

**VILLAGE OF BANNOCKBURN
PLAN COMMISSION/ZONING BOARD OF APPEALS MEETING
MARCH 5, 2012
7:00 P.M.**

1. 01-03/05: **Call to Order.** Chairman McShane called the Plan Commission & Zoning Board of Appeals meeting to order at 7:01 p.m.

Chairman: James McShane

Commissioners Present: Robert Borden, Howard Cooper, David Elston, Richard Peters

Commissioners Absent: Susan Knaack, William Montgomery

Also Present: Village Manager Maria Lasday, Village Counsel Hart Passman, and Village Administrative Assistant Blanca Vela-Schneider

Visitors: Omar Hernandez (REIT Management and Research)

2. 02-03/05: **Pledge of Allegiance.** Chairman McShane led everyone in reciting the Pledge of Allegiance.
3. 03-03/05: **Approval of the February 6, 2012 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes.** Commissioners Borden, Elston, and Peters identified minor corrections to the draft February 6, 2012 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes. Commissioner Peters moved, seconded by Commissioner Borden, to approve the February 6, 2012 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes, as amended. On a roll call vote, the motion was unanimously approved. Ayes: Five (Borden, Cooper, Elston, McShane, Peters), Nays: None, Absent: Two (Knaack, Montgomery).
4. 04-03/05: **Public Hearing for the Consideration of Amendments to Existing Special Use Permits, and any other Zoning Relief Necessary Pertaining to the Use of the Below-Grade and Parking Areas of the Property Commonly Known as 1200 Lakeside Drive, Bannockburn, Submitted by HUB Midwest, LLC.** Chairman McShane opened a public hearing at 7:04 p.m. for the consideration of amendments to existing Special Use Permits, and any other zoning relief necessary pertaining to the use of the below-grade and parking areas of the property commonly known as 1200 Lakeside Drive. He swore in the witness: Omar Hernandez (REIT Management and Research). Mr. Hernandez introduced himself to the Commission. He stated that the owner of the building would like to build a fitness center in what is currently the existing data center and would like to relocate the existing cafeteria from the 1st floor to the lower level. Chairman McShane inquired whether the building will be converted

from a single-tenant use to a multiple-tenant use. Mr. Hernandez replied affirmatively. He stated that there is an existing fitness center that appears to have not obtained the appropriate approvals. He stated that the owner would like to convert the existing fitness center into the cafeteria, convert the existing data center into the fitness center, and expand the data center, connecting it to the atrium.

Commissioner Peters noted that the atrium area will also contain the cafeteria. Mr. Hernandez stated that the cafeteria needs to have a capacity to hold 120 people, noting that this is the most logical location. He stated that the thought was to use the atrium area to incorporate the natural light that is in this area. Chairman McShane inquired whether the cafeteria would have a food preparation area. Mr. Hernandez replied affirmatively. Chairman McShane inquired whether the mechanical system will be modified to minimize odors from travelling throughout the building. Mr. Hernandez stated that the existing mechanical system evacuates smoke and that there is a fan system that creates positive pressure in the building. He added that the atrium is used will also smoke evacuate by the roof line, taking the air out of the seating area. Chairman McShane stated that he did not see any doors between the cafeteria and seating area. Mr. Hernandez replied that there would not be any doors separating the cafeteria from the seating area. He stated that he has an engineer involved in the project. He stated that while they are in their preliminary review, they feel that the only thing that may be needed is to increase the speed of the fans. Mr. Hernandez indicated that the reason the cafeteria is being relocated to the basement is to allow the first floor area to be rented for tenant space.

Chairman McShane inquired whether the air will be drawn from the fitness center into the atrium. Mr. Hernandez replied that he did not think this would be the case and would be exhausted separately. He stated that the mechanical plans have not been developed yet.

Commissioner Borden inquired about the parking issues. Mr. Hernandez stated that there was an agreement with the previous owner to restore the 8 ft., 6 in. parking spaces to their original sizes of 9 ft. but he indicated that this was never done. He stated that the current owner is requesting that the provision of reverting the parking spaces to their original width size be permanently removed or, at a minimum, to have an extension of time to revert the parking spaces back to their original size. Chairman McShane inquired about the ratio of parking spaces to occupancy level. Mr. Hernandez stated that he does not know this information but stated that there is plenty of parking outside.

Commissioner Peters inquired whether the proposed size of the cafeteria will be smaller or larger than the existing cafeteria size. Mr. Hernandez replied that the cafeteria would be smaller. Chairman McShane reiterated the concern of the evacuation system. Mr. Hernandez stated that there may be alternatives to getting the exhaust from the kitchen area, noting that his engineer will be looking into all options available.

Commissioner Peters inquired whether the proposed fitness center is smaller than the existing fitness center. Mr. Hernandez replied that the proposed fitness center will be smaller. He stated that there will be a few less shower stalls in the women and men's bathrooms.

Chairman McShane asked for clarification of all that is being requested this evening. Village Counsel Passman stated the petitioner is seeking an amendment to the existing Special Use Permit. He stated that the petitioner's existing Special Use Permit requires the property owner to conform to a certain set of basement plans. He stated that because the petitioner is proposing modifications to the basement plans, the petitioner will need an amendment to the Special Use Permit. He stated that the approvals of the Special Use Permit also provided the use of a portion of the basement space be restored to parking as well as the restoration of the width parking spaces from 8 ft. 6 in. to 9 ft. if the building had a multi-tenant use.

Chairman McShane inquired about the current parking space requirements in the Village's Zoning Code. Village Counsel Passman stated that for business/professional administrative offices, the zoning code requires 1 parking space per 250 sq. ft. of net floor area. The Commission tried to determine the amount of net floor area. Chairman McShane stated that the issue that worries him most is that the building is already short 168 parking spaces even with the narrower parking spaces. He stated that if the Commission recommends a variation, it should know exactly what the variation is and that Mr. Hernandez should have been better prepared for this meeting. Village Counsel Passman clarified that a variation is not necessary. He stated that the Commission needs to determine whether to amend the Special Use Permit to allow the alternate basement plans. He stated that the ordinance indicates that the Village Board of Trustees can make the final determination as to whether to extend the date of the restoration of the parking spaces. He stated that while it is ultimately up to the Board of Trustees, because the use of the property has changed from a single tenant use to a multi-tenant use, it was determined that the Commission should provide a recommendation on this matter.

Commissioner Elston suggested that Mr. Hernandez obtain a copy of all the ordinances that govern the property and review them carefully to avoid future issues. Village Manager Lasday stated that Mr. Hernandez has recently been provided copies of the ordinances. She also noted that staff reviewed all issued permits for the property and it has been determined the Village did not issue a building permit for the existing fitness center.

Chairman McShane stated that the Village approved an 8 ½ ft. parking stall widths and allowed the property to be share 168 parking spaces prior to the building being initially occupied. Commissioner Peters indicated that because there is an existing shortfall, it may be prudent for the Commission to grant an extension on the time period to which the parking stalls need to be restored to their original size. Chairman McShane stated that as long as the parking does not overflow into other neighbor parking lots, he would be agreeable to permitting an extension.

Chairman McShane inquired about the number of employees and the amount of space each of the tenants have. Mr. Hernandez replied that Barilla has 75,000 sq. ft. and employs approximately 80 people and that Catalyst Rx will occupy 106,000 sq. ft. and will have approximately 400 employees. He stated that Barilla has just renewed a 5 year lease with the owner and that Catalyst Rx has signed a 10 year lease.

Commissioner Elston moved, seconded by Commissioner Borden, to recommend approval an extension of the period of time for the restoration of the surface parking widths in accordance with the Village of Bannockburn Zone Code, an extension of the time period for the restoration of the underground parking from 34 spaces to 29 spaces, and approval of a modification to the Subject Property's first floor plan and a portion of the modified basement plan to allow the relocation of an existing fitness room to another area in the basement. On a voice vote, the motion was unanimously approved. Ayes: Five (Borden, Cooper, Elston, McShane, Peters), Nays: None, Absent: Two (Knaack, Montgomery).

Chairman McShane requested that when returning for future requests, Mr. Hernandez be more prepared.

5. **05-03/05: Public Hearing for the Consideration of Testimony with Respect to Proposed Zoning Code Text Amendments Pertaining to Signs in the Village, including, without limitation, the Content and Illumination of Signs in the Office District, Submitted by the Village of Bannockburn.** Chairman McShane opened a public hearing at 7:38 p.m. for the consideration of testimony with respect to proposed zoning code text amendments pertaining to signs in the Village, including, without limitation, the content and illumination of signs in the Office District, Submitted by the Village of Bannockburn. Village Manager Lasday stated that the Board of Trustees has directed the Plan Commission/Zoning Board of Appeals to consider a text amendment that would allow identification signage along the Tollway to be illuminated from dusk to dawn. She stated that the Board Members also indicated that having signage on the base of sign as well as on the sign is redundant. Commissioner Borden questioned whether there is a problem with having signage along the Tollway illuminated. Chairman McShane stated that he didn't have a problem with the signage along the Tollway being illuminated, noting that no residential households would be effected. He inquired whether the Illinois State Toll Highway Authority (ISTHA) would have any concerns. Village Counsel Passman stated that it is ultimately up to the property owner to contact ISTHA to see if there are any conflicting regulations. Village Administrative Assistant Vela-Schneider recalled that the reason the address was placed on the base of the sign was to provide a uniform location so that emergency personnel can quickly locate properties. Chairman McShane requested that Village Manager Lasday contact the Fire Protection District to determine if the address can be placed in an alternate location. The Commission discussed the issue of landscape maintenance. Chairman McShane noted that the foundation plantings by the signage should be maintained to prevent the sign from being obscured. The Commission members agreed. Commissioner Elston moved, seconded by Commissioner Borden, to recommend

approval of text amendments to the zoning code to permit the illumination of signage from dawn to dusk and to allow the street address to be placed in an alternate location other than the base of the sign and to require that the landscape be maintained to prevent obscuring signage. Prior to the vote, Commissioner Elston stated that he would like to amend the motion to permit the illumination of signage along the Tollway 24 hours per day and to allow the street address to be placed in an alternate location other than the base of the sign and require that the landscape be maintained to prevent obscuring signage. Commissioner Borden seconded the amendment to the motion. On a voice vote, the motion was unanimously approved. Ayes: Five (Borden, Cooper, Elston, McShane, Peters), Nays: None, Absent: Two (Knaack, Montgomery).

6. 06-03/05: **Other Business.** **Open Meetings Act Training.* Village Manager Lasday stated that the Attorney General has determined that all elected and appointed officials complete Open Meetings Act training. She stated that each of the Commission members will need to complete this training and provide a copy of the certification to her by the end of the year. **Upcoming Meeting.* Village Manager Lasday noted that there will not be a meeting in April due to a lack of issues.
7. 07-03/05: **Adjournment.** There being nothing further coming before the Commission, Commissioner Elston moved, seconded by Commissioner Peters, to adjourn the meeting. On a voice vote, the meeting was adjourned at 8:03 p.m. Ayes: Five (Borden, Cooper, Elston, McShane, Peters), Nays: None, Absent: Two (Knaack, Montgomery).