

Chairman
ARNULFO NOBLE

Secretary
MICHELLE BOSSLE

Commissioners
JAN DONOVAL
STEVE SCHNEIDER
ANN VENTURA
PAUL SMURAWSKI
ANGEL CARDENAS
DOUGLAS JACKSON



AGENDA

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

**Tuesday, June 21, 2016
Council Chambers - 6:00 P.M.**

- I. Roll Call**

- II. Approval of the Minutes for Case #17-2
Anyway's Pub and Restaurant
5 East Roosevelt Road
Petitioner: 5 East Roosevelt, LLC
Variation For Signage**

- III. Case #17-3
1S722 Midwest Road
Petitioner: Oakbrook Terrace Retail Investors, LLC
Special Use Permit And Variations From The Zoning Code**

To consider the request by Oakbrook Terrace Retail Investors, LLC ("Petitioner"), to approve special uses relating to a new building authorized under Section 156.024(B) of the Zoning Ordinance and variations authorized under 156.023(B) of the Zoning Ordinance of the City of Oakbrook Terrace (the "Zoning Ordinance") as follows:

- 1. A special use for a multi-tenant building that includes a restaurant with a drive-through window authorized under Section 156.087(C)(35) of the Zoning Ordinance.**

- 2. A variation from Section 156.043(C)(2) prohibiting signs from obstructing drives in order to permit a suspended height restriction sign at the entry to the drive through.**

- 3. A variation from Section 156.043(C)(5) limiting the height of monument and pole signs to nine (9) feet in order to permit (a) a pylon sign along the Midwest Road frontage between the driveways of the Subject Property which is not taller than twelve (12) feet, and (b) a pole sign at the entry to the drive through not taller than eleven (11) feet.**

4. A variation from Section 156.051(D)(1) (requiring above ground service facilities to be situated three feet from the side lot line and five feet from the rear lot line), from Section 156.051(D)(5) (prohibiting more than one above ground service facility within 250 feet of another) and Section 156.051(F) (requiring a landscape buffer) in order to permit an above ground service facility within three (3) feet of the south lot line and within 250 feet of another existing above ground service facility and to allow such facility to exist without screening except for that provided by the refuse area screen.
5. A variation from Section 156.087(G)(1) requiring a minimum front yard (north) to pavement of ten (10) feet in order to permit the location of parking stalls as close as three (3) feet from the lot line.
6. A variation from Section 156.087(G)(2) requiring a minimum side yard (south) to pavement of five (5) feet in order to permit the loading area and drive-through lane by pass to be situated not closer than zero (0) feet north of the lot line.
7. A variation from Section 156.087(G)(3) requiring a minimum rear yard (west) to pavement of five (5) feet in order to permit paved areas for parking spaces two (2) feet east of the lot line.
8. A variation from Section 156.087(G)(4) limiting the use of a common access drive to one-half of a side yard requirement in order to permit the location of the drive through lane bypass on the south side of the building to occupy an area that is as close as zero (0) feet to the south lot line and extends across the side yard required by ordinance as many as thirteen (13) feet.
9. A variation from Section 156.087(I), Section 156.049(H) and Section 156.049(I) in order to permit perimeter, parking lot and general landscaping relief with the required landscaping reflected in the landscape plan on file with the City which contemplates reductions in the requirements along the south and west lot lines as well as within the interior of the parking area and drive aisles.
10. A variation from Section 156.101(E) limiting widths of commercial district driveway flares to five feet on each side of every driveway in order to permit driveway flares at the north driveway not to exceed 20 feet (north curb) and 20 feet (south curb), and driveway flares at the south driveway not to exceed 20 feet (north curb) and 16 feet (south curb).
11. Pursuant to Section 156.023(B), such other variations and authorizations as may be required to permit the development of the use and improvements according to the plans on file with the City and as these plans may be amended through the City Council's consideration of this request.

IV. Case #17-4
Dunkin Donuts
17W400-460 22nd Street
Petitioner: OBT Donuts, Inc.
Special Uses For Building

To consider the request by OBT Donuts, Inc., as authorized by JRC Investments, LLC, for an amendment pursuant to Section 156.025(C)(4)(a) of the Zoning Ordinance to the current plan for planned unit development for JRC Plaza East to allow a special uses under Section 156.087(C)(35) and Section 156.051(D)(4) to allow a restaurant with a drive through in a building with a pre-existing above-ground service facility situated in the buildable area between the building and the Karban Road front yard line, all in order to permit the development of a restaurant with a drive through on the easternmost portion of JRC Plaza East. The development will occupy a portion of the existing Tilted Kilt and involve the following exceptions under Section 156.025(B)(2)(f):

1. Exception from Section 156.039(B)(1) prohibiting fences in the required north front yard in order to allow maintenance and repair to the existing fence along Karban Road;
2. Exception from Section 156.043(B)(1) and Section 156.043(B)(3) to permit an increase in overall site signage within JRC Plaza East from 1,600 square feet currently allowed to 1,800 square feet in order to accommodate new wall signs on the south and west elevations, a new freestanding sign on the west side of the central entrance, new periodic window signage and such other signage as planned within the sign package submitted by the Applicant;
3. Exception from Section 156.043(F)(7) to permit the installation of a westerly-facing preview menu board and a primary menu board in an area that is visible from 22nd Street at the locations shown in the sign package submitted by Applicant;
4. Exception from Section 156.043(F)(5)(limiting the height of exempt directional signs and from Section 156.043(C)(2)(prohibiting signs from obstructing drives) to permit the installation of two height limitation signs suspended from a pole system at a height not to exceed 12 feet according to the sign package submitted by Applicant;
5. Exception from Section 156.043(C)(5) and Section 156.043(B)(2) to permit (a) the maintenance, repair and replacement of the existing pole signs at a height not to exceed twenty (20) feet and the gross sign area for the existing sign not to exceed 164 square feet (82 square feet per sign face); (b) a pole or pylon sign for Dunkin Donuts not to exceed 15 feet in height at the north line of the west driveway for JRC Plaza East; and (c) two pole signs mentioned in Item 4 according to the sign package submitted by Applicant;
6. Exception from Section 156.043 to permit the maintenance, repair and replacement of all other existing signs at JRC Plaza East at their current dimensions and area and of their current type, provided that this exception shall not prevent owner or a tenant from changing the message or depiction on the sign faces and provided further that the maximum area of all signs shall not exceed 1,800 square feet;
7. Exception from note 16 in Section 156.045(B) which requires dumpsters to be located only in the required side and rear yards in order to allow dumpsters at the current locations in JRC East and as depicted in the site plan submitted by Applicant as lying within the defined front yard abutting Karban Road (existing conditions);

- 8. Exception from Section 156.087(I), Section 156.049(H) and Section 156.049(I) to permit the continuation of existing landscaping within JRC Plaza East with a reduction of only the area necessary to construct the drive through as depicted in the plans, provided that ground cover landscaping and shrubs where possible be planted in the islands at the north entry to the drive through (also applicable to existing conditions);**
- 9. With a special use under Section 156.051(D)(4) to allow an above-ground service facilities situated in the buildable area between the building and the Karban Road or private street (central drive) front yard lines, an exception from Section 156.051(D)(5) (prohibiting more than one above ground service facility within 250 feet of another) and Section 156.051(F) (requiring a landscape buffer) in order to permit pre-existing above ground service facilities within 250 feet of another existing above ground service facility (applicable to the existing conditions);**
- 10. Exception from Section 156.087(B)(54) which limits the dining area on patios to 25% of the interior dining area in order to permit the currently-approved outdoor dining on Tilted Kilt's patio at its current size notwithstanding the decrease in interior dining area, provided that it is not to be increased beyond its current limits or a dining area of 1,000 square feet whichever is less (applicable to existing patio dining area);**
- 11. Exception from Section 156.087(G)(1) which requires minimum front yards of forty (40) feet and prohibits paved areas within ten (10) feet of streets in order to permit the following structures within proximity to 22nd Street, Karban Road and the central private street area (existing conditions):**
 - a. Paved areas that are one (1) foot or less from the front lot lines along the north front yard line along Karban Road (applicable to the existing conditions);**
 - b. Paved areas as close as two (2) feet to the front lot line for the existing southernmost parking spaces on the easternmost 260 feet of JRC Plaza East (applicable to the existing conditions);**
 - c. The principal building for Tilted Kilt and the building east thereof which are situated within 40 feet of the central private street (applicable to the existing conditions);**
- 12. Exception from Section 156.087(G)(2) which prohibits paved areas within five (5) feet of the side lot line in order to permit the continuation of paved areas that are zero (0) feet or less from the west side lot line and from the east side lot line of JRC Plaza East (applicable to the existing conditions);**
- 13. Exception from Section 156.087(G)(1), Section 156.087(G)(2) and Section 156.087(G)(3) of the Zoning Ordinance to permit the continuation, repair, maintenance and replacement of structures in the front, side and rear yard of JRC Plaza East along Karban Road and abutting the Karban Road residential rear yards for the easternmost 277 feet of JRC Plaza East (measured westerly from the easternmost extension of the east line of JRC Plaza East along and south of the north line of JRC Plaza East (applicable to the existing conditions);**
- 14. Exception from Section 156.087(G)(4) which allows a common access drive to serve as one-half of a side or rear yard requirement in order to**

allow common access drive crossing the west lot line where depicted in the site plan submitted by Applicant (applicable to the existing conditions);

15. Exception from Section 156.100(A)(3) and Section 156.101(D) which sets the minimum dimensions of required parking spaces and drive aisles in order to permit parking spaces and drive aisles at their current length and width and in general throughout the JRC Plaza East PUD, including (a) parking spaces in the north parking field of the Bennigan's Parcel which are 8.5 feet in width and 18 feet in depth while supported by a drive aisle that is generally 20 feet wide but narrow to 18-19 feet at various locations; (b) parking spaces in the south parking fields for the mainline center that are of varying dimensions below those required and which are supported by drive aisles with widths of 18 feet; and (c) parking spaces in the south parking fields for the mainline center that are of varying dimensions below those required and which are supported by drive aisles with widths of 18 feet for some 90-degree spaces and 11 feet for some angled spaces (applicable to existing conditions);
16. Exception from Section 156.101(E) limiting widths of commercial district driveways across public property to a width of 35 feet at the right-of-way line and limiting driveway flares in a commercial district to five feet on each side of the driveways in order to permit two existing drives to remain substantially as constructed with widths that exceed 40 feet between the faces of curbs at 22nd Street, as previously determined by the Illinois Department of Transportation (applicable to existing conditions);
17. Exception from Section 156.100(A)(2) and Section 156.104 in order to permit the development of the drive-through restaurant while continuing present loading practices.
18. Such other exceptions and forms of relief necessary in order to permit the development of the drive through restaurant according to the site plan, elevations, preliminary engineering and sign package as well as in the plans and ordinances approved by the City for existing JRC East improvements.