissioner Schneider asked, can someone explain the 6 feet clearance down to 2 feet 9 inches.

Vince Zaprzal answered; it is going to go a bit lower to the ground than the existing sign.

Commissioner Schneider responded, okay, and it is going up 11 more inches.

Vince Zaprzal answered, correct.

Commissioner Schneider added, okay, well like I said the digital signs are all changing and it's kind of flashy, they are all over the place. I just don't see the need for it.

Vince Zaprzal responded, for us it's a great way to evangelize to people who may be driving by and need that extra push to come in to the church.

Commissioner Ventura added, I think it's a very attractive sign. I agree that the sign needs to have more visibility for the parishioners of Ascension of Our Lord Catholic Church, and I don't see why when there are so many digital signs, that this small digital area that is off the road would have any negative

impact on anyone. I like it, I think it looks very nice. That is all I wanted to comment on.

MOTION Commissioner Jackson moved and Commissioner Ventura seconded to approve Case #19-03 as detailed on the agenda received.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary

Ayes: Chairman Caslin, Commissioners Ventura, Jackson, Donoval,

Nays: Commissioner Schneider

Absent: Commissioner Cardenas, Walberg

MOTION PASSED WITH A 4-1 VOTE.

Building and Zoning Administrator Dragan added, the Letter of Recommendation will be placed on the agenda for the August 28, 2018 City Council meeting at 7:00 p.m.

City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, August 7, 2018
Case #19-04

Chairman Caslin asked Building and Zoning Administrator Dragan to introduce the next case.

Building and Zoning Administrator stated that the next case is #19-04 for 17W623 Butterfield Road. The name of the multi-tenant center is Butterfield Point and the petitioner tonight is Stan's Donuts, LLC, the representative for Stan's Donuts is here tonight as well as the landlord.

Chairman Caslin asked all those who will be speaking this evening to please stand up and be sworn in.

Anthony DiMauro representing Stan's Donuts and Butterfield Point was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Anthony DiMauro took the floor, and stated good evening, I am open for questions on the variances that we are asking for.

Chairman Caslin asked, are you the property owner or from Stan's Donuts.

Anthony DiMauro answered, I will represent both at this Public Hearing.

Building and Zoning Administrator Dragan asked Anthony DiMauro to give a short presentation.

Anthony DiMauro answered, sure, Stan's Donuts is asking for a variance on the signage. What they are proposing, we have an exhibit of it, is that in the entryway of the drive-through to have a height detector 9 foot bar with lettering that spells Stan's Donuts that would be out of the allowable square footage for the sign. So we are asking for a variance to approve that extra sign, and the second variance that we are asking for is parking spaces. If we do include the outdoor patio, that is seasonal, we need two extra parking spaces. We are asking for a variance for the minimum requirements so that we can keep the outdoor patio seating. It's a drive-through mostly driven business and the three spaces between the two restaurants, B, C, and D, will be retail. So at the moment we do not see an overflowing parking.

Building and Zoning Administrator Dragan added, specifically when Butterfield Point was approved, Ordinance No. 15-46 approved a specific site plan granting a special use for a restaurant with drive-through, outdoor dining, and granting variations from the Zoning Ordinance for the development. The parking site data summary submitted and approved for the multi-tenant

retail center shows 42 parking spaces are required and 42 parking spaces are currently provided. Six spaces were assigned for the south restaurant unit which is Stan's Donuts. In addition to stacking spaces for the drive-through, the proposed seating area planned when they submitted for the building permit, required 8 parking spaces instead of 6 and Stan's Donuts would like to obtain approval for this variation, for 2 parking spaces. So the actual request is to approve 2 parking spaces variation for Butterfield Point and Stan's Donuts. The future tenants would have to comply with requirements for parking. Stan's Donuts is also requesting approval for a free standing sign along Butterfield Road with a height not to exceed 14 feet instead of 9 feet as visibility for the drive-through is needed.

Anthony DiMauro added, we have clarification on the 14 feet It is not going to be 14 feet the detector that stated 9 feet maximum, that's for safety for the cars so they don't hit the canopy when they come around. But being the detector 9 feet it's going to exceed by 6 inches what the maximum height is.

Building and Zoning Administrator Dragan commented, it's not a big sign but the way how we measure the height of the sign will be totaling approximately 14 feet. They want to have that clearance for vehicles and visibility for the drive-through and due to the building configuration, lot configuration, and the drive-through goes through the back off from Butterfield Road to the end of the unit which is Stan's Donuts. There is a monument sign advertising the tenants but the intent of the monument sign is to advertise the tenants and is not really directing anyone to the drive-through facility or the Stan's Donuts location.

Chairman Caslin asked, how big is the monument sign, approximately.

Building and Zoning Administrator Dragan answered, I think it is 11-12 feet but it looks a lot bigger because it is a monument sign.

Chairman Caslin asked, how much signage is in your building.

Anthony DiMauro answered, there is in front of the building that faces Midwest Road that is 4 feet by 8 feet if I'm not wrong.

Building and Zoning Administrator Dragan added, I don't have the sign permit with me but I can answer that no variation for the wall sign was needed.

Chairman Caslin added, there is no variation now.

Building and Zoning Administrator Dragan answered, no, other than the monument sign.

Chairman Caslin added, my point is that you are getting a lot more signage and then we have 3 other tenants that are possible to come here again.

Anthony DiMauro answered, no, because the only tenant that has a drive-through and needs that kind of signage is Stan's Donuts. The other 3 tenants that are in the middle, B, C, and D, those are retail they get the fascia. The amount of sign is based on their floor plan too, so B, C, and D, are about 1500-1600 square feet each.

Chairman Caslin asked, so their signage is locked in at this point.

Anthony DiMauro answered, yes, they won't be able to ask for a variance, they won't need it. The only variance Stan's Donuts is asking for is for the drive-through.

Chairman Caslin added, okay, I just want to make sure were not going to come back because Bobby's Hot Dogs is on the other side and wants to have a sign on the side of the building facing Butterfield Road that lights up and says Hot Dog's.

Anthony DiMauro answered, all tenants are locked in. The only purpose of this is for the drive-through so that people coming down Butterfield Road can identify the drive-through. It is for the purpose of safety too, being that bar 9 feet so that when they turn around, Stan's Donuts has a canopy on top of the drive-through window and they won't bump into it.

Chairman Caslin asked if there were any questions from the Commission.

Commissioner Schneider asked, from the signage and the chain hanging down that says 9 feet clearance, is there a way you can adjust that and bring the height down? A lot of people are asking for bigger and bigger signs, it's pretty much non-stop.

Anthony DiMauro answered, we do understand, it's just that the canopy is 9-10 inches that's why we want to put it at that height and bring it down the bottom part of it maybe to 8 feet 6 inches it is already 8 feet 6 inches but then when it goes on the curve you pick up another 6 inches so that's why it goes up to 9 feet the post itself is 8 feet 6 inches.

Commissioner Schneider added, so you have no way to adjust it and bring it down is what you are saying.

Anthony DiMauro answered, not by definition, but it's not a lot, we can do a 6in. adjustment. If I bring it more than a foot down any car even like a small pick-up won't be able to go through the drive-through. Typically, we as developers, Lee Fry Companies, we do a lot of drive-through's like Dunkin Donuts, Beef Shack, and that is typical, 8 feet 6 inches on the curve.

Commissioner Ventura added, I don't have any questions but my only comment is that I don't agree that there is a hardship. I think Stan's Donuts already has really good visibility, I think everybody knows that you are coming with what you have right now. There is a large monument sign on the corner and as Mr. Schneider stated, as we continue to allow higher and higher signs, sets a precedence and I think the parking is tight enough to reduce the amount of parking allowed.

Commissioner Donoval added, I think we went too far with the signage. I think we should allow the 2 parking spots but the signage I wouldn't vote on it.

Commissioner Ventura added, they do have small arrow signs to say this is the drive-through.

Anthony DiMauro answered; it's more like the height detectors that were going to have to put for safety reasons anyways.

Commissioner Ventura added, well how many trucks do you see going through McDonalds or Dunkin Donuts.

Anthony DiMauro answered, they have height detectors as well.

A member of the audience asked to speak at this time.

Chairman Caslin asked for him to be sworn in.

Paul Clausen representing Stan's Donuts was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Paul Clausen took the floor and stated, we have a signage contractor that has put together a couple of proofs for sign. The only thing that we have so far is the sign in front, above the doorway with the Stan's Donuts logo, and then the second sign is for the one that is over the drive-through. We have not actually come up with any type of sign or logo for the monument sign at this point. Were told by the landlord, that we have space on the monument but we haven't actually done anything. Normally, a drive-through if you go through any of these you'll see a sign that comes over and there's a hanging

piece that designates 9 feet as Anthony was saying, so when you are driving through you don't hit the canopy. It's like when you are driving in a parking garage. When we were looking at the sign, Rich Labriola, who owns Stan's Donuts, wanted a little more for the drive-through itself so right now those are the two signs that we have. In terms of square footage requirements, I don't think we are over the actual footage were allowed to have for the sign, it's just the height of the drive-through sign. The only reason it's so tall is because it has to be above the tallest car that is allowed to go through the drive-through. So that is basically where were at with the sign. We are not trying to put in more signage. I don't know if that clarifies things for you.

Commissioner Ventura added, well doesn't this add to the amount of square footage of signage that was already approved.

Building and Zoning Administrator Dragan added, at that time when signage was assigned, before knowing the tenants the landlord submitted a Signage Data Summary which each sign, including the monument sign, was under the allowable signage area for the property. Stan's Donuts wanted to have the additional freestanding sign on the property. The area is not an issue; they are still below the area for signage permitted for the property. The request is only for the height.

Paul Clausen added, and also the sign is off of Butterfield Road because it's at the entrance of the drive-through so it's set back a little bit.

Commissioner Jackson added, to understand what you said, if I look at the drawing, the top of the sign, the monument is 13 feet 9 inches and were talking for a variance above the height. You said by 6 inches more.

Anthony DiMario answered, no, the bar detector. Now you are talking about the monument sign.

Commissioner Jackson responded, the total signage is where you are seeking the variance for.

Paul Clausen answered; it's for the drive-through sign.

Commissioner Jackson responded, yes, I understand and the total height is 13 feet 9 inches and to be within the ordinance it is 4feet 9 inches more than the ordinance.

Paul Clausen answered, yes; our understanding is that the code height is 9 feet for the top of the sign and in which case if the drive-through is 9ft. it just doesn't work, so you have to be above it because were putting in a logo, that's where we end up taller than that 9 feet point because that's where we start. The other thing as I mentioned, I don't know if you have a copy of the site plan, its actually at the corner of that building where that sign is. So, you pull in, there's parking spots, and as you maneuver the drive-through you are basically at the corner of the building before you get to that sign.

Commissioner Jackson then stated, my next question, you have to put on your landlord hat for this question, when we originally approved the variance necessary to build it was not presented to us as having the size seating area which is causing this problem. Based on what you know today about potential other tenants, tell us that is not going to be a problem.

Anthony DiMauro answered, there is not going to be a problem and I'll tell you why. There is the other restaurant, so they won't ask for a variance because they already had it when this was approved, their outdoor sitting within the package so whatever the parking spaces were calculated on their dining area and the outdoor. In the event that more spaced are needed as their business picks up, there are preliminary talks already in place for that restaurant user to do off-site valet parking. Now in your ordinance you call for a 30% reduction in the requirement of off-site parking if we have valet in place and if they need that, that's what is going to happen, there will not be another request for variance.

Commissioner Jackson added, still with your landlord hat on, and I think it's too bad that when we approved this initially this issue of the signage, which by definition was going to be needed and was going to be out of compliance could've been brought up then.

Anthony DiMauro answered; we didn't have the specific tenant.

Commissioner Jackson responded, but we approved the drive-through which would assume that you needed to protect the height.

Commissioner Schneider added, we had two different cases, I believe it was Jersey Mike's and Anyway's Restaurant, they have these low standing signs that say drive-through with the arrow. Why isn't that something you could put up.

Anthony DiMauro answered, were going to need the 9 foot bar anyways for the detector.

Commissioner Ventura added, you can have the detector at 9 feet and not need another 4 feet to advertise Stan's Donuts another time right.

Paul Clausen answered; I think it's important to designate the drive-through belonging to Stan's Donuts and so the sign that we have is incorporated with the detector on top, otherwise you have another sign that basically is saying this is the drive-through of Stan's Donuts, and we do not need that other sign.

Commissioner Schneider added, my only other thing would be to comment that this is two height requirements now for this property. That's all.

Chairman Caslin then added, your off-site parking comment that you made, I would hope that we would see a contractual.

Anthony DiMauro answered, yes, If needed.

Chairman Caslin added, I think it is necessary because we've had to many fights with other properties that share parking and their business grows and others don't like it. I think as the city, just to keep our Police Department from getting involved in your augments, it would be nice if you submit something, a legal document perhaps that says you do have off-site valet usage of X amount of spaces.

Anthony DiMauro answered, yes, definitely. When a user comes in, we don't have one yet.

Chairman Caslin responded, I'm just giving you a suggestion; it would be nice for the city to have that, so when the argument comes up, keep everyone peaceful.

Building and Zoning Administrator Dragan added, I'd like to make a comment for clarification; they are permitted to have two freestanding signs. One which is the monument sign currently installed and another sign for the property. Signage area is in compliance with the code. They are allowed to have this freestanding sign at the height of 9 feet if the variation is not to be approved. They cannot have an additional directional sign with the logo because that would be considered the third free standing sign, which is not allowed. They would have to apply for a Public Hearing to allow that third freestanding sign, which cannot be included at this time because we did not advertise the variation in the legal notice for the third freestanding sign. I just wanted to clarify before the board makes a decision.

MOTION Commissioner Jackson moved and Commissioner Douglas seconded to approve Case #19-04 as detailed on the agenda received.

Chairman Caslin asked Building and Zoning / Planning and Zoning Secretary Lozano to take the roll call.

Ayes: Chairman Caslin, Commissioners Jackson
Nays: Commissioner Schneider, Ventura, Donoval
Absent: Commissioner Cardenas, Walberg

MOTION FAILED WITH A 2-3 VOTE.

Attorney Peter Pacione added, that the request was denied, it still goes before the City Council for them to make a decision at the August 28, 2018 meeting at 7:00 p.m.

Anthony DiMauro added, thank you for your time.

Chairman Caslin asked if there were any other business before this board.

Building and Zoning Administrator Dragan added, there are no public hearings scheduled for August 21, 2018 at this time. The next scheduled public hearing is for September 4, 2018.

Chairman Caslin asked for a motion to cancel the August 21st Planning and Zoning meeting.

MOTION Commissioner Schneider moved and Commissioner Jackson seconded the motion to cancel the August 21st Planning and Zoning meeting.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 5-0.

Chairman Caslin asked for a motion to adjourn the meeting.

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

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 5-0.

Chairman Caslin adjourned the meeting at 6:46 P.M.

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Respectfully submitted by,

Addy Lozano
Building and Zoning / Planning and Zoning Secretary