



City of Oakbrook Terrace  
Planning & Zoning Commission Meeting  
Wednesday, November 19, 2019  
Case #20-08

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 Lozano to take roll call.

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

Absent: None

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 November 13, 2019, Case #20-07 for 1S043 Summit Avenue, Petitioner Midwest Bank and Trust (P.M. Walsh & Co. Realtors).

Chairman Caslin asked if there was any final discussion.

MOTION Commissioner Jackson moved and Commissioner Freda seconded the motion to approve the minutes of November 13, 2019, Case #20-07 for 1S043 Summit Avenue, Petitioner Midwest Bank and Trust (P.M. Walsh & Co. Realtors).

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

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

Nays: None

Absent: None

MOTION PASSED WITH A 7-0 VOTE.

Chairman Caslin asked all those who will be speaking this evening to please stand up and be sworn in. Joel McIndoo, property owner of 1S501 Leahy Road was sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

Joel McIndoo took the floor and stated, my name is Joel McIndoo, I live at 1S501 Leahy Road and I want to install solar panels on my house to reduce carbon emissions, climate change, and to reduce our electric cost. Right now the State and Federal Government have tax incentives for solar panel purchases, which is why I want to do this year, because they may not have it next year. Since the City does not have an ordinance in effect I had to apply for a Special Use Permit.

Commissioner Freda asked, how many panels are you going to have in the house?

Joel McIndoo answered, the proposal is for sixteen.

Commissioner Freda then asked, are they going to be in the back of the house?

Joel McIndoo answered, there are thirteen on the side facing the street and three on the south of the upper part of the roof.

Chairman Caslin asked, when you say south, is that basically above the garage?

Joel McIndoo answered, yes.

Chairman Caslin also asked, and the others would face the street?

Joel McIndoo answered, yes, the street side is the west side of the upper part of the roof and the others face the south side facing the garage.

Commissioner Ventura asked, it's mostly on the upper side of the roof that faces the street?

Joel McIndoo answered, yes.

Commissioner Ventura then commented, I think it's the wave of the future, good for you.

Commissioner Cardenas commented, I see that you did a lot of homework by going to your neighbors and that's great. Like she said it's the future, there's a lot of studies being done when it comes to the sun hours, and the position of the sun for solar panels.

Joel McIndoo also added, when they do the proposal they go on good earth and they can see how much of the upper roof is shaded and at what time of the day. They also check for different areas as well so they know where to position the roof panels.

Commissioner Cardenas then added, I think it's a great thing what you are doing.

Joel McIndoo then added, it's the thing of the future. They estimate that electric cost will go up on an average 3% a year, and I don't know if you've ever done any research on the automotive in this country, but most of the car makers are planning on coming out with electrical vehicles as late as 2025, so that is going to add a big demand on the electric grid and raise electrical usage.

Commissioner Donoval asked, did you talk to your neighbors? They don't have any objection with you installing solar panels?

Joel McIndoo answered, I talked to all my neighbors, and mailed proposals to the ones I couldn't get a hold of. Everyone was okay with it.

Commissioner Walberg commented, I commend you for doing it. Like they say, it's the thing of the future and if your neighbors don't have a problem with it, neither do I.

Chairman Caslin added, the ordinance that you spoke about is in the mist of going to City Council for approval. One thing that we did stress is that we don't want solar panels facing the street, and you say you are going to have some in the front of your house and is facing the street.

Joel McIndoo answered, it is on the street side, that is the area where there is the most sun light.

Chairman Caslin asked, if you increase your panel array in another area could you minimize the front?

Joel McIndoo answered, the general rule with solar panels in the past has been primarily on the south facing areas because that is where they get more sun light. The latest research that I read, they are estimating you are going to get more solar panel production during the afternoon hours on the

west face of your house because you are going to be doing more activities in your house during the later part of the day. So they are basically trying to peek the production of your solar panels the times when your electric demand is going to be higher rather than putting it on the south face of your roof.

Chairman Caslin then added, third and final thing that was brought up by the building inspector is structural strength of the roof of your home. You are adding weight and we are concerned that the roof, which yours is very shallow pitch, with the snow load, and the weight of the panels may be past the limitation of what the roof is. Would you have any objections that a structural engineer certifies that it is okay? Because it's going to be in the new ordinance, it's for your safety.

Joel McIndoo answered, we've lived in that house almost forty years now, and we've never had any issues with the structure of the house.

Chairman Caslin answered, I understand, but you are adding weight so we are concerned that the structure itself as it was designed, was not designed for that weight load. So we would like a structural engineer report.

Joel McIndoo answered, I am okay with that. The solar panel company will send someone to check the area where the solar panels will be installed and make sure that there are no issues and do a site inspection.

Chairman Caslin added, I, myself would like an engineer report before permit release if you are okay with it.

Building and Zoning Mihaela Dragan added, The Zoning Committee recently discussed to recommend to allow private solar collection panel system as a permitted use subject to be installed on the roof surface only in the R-1 Single Family Detached Zoning District. However, at this time, the applicant chose to apply for a public hearing as he wanted to make sure he will take advantage of tax credits available until the end of 2019. A public hearing will be held early next year concerning various text amendments to the Zoning Ordinance including solar panels.

Chairman Caslin added, I appreciate you doing this, I think it's a good idea.

Commissioner Ventura asked, so given that, if this is allowed, solar panels will be allowed in the front of the house? Because it will create a precedence for future applicants.

Building and Zoning Mihaela Dragan answered, only facing the street on the roof top surface but not in front of the house, or as a freestanding structure.

Commissioner Ventura the asked, so that part would be thrown out?

Building and Zoning Mihaela Dragan answered, I think they may be situated wherever the solar panel company determines it's most efficient.

Chairman Caslin then directed his question to Attorney Peter Pacione, because he is in a special hearing, and we change the law later and we require that it may not be put facing the street. Can a precedence be issued in that way?

Attorney Peter Pacione answered, my understanding of the proposed text amendments is that there was no prohibition of where they can place them. So if you are saying that they cannot be on the street side, I am not aware of that.

Chairman Caslin answered, it was in our discussion that we wanted to eliminate that.

Attorney Peter Pacione answered, it will be non-conforming at that point, so as long as he didn't replace them he will be allowed to keep whatever he had.

Commissioner Jackson asked, if this is such a good idea, why would we want to discourage the most efficient use of the solar panels?

Chairman Caslin answered, I don't think we want to discourage it.

Commissioner Jackson added, if you can't put it in the front of your house facing south, you are discouraging the most efficient use of the solar panels.

Chairman Caslin answered, okay, that is a good question for when we have the public hearing.

Commissioner Jackson asked, but you've had the discussion, no one brought that up?

Chairman Caslin answered, it was in discussion only. We would like for it to stay away from the front of the house if possible.

Commissioner Jackson added, I don't understand why.

Chairman Caslin answered, because of esthetic.

Commissioner Jackson added, okay, it's a good idea as long as we keep the prettiness of the neighborhood.

Chairman Caslin added, we would like to keep the esthetic pleasing, if there is no other alternative or answer that you can put more panels up or move to another location, we have to avoid that, that's all.

MOTION Commissioner Ventura moved and Commissioner Freda seconded to approve Case #20-08.

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

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

Nays: None

Absent: None

MOTION PASSED WITH A 7-0 VOTE.

Building and Zoning Administrator Dragan added, the Letter of Recommendation will be placed on the Agenda for the November 26, 2019, City Council meeting at 7:00 p.m.

City of Oakbrook Terrace  
Planning & Zoning Commission Meeting  
Tuesday, November 19, 2019  
Case #20-09

Chairman Caslin said the third order of business was to consider approval for a Special Use and amendment to final PUD by Vequity, LLC ("petitioner").

Mark Daniel from Daniel Law Office, P.C., David V. Pinkerton, Vice Chairman & President of Lakeside Bank, Steven Rezabek from Pappageorgehaymes Partners, and Jeffrey C. Miller from Watermark Engineering were sworn in by Addy Lozano, Building and Zoning / Planning and Zoning Secretary.

David V. Pinkerton took the floor and stated, my name is David V. Pinkerton I am the President and Vice Chairman of Lakeside Bank. We are a 1.8 billion dollar bank primarily in the City of Chicago. We have seven branches, six of them are in downtown Chicago. We have been around for fifty-four years. Three years ago we opened our first facility in the suburbs, Elmhurst, which has done very well. We'd like this opportunity to put a freestanding branch in Oakbrook Terrace. Lakeside Bank is a full service bank, our specialty is in business, as well as commercial real estate. We also offer personal accounts and we plan to offer residential mortgage at this branch. For employee size, we plan to have approximately thirteen employees here and eventually eighteen.

Mark Daniel took the floor and stated, good evening everyone, we have been working on this project for some time and I know you have seen it as well. I'm going to try and cut to the chase on a couple of things with the changes, then I'm going to let the architect Steven take over. In this instance, we have a three phase PUD that has been approved and construction has begun. In this particular instance the last ordinance approved allowed a financial institution. A bank with a drive through with a standalone bank did not. The City has had a couple of instances where banks tap into strip centers but have not moved forwards. Butterfield Point being the most recent one. Banks prefer to be stand alone for several reasons such as security, operations and management, and appearance. In this particular instance a standalone bank is similar in concept when it comes to location, parking, and how the bank will coordinate with restaurant and retail use. You have West Suburban Bank on 22<sup>nd</sup> Street Plaza, and BMO Harris at Oakbrook Terrace Square. Here you have a standalone financial institution. The changes necessary for this bank to operate involve a drive lot. I'm going to use the truck turn diagrams because you can see the flow of traffic. Anywhere you see a shaded area, south or east of the building, there single directional traffic flow. There is a point where Phase

two is approved and we received a call from one of the larger tenants on Phase one worried about the traffic flow going north, now that Phase one tenant sees two directional traffic. We go north and south on the east of the building because there is a drive through, the drive through is situated underneath the building with two drive through lanes and four car stacking for each, which meets the code. The drive through exits will not interrupt the traffic lanes. So now you have two way traffic on the south and east which we didn't have before because we converted the spaces to 90 degree parking and you also have gained two parking spaces.

With respect to the waste enclosures there is going to be a change there. There was a large waste enclosure concept planned. To move the loading zone to the north we had to split the waste enclosure in two locations, one on the east lot line at the north east corner of Lot three, and one on the west lot line at the north west corner of Lot two. It makes sense, because you have an office use using one, and a restaurant using the other. In the instance where the drive thru is being abandon on the east side of the building you have two lanes of traffic, the shift in the loading zone to the north allows the two directional traffic so that loading zone, still permitted by ordinance, the 10 by 35 we went as large as we could but still preserving the traffic flow. The waste enclosure for Lot two will be as largest as necessary for Lou Malnati's. We showed it as a standard size with an island but maybe if that island shrinks by half, you'll have some screening available outside of that waste enclosure.

With respect to operations on the site, one of the key points is that with the financial institution, its primary facade facing the south, were going to have the main entrance off the south east corner. Lou Malnati's has its main entrance on the north west corner so it does not combine so much intensity of use along the north side of the buildings on Lot two and Lot three. That means that you are not going to have a dead parking zone south of the building along 22<sup>nd</sup> Street. You'll still have an active area in the south west corner of Lot three.

The landscaping plans change slightly. Given the change to office use there's something that you are not going to have to site, and that's the south and north facade with no foundation landscaping. You will have landscaping around the perimeter of Lot three on the north, the east, a good portion if the south, and along west. So you will have a lot more foundation landscaping. With respect to the 90 degree parking change, you do lose a few bushes on each corner.



One thing I'd like to touch on is the sign package. We are preserving the existing sign entitlements meaning the overall sign area onsite is going to continue to be what has been previously approved. The forms of the signage in this case change. Instead of having a double loaded building foot entrances on the south and north, the signs above each of the possibly 3-4 commercial units, you are going to have one building with signage up top, south west, and west, and the same area of the monument sign along 22<sup>nd</sup> Street and Butterfield Road. That causes a reduction in signage within the envelopes created by the prior approvals. In the sign package one thing to note on page three and four, you'll see that there is a Lakeside Bank signage below the roof line and slightly above the second floor elevation. When you move around to the side of the building, to the east and west side of the building we have a tag logo for Lakeside Bank, but in the sign package you actually have the full Lakeside Bank logo and name. That is all within what was approved, it's a reduction in overall signage. On the north elevation we do not rap the parapet with signage, but the Lakeside Bank signage will appear slightly below the second floor elevation. We have an ordinance that approves a digital sign, the monument sign on 22<sup>nd</sup> Street could be as tall as 18 feet if it is a digital component. Within the sign package you can see that they are utilizing the sign up to 15 feet with no digital component.

With respect to parking and intensity use, the hours for the bank will probably be 7:30 a.m. to 6:00 p.m. so from 7:30 a.m. to lunch time you don't have much to worry about with the Lou Malnati's traffic. Up until about 6:15 p.m. is when you will see Lou Malnati's busy and that's when the bank will close. So it is a good blend when it comes to use.

There is the possibility, we have a request for relief tied for above ground service facilities. I received a call from Napleton, and they requested to see the plans and give them an understanding of how the transformer on the south side of the bank was going to be screened. The transformer is situated on the south west corner, so as you exit the drive through on your left, you'll see a transformer that was screened. With that concern there is the possibility of working with ComEd to shift the transformer to the north side of the building.

Steven Rezabek took the floor and stated, good evening I am Steven Rezabek, I am with Pappageorgehaymes Partners, I will be focusing most of my comments to the design of the building. You'll see that we have our main entrance facing south, there is a center spline immediately next to the entrance which forms the vertical element on the elevation and that really

opens up the bank lobby on the ground floor and office space on the second floor, because of the configuration of the drive through, it kind of forms a natural plinth of the second floor for the building. So we've designed the building to kind of accent that and make it look like a floating plinth anchored to the ground. The two primary materials on the facade is the darker reddish brown color brick and the plinth on the second level in sintered stone, which is very much like quartz counter top. The bank is about 8,500 square feet. The ground level will be comprised primarily of the bank lobby, the drive up operations, and customer waiting area. The second floor will be primarily office space, conference rooms, and a break room. The main facade will be facing south, and the other visible facade will be facing east, and you can see how the plinth kind of extends and the center spline continues to the back. The center spline also serves a dual purpose, it's acting as our rooftop screening for any mechanicals that are up on the roof. The other two facades would be the north and here you primarily see what see what serves as our exit stair which is kind of separated from the main body of the bank by the drive through entrances. The side that is least visible is the side that faces the gangway in between the bank and Lou Malnati's.

Commissioner Walberg asked, on Dan Lynch's letter he notes that the trash enclosure will have to be reconstructed elsewhere, is that where it will be? Where you showed?

Mark Daniel answered, yes, we will have to deconstruct portions of what has been built.

Commissioner Donoval directed his question to Building and Zoning Administrator Mihaela Dragan, do we allow monument signs for the front yard of the property?

Building and Zoning Administrator Mihaela Dragan answered, we do allow monument signs in the front yard. However, we require a minimum of 10 feet of the property line for monument signs to be situated along 22<sup>nd</sup> Street.

Commissioner Donoval then added, this is like a back yard, there are monument signs on 22<sup>nd</sup> Street and on Butterfield Road.

Building and Zoning Administrator Mihaela Dragan stated, the property has two front yards.

Commissioner Jackson stated, I have a banking question. The building is designed for a bank, what gives you the comfort that as we see a lot of other banks closing their branches, this one is not going to close?

David V. Pinkerton answered, well, we haven't closed a bank in 54 years, but we have a different philosophy in banking. We don't go with little store fronts and have the cheapest cost, were putting in about 9-10 million dollars into this structure. So were building something that is going to be here 50-60 years from now. Lakeside Bank is a very high performing bank. So even if it doesn't meet expectations, we will still keep it open.

Commissioner Jackson then asked, I understand all the good things about your bank, I was with Continental Bank many years ago and our only thought back then was, how can we get the legislature to allow us to have more branches. Today, it's just the opposite, we don't want as many branches. 9-10 million dollars is a significant number, but you have studies that make you believe the number of branches you have will be an intelligent number for 4-10 years from now?

David V. Pinkerton answered, we're unique, we are a 1.8 billion bank as I mentioned earlier, which is a lot of money and assets for the number of branches we have. There is a lot of banks in Chicago that are about 2 billion in assets that have about 53 branches, were very unique in that we have a very few amount of branches, and when we go to a place, we do the studies and make it a structure that is going to be there for a long time. So we have the opposite problem that a Chase Bank has where they have too many branches and we don't have enough. That makes us very confident that what we are going to put here is going to be here for a very long time.

Mark Daniel also added, I don't want to disclose any names, but have had a number of public hearings with clients of theirs. At least half a dozen. That is a sign that it is being responsive to where their current market is.

Commissioner Freda asked, In your notes I read that Lou Malnati's may have the approval of who goes into that site?

Mark Daniel answered, they have approved Lakeside Bank, the building, and the signage.

Commissioner Freda then asked, the drive through on the east side that you showed on the diagram, is there enough space for two cars?

Mark Daniel answered, yes, there is, and the turning radius will be adjusted however it needs to be in relation to the south end of the loading zone.

Commissioner Freda also added, I think the plinth idea with the drive through underneath is a really good idea.

Chairman Caslin asked, what is the height of the central wall?

Steven Rezabek answered, it is 38 feet to the top of the brick, and the top of the plinth is about 29 feet.

Chairman Caslin then asked, how tall is Lou Malnati's?

Mark Daniel answered, they are about 32 feet.

Chairman Caslin added, it looks much shorter than Lakeside Bank.

Mark Daniel answered, that is because its set back.

Chairman Caslin also added, the reason I ask, is because I don't want to see Lou Malnati's come back with the smoke stack saying they can't see it because of Lakeside Bank.

Steven Rezabek answered, their smoke stack I think is located on the north west corner of their building, so it is set back.

Chairman Caslin also asked, the two transformer, will they be screened?

Mark Daniel answered, they will be screened with landscaping.

Building and Zoning Administrator Mihaela Dragan added, the applicant made a detailed presentation of the proposed request for an amendment to PUD, Special Use permit for a bank, and exceptions from the PUD. I don't think I have anything else to add, except based on discussion, the possibility of the transformers to be relocated. As long as it does not generate additional exceptions from the PUD due to location, it will be considered an insubstantial change to the PUD.

MOTION Commissioner Jackson moved and Commissioner Freda seconded to approve Case #20-09.

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

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

Nays: None

Absent: None

MOTION PASSED WITH A 7-0 VOTE.

Building and Zoning Administrator Dragan added, the Letter of Recommendation will be placed on the Agenda for the December 10, 2019, City Council meeting at 7:00 p.m. There is no public hearing scheduled for December 3, 2019 would you like to cancel the meeting?

MOTION Commissioner Jackson moved and Commissioner Freda seconded the motion to cancel the December 3, 2019 meeting.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 7-0.

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

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 7-0.

Chairman Caslin adjourned the meeting at 7:00 P.M.

Respectfully submitted by,

Addy Lozano  
Building and Zoning / Planning and Zoning Secretary

