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AGENDA

**PLANNING & ZONING
COMMISSION MEETING
City of Oakbrook Terrace
17W261 Butterfield Road**

**Tuesday December 18, 2018
Council Chambers - 6:00 P.M.**

- I. Roll Call**

- II. Approval of the Minutes for Case #19-07
1901 S. Meyers Road
Petitioner: Advocate Health and Hospitals Corporation
Installation of a Generator**

- III. Case #19-08
18W100 22nd Street
Petitioner: Viking Partners Oakbrook, LLC**

To consider a request by Viking Partners Oakbrook, LLC:

To approve special uses authorized under Section 156.024(B) of the Zoning Ordinance, a preliminary and final planned unit development in three phases with exceptions authorized under Section 156.025(C) of the Zoning Ordinance of the City of Oakbrook Terrace (the "Zoning Ordinance"), preliminary and final plat of subdivision (lot split) authorized under Section 159.08(D) and Section 159.07(A) of the City of Oakbrook Terrace Subdivision Regulations and demolition of part of an existing structure under Title XV, Chapter 153 of the City's Municipal Code as follows:

- 1. The following special uses authorized within the entire development:**
 - a. A special use pursuant to Section 156.051(D)(4) and Section 156.051(H) to allow above ground service facilities as follows:**

- i. On Lot 1 (the north lot), situated north of the building face to allow a transformer where shown in the plans approved by the City (unscreened);**
 - ii. On Lot 2 (the southwest lot), situated south of the building face to allow a transformer and generator within a screen where shown in the plans approved by the City; and**
 - iii. On Lot 3 (the southeast lot), situated south of the building face to allow a transformer that is screened if there is no drive through or that is unscreened and near the menu board if there is a drive through.**

- b. A special use authorized by Section 156.024(C), Section 156.087(A)(2) and Section 156.087(C)(39) in order to permit, where reflected in the final plan for each phase, outdoor conduct of retail components of the businesses (dining and retail) on all lots and to permit the display of merchandise by a business conducted on all lots;**

2. The following special uses authorized within Lot 1:

- a. A special use authorized by Section 156.024(C), Section 156.051(D)(4) and Section 156.051(H) of the City of Oakbrook Terrace Zoning Ordinance authorizing above-ground service facilities without full screening and landscaping but otherwise according to the landscape plan approved by the City;**
- b. A special use authorized by Section 156.024(C), Section 156.087(B)(1) and Section 156.087(C)(28) of the Zoning Ordinance authorizing business or professional offices on the first floor;**
- c. A special use authorized by Section 156.024(C), Section 156.087(B)(47), Section 156.087(B)(61), Section 156.087(C)(26) and Section 156.087(C)(30) of the Zoning Ordinance authorizing medical office use and physical, occupational and speech therapy on the first floor of the building;**
- d. A special use authorized by Section 156.024(C) and Section 156.087(C)(38) of the Zoning Ordinance authorizing a travel agency on the first floor;**
- e. A special use authorized by Section 156.024(C) and Section 156.087(C)(41) of the Zoning Ordinance authorizing tutoring services in an area of 2,000 square feet of any individual office on the first floor;**

3. The following special uses authorized within Lot 2:

- a. A special use authorized by Section 156.024(C), Section 156.051(D)(4) and Section 156.051(H) of the City of Oakbrook Terrace Zoning Ordinance authorizing above-ground service facilities without full screening and landscaping but otherwise according to the landscape plan approved by the City;
- b. A special use authorized by Section 156.087(C)(39) to allow the conduct of business and provision of service (food and alcohol) and merchandise (apparel, Malnati's products) in areas that are unenclosed (by a building or a barrier other than that which is required by Section 111.028(I)(4) of the City Code of Ordinances), provided that at least lawful clearance for passage remains on all pedestrian ways and, further, that if alcohol is served outdoors, this relief does not authorize a waiver of barriers if any are required by the Liquor Control Ordinance;

4. The following special uses authorized within Lot 3:

- a. A special use authorized by Section 156.024(C), Section 156.051(D)(4) and Section 156.051(H) of the City of Oakbrook Terrace Zoning Ordinance authorizing above-ground service facilities without full screening and landscaping but otherwise according to the landscape plan approved by the City;
- b. A special use authorized by Section 156.024(C) and Section 156.087(C)(35) of the Zoning Ordinance authorizing a restaurant with not more than two (2) drive-through windows in the east unit;
- c. A special use authorized by Section 156.087(C)(39) to allow the conduct of business and provision of service (food and alcohol) in areas that are unenclosed (by a building or a barrier), provided that at least lawful clearance for passage remains on all pedestrian ways and, further, that if alcohol is served outdoors, this relief does not authorize a waiver of barriers if any are required by the Liquor Control Ordinance;

5. A preliminary plat of planned unit pursuant to Section 156.025(C)(1) of the Zoning Ordinance for a three-lot planned unit development to occur in three phases with the following exceptions approved under Section 156.025(B)(2) recited as follows for Lot 1 (the north lot) in Items 6(a) through 6(r) and 9(a) through 9(e), for Lot 2 (the southwest lot) in Items 7(a) through 7(p) and 10(a) through 10(f), as well as for Lot 3 (the southeast lot) in Items 8(a) through 8(p) and 11(a) through 11(e).

6. Site development and occupancy exceptions for Lot 1 approved under Section 156.025(B)(2) recited as follows:

- a. An exception from Section 156.024(F)(1), which provides for the termination of special uses, in order to avoid the termination of special uses authorized hereby until the voluntary demolition or demolition compelled by the City

under the laws of the State of Illinois (as opposed to casualty of any type arising other than through neglect of the owner or demolition as a result of such casualty) of the buildings contemplated in the development authorized in this ordinance;

- b. An exception from Section 156.039(B)(1), which prohibits fences in the front yard of the north lot, in order to permit fences (wood or vinyl) that screen existing refuse enclosures at the northeast, northwest and southeast corners of the lot;**
- c. An exception from Section 156.040, reinforcing Section 150.14 and Section 150.15 of the City Code of Ordinances to allow fire lane design, turning radii and other design elements according to the plans approved by the York Center Fire Protection District;**
- d. An exception from Section 156.045(B)(14), which does not allow a rear yard obstruction that is a driveway, in order to permit a driveway in the rear yard of the lot in order to allow vehicular access across the lot line;**
- e. An exception from Section 156.035(A), Section 156.035(B), and Section 156.045(B)(35)(note 16) to permit dumpsters within waste enclosures in the front yard at the northeast and northwest corners of Lot 1, provided that all waste enclosures on Lot 1 shall be fully repaired and maintained in a fashion that includes replacement wood or vinyl fencing, latching doors and paint consistent with building tones;**
- f. An exception from Section 156.049(H) and Section 156.087(I) in order to permit landscaping on Lot 1 to remain as it exists presently with the exception of any new landscaping reflected in the approved landscape plan;**
- g. An exception from Section 156.049(I) and Section 156.087(I) in order to permit landscaping on Lot 1 to remain as it exists presently with the exception of landscaping reflected in the approved landscape plan, provided that any prohibited vegetation under Section 156.049(J) shall be removed and replaced with non-prohibited species;**
- h. An exception from Section 156.051(D)(5), which requires spacing of at least 250 feet between above ground service facilities, in order to allow ground service facilities within 250 feet of other such facilities as depicted in plans approved by the City;**
- i. An exception from Section 156.051(D)(6), Section 156.051(E)(1), Section 156.043(E)(2) and Section 156.051(F) to permit the above ground service facilities in their current location and form as well as with their current screening;**

- j. An exception from Section 156.087(F), Section 156.102(E) and Section 156.102(E)(6)(b), but not from Section 156.102(E)(17) to allow Lot 1 to operate with 192 parking spaces provided that at least 75% percent of the occupancy (based on gross square feet) is classified for a ratio of 1 space per 250 square feet of gross floor area or less according to the schedule of parking requirements in effect on the date of approval;**
- k. An exception from Section 156.087(G)(2) which requires a minimum of ten (10) feet between paved areas and the west lot line in order to allow a separation of zero (0) feet;**
- l. An exception from Section 156.087(G)(3) which requires a minimum rear yard of thirty (30) feet and a distance between paved areas and the rear lot line of five (5) feet in order to allow a rear yard of 26 feet and to reduce the paved area spacing requirement to zero (0);**
- m. An exception from Section 156.087(G)(4) in order to allow a common access drive to serve as more than one-half of the rear yard requirement;**
- n. An exception from Section 156.100(C), Section 156.100 and Section 156.101(D) in order to permit all of the parking spaces existing on the lot at the time of application and shown in the plans on file with the City even if such spaces feature one or more inadequate dimensions or the drive aisle serving spaces is of insufficient width provided that all handicapped parking spaces shall comply with Section 156.101(D)(2);**
- o. An exception from Section 156.101(C), which provides that joint parking cannot be established unless total available spaces meet the total regulatory demand for spaces for all uses, in order to permit a total of 192 parking spaces on Lot 1 (which may be used by the south lots) and a total of 104 parking spaces on the south lots (which may be used by Lot 1);**
- p. An exception from Section 156.100(B), Section 156.101(A)(2)(b), Section 156.101(B)(1) and Section 156.101(C) to permit parking and valet parking according to the shared and cooperative parking arrangement and covenants referenced in the final plat of subdivision and in the planned unit development for the parking spaces between the principal buildings on Lot 1, Lot 2 and Lot 3;**
- q. An exception from Section 156.101(E) which limits driveways to a width of 35 feet measured at the lot line and flares to a length of five feet in order to permit the existing east driveway to remain served by flares with lengths of 31 feet (east) and 26 feet (west) and the existing west driveway to remain at its current width of 37 feet served by flares with lengths of 12 feet (east) and**

21 feet (west) or at such other dimensions as required by the Illinois Department of Transportation; and

- r. An exception from Section 156.104 in order to permit the occupancy of Lot 1 without a loading zone;**

7. Site development and occupancy exceptions for Lot 2 approved under Section 156.025(B)(2) recited as follows:

- a. An exception from Section 156.024(F)(1), which provides for the termination of special uses, in order to avoid the termination of special uses authorized hereby until the voluntary demolition or demolition compelled by the City under the laws of the State of Illinois (as opposed to casualty of any type arising other than through neglect of the owner or demolition as a result of such casualty) of the buildings contemplated in the development authorized in this ordinance;**
- b. An exception from Section 156.035(C)(4)(b) to allow a generator without a screen or landscaping other than as depicted in the landscape plan for the south side of the principal building;**
- c. An exception from Section 156.040, reinforcing Section 150.14 and Section 150.15 of the City Code of Ordinances to allow fire lane design, turning radii and other design elements according to the plans approved by the York Center Fire Protection District;**
- d. An exception from Section 156.045(B)(14), which does not allow a rear yard obstruction that is a driveway, in order to permit a driveway in the rear yard of the lot in order to allow vehicular access across the lot line;**
- e. An exception from Section 156.049(H) and Section 156.087(I) in order to permit landscaping reflected in the approved landscape plan;**
- f. An exception from Section 156.049(I) and Section 156.087(I) in order to permit landscaping reflected in the approved landscape plan, provided that any prohibited vegetation under Section 156.049(J) shall be removed and replaced with non-prohibited species;**
- g. An exception from Section 156.087(B)(54) in order to permit an outdoor dining area with an area of greater than 25% of the indoor dining space to permit the patio reflected in the plans approved by the City;**
- h. An exception from Section 156.051(D)(5), which requires spacing of at least 250 feet between above ground service facilities, in order to allow ground**

service facilities within 250 feet of other such facilities as depicted in plans approved by the City;

- i. An exception from Section 156.087(G)(1) and (2) which require a minimum of five (5) feet (east) or ten (10) feet (west) between paved areas and the east and west lot lines in order to allow a separation of zero (0) feet;**
- j. An exception from Section 156.087(G)(3) which requires a distance between paved areas and the rear lot line of five (5) feet in order to reduce the paved area spacing requirement to zero (0);**
- k. An exception from Section 156.087(G)(4) in order to allow a common access drive to serve as more than one-half of the rear yard requirement;**
- l. An exception from Section 156.100(B), Section 156.101(A)(2)(b) , Section 156.101(B)(1) and Section 156.101(C) to permit parking and valet parking according to the shared and cooperative parking arrangement and covenants referenced in the final plat of subdivision and in the planned unit development for the parking spaces between the principal buildings on Lot 1, Lot 2 and Lot 3;**
- m. An exception from Section 156.100(C), Section 156.100 and Section 156.101(D) in order to permit all of the parking spaces existing on the west and south parking rows of the lot at the time of application and shown in the plans on file with the City even if such spaces feature one or more inadequate dimensions provided that all handicapped parking spaces shall comply with Section 156.101(D)(2);**
- n. An exception from Section 156.101(C), which provides that joint parking cannot be established unless total available spaces meet the total regulatory demand for spaces for all uses, in order to permit a total of 192 parking spaces on Lot 1 (which may be used by the south lots) and a total of 104 parking spaces on the south lots (which may be used by Lot 1);**
- o. An exception from Section 156.101(E) which limits driveways to a width of 35 feet measured at the lot line and flares to a length of five feet in order to permit the existing south driveway to remain at its current width of 36 feet served by flares with lengths of 27 feet (east) and 17 feet (west) or at such other dimensions as required by the Illinois Department of Transportation; and**
- p. An exception from Section 156.104 in order to permit the occupancy of Lot 2 without a loading zone, provided that the loading zone on Lot 3 shall remain available to the occupant(s) Lot 2;**

- 8. Site development and occupancy exceptions for Lot 3 approved under Section 156.025(B)(2) recited as follows:**
- a. An exception from Section 156.024(F)(1), which provides for the termination of special uses, in order to avoid the termination of special uses authorized hereby until the voluntary demolition or demolition compelled by the City under the laws of the State of Illinois (as opposed to casualty of any type arising other than through neglect of the owner or demolition as a result of such casualty) of the buildings contemplated in the development authorized in this ordinance;**
 - b. An exception from Section 156.038(D) in order to allow a temporary trailer for purposes not related to construction to remain on Lot 3 provided that the trailer is used for personnel and hiring purposes for the principal use on Lot 2;**
 - c. An exception from Section 156.040, reinforcing Section 150.14 and Section 150.15 of the City Code of Ordinances to allow fire lane design, turning radii and other design elements according to the plans approved by the York Center Fire Protection District;**
 - d. An exception from Section 156.045(B)(14), which does not allow a rear yard obstruction that is a driveway, in order to permit a driveway in the rear yard of the lot in order to allow vehicular access across the lot line;**
 - e. An exception from Section 156.045(B)(36) to permit a loading berth in an area other than the rear yard to allow a loading berth in the side yard;**
 - f. An exception from Section 156.049(H) and Section 156.087(I) in order to permit landscaping as reflected in the approved landscape plan;**
 - g. An exception from Section 156.049(I) and Section 156.087(I) in order to permit landscaping reflected in the approved landscape plan, provided that any prohibited vegetation under Section 156.049(J) shall be removed and replaced with non-prohibited species;**
 - h. An exception from Section 156.051(D)(5), which requires spacing of at least 250 feet between above ground service facilities, in order to allow above ground service facilities within 250 feet of other such facilities as depicted in plans approved by the City;**
 - i. An exception from Section 156.087(B)(54) in order to permit an outdoor dining area with an area of greater than 25% of the indoor dining space to permit the patio reflected in the plans approved by the City;**

- j. An exception from Section 156.087(G)(2) which require a minimum of five (5) feet between paved areas and the west side lot line as well as a west side yard of ten (10) feet in order to allow a separation of zero (0) feet and a west side yard of not less than two (2) feet;**
 - k. An exception from Section 156.087(G)(3) which requires a distance between paved areas and the rear lot line of five (5) feet in order to reduce the paved area spacing requirement to zero (0);**
 - l. An exception from Section 156.087(G)(4) in order to allow a common access drive to serve as more than one-half of the rear yard requirement;**
 - m. An exception from Section 156.100(B), Section 156.101(A)(2)(b), Section 156.101(B)(1) and Section 156.101(C) to permit parking and valet parking according to the shared and cooperative parking arrangement and covenants referenced in the final plat of subdivision and in the planned unit development for the parking spaces between the principal buildings on Lot 1, Lot 2 and Lot 3;**
 - n. An exception from Section 156.101(C), which provides that joint parking cannot be established unless total available spaces meet the total regulatory demand for spaces for all uses, in order to permit a total of 192 parking spaces on Lot 1 (which may be used by the south lots) and a total of 104 parking spaces on the south lots (which may be used by Lot 1); and**
 - o. An exception from Section 156.104 in order to permit one 10' x 35' loading zone to serve Lot 2 and Lot 3 if necessary provided the loading zone will be situated where indicated plans approved by the City;**
 - p. An exception from Section 156.051(D)(5), which requires spacing of at least 250 feet between above ground service facilities, in order to allow ground service facilities within 250 feet of other such facilities as depicted in plans approved by the City;**
- 9. Exceptions concerning signage for Lot 1 approved under Section 156.025(B)(2) recited as follows:**
- a. An exception from Section 156.043(B)(1) which restricts the total permitted area of all signs to 500 square feet to allow an additional 90 square feet;**
 - b. An exception from Section 156.043(B)(1), Section 156.043(C)(3)(B) and Section 156.043(C)(4) which allow two (2) freestanding signs on Lot 1 to allow, one (1) freestanding sign on Lot 1 serving Lot 1 and one (1) freestanding sign on Lot 1 serving Lot 2 and Lot 3;**
 - c. An exception from Section 156.043(B)(1) and Section 156.043(C)(3)(B) to**

allow three freestanding occupant directory signs, two of which will have an area of greater than the permitted four (4) square feet to permit: (i) two freestanding occupant directory signs each with a sign area not to exceed thirty-four (34) square feet and (ii) one free standing occupant directory sign with a sign area of four (4) square feet;

- d. An exception from Section 156.043(C)(5) which restricts the height of pole or monument signs to nine (9) feet in order to permit a freestanding pole or monument sign at a height not to exceed twelve (12) feet for the primary pole or monument sign serving the lot from its current location;
- e. An exception from Section 156.043(F)(5) which restricts the height of directional signs to thirty (30) inches subject to staff discretion in order to permit directional signs to be installed at a height of forty (40) inches at points adjacent to the south lot line of Lot 1;

10. Exceptions concerning signage for Lot 2 approved under Section 156.025(B)(2) recited as follows:

- a. An exception from Section 156.043(B)(1) which restricts the total permitted area of all signs to 350 square feet to allow 886 square feet on Lot 2;
- b. An exception from Section 156.043(B)(1), Section 156.043(C)(3)(B), Section 156.043(C)(4) and Section 156.043(C)(10) which allows two (2) freestanding signs on Lot 2 to allow: one (1) freestanding sign on Lot 2 serving Lot 2 and Lot 3, one (1) free standing sign on Lot 2 serving Lot 1, and one (1) freestanding sign on Lot 1 serving Lot 2 and Lot 3, provided that there shall be no freestanding sign on Lot 3;
- c. An exception from Section 156.043(C)(5) which requires measurement of the height of a pole or monument sign from grade level adjacent to the sign and which restricts the height of signs along 22nd Street to fifteen (15) feet in order to allow measurement of the height of a sign from the highest elevation that exists between the location of the sign and the curb elevation of 22nd Street to the top of the sign which shall not exceed fifteen (15) feet unless the sign includes a digital sign and in such event, such sign shall not exceed eighteen (18) feet;
- d. An exception from Section 156.043(C)(8) which requires a monument sign to be situated ten (10) feet from 22nd Street in order to permit a sign setback of three (3) feet excluding the mechanical box which can be situated two (2) feet from the lot line; and
- e. An exception from Section 156.043(C)(7)(a), which does not allow digital signs, in order to permit a single digital sign on Lot 2 which shall be constructed according to specifications established during the approval of the final Phase Two plat of planned unit development;

- f. An exception from Section 156.043(C)(11)(b) and Section 156.043(A)(3) in order to permit two blade signs that will extend from the wall of the principal building;**

11. Exceptions concerning signage for Lot 3 approved under Section 156.025(B)(2) recited as follows:

- a. An exception from Section 156.043(B)(1) which restricts the total permitted area of all signs to 154 square feet to allow 426 square feet on Lot 3;**
- b. An exception from Section 156.043(C)(10) to allow Lot 3 to benefit from two off-premises signs, with one (1) situated on each of Lot 1 and Lot 2;**
- c. An exception from Section 156.043(F)(7) in order to allow a menu board at the southeast corner of the principal building on Lot 2 which may be visible from certain angles through landscaping along 22nd Street provided that Lot 3 install and maintain landscaping and fencing along the east lot line and landscaping along the south lot line as shown in the approved landscape plan;**
- d. An exception from Section 156.043(C)(7)(a), which does not allow digital signs, in order to permit a single digital sign on Lot 2 which shall be constructed according to specifications established during the approval of the final Phase Two plat of planned unit development and benefit Lot 3;**
- e. An exception from Section 156.043(F)(5), which does not exempt directional signs above thirty (30) inches tall or containing a logo or service/trademark, in order to exempt directional sign up to a height of thirteen (13) feet and to allow this directional sign a height limitation to contain a logo or service/trademark without accumulating area chargeable against allowable gross sign area;**

12. In addition to the above exceptions in Items 6-11, such other exceptions that are necessary to the development of the property in a fashion that is in substantial accord with the preliminary plat of planned unit development, including the landscape plan, on file with the City.

13. A final plat of planned unit development pursuant to Section 156.025(C)(2) of the Zoning Ordinance for Phase One which includes the partial demolition of an existing building on the north lot, improvements to the north lot as well as improvements outside of the building areas to each of the southeast and southwest lots.

- 14. A lot split authorized under Section 159.08(D) of the Oakbrook Terrace Subdivision Regulations to create three lots reflective of the lots within the approved planned unit development.**

- 15. In the alternative to the lot split noted in Paragraph 14, a preliminary and final plat of subdivision to create three lots pursuant to Section 159.07 of the Subdivision Regulations.**

- 16. Demolition, pursuant to Chapter 153 of the Oakbrook Terrace Municipal Code, of a portion of the existing building (primarily that which extends onto the proposed south lots).**