



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, February 7, 2017
Case #17-14

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

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

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

Absent: None

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

Chairman Noble said the first order of business was to approve the minutes of January 17, 2017, Case #17-13 for 17W714, 734, 740, 744 22nd Street / Party City Corporation for Variations From The Zoning Ordinance For Signage.

Chairman Noble asked if there was any final discussion.

Commissioner Ventura commented that Party City used Nordstrom Rack as an example of covering 100% of the windows, but only 100% of a window is covered, but not 100% of all their windows and mostly when there is 100% window coverage it is to the east.

Chairman Noble asked for a motion to approve the minutes of January 17, 2017, Case #17-13 for 17W714, 734, 740, 744 22nd Street / Party City Corporation for Variations From The Zoning Ordinance For Signage.

MOTION

Commissioner Ventura moved and Commissioner Jackson seconded the motion to approve the minutes of January 17, 2017, Case #17-13 for 17W714, 734, 740, 744 22nd Street / Party City Corporation for Variations From The Zoning Ordinance For Signage.

A VOICE VOTE WAS TAKEN AND PASSED 7-0.

Chairman Noble said the second order of business is Case #17-14, 1S666 Midwest Road, petitioner La Quinta Inn & Suites. Since the Legal Notice is too long to be read, Chairman Noble then asked all those who would be speaking to please stand up and be sworn in.

Mark Daniel of Daniel Law Office, P.C., David Scott of Epstein, John Robinson of La Quinta Inn & Suites, Wendy Schulenberg of Daniel Weinbach & Partners, Ltd., Laura Flores of Epstein, David Lim of La Quinta Inn & Suites, and Roswitha Ried-Korpas of La Quinta Inn & Suites were sworn in by Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

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

Petitioner Robinson of La Quinta Inn & Suites took the floor stating that he is one of the architects on the staff of La Quinta Corporate Design and Construction based out of Los Colinas, Irving in Texas. La Quinta is currently underway in an investment program to renovate their properties from coast to coast. There are 15 of what they are calling their Del Sol prototypes already completed and operational. About another 40 locations across the country that are in the process of renovating in various stages of construction to bring them up to a higher, newer standard. The repositioning program that they are undergoing will allow their hotels to compete with other upper, mid-market segments in the hotel and motel industry. For the La Quinta location in Oakbrook Terrace, the design features being presented will increase the visibility of the hotel from the adjacent streets, enhance the appearance in the community, and update the building to be more code compliant, more energy efficient, addressing some life-safety issues and public safety issues, accessibility of the property and other requirements where needed. The petition is required in order for La Quinta to move forward with this property to meet their goals, continue to thrive and be a good partner with the community.

Attorney Daniel of Daniel Law Office, P.C. took the floor representing LQ Properties. The length of the legal notice derives from two primary circumstances. First of all this is a reuse of property; the entire building is not being demolished to build a new four-story hotel, but only the west wing of the existing hotel will be demolished and a floor will be added to the hotel. In addition to that, an outlot will be added; Lot 2 will be situated in the southwest corner of the property. Lot 2 is big enough to host a building that will not exceed 4,500 sq. ft. The location of this project is important and this drives many of the legal notice issues. Way back when in the seventies, in the main commercial area for the City, there was a Venture, and May Department Stores owned a large tract in that area and eventually carved lots out from that area. All of a sudden the large acre homes that were there became commercial real estate. Ultimately in the late seventies, early eighties, there was a process that subdivided out and re-subdivided the Comar buildings,

Terrace Oaks I and II; Terrace Oaks I being to the east of La Quinta and Terrace Oaks II to the north of La Quinta. La Quinta is on a square parcel that it doesn't have a publicly dedicated street on any of its lot lines yet it has two front yards. Just by mentioning it has two front yards, brings into play a number of exceptions to the Zoning Ordinance any time you want to build something meaningful. With the particular site, La Quinta is trying to add an appearance that is more conducive to a feature hotel. There will be a modernized façade of the building and ultimately when they get through the development, there will be two building footprint areas; one for the hotel that will be brought up to four stories and one for an outlot parcel. The footprint being shown on the plans is not 4,500 sq. ft.; it's just the area where a 4,500 sq. ft. building can be put. There can be an outdoor patio or a decision could be made to have more room behind the building or more room in front of the building, or maybe pull it back from the private road, Comar Avenue, but the territory for the building is where there will be a building; no further west, north, east or south of the lines shown. That is the essence of the proposal.

Attorney Daniel continued stating that for this particular site, visibility is obviously critical. The City has recognized that in the past by allowing sign variations to allow not only more signage than is permissible, but to allow signage locations that are not permissible today. La Quinta is trying to preserve the sign locations that they have had in the past and trying to create some visibility for the Lot 2 by adding a sign below the tall 49 foot La Quinta sign that is there now on the pylon in the southwest corner to identify the user on Lot 2. The freestanding monument signs on the site will be modernized. From a signage perspective, when looking at the front of the building, the trade dress and trademark for La Quinta can be seen; also seen are the Del Sol rays. Technically under the Zoning Ordinance, in every measurement done, the rays have been included because they are part of the trade dress for La Quinta. It is not that a lot of signage is being added, but the tile features on the south façade of the building is technically a sign which adds quite a bit of area. When it comes to the monument sign for La Quinta, it will be a more modern appearance that follows the Del Sol concept and will be about the same height and appearance as what is out there now. La Quinta is hoping to blend a monument sign for Lot 2 that will have similar appearance by height and mass and dimensions so that it is consistent from one entrance to the other. The first entrance, the easternmost entrance, the monument sign for the hotel will be visible and then towards the second half of the entrance, there will be another monument sign that draws traffic towards the Lot 2 use; similar in size and dimensions. As far as building signage is concerned, there is nothing really beyond what is expected with exception to the Del Sol component with the tiles. The existing off site signage at the east end of Comar Avenue, there is a small light post that has the Comar Avenue street sign on it at Midwest. Next to that there is an electrical connection and the remains of the base of a sign; that sign that used to be there was hit in an auto incident. The only difference in the

currently proposed sign is the "Inn & Suites" because they will have suites now. The other main access point to La Quinta is going to be just to the west of Denny's. There is an existing sign below the Denny's sign that has been previously entitled, there are easements for these signs; the "Inn & Suites" will be added there as well, same size, same environment, same personality to the sign that they had previously. The pole sign will also add "Inn & Suites" and will be modernized to reflect the addition of the suites on the fourth floor. That is all the signage La Quinta is asking for beyond minimal building signage for the Lot 2 use; building in an envelope just like for Naf Naf and Twin Peaks. There is a reasonable envelope for signage on the east façade of the Lot 2 building and a smaller envelope for signage on the south façade if the roof gets to the point where that signage is valuable to the business.

Attorney Daniel stated that the zoning in the area is generally commercial. Overall the area is Oakbrook Terrace's greatest retail tax generator; nothing with this development will get in the way of that. La Quinta is proposing a two phase development; the first phase to get underway as early as May, maybe sooner. Starting with demolition immediately, followed up with some construction and the last being the landscape installation. Assuming a March 2018 opening with a twelve month window for construction, the landscape plan for Phase I will come in shortly after that. The landscaping plan being proposed, when it comes to new landscaping, trees will be planted in the parking lot area among four islands, even though those four islands won't be there for Phase II; in order to make it look like a use that is not temporary. Additional landscaping will be added to the north perimeter and buffering up the east perimeter a bit more. The street trees are all there now. There will be planting above the retaining wall on one and a half sides of the project site. Because of the nature of the site, relief on both the west and north sides of the property is needed not only as a function of the width of where they can plant but also a function of where the utilities run. There is a continuous planting line all the way around the perimeter. Plantings on the western, roughly 40% of the property that is below the retaining wall does not count toward the landscaping points. For Phase II, there is the situation where there is a change in that the islands will be removed and reduced. There will be an island at the northeast corner of the building pad on Lot 2 and an island to the northwest on Lot 2, but the perimeter landscaping remains the same. The plan for the north wing of the building and the east wing of the building is to preserve the circumstances that are in play there. There are some parking spaces that are not necessarily in compliance with the Zoning Ordinance. La Quinta is doing their best to meet all the width and depth requirements for parking, but there are some places where it could not be done. In meeting with staff, it was determined if a couple parking spaces were removed, La Quinta could put together an outdoor environment that opens up into the pool. By taking out two parking spaces from that location of the property and adjusting the dimensions of some of the spaces on the west and some of the spaces on the south in order to accomplish that amenity. With the Planned Unit

Development the focus is not on practical difficulty and particular hardship, but focusing on what makes sense and what brings a better atmosphere to the development, to the community and to the neighbors.

Architect Scott stated that currently the facility has an outdoor pool and they were able to create an indoor pool of about 20 by 25 foot water line. After meeting with staff it was determined that the outdoor pool is a known amenity so that is the reason for creating the indoor / outdoor space with the patio which will be great for guest experience.

Architect Scott continued stating that Petitioner Robinson spoke about modernizing La Quinta and La Quinta on the franchise side is probably two years ahead of the corporate side; corporate is quickly catching up. Currently 28 projects are underway with La Quinta; doing all the exteriors including the Chicago property which has been their most profitable property six years running. La Quinta has been moving toward this new model; this new Del Sol model based on the franchise development. A lot of that Del Sol model is to tone down materials and pallets, to bring in warmer colors, more earth tones and an element of modern transitional that is more timeless. Some of the materials and main elements in the Del Sol model is a neolith tile; a manmade modernized tile. It is an exterior use tile, large format kind of like porcelain ceramic giving a corten steel look. Applying that on a rainscreen on the building; rainscreen is the most appropriate way to use that tile and the best way to use that in a weather barrier system. They will also be moving toward a continuous insulation EIFS façade for the other areas of the property. One of the big energy conservation issues right now in the new energy code is continuous insulation. That will be achieved by basically wrapping the building in continuous insulation which will help thermal values for the property. Currently the property is U-shaped, the entrance point will be maintained, but the front portion of the east wing will be demolished along with the entire west wing in order to create the out parcel. The key count will be slightly altered, going from 150 keys to 127 keys; getting those keys back by going from three stories to four stories on the remaining two wings. By demolishing the main lobby portion of the hotel, La Quinta will create a two-story lobby space on the east wing, eliminating the current height restriction which is barely code minimum. All guest rooms on the east wing will be maintained on levels two and three and then adding a fourth story on both wings. The first floor of the east wing will have a large open two-story very glass, a lot of natural light with an element controlled vestibule including a reception and sundry. Adjacent to the reception is the employee work room and management offices. The lobby will also be connected to an 860 sq. ft. breakfast area with a see-through electric fireplace, a serving area and pantry. In the renovation for the first floor, the guest rooms have been taken out and replaced with better amenity spaces including a large pool, fitness area and public restrooms. On the north wing, the guest rooms are basically

staying the same and will mostly have double-double rooms; on levels two, three and four of the east wing will be king rooms. On the fourth floor there will be some storage rooms and a total of six suites which will be mostly located in the corners with better views and more light. When excluding the suites, the mix for La Quinta is basically sixty/forty; so, sixty percent of the rooms are double-doubles with a bathtub. The rest are kings with walk-in showers. Distribution and ADA will also be addressed. Basically the materials are modern, not vibrant and loud; they are subdued, they are transitional and will last over time. These kinds of renovations will elevate the value of the property, they will elevate visibility and improve the performance of the hotel both for La Quinta and for Oakbrook Terrace.

Attorney Daniel then took the floor in order to touch on some of the components of the application in regards to the other districts. Flagg Creek has communicated with La Quinta and will have the capability to serve from the sanitary perspective. Chief DeLuca and his staff have been helpful in the planning for fire access to the property which right now is sufficient. Attorney Daniel pointed out the path for the ladder truck in Oakbrook Terrace on the landscape plan. La Quinta is committed to connecting to City water and have initiated that process. With regard to highway and road improvement there may be some work within the county right-of-way along Midwest when it comes to water connections or one of the other connections, but there is no driveway issue regarding Midwest. Comar is a privately owned street that is owned by the same owner as the office building to the east of La Quinta. La Quinta has been in touch with that owner about common area obligations, sharing and maintenance and have let them know about replacing the sign that was there. The La Quinta entrance will remain the same. From a loading perspective there is almost no demand and deliveries are kept to a minimum. The loading zone proposed will be situated in an area striped on the east end of the north wing. Loadings will not interfere with any site operations or parking because they will occur between non-peak hours of 7:00 in the morning and 5:30 at night. With respect to Lot 2, there will be a striped area for loading on the south side of the proposed building. It is not going to be a busy drive aisle and in all likelihood it's going to be employee parking. From an onsite parking perspective, as it stands now, the site is over-parked for the number of hotel rooms. That's practically speaking but legally, at a one-to-one ratio they have twelve spaces less than they should have. La Quinta is looking to improving that situation by one space with the stated proposal. As far as parking on the site goes, there will be 127 rooms with 116 parking spaces on site with a cooperative parking arrangement between Lot 1 and Lot 2. The Lot 2 use will always have sufficient parking and no variances are being asked for on Lot 2. On the hotel side with the eleven space reduction, which is less than the current situation, but eleven out of 127 rooms is eighty percent. Assuming ninety-two percent occupancy and full use of Lot 2 at the same time, which doesn't happen because of the way the use hours and intensity of use fluctuates during the day, it will not happen often.

The cooperative parking arrangement brings in the spaces on Lot 2. If there is a restaurant, the balance of uses allows the ebb and flow between the demand for the hotel and the demand for the restaurant. With respect to basic retail, the peak hours will be during the non-peak hours of the hotel. The owner of Lot 2 will also be able to park on Lot 1 so there is a nice synergy overall. With a 4,500 sq. ft. building, the worst case scenario is within one of the total parking demand.

Architect Scott added that in the past, the hotel has provided shuttle service to the airports and will continue to do so which impacts the parking demand.

Attorney Daniel continued stating that there will also be dual-use parking in that about twenty percent of the time, the hotel patron is also a restaurant patron. Attorney Daniel has participated in other cases where variances for hotels and environments with a shared parking agreement have gotten as high as fifty percent below what is required under the ordinance; La Quinta is at eight to ten percent depending on what demands are during a given point of the year. When it comes to the demolition and subdivision, there are a handful of technical variations that relate to the removal of trees and the replacement requirement; La Quinta will be planning only what is shown on the landscape plans. On the subdivision side, there is a technicality in that the building setbacks will not be shown on the subdivision plat; that is the only aspect of Dan Lynch's comments that will not be met. Prior to recording, a properly scaled subdivision plat will be provided. With respect to the development itself and the PUD side, there are a number of factors to consider. This development is not going to do anything to impede progress in the area. Kimco indicated that they did not have a problem with the project or with the retention of signs; they understood the concerns for the signage. The management at Denny's was perfectly happy and understood that the whole purpose of preserving the currently entitled fifty-foot sign since there are very limited views to this particular site. Portions of the retaining wall could be as high as eighteen feet so that sign really only rises about thirty feet above grade for the Big Lots parking lot to the west; again it is not changing any circumstances faced today.

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

Building and Zoning Administrator Dragan took the floor and stated in summary, the Applicant is requesting approval as follows: to approve a preliminary and final plat of subdivision creating two lots instead of one lot; variations from the subdivision code; a special use approving a two-lot preliminary PUD with exceptions from the Zoning Ordinance; a final PUD for Lot 1 with exceptions from the Zoning Ordinance; a special use for the hotel; and a special use approving continuation of two above ground facilities on Lot 1 and one new above ground facility on Lot 2. As seen from the

documents submitted, the Applicant is proposing an approximately 4,500 sq. ft. restaurant on Lot 2. When considering approval of the proposed building on Lot 2, the Commission may recommend conditions for approval of the Special Use for a preliminary PUD. The Commission may exclude certain permitted uses in the B-3 General Retail District. Prior to the meeting, a list was provided with permitted uses and in red line proposed uses to be excluded. The Commission may agree with that, or have no limitations at this time as they would have to come back for final PUD approval on Lot 2 at a later date when they would know who is the buyer of the property.

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

Commissioner Schneider asked what material is being used for the dumpster facility.

Attorney Daniel responded that the existing dumpster facility on the northeast corner of Lot 1 is going to remain the same. On Lot 2, it is below the retaining wall but will be matched to the building in general. The Lot 2 location will likely be to the southwest portion of Lot 2 below the retaining wall; the location can't be seen because all of that will be below the grade of Comar at 22nd Plaza.

Architect Scott added that a lot of the material choices would be contextual with whatever the use is, what the design is, and the aesthetic for that. As an architect, ensuring that aesthetically it is something that is cohesive for that property by tying it together so that it did not feel disconnected or temporary.

Attorney Daniel continued stating that Phase I is the hotel only and maybe some development on Lot 2; the location is what is being looked at now, not the components of the walls or the drainage. It is not a final approval for Lot 2 at this point; it is only preliminary on Lot 2.

Commission Jackson asked Building and Zoning Commissioner Dragan about the building lines on the plat of survey.

Attorney Daniel responded that the subdivision ordinance states that the building setback lines must be shown.

Commission Jackson questioned why that would be important.

Building and Zoning Administrator Dragan stated that it is a code requirement.

Architect Scott also stated that they are just trying to provide flexibility; at this point, to show them would limit the flexibility for development of that site.

Attorney Daniel continued stating that down the road it does create a real problem. The subdivision setback line shown in a plat is not just binding for the two immediate users, but for everybody thirty or forty years from now. By having the PUD ordinance govern where the buildings are going to be allows adjustments down the road, even a lot consolidation; PUD regulations allows that flexibility.

City Attorney Pacione added that it is still regulated by zoning, but once in the plat it is permanent.

Commissioner Jackson then asked if the City has a procedure to know when trees are available to plan for their use since the Petitioner is committed to the donation of healthy trees from within the southwest interior parking areas

Attorney Daniel replied that will happen between Phase I and Phase II.

Landscape Architect Schulenberg replied that the trees being taken out by the outdoor pool are too large to move, but with the redevelopment of Lot 2, if it were to happen quickly, those eight trees could be moved and relocated or even reused on site.

Commission Jackson again asked if the City has any way of dealing with those eight trees in that preserving landscape requires somebody to come pick up the trees and put them somewhere else.

City Attorney Pacione asked if those trees were being considered as part of the landscape points.

Attorney Daniel responded that only for Phase I do they count toward compliance. They are not being counted for Phase II so they are not required. As far as donating them, La Quinta is not going to install them or replant them, but will let the City know that they can have them.

Building and Zoning Administrator Dragan added that it is not a code requirement. Recently there was some discussion at the council meeting about possible donation of trees, however at this time the City Council did not make a decision and will discuss this matter at a future meeting.

Commissioner Ventura stated that the City should have a tree relocation program but this is something for the City Council to discuss.

Commission Jackson asked who is going to be selling Lot 2 and if there is any discussion about when that might happen.

Attorney Daniel stated that La Quinta has reached out to some local realtors towards the end of last year and beginning of January this year. La Quinta would be listing the lot in all likelihood for sale, and there is a possibility it could be a lease situation. Predominant intent is to have a restaurant there;

something that benefits the hotel. There is not a deadline for Lot 2 development because they want to make sure it is the right user; that it is a good use and one that works for La Quinta and one that works for the City. The key focus is to get the hotel open first and following that it would be a temporary CO and then in late winter of 2018, because of landscaping, following that temporary CO, the focus will more likely shift to Lot 2.

Commissioner Donoval asked if the property is owned by La Quinta or a franchise.

Petitioner Robinson replied that it is corporate owned.

Commissioner Donoval questioned whether the hotel will be opened during the remodeling.

Architect Scott stated that the hotel is currently closed.

Commission Donoval then asked how many rooms will La Quinta have total when the remodeling is done.

Architect Scott replied that there will be 127 rooms.

Commissioner Donoval asked how many seats in the restaurant on Lot 2.

Attorney Daniel responded that on Lot 2 there could be approximately 110 seats based on 4,500 sq. ft. The gross are of 4,500 sq. ft. boils down to at most a 3,000 sq. ft. restaurant which is probably a little bit high. Right now there is not a user so it depends; one user could require more kitchen space than another, but in theory it could have 110 chairs.

Commissioner Donoval then asked how much parking would be needed for that and how it is calculated.

Commissioner Ventura reiterated that there is going to be cooperative parking.

Building and Zoning Administrator Dragan added that one parking space is required per 100 sq. ft. of seating area. Possibly forty spaces if there is a combination of restaurant with a small bar area.

Commissioner Donoval asked about how many employees they will have at any one time.

General Manager Ried-Korpas responded that for the hotel it will vary; at eighty percent sold out, maybe 25 people total working various shifts so at any one time maybe twelve people.

Commissioner Donoval questioned how many parking spaces are at the hotel considering twelve spaces for employees.

Attorney Daniel stated that right now there are 116 on the hotel site and forty-one on Lot 2. With a demand for 127 rooms, assuming a hundred percent occupancy at the hotel, the 127 rooms is served by all the parking on the site because that demand only occurs overnight and up until the early hours of the morning. The employee peak at the hotel is going to occur after people wake up and get on their way.

Architect Scott added that parking for a hotel is calculated based on key count assuming not everybody in a room is driving to the hotel, so then that accounts for the staff of the hotel. So, calculating parking for the hotel is one space per key count and then for a restaurant it is one parking space per 100 sq. ft. of dining area. The hotel is short eleven spaces and that shortage will be put onto the burden of the hotel, not onto the burden of the parcel. La Quinta is confident in the fact that with the shared parking agreement, they would fully be able to accommodate any parking needs in the peak flow.

Attorney Daniel addressed the parking per the ordinance requirements and the parking counts are not employee based so they are not counted. For the hotel it is one space for every room. For the restaurant it is one space for every hundred square feet of dining area and if the restaurant adds a bar, it is three per hundred. Based on a 4,500 sq. ft. building that is all restaurant, in all likelihood at best twenty-eight to thirty parking spaces will be needed because the kitchen takes up thirty to forty percent of the building. If there is a bar, adding three per hundred for the bar, they will make sure that it is under forty for that restaurant use because there is no variation being requested on the restaurant side. La Quinta wanted to make sure they had the code minimum plus the cooperative parking agreement for marketing the site for sale or lease.

Building and Zoning Administrator Dragan stated that Attorney Daniel has already clarified the parking issue. The Applicant is not requesting approval for an exception from PUD for Lot 2 with respect to parking. According to the code they are in compliance. However, if there is something else that will be proposed at some point, they would have to come back for final PUD for Lot 2. Approval of this project tonight will not be approving a parking variation or exception from the PUD for parking for Lot 2.

Chairman Noble then asked if they have an elevator in the building.

Attorney Daniel replied that there is an elevator and they will be adding an elevator.

Architect Scott stated that there are two elevators in the building right now. One will be lost when demolishing the west wing. The new development will include the existing elevator and then will add another elevator right across from the current elevator. For this level of service and number of rooms, it is the right amount of elevators.

Commissioner Schneider asked about the signage under the Denny's sign if it will be fluorescently lit.

Attorney Daniel responded that the signage is currently backlit between the panels; it is an internally lit cabinet sign so the lighting is not visible since it is internal to the sign.

Commissioner Schneider questioned when the hotel is at full capacity and Lot 2 is sold, what does La Quinta say to that customer with the car that has no parking spaces; in the situation where there is no more parking left.

Attorney Daniel stated at that point, La Quinta would have to look into an offsite arrangement if it was a real problem, but they do not anticipate that. KLOA performed a traffic study indicating that a thirty to thirty-five percent reduction for hotel parking could be supported, not with one restaurant but with two, a House of Brides, a swim school and a couple other smaller commercial uses and they actually authorized fifty percent in the way of the reduction for the hotel because the demand hours fluctuate.

Commissioner Jackson asked who owns the lot beside Big Lots.

Attorney Daniel responded that would be Kimco, 22nd Street Plaza, LLC owns that, but there is not going to be a situation where they will need offsite parking.

Commissioner Jackson stated that the issue probably is that the OTB has experienced problems and have parked on Comar Boulevard rather than the hotel being full and needing to park elsewhere.

Attorney Daniel replied that the hotel has been used a lot for big weekends like the Kentucky Derby.

Architect Scott added that looking at the percentage of current key count to the percentage of parking that is below the zoning required and the required percentage for the new proposal is less than the current based on the 150 keys over twelve spaces and the 127 over eleven.

Attorney Daniel continued stating that structurally the way it has been planned, the preliminary planned development that will be approved for both lots, the final is approved for the hotel so they can get underway. When the

final for Lot 2 comes in, the Building and Zoning Commission has the ability to say the final PUD is not approved unless their use under the ordinance that this is being approved under meets the forty parking space demand; at least not deny it based on the parking.

General Manager Lin stated that in his experience with the property for eight years with the numbers for the parking, Attorney Daniel mentioned that twenty to thirty days out of the year La Quinta is over eighty percent occupancy. A lot of those days are during the summer and the mix of clientele is different. Guests stay at this property because they cannot afford to be in the city and usually Uber or take the train back and forth. There are also a lot of groups coming in on tour busses. So even though 127 guests will stay at the hotel, every single room is occupied, there has never been an issue with the parking lot or an overflow of the parking lot even with 150 rooms and a little over 130 parking spaces.

Commissioner Donoval commented that if a restaurant is put there, then it might be off.

Chairman Noble stated that would be taken care of on final approval.

Commissioner Donoval asked if La Quinta has spoken with neighbors to reach an agreement with the office building with the parking.

Attorney Daniel replied that there is no reason to for the restaurant because it is going to be reciprocal between Lot 1 and Lot 2; each user will be able to park on the other user's lot with the development. The ordinance states that demand must be met for both uses on site. If the restaurant is in full swing and the hotel demands ninety-two percent of the parking spaces, that need can be met, but because of the fluctuating demand, that is not going to happen. The ordinance does not necessarily allow for an analysis of a questioning demand; that's what they are trying to do in the PUD context, and that's what the ordinance is meant to allow to be done.

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive testimony or negative testimony.

Chairman Noble noted that there was none.

Chairman Noble closed the public portion of the hearing.

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

Chairman Noble asked for a motion to approve Case #17-14, the request by the Petitioner, LQ Properties L.L.C. for a Special Use for a Final PUD on Lot 1 and Preliminary PUD on Lot 2, Final Plat of Subdivision, and Exceptions from the Zoning Ordinance.

MOTION Commissioner Jackson moved and Commissioner Smurawski seconded the motion to approve Case #17-14, the request by the Petitioner LQ Properties L.L.C. for a Special Use for a Final PUD on Lot 1 and Preliminary PUD on Lot 2, Final Plat of Subdivision, and Exceptions from the Zoning Ordinance including the Lot 2 use list.

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

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

Ayes: Chairman Noble, Commissioners Schneider, Ventura, Jackson, Cardenas, Donoval, Smurawski

Nays: None

Absent: None

MOTION PASSED WITH A VOTE OF 7-0.

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 February 28, 2017 City Council meeting agenda. Since no public hearing is scheduled at this time, the Commission may want to cancel the February 21st Planning and Zoning meeting. The next meeting will be held on March 7th. There are two public hearings for Two Trans Am Plaza and One Parkview Plaza. Michelle will notify you as soon as the public hearing packets will be available.

Chairman Noble asked for a motion to cancel the February 21st Planning and Zoning meeting.

MOTION Commissioner Schneider moved and Commissioner Cardenas seconded the motion to cancel the February 21st Planning and Zoning meeting.

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

Chairman Noble asked for a motion to adjourn the meeting.

MOTION Commissioner Schneider moved and Commissioner Smurawski seconded the motion to adjourn the meeting.

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

Chairman Noble adjourned the meeting at 7:30 P.M.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Michelle Bossle". The signature is written in a cursive, flowing style with a large initial "M".

Michelle Bossle
Building and Zoning / Planning and Zoning Secretary

