



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, July 19, 2016
Case #17-6

The Planning and Zoning meeting was called to order by Chairman Noble at 6:02 P.M.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Bossle to take roll call.

Present: Chairman Noble, Commissioners Schneider, Ventura, Donoval, Smurawski

Absent: Commissioners Jackson, Cardenas

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Michelle Bossle, Building and Zoning / Planning and Zoning Secretary, Jenifer A. Ratcliffe, President of LPC Realty Advisors I, LP.

Chairman Noble said the first order of business was to approve the minutes of July 5, 2016, Case #17-5 for Proposed Modifications To Chapter 156 Of The City Code: Driveways for Petitioner City Council of the City of Oakbrook Terrace, Illinois.

Chairman Noble asked if there was any final discussion. There was no discussion.

A VOICE VOTE WAS TAKEN AND PASSED 5-0.

Chairman Noble said the second order of business was to consider a request by TR Mid America Plaza Corporation for the following relief in order to more accurately reflect the current parking conditions at One & Two Mid America Plaza:

- An amendment to Ordinance 83-19, which originally granted a Special Use for Planned Development, and an amendment to ordinances amending the Planned Unit Development.
- An amendment to the Planned Development to allow 1,239 parking spaces instead of 1,272 parking spaces with dimensions of 8'3" x 16' instead of 8'3" x 17'.

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

Jenifer A. Ratcliffe, President of LPC Realty Advisors I, LP was sworn in by Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

Chairman Noble asked the Petitioner to stand and state her case.

Representing the ownership of Mid America Plaza, Petitioner Ratcliffe of LPC Realty Advisors I, LP took the floor and stated that the request being presented is an amendment to the current PUD to reflect the actual situation on the ground. There are 1,239 parking spaces of width 8'3" by 16' long versus what is in the PUD currently which is 1,272 spaces with general dimensions of 8'3" by 17'. The ownership is in the process of selling the property and in getting a new survey done, there was an actual parking count completed which resulted in realizing that they were out of compliance with the PUD. In trying to determine if there was more room on site to come into compliance, Petitioner Ratcliffe presented the site plan which represents the entirety of the site; two levels of structured parking encompass the entire site below grade and the ground level of the site. Between drive lanes, parking and truck access; there is physically not room on the site to get into compliance with the 1,272 spaces other than maybe a nominal addition of some spaces near the entrance. The request is for an amendment to effectively make the PUD conform to the site versus the other way around. Functionally there is not an issue at the site in that there has never been an actual problem with parking on site. Mid America Plaza is currently 90% occupied. When this problem arose, a couple of parking census counts were undertaken on a number of days during the week, which is provided in the package. It was determined that the parking occupancy during various times of the day ranged anywhere from mid-fifty percent to mid-sixty percent so there is plenty of available capacity. The reduction from 1,272 spaces down to 1,239 brings them to 3.05 per thousand square feet of rentable area which is within the market parameters of parking provided in the marketplace. There is not a better explanation as to how it got from 1,272 to what seems to be there in actuality which is the 1,239; it may have just been a miscount carried over for about ten years which can be followed in the PUD documents. In order to get clear title with a zoning endorsement to the potential purchaser, the PUD needs to match the site plan which is the reason for this request.

Chairman Noble asked if the Building and Zoning Administrator Dragan could give some additional information.

Building and Zoning Administrator Dragan stated that Petitioner Ratcliffe made a detailed presentation of the situation. No changes will be made to the property in trying to bring the property into conformance with the PUD and amended PUD. The most current survey for the property shows the existing number of parking spaces on the property. The seller of the property would like to have a clean ordinance and have the property in compliance. In the event that the property is destroyed by fire or any means by fifty percent or more, they would like to be able to rebuild as existing. This does not allow any changes in uses.

Chairman Noble asked if there were any questions or comments from the Commissioners.

Commissioner Schneider commented that based on what was presented it is not an issue with parking or anything else.

Chairman Noble had a question regarding a fitness center underneath one of the buildings that was supposed to be turned over to the Park District in the case that it is sold; would that agreement still stand.

Petitioner Ratcliffe stated that she was unaware of the situation.

Building and Zoning Administrator Dragan answered that it is the building next door at One Parkview Plaza which will be coming for a public hearing next month.

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive or negative testimony.

Chairman Noble noted that there was no one present.

Chairman Noble closed the public portion of the hearing.

Chairman Noble asked if there were any other comments from the Commissioners.

Commission Smurawski commented that it has worked in the past and the request is reasonable.

Commissioner Donoval stated that he was surprised that the new buyers caught the issue.

Petitioner Ratcliffe stated that it has been this way in some instance since 1983 which was the original PUD and that she could not see how more spaces could have been there. She credits the purchaser for getting the surveyor out there and counting.

Chairman Noble asked if there were any other questions from the Commissioners; there were none.

Chairman Noble asked the City Attorney Pacione if he had any comments.

City Attorney Pacione had no comments.

Chairman Noble asked for a motion to approve Case #17-6 the request by TR Mid America Plaza Corporation, to approve the following relief in order to more accurately reflect the current parking conditions at One & Two Mid America Plaza:

- An amendment to Ordinance 83-19, which originally granted a Special Use for Planned Development, and an amendment to ordinances amending the Planned Unit Development.
- An amendment to the Planned Development to allow 1,239 parking spaces instead of 1,272 parking spaces with dimensions of 8'3" x 16' instead of 8'3" x 17'.

MOTION

Commissioner Schneider entertained a motion to approve the request by TR Mid America Plaza Corporation for the following relief in order to more accurately reflect the current parking conditions at One & Two Mid America Plaza:

- An amendment to Ordinance 83-19, which originally granted a Special Use for Planned Development, and an amendment to ordinances amending the Planned Unit Development.
- An amendment to the Planned Development to allow 1,239 parking spaces instead of 1,272 parking spaces with dimensions of 8'3" x 16' instead of 8'3" x 17'.

Commissioner Smurawski seconded the motion.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Bossle to take the roll call.

Ayes: Chairman Noble, Commissioners Schneider, Ventura, Donoval,
Smurawski
Nays: None
Absent: Commissioners Jackson, Cardenas

MOTION PASSED WITH A VOTE OF 5-0.

Chairman Noble asked Building and Zoning Administrator Dragan when the petition would be presented to the City Council.

Building and Zoning Administrator Dragan stated that the Letter of Recommendation will be placed on the agenda for the August 9, 2016 City Council meeting at 7:00 P.M. and requested Petitioner Ratcliffe be in attendance.

Chairman Noble then asked Building and Zoning Administrator Dragan when the next Planning and Zoning Commission meeting is scheduled.

Building and Zoning Administrator Dragan stated that the next Planning and Zoning Commission meeting will be held on August 2, 2016 at 6:00 P.M for a similar situation at One Parkview Plaza.

Chairman Noble asked for a motion to adjourn the meeting.

MOTION Commissioner Ventura entertained a motion to adjourn the meeting.

Commissioner Schneider seconded the motion.

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

Chairman Noble adjourned the meeting at 6:15 P.M.

Respectfully submitted by,

Michelle Bossle
Building and Zoning / Planning and Zoning Secretary