



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Wednesday, November 15, 2017
Case #18-4

The Planning and Zoning meeting was called to order by Chairman Caslin at 6:00 P.M.

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

Present: Chairman Caslin, Commissioners Ventura, Jackson, Cardenas, Donoval, Walberg

Absent: Commissioner Schneider

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

Chairman Caslin said the first order of business was to approve the minutes of October 31, 2017, Case #18-3 for 1S533 Halsey Road, Petitioner Casey and Lydia Puchlerz for Variations from the Zoning Ordinance for Side Yard and Front Yard.

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

Chairman Caslin asked for a motion to approve the minutes of October 31, 2017, Case #18-3 for 1S533 Halsey Road, Petitioner Casey and Lydia Puchlerz for Variations from the Zoning Ordinance for Side Yard and Front Yard.

MOTION Commissioner Walberg moved and Commissioner Jackson seconded the motion to approve the minutes of October 31, 2017, Case #18-3 for 1S533 Halsey Road, Petitioner Casey and Lydia Puchlerz for Variations from the Zoning Ordinance for Side Yard and Front Yard.

A VOICE VOTE WAS TAKEN AND PASSED 6-0.

Chairman Caslin mentioned per a request from Commissioner Jackson in regards to last night's City Council meeting on this particular piece of property, that the owners in question are trying to make a compromise with the City Council on some of the questions that had arisen and see if they can work something out with the Aldermen when they come back to the next meeting in two weeks.

Commissioner Jackson added that had there been a vote, the petition would not have passed.

Chairman Caslin noted that there were three Aldermen opposed and it would have failed.

Chairman Caslin said the second order of business was to consider the request by JBP Oakbrook Terrace Property LLC, to approve variations from Section 156.043 of the Zoning Ordinance as follows:

1. A variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow a maximum sign area of five hundred twenty square feet instead of three hundred square feet allowed for the property.
2. A variation from Section 156.043 (C) (7) (a) of the Zoning Ordinance to permit a digital sign.
3. A variation from Section 156.043 (C) (8) of the Zoning Ordinance to allow the monument sign to be situated five feet instead of ten feet from any property line.

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

Robby Whitehead of Olympic Signs was sworn in by Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

Chairman Caslin asked the Petitioner to stand and state his case.

Robby Whitehead from Olympic Signs, representing JBP as the sign contractor, took the floor stating that basically they are looking to take down the existing monument sign and install a fifteen foot by nine foot pylon display with a small message board incorporated into the sign itself. The reason for the proposed signage is advertising the tenants with a bit larger sign because of the small street frontage that the building has on Roosevelt Road; there is not a lot of exposure for the building. Setbacks are not going to change based on what is there now. Power lines were an issue, but as the sign sits now, it is only about two feet higher than the sign that is there and that is

including the brick base. Not much of a change; obviously the message center is a little bit of a change.

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

Chairman Caslin asked about the signage on the back of the building for Felipe, the hairdresser on the south end if those signs are going to be removed.

Whitehead responded, no.

Chairman Caslin stated that they are part of the signage for that building and asked if it is included in the square footage requested.

Whitehead noted that yes it is.

Chairman Caslin asked if there were any comments from Building and Zoning Administrator Dragan.

Building and Zoning Administrator Dragan took the floor stating that the Commission received a staff memo concerning the request to allow a maximum sign area of 520 sq. ft., to permit a digital sign, and to permit the monument sign to be situated 5 feet instead of 10 feet from the property line. Prior to the meeting you also received plan review comments from Dan Lynch of Christopher Burke Engineering and no comments from other plan reviewers. The Applicant also received a copy of Dan Lynch's comments and Robby may respond to the comments in regards to the letter dated November 10th. Building and Zoning Administrator Dragan noted that there were two items addressed and asked if Whitehead would like to explain; one was about the height of the sign proposed to be fifteen feet and if there would be any conflict with overhead wires.

Whitehead responded that because the brick will be removed and the aluminum is going to sit flush on the grade, the sign is not high enough to even reach the power lines. Not only that, it is going to be pushed in from the power lines so when the steel is set and the sign is put on top, it will be in from the power lines. Com Ed could always wrap the power lines during installation if there was going to be a problem, but being a 30 year old company, it is not seen as being an issue.

Building and Zoning Administrator Dragan continued stating that the other item mentioned that the sign could be moved further from the property line by enlarging the landscape island.

Whitehead replied that they want to keep it where it is at only because of the proximity to the street; too far in, the visibility becomes a little bit inhibited if heading east on Route 38 because of the way the building sticks out; the point of a message center and the tenant panels wouldn't really be all that effective.

Building and Zoning Administrator Dragan noted that the sign will be at the same location as existing. A previous City code allowed the monument sign along Roosevelt Road to be situated three feet from the property line. The current code requires the minimum ten feet from the property line so the existing sign is approximately five feet from the property line and the new sign is proposed to be at the same location as existing. The signage survey is attached with the memo showing existing signage versus proposed signage at the property. They are currently using 300 sq. ft., they are proposing up to 520 sq. ft.

Commissioner Walberg commented that standing right on point there at the site; it is almost the same as Pete's sign so it is really in line with the rest of them.

Chairman Caslin opened the floor for public participation.

Chairman Caslin asked for any positive testimony or negative testimony.

Chairman Caslin noted that there was none.

Building and Zoning Administrator Dragan asked Whitehead if he would like to introduce the owner of the property.

Whitehead responded that he had the pleasure of meeting the owner today as well.

Jim Pappas introduced himself noting that he also has a business there and would like to put the sign in to create more business for the building. Right now every time a client comes to the property; they cannot see the building and pass it up.

Commissioner Walberg stated that she did the same thing and passed the building twice.

MOTION Commissioner Jackson moved and Commissioner Walberg seconded the motion to approve Case #18-4, the request by JBP Oakbrook Terrace Property LLC, to approve variations from Section 156.043 of the Zoning Ordinance as follows:

1. A variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow a maximum sign area of five hundred twenty square feet instead of three hundred square feet allowed for the property.
2. A variation from Section 156.043 (C) (7) (a) of the Zoning Ordinance to permit a digital sign.
3. A variation from Section 156.043 (C) (8) of the Zoning Ordinance to allow the monument sign to be situated five feet instead of ten feet from any property line.

Chairman Caslin asked if there was any final discussion; there was none.

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

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

Nays: None

Absent: Commissioner Schneider

MOTION PASSED WITH A VOTE OF 6-0.

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

Building and Zoning Administrator Dragan stated that the motion passed and the Letter of Recommendation will be placed on the December 12, 2017 City Council meeting agenda.

City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Wednesday, November 15, 2017
Case #18-5

Chairman Caslin said the third order of business was to consider the request by TCR Venture, LLC ("Petitioner"), to approve variations from the Zoning Ordinance as follows:

1. A variation from Section 156.087 (G) (1) of the Zoning Ordinance to allow the North front yard paved area to be located zero feet of the front lot line instead of the required minimum 10 feet.
2. A variation from Section 156.087 (G) (2) of the Zoning Ordinance to allow the West Side yard paved area to be located zero feet of the side lot line instead of the required minimum five feet.
3. A variation from Section 156.087 (G) (2) of the Zoning Ordinance to allow the East Side yard paved area to be located zero feet of the side lot line instead of the required minimum five feet.
4. A variation from Section 156.087 (G) (2) of the Zoning Ordinance to allow the East Side yard of the main building to be located zero feet of the East lot line instead of the required minimum ten feet.
5. A variation from Section 156.101 (D) (1) of the Zoning Ordinance to permit 10 90 degree parking spaces with dimensions of 9 feet x 18 feet instead of the required 9 feet x 19 feet.
6. A variation from Section 156.101 (D) (2) of the Zoning Ordinance to permit 1 90 degree handicapped parking space with dimensions of 16 feet x 18 feet instead of the required 16 feet x 19 feet.
7. A variation from Section 156.039 (B) (4) of the Zoning Ordinance to allow for no evergreen trees along the South property line in lieu of the existing vegetation as existing and approved under Ordinance Number 91-6.
8. A variation from Section 156.101 (E) of the Zoning Ordinance to allow driveway flares on each side of the driveway to extend up to 6 feet 10 inches instead of the maximum 5 feet.

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

Steve Bauer of Meltzer, Purtil & Stelle LLC, Attorney for the Petitioner, Angelo Stamatoukos, Project Architect, and Melissa Russell were sworn in by Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

Chairman Caslin asked the Petitioner to stand and state his case.

Steve Bauer, Attorney for the Petitioner took the floor stating that he is representing TCR Venture, LLC as the new owner of the property located at 17W531 Roosevelt Road; the former A to Z Rental property. He proceeded to introduce Angelo Stamatoukos as the Project Architect and Melissa Russell as the property owner representative as well as one of the two owners of the adjacent Bella Bianca Bridal store and also one of the two owners of the store that is proposed to occupy this new location as an affiliated business with Bella Bianca. Before proceeding, he asked Chairman Caslin to confirm as a matter of housekeeping, that the complete petition inclusive of the letter of request and the legal responses to the standards of review as well as the site plan and building elevations has been incorporated into the record.

City Attorney Pacione responded that they have.

Attorney Bauer continued stating that the request before the Commission is for eight variations and at first that may seem like a lot of zoning requested for a single property, but the reality is that six of those variations are actually reflective of existing site conditions. Of those six, one of them is actually a form of relief that was previously granted by the City and is being sought now merely as matter of comprehensive attention to all of the relief associated with the property so that it is all handled in a single ordinance. The other two variation requests that are sought specifically relate to parking stall depth. Going through the eight different zoning variations enumerated in the notice of public hearing and letter of request; they relate to building set back, pavement set back, driveway flare width, landscaping buffer and stall depth. The request is to ultimately renovate the existing building, from what has been kind of an eye sore for number of years, into a pretty significant improvement that is depicted on the displayed renderings. Starting from the top left corner and working down and across, Attorney Bauer walked through the renderings. The request is really to add a total of seventeen parking spaces in conjunction with approximately a 500 sq. ft. building addition on the north façade which is depicted in the renderings; clarifying that the staff report references a 600 sq. ft. addition, the plans identify it as 495 sq. ft. so it is roughly a twelve percent increase in the size of the building. The relief sought with respect to stall depth, which again is the only new, non-existing site condition is for the parking stalls that are located on the front portion of the property due largely to the narrow width of the property; significantly deeper than it is wide. In order to provide a conforming drive aisle width, it is necessary to reduce the stall depth from nineteen feet down to eighteen feet which is really deminimus in the whole scheme of things; something in the order of five percent reduction in total depth. Ultimately an eighteen foot deep stall is clearly adequate to accommodate vehicles in today's market. Many municipalities actually only require stalls to be a total depth of eighteen feet. To expand on the former relief that was previously granted, that relates to landscaping, specifically the buffer. That pertains to the portion of the

property that is adjacent to the unincorporated residential use to the south of the property. That buffer is a quite mature buffer in its existing state. The reality is that if it were to be removed and replaced with what is required by the City's Zoning Ordinance today, it would result in a significant reduction in landscape buffer and increased level of visibility between the adjacent residential use and this use. So again, that form of relief that was previously granted, is being sought as a comprehensive attention to all the zoning relief that is being identified at this time and from a rational perspective, it does not make any sense to remove mature landscaping to replace it with something of a much lesser caliber.

Chairman Caslin asked if there were any comments from Building and Zoning Administrator Dragan.

Building and Zoning Administrator Dragan took the floor stating that Steve Bauer, attorney for the Applicant, made a detailed presentation of the proposed request. The Commission received the staff memo explaining the variations requested. The variations from the Zoning Ordinance listed in the Legal Notice reflect existing and new conditions in order to bring the property up to code. Eight variations are being requested now so that all such requests may be handled in a single ordinance for the subject property. It will be a beautiful addition to Roosevelt Road and the bridal store has been part of the community for many years. The owners maintain the Bella Bianca property to the City's highest standards and the bridesmaid's shop will be very similar. Prior to the meeting, you received plan reviewers' comments from Dan Lynch of Christopher Burke Engineering and Ralph Deluca of Oakbrook Terrace Fire District. The Applicant may want to address the items noted.

Attorney Bauer replied with respect to the City Engineer's review dated November 10, 2017; the only material comment is that the proposed handicapped accessible parking stall must comply with the Illinois Accessible Code with respect to width, striping and signage. That code requires a depth of nineteen feet and obviously requesting a reduction in that depth, but not reducing of course the width; which is what is most material to accessibility in order to have ample space to get out of the vehicle, not necessarily an issue with respect to depth of the stall. Again, the form of relief being sought in respect to the stalls, only pertains to the depth and it's only for a foot. Ultimately the City Engineer's comment will be addressed if the stall depth relief is granted. With respect to the Fire Department review which was received today, there are four comments noted, of those, the first comment pertains to compliance with the International Fire Code which obviously the Applicant's intention is to comply in all respects with all applicable life safety regulations and will be handled accordingly. The second comment pertains to the proposed building addition of 495 sq. ft. and again the Applicant's intent is to comply with all applicable code requirements for that addition. The third

and probably most material comment out of the four pertains to the potential need for a fire sprinkler system. That will be further evaluated, but ultimately it doesn't pertain to variation requests but Attorney Bauer has put a call into Fire Chief DeLuca earlier in the day but has not had an opportunity to communicate with him. The last comment pertains to fire lane enforcement. The owner of this property is the same owner as the adjacent Bella Bianca property and they have provided that form of agreement in the past and there is no reason why they would not do that now.

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

Commissioner Jackson commented that if it is not approved and the new owners walk away from the deal, the City is left with a very unattractive alternative. That being said, he questioned whether the City has the authority to waive an Illinois requirement for the length of the handicap parking.

Building and Zoning Administrator Dragan answered for the length, yes, for the width, no.

Commissioner Jackson asked that going to eighteen is not something the City is precluded from.

Chairman Caslin noted that where they are putting the parking spaces they could paint to nineteen feet if they wanted to do that.

Commissioner Donoval commented that as part of this property used to be the parking lot on the back that they lease to Gullivers' Pub and questioned if that was part of the deal.

Chairman Caslin noted that someone else is interested in that, but there is a section back there that is not closed off totally. Where the handicap parking spaces are located, extending a foot on the paint lines is not a critical thing because the building is still far away from those two spots. One little comment in regards to the handicap spaces, the hash marks should be on the right side; the passenger side of the vehicle as it pulls in. When unloading the handicap person, it's on the right side of every vehicle; it is not on the left. So putting the stripes on the left makes no sense.

Attorney Bauer commented that unless the handicap person is the driver.

Chairman Caslin replied that if the handicap person is the driver, they can move the vehicle over and get out, but a wheelchair accessible van cannot go the other way.

City Attorney Pacione noted that the spots are compliant with the new van requirements.

Chairman Caslin asked what the dimension is from the last space property line to the street.

Attorney Bauer replied that it appears to be about eight feet.

Chairman Caslin questioned if there was a parking space up to the lot line on both sides.

Attorney Bauer answered just on the northwest corner. What is proposed in proximity to the roadway and set back, is mirrored at the existing Bella Bianca property which has functioned fine for nine years.

Chairman Caslin asked who's are the bushes that are on that property line between the subject property and Citgo.

Attorney Bauer responded that it would be Citgo.

Chairman Caslin commented that his reason for asking these questions is that he has an apprehension because Roosevelt Road is a superspeedway lately and somebody going east and somebody coming out of that lot around bushes, the line of vision needs to be kept open. And that last space, if a car is going to block that line of vision.

Attorney Bauer replied that the Chairman's point is well taken and that the reality is that it should function fine. Comparing the existing parking improvements on the Bella Bianca property, they are really identical sort of mirrored. There haven't been any accidents in the nine years that Bella Bianca has operated with that existing off street parking configuration.

Chairman Caslin then asked about in the back if it is going to be paved to be able to drive around the building between Bella and the new piece of property.

Project Architect Stamatoukos replied that now it will be and the two properties will be connected so somebody can come in one way and go out the other; the fire department will love that.

Chairman Caslin confirmed that the fire department will have access around the building; that it will be opened up as an access drive around the back of the building.

Project Architect Stamatoukos replied it will be open.

Attorney Bauer asked if Chairman Caslin was referring to the gravel beyond the paved portion of the property.

Chairman Caslin replied that he knows they do not own the gravel.

Attorney Bauer stated to be clear, they will own the gravel area; the entire site is depicted in the heavy line. The gravel spoken about earlier is a site that is not on the subject property.

Chairman Caslin thought that they were told that the gravel area beyond the paved area was an area that they do not own; between the bushes and the paved area.

Attorney Bauer stated that the Chairman is correct in that there is a gravel lot that was and probably is still owned by A to Z that is not part of what the Applicant acquired. This Applicant acquired only what is depicted in the heavy, dark line, adjacent to Bella Bianca. The non-continuous parcel that is also a gravel lot is not what was acquired.

Chairman Caslin asked if the property line goes all the way to the bushes.

Attorney Bauer responded, yes.

Chairman Caslin then asked if they will be paving that whole back area.

Attorney Bauer replied no, only the area that is depicted as being paved. There is an asphalt pavement line and then south of that is that gravel and that will be the delineation between impervious and pervious surface.

Chairman Caslin questioned if there will be no problem with fire lanes on each side.

Attorney Bauer stated that there will be one on this property and the Bella Bianca property.

Chairman Caslin opened the floor for public participation.

Chairman Caslin asked for any positive testimony or negative testimony.

Chairman Caslin noted that there was none.

Resident Shanahan asked if the audience can asked questions rather than give positive or negative testimony.

Chairman Caslin replied that he has no objection to that.

Resident Shanahan commented that in no way is he negative on this project and totally believes that the new owners of the new building will do a beautiful job like they did with the other building. From the illustration, it can't be seen how many parking spaces will be behind; are they adding an addition to the building in some place.

Attorney Bauer responded that the addition is on the north side of the building so it will line up better with the other building.

Resident Shanahan asked if the parking is in the front of the building and in the back of the building but not on the side of the building.

Attorney Bauer said that is right; it will function identical how the Bella Bianca site functions with parking in the front and parking in the rear and a drive aisle on the side.

Resident Shanahan asked if the stoned area in the back will be used for parking.

Attorney Bauer replied that functionally it could be, but it is not intended to be used for parking.

Resident Shanahan questioned if there is a reason it couldn't be grassy.

Attorney Bauer stated that he believes that the City Engineer wants it to be gravel for purposes of storm water management.

Building and Zoning Administrator Dragan added that parking is not allowed on gravel; it needs to be paved area.

Resident Shanahan added, so further back beyond the gravel to the south property line, will a fence be put up.

Attorney Bauer noted that there is a fence there today.

Resident Shanahan corrected that there is a fence behind Bella Bianca but there is not a fence behind the new building.

Project Architect Stamatoukos replied that there will be a fence.

Building and Zoning Administrator added that the owner of the property agreed to install a fence. The requested variation for evergreens was previously approved under an ordinance for A to Z because there is no room to install evergreens so the owner agreed to install the fence.

Project Architect Stamatoukos also added that the fence will match the existing fence in terms of material as well as height; it will be in line with the other fence.

Resident Shanahan asked if the fence will be five feet from the property line or if it is on the property line.

Project Architect Stamatoukos stated that he believes it is about seven feet.

Resident Shanahan questioned if the existing shrubbery that is there now is heavy and dense; is that on the subject property.

Project Architect Stamatoukos replied, yes.

Resident Shanahan noted that behind Bella Bianca, inside the fence, they have two or three trees; will they be putting a couple of trees also in line with those other trees.

Project Architect Stamatoukos responded, three more to match the existing.

Resident Shanahan asked if there is any lighting in the back parking area and if it is shielded from the residential area.

Project Architect Stamatoukos replied, yes only from the roof of the building.

Building and Zoning Administrator added there are no light poles.

Attorney Bauer also added that all of what was asked is depicted on the plan so there is no question as to whether it is to be constructed or improved on the property.

Chairman Caslin asked if there were any additional questions from the Commissioners; there were none.

MOTION

Commissioner Jackson moved and Commissioner Ventura seconded the motion to approve Case #18-5, the request by TCR Venture, LLC ("Petitioner"), to approve variations from the Zoning Ordinance as follows:

1. A variation from Section 156.087 (G) (1) of the Zoning Ordinance to allow the North front yard paved area to be located zero feet of the front lot line instead of the required minimum 10 feet.
2. A variation from Section 156.087 (G) (2) of the Zoning Ordinance to allow the West Side yard paved area to be located zero feet of the side lot line instead of the required minimum five feet.

3. A variation from Section 156.087 (G) (2) of the Zoning Ordinance to allow the East Side yard paved area to be located zero feet of the side lot line instead of the required minimum five feet.
4. A variation from Section 156.087 (G) (2) of the Zoning Ordinance to allow the East Side yard of the main building to be located zero feet of the East lot line instead of the required minimum ten feet.
5. A variation from Section 156.101 (D) (1) of the Zoning Ordinance to permit 10 90 degree parking spaces with dimensions of 9 feet x 18 feet instead of the required 9 feet x 19 feet.
6. A variation from Section 156.101 (D) (2) of the Zoning Ordinance to permit 1 90 degree handicapped parking space with dimensions of 16 feet x 18 feet instead of the required 16 feet x 19 feet.
7. A variation from Section 156.039 (B) (4) of the Zoning Ordinance to allow for no evergreen trees along the South property line in lieu of the existing vegetation as existing and approved under Ordinance Number 91-6.
8. A variation from Section 156.101 (E) of the Zoning Ordinance to allow driveway flares on each side of the driveway to extend up to 6 feet 10 inches instead of the maximum 5 feet.

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

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

Nays: None

Absent: Commissioner Schneider

MOTION PASSED WITH A VOTE OF 6-0.

Chairman Caslin 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 November 28, 2017 City Council meeting agenda. The next Planning and Zoning meeting is scheduled for Tuesday, November 21, 2017 at 6:00 P.M. and packets will be distributed by the end of the week. There is one public hearing on the agenda for redevelopment of the former Burger King site.

Building and Zoning Administrator added that for the upcoming December meetings, two public hearing are already scheduled for December 5th and there is discussion about three public hearings on December 19th.

Chairman Caslin asked what was going on with La Quinta.

Building and Zoning Administrator Dragan replied that it is stagnant; it is for sale and there are a number of buyers looking at the property.

Chairman Caslin asked for a motion to adjourn the meeting.

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

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

Chairman Caslin adjourned the meeting at 7:50 P.M.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Michelle Bossle". The signature is written in black ink and is positioned above the typed name and title.

Michelle Bossle
Building and Zoning / Planning and Zoning Secretary