



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, June 7, 2016
Plat of Bernardo Subdivision

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 DeBok to take roll call.

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

Absent: Commissioner Smurawski

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Karen DeBok, Building and Zoning / Planning and Zoning Secretary, David Aranki of J & D Development, Steve Groble of Olympic Signs, Inc. and George Lamberis, Owner of Anyway's Restaurant

Chairman Noble said the first order of business was to approve the minutes of May 24, 2016, Case #17-1 for Pete's Fresh Market located at 17W675 Roosevelt Road for Petitioner and Owner Oak Brook Terrace Property, LLC for an Amendment to The PUD and Exceptions from PUD.

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

A VOICE VOTE WAS TAKEN AND PASSED 6-0.

Chairman Noble said the second order of business was to consider a request for approval of the Plat of Bernardo Subdivision at the SW Corner of 16th Street and Luther Avenue.

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

David Aranki of J & D Development was sworn in by Karen DeBok, Building and Zoning / Planning and Zoning Secretary.

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

Developer Aranki took the floor and stated that the buyers had come to him with a piece of land wanting to build a couple of new homes on the parcel. He suggested annexing into Oakbrook Terrace since just to west were five newer homes that are part of Oakbrook Terrace and behind that is the Berkshire Subdivision which is also Oakbrook Terrace. They started the process with the Building and Zoning Administrator, Mihaela Dragan and met with City Council for the annexation. The Council approved coming before the Planning and Zoning Commission for the next step. What they want to do is build two new homes in Oakbrook Terrace on the corner of 16th and Luther. Right now, it is a vacant piece of land that is one parcel under York Township, unincorporated.

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

Building and Zoning Administrator Dragan took the floor and stated that on May 24th, City Council reviewed the request for annexation and the plat of annexation for the property. The Mayor and City Council agreed with the proposed annexation and the subdivision plat was sent to the Planning and Zoning Commission. At the City Council meeting there was discussion about some variances from the subdivision code. The applicant was requesting these variations, a waiver from a couple of sections of the subdivision code and the City Council agrees. One variation from the code provides for sidewalks to be installed, so they are requesting a waiver because the sidewalks will go nowhere. The same has been done for other subdivisions in the area. The other waivers are concerning street trees to be installed. The petitioner does not want to install the street trees however they will comply with the landscaping requirements for new construction. They will be in compliance with the number of points for trees required in the front, rear and sides of the house. The next section provides for connection to a public water supply. The city does not have a water main in the immediate area. Berkshire obtains water through the Village of Oakbrook and they are not willing to provide water to any new developments in that area. So they will have to build the house with a private well, same as the homes that were built in the subdivision immediately to the west. The last request pertains to the section of the code that provides for land or cash donations for parks. The required cash donation would be approximately \$6,500 or the required land donation would be 1,824 square feet. The City Council agreed to grant the waivers. The subdivision code was prepared concerning the land or cash donations basically for large subdivisions. In this case, two sisters purchased a lot that they are subdividing and want to build two homes and be in Oakbrook Terrace.

Building and Zoning Administrator Dragan continued stating that Regency Development donated, according to the code because of the numerous requirements with their development, approximately \$100,000 to be used by York Center Park District only. However, after ten years or so, they were not able to use the money, so the City recently had reimbursed the money to the developer according to the code. York Center Park District was supposed to buy land or park improvements; however, nothing was being done.

Building and Zoning Administrator Dragan stated that the plat of subdivision is reviewed and approved by her and Christopher Burke Engineering. The applicant was very cooperative. The final revised plat with both lots, the way they are subdivided are to be in conformance with the Zoning Ordinance of the City. For your information, Developer Aranki also submitted a couple of elevations for the new house. The new house proposed to be built will not require any variations from the Zoning Ordinance and no public hearing will be needed. A building permit will be required.

Chairman Noble asked City Attorney Pacione if a public hearing will be required for annexation.

City Attorney Pacione replied that the annexation is a voluntary annexation and goes direct to the City Council.

Chairman Noble then asked City Attorney Pacione if we can request from them in case there is a city water line or a sewer.

Building and Zoning Administrator Dragan replied that sewer will be available through Flagg Creek Sanitary District but water is cost prohibitive at this time for that area.

City Attorney Pacione also stated that the City Council is giving them a waiver.

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

Commissioner Schneider asked why the City Council waived the required \$6,500 cash donation.

Building and Zoning Administrator Dragan replied that reason being that it was intended to be for large subdivisions not for two homes. And although the large subdivision provided that money to be used, York Center Park District did not use that money.

Chairman Noble asked how the cash donation is computed.

Building and Zoning Administrator Dragan replied that there are so many calculations based on square footage and number of units. There are various calculations to be done based upon the development. This was calculated to be approximately \$6,500. But they will pay the applicable building permit fees and they currently paid the applicable annexation and subdivision application fees.

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

Commissioner Donoval asked for the reason why they want to annex to Oakbrook Terrace.

Developer Aranki stated that the owners have always had a desire to live in Oakbrook Terrace. They do a lot of shopping here and would like to be a part of this community. He stated that working with the City and the Building Department staff, building another home on Halsey Road and has enjoyed working with them.

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

Commissioner Cardenas asked Developer Aranki if he has already purchased the piece of land to which he replied that he has.

Chairman Noble asked if he has been in touch with the Major and City Council for the last couple of months or so.

Developer Aranki replied that this has been in the works for quite some time and have had all the engineering done and paid all the fees up to this point.

MOTION Commission Jackson entertained a motion to approve of the Plat of Bernardo Subdivision at the SW Corner of 16th Street and Luther Avenue.

Commissioner Ventura seconded the motion.

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

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

Nays: None

Absent: Commissioner Smurawski

MOTION PASSED WITH A VOTE OF 6-0.

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 June 28, 2016 City Council meeting agenda.

The presentation of the Plat of Bernardo Subdivision at the SW Corner of 16th Street and Luther Avenue ended at 6:30 P.M.



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, June 7, 2016
Case #17-2

The meeting continued and called to order by Chairman Noble at 6:30 P.M.

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

Absent: Commissioner Smurawski

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Karen DeBok, Building and Zoning / Planning and Zoning Secretary, Steve Groble of Olympic Signs, Inc. and George Lamberis, Owner of Anyway's Restaurant

Chairman Noble said the third order of business was to consider a request by 5 East Roosevelt, LLC (Owner and Petitioner) for the following variations:

1. A variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow the total permitted gross surface area of all signs on the property to be 366 square feet instead of 287 square feet.
2. A variation from Section 156.087 (G) (1) of the Zoning Ordinance to allow the existing building and additional roof line over part of the patio to be within 17 feet of the north property line instead of 19 feet (State purchased a portion of land needed for Roosevelt Road expansion).
3. A variation from Section 156.043 (C) (7) of the Zoning Ordinance to allow a digital freestanding sign on the north side of the building.
4. A variation from Section 156.043 (B) (8) of the Zoning Ordinance to allow a pole sign at zero (0) feet from the property line instead of the minimum required 3 feet from the property line.
5. A variation from Section 156.043 (C) (5) of the Zoning Ordinance limiting the height of pole signs to 15 feet in order to allow a freestanding sign along the Roosevelt Road frontage that is no taller than 17 feet.

6. A variation from Section 156.043 (F) (5) of the Zoning Ordinance in order to permit one freestanding sign to identify the parking extension in addition to the freestanding signs permitted under Section 156.043 (B) (1). There will be one sign for the Roosevelt Road frontage and one sign for the entrance from Ardmore Avenue.
7. Any other variance from the Zoning Ordinance that may arise during the Planning and Zoning Commission meeting.

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

Steve Groble of Olympic Signs, Inc. and George Lamberis of Anyway's Restaurant were sworn in by Karen DeBok, Building and Zoning / Planning and Zoning Secretary.

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

Petitioner Lamberis took the floor and stated that he has been operating Anyway's Pub for over 21 years in Oakbrook Terrace. Over the years, he has participated in three public hearings and the result of those public hearings is that he was able to keep Anyway's vibrant and flourishing through expansion, redevelopment and parking, adding outdoor seating, improving and expanding the building. As the City has made progress, he has also made progress. With restaurants, with opening and closing of businesses, it's very important to constantly make changes. That is one of the things that he feels has kept him vibrant, he believes his is the oldest running restaurant in the community. One of the next steps he has been planning for a couple of years is wanting to improve his signage. When you have the same sign up for 20 years, it gets old, it gets tired, and sometimes a change is needed. And over the years, the logo has changed and the sign does not match the artwork on the menu, business cards and advertisements. With the State of Illinois doing an expansion, with adding turning lanes on Roosevelt Road and Ardmore, they had to buy a small portion of his frontage on Roosevelt Road. Because of that, the sign that he currently has, the end part of it rests right on the property line. They are going to be taking up to 3 feet of his land and so it would make the sign noncompliant onto the State's right of way, so they want him to move it. So this is the perfect opportunity to get a new sign. The first thing he would like to do is give it a whole new look and match the logos on the front sign and more importantly, to add a video to send messages to customers going by. With having 45,000 cars going up and down Roosevelt Road, a sign is very powerful to communicate the messages of the restaurant. Another important element for wanting the video sign is that the current sign has the one-line reader boards. For many years he would be the one going out there on the ladder to change the signs.

About a year ago, one of his employees that he had since the beginning, over 20 years, and is in his sixties actually fell from the ladder, landed on his back and broke a couple ribs. He was out for a couple months but did recover and is back to work. That will prevent also from having to send people out there. So he will be able to change whatever messages he wants from within the restaurant. Also, with the moving of the sign, it will be even a little bit further from the new property line. Right now it sits right on the property line, once it is moved over, it will be 2 or 3 feet from the new property line.

Goble of Olympic Signs, Inc. stated that it will be 32 inches from the new property line. What they are planning to do is use the existing pole and, so they don't have to do a new foundation, they will offset the new sign to bring it closer to the restaurant and away from the street.

Petitioner Lamberis continued stating that he is trying to improve some of the signage on the property. Years back he expanded the parking lot by adding a new lot to the south part of the property, but never got a sign on there. From what he remembers, a sign was approved on the plan back there, but just never put it, so he would like to add a sign there now. Just trying to add a sign that will just say "Customer Parking Only", it's not a free lot back there. The third item is that there is an existing entry sign off the Ardmore entrance and it is in red. He just wants to change the look of it to match all the other artwork of signs they are doing. The fourth item, with video gaming being in town and having a lot of competitors, he would like to put a sign that shows they have video gaming. The video games are in the bar, all the way in the back part of the bar. A lot of the restaurant customers don't even know that it is there, so the signage will help let people know in the community that yes, they do have video gaming which surprisingly has been a positive thing on his business. It hasn't changed the clientele; it has been able to bring a steady stream of income, which helps to do some of these improvements.

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

Building and Zoning Administrator Dragan took the floor and stated that the sign company can provide details about the signage. The request tonight is for a variation from the Zoning Ordinance to allow the total permitted area of all signs to be 366 square feet instead of 287 square feet. The city previously approved 287 square feet for the subject property. The applicant is asking for a little bit more. Building and Zoning Administrator Dragan pointed out that in the package there is an exhibit A and exhibit B. They responded to everything that was asked for and thought that it would really help with clarification. Exhibit A shows existing signage totaling 273 square feet. Exhibit B show proposed signage.

Basically the existing proposed front pylon sign is to be replaced with a new digital sign which is another variation from the code. The new digital sign will be a little bit larger in area than the existing sign. Petitioner Lamberis explained many times that there is so much competition on Roosevelt Road with digital signs and billboards on the other side of Roosevelt Road with properties that are within Village of Villa Park and/or Lombard. The petitioner's property used to be in Villa Park, same as the Citgo/current Mobil gas station; however, due to a land exchange that was done a while back between Oakbrook Terrace and Villa Park, Petitioner Lamberis agreed to come to Oakbrook Terrace. At the time, the sign was in existence which was about 15 years ago or longer.

Building and Zoning Administrator Dragan continued stating that the city then prepared an ordinance and agreed to take the property and build it into conformance with our codes. As Petitioner Lamberis indicated in an earlier discussion, he is probably one of the restaurant business owners that stays in business and unfortunately so many other restaurants weren't able to stay in business for too long. But as the petitioner stated, he wants to keep the restaurant vibrant and at this time is looking for the new signage. In discussing the other additional signage, Building and Zoning Administrator Dragan asked that Groble of Olympic Signs, Inc. show the Commission exactly which are the new signs.

Petitioner Lamberis noted that Building and Zoning Administrator Dragan did touch on some very important points. He stated that they have a second location in Bloomingdale that has been open for over six years. The location in Oakbrook Terrace is on a road that has more traffic than the Bloomingdale traffic. There are about 45,000 cars in front of the restaurant in Oakbrook Terrace whereas the Bloomingdale location only has 35,000. It is 25% smaller but it is busier. One of the reasons is not that it is not in a busier area, but there is an abundance of restaurants, especially at Butterfield Road from what it was 21 years ago. There is just a lot more competition so that is why the signage is important. The signage makes the restaurant stand out a little bit more and with being here so long, it kind of makes it look like a newer place when you have all the new signs out; they are an important part.

Groble of Olympic Signs, Inc. took the floor and stated that the company is based in Lombard and they will be manufacturing and installing the new signage. The existing foundation and pole will be used and offset the sign to bring it back away from the street. Right now is it consistent with the plat of survey and the edge of the sign is pretty much right at the property line. By offsetting the new sign, it will move 3 feet away from the property line. The sign is going to have an EMC or Electronic Message Board. There are a couple different ways the information can be put up there.

Either PC based with a transmitter but most go with a broad band connection which will allow the message to be changed from any computer, not necessarily have to be on site. The parking sign will go down by the parking lot. The sign will be a simple post and panel, not illuminated, with the logo. It will be double-faced with a sign on both sides. The sign will help show people when there are other functions there, or private parties, that there is additional space for them to park and also let people know that it is where they can park. The other sign that will be off Ardmore is an existing sign which is basically going to just have digital printed vinyl overlays over the top. The size will remain the same. There will be no change in the actual size; it will strictly be the graphics to reflect the new logo. There are going to be two video gaming signs. The one on the west elevation will only be seen when traveling east, so that's why there will be a second sign in the back for the video gaming.

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

Commissioner Schneider asked if the sign will be adjustable as far as the brightness.

Goble of Olympic Signs, Inc. replied that it is LED illuminated, the top cabinet, so it could be dimmable. They are planning on an opaque background so only the copy itself is going to illuminate and of course the electronic message board, so that cuts down on the brightness. Plus, all the copy isn't bright white or the white plex so that will tone it down as well.

Commissioner Schneider also asked what type of sign they have in Carol Stream.

Petitioner Lamberis replied that they do not allow LED lights there.

Goble of Olympic Signs, Inc. stated that the EMC boards are a new thing and a lot of Villages are moving toward that now. Tony's Finer Foods or Tony's Fresh Market just opened a new location in Prospect Heights and installed a huge EMC board. He understands that there are some concerns on the brightness, but the message can always be changed to make sure that there is not too much brightness coming out.

Commissioner Ventura noted her concern about the pole stating that they have a ten-inch pole right now going into a really wide hole and being an obstruction.

Goble of Olympic Signs, Inc. replied that the bottom base is essentially a pole cover; it is not really a support. The support will be the center pole. The edge, the lead of the pole cover would come close to where the pole is now.

It will be quite a bit back from the road. Traveling west coming to the restaurant it does not appear anywhere near what some people call the sight triangle where when coming out of an intersection that it's not blocking. But where this is, there is no sight triangle because it is not right at an intersection either; it is a straight area of the road there.

Commissioner Ventura asked when they are considering 366 square feet of signage instead of the 287 square feet; it's not including the additional amount that's added to the pole.

Goble of Olympic Signs, Inc. stated that no, it is the total amount of signage that will be on the property. When doing the calculations, only the actual sign area is included. Normally the pole cover would not be considered square footage of the sign. In fact, originally the address was included, but in order to keep the square footage down, the address was removed.

Commissioner Donoval asked the petitioner if he is operating a restaurant or gaming place. And if it is a restaurant, why the gaming signs.

Petitioner Lamberis replied that it is a restaurant. The gaming is already part of the restaurant and has been for the past ten years. He stated that there are four cafes within about a half mile of the establishment and a lot of the laws passed through the State of Illinois were not intended for these cafes. They were intended for restaurateurs who are in the community and have a liquor license and actually truly have a bar and restaurant. So a lot of his revenue leaves; it goes to these cafes and he wants to be able to compete with them. That is why he feels the signage is important.

Commissioner Donoval stated that he does not agree with the gaming signage on the side of the building. He addressed the Commission stating that they have to stop somewhere and limit the amount of signage being allowed.

Commissioner Ventura stated that the disadvantage is the other signs on Roosevelt Road and the competition that's there.

Building and Zoning Administrator Dragan also stated that some of the signage is also for the parking lot expansion and the driveway from Ardmore which other people are using.

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

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive or negative testimony.

Chairman Noble noted that there was no one present.

Chairman Noble closed the public portion of the hearing.

Chairman Noble asked if the Commissioner's had any other questions or comments.

Commissioner Schneider stated that he finds it interesting that Carol Stream doesn't allow these signs and he can see why. There are getting to be a lot of them and it is just getting out of control. He also stated that there needs to be limits on the square footage allowed. In certain areas for illuminated signs each case should be questionable and in certain areas it should be an absolute no.

Commissioner Ventura stated that she does agree that the petitioner needs to update his look, the old signs been there long enough; a fresh look after 21 years of doing business in the same location.

Commissioner Jackson commented that he was very pleased with the presentation that let them easily see the old signs and the new signs.

Commissioner Donoval had no additional comments.

Building and Zoning Administrator Dragan commented that other than signage variations requested, under number two, the variation to allow the existing building and additional roof line over part of the patio to be within 17 feet of the north property line instead of 19 feet as previously approved be included in the motion. The reason he is asking for this variation for the additional two feet because the State purchased a portion of the land needed for Roosevelt Road expansion.

Chairman Noble asked the petitioner if he has this type of signage on his other property.

Petitioner Lamberis stated that it is a different kind of signage. There is signage on the building and front signage. It is in a much larger shopping center and he must abide by the rules of the shopping center not so much the Village.

Chairman Noble asked if the signage is a lighted or digital.

Petitioner Lamberis stated that it is in the town of Bloomingdale. Currently, Bloomingdale does not have LED signs or EMC signs. Also, they did not have video gaming, but now they do have video gaming. So they have the video gaming over there also.

Chairman Noble commented that he does see his point in that he is competing with the restaurants in Villa Park.

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

City Attorney Pacione had no comments.

Chairman Noble asked for a motion to approve Case #17-2 the request by 5 East Roosevelt, LLC (Owner and Petitioner) for the following variations:

1. A variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow the total permitted gross surface area of all signs on the property to be 366 square feet instead of 287 square feet.
2. A variation from Section 156.087 (G) (1) of the Zoning Ordinance to allow the existing building and additional roof line over part of the patio to be within 17 feet of the north property line instead of 19 feet (State purchased a portion of land needed for Roosevelt Road expansion).
3. A variation from Section 156.043 (C) (7) of the Zoning Ordinance to allow a digital freestanding sign on the north side of the building.
4. A variation from Section 156.043 (B) (8) of the Zoning Ordinance to allow a pole sign at zero (0) feet from the property line instead of the minimum required 3 feet from the property line.
5. A variation from Section 156.043 (C) (5) of the Zoning Ordinance limiting the height of pole signs to 15 feet in order to allow a freestanding sign along the Roosevelt Road frontage that is no taller than 17 feet.
6. A variation from Section 156.043 (F) (5) of the Zoning Ordinance in order to permit one freestanding sign to identify the parking extension in addition to the freestanding signs permitted under Section 156.043 (B) (1). There will be one sign for the Roosevelt Road frontage and one sign for the entrance from Ardmore Avenue.
7. Any other variance from the Zoning Ordinance that may arise during the Planning and Zoning Commission meeting.

MOTION Commission Jackson entertained a motion to approve the request by 5 East Roosevelt, LLC (Owner and Petitioner) for the following variations:

1. A variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow the total permitted gross surface area of all signs on the property to be 366 square feet instead of 287 square feet.

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7. Any other variance from the Zoning Ordinance that may arise during the Planning and Zoning Commission meeting.

Commissioner Cardenas seconded the motion.

Chairman Noble asked the Commissioners for any final discussion.

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

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

MOTION PASSED WITH A VOTE OF 6-0.

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 June 28, 2016 City Council meeting agenda. The next meeting is June 21, 2016 and public hearing packets have been distributed for both upcoming hearings. First one is redevelopment of the former Burger King site. And the second hearing is a proposed Dunkin Donuts with a drive through window at the existing Tilted Kilt location.

Chairman Noble asked for a motion to adjourn the meeting.

MOTION Commissioner Schneider entertained a motion to adjourn the meeting.

Commissioner Jackson seconded the motion.

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

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

Respectfully submitted by,

Michelle Bossle
Building and Zoning / Planning and Zoning Secretary