

MINUTES OF THE JANUARY 6, 2015 REGULAR MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF OAK BROOK APPROVED AS WRITTEN ON MARCH 3, 2015

1. CALL TO ORDER:

CALL TO ORDER

The Meeting of the Zoning Board of Appeals was called to order by Acting Chairman Alfred Savino in the Samuel E. Dean Board Room of the Butler Government Center at 6:59 p.m.

2. ROLL CALL:

ROLL CALL

Gail Polanek called the roll with the following persons

PRESENT: Acting Chairman Alfred Savino, Members Jeffrey Bulin, Natalie Cappetta and Wayne Ziemer

ABSENT: Chairman Champ Davis, Members Baker Nimry and Steven Young

IN ATTENDANCE: Dr. Mark Moy, Trustee, Robert Kallien, Jr., Director of Community Development and Gail Polanek, Planning Technician

3. APPROVAL OF MINUTES:

MINUTES

REGULAR MINUTES OF THE SEPTEMBER 2, 2014 MEETING

Motion by Member Cappetta, seconded by Member Ziemer to approve the minutes of the September 2, 2014 Regular Zoning Board of Appeals meeting as written. VOICE VOTE: Motion carried.

4. UNFINISHED BUSINESS

UNFINISHED BUSINESS

There was no unfinished business to discuss.

5. NEW BUSINESS

NEW BUSINESS

A. COSTCO WHOLESALE CORPORATION BY TJ DESIGN STRATEGIES, LTD. – 1901 22<sup>ND</sup> STREET – VARIATION – FRONT YARD SETBACK – AMEND ORDINANCE S-900

COSTCO – 1901 22<sup>ND</sup> STREET. – VARIATION – FRONT YARD SETBACK

Acting Chairman Alfred Savino announced the public hearing and stated the requested relief. He noted that the property had previously been granted a variation in 1998 (Ordinance S-900) to permit a reduction of the 40-foot front

yard setback to 38 feet when Costco Wholesale purchased the property from Eastman Kodak. They were seeking a further reduction from 38 feet to 32 feet to construct a new entrance vestibule, which is required with the conversion of some indoor parking for office space. The encroachment sought is not for the entire length of the north side of the building (entire length is 443 feet).

All witnesses providing testimony were sworn in.

Jeri Krieg, TJ Design Strategies, represented the applicant, Costco Wholesale as their development manager in the Midwest. They have taken approximately half of their underground parking converting it to additional office space, conference rooms for vendors that come in and a presentation kitchen. The conversion will better control the amount of traffic that comes into the office operations. Currently, visitors can go upstairs without anyone really controlling where they go. Vendors would typically go to the Seattle office, but they are trying to control more regional vendors that have products for the Costco office.

The vestibule is coming out approximately 6 feet and will not change the existing driveway. The vestibule itself is just less than 17 feet, but there is a channel that extends above the vestibule making the encroachment approximately 36.4 feet.

When the architects discussed the modification with the building department they were advised that a variance would be required to install it.

Ms. Krieg reviewed the standards for a variation as follows:

1. a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

**RESPONSE:** Costco's Midwest Regional Office has outgrown their current location. They prefer to remain at this warehouse thus proposing expansion into the existing parking garage area. The Oak Brook building department requested entrance vestibule along 22<sup>nd</sup> street office access.

1. b. The plight of the owner is due to unique circumstances.

**RESPONSE:** This property has already received a setback variation from the original code of 40 feet to 38 feet. The vestibule addition along 22<sup>nd</sup> Street will require this setback to be amended to 32 feet.

1. c. The variation, if granted, will not alter the essential character of the locality.

**RESPONSE:** The variation, if granted will not alter the essential character of the locality, in fact will actually enhance the entrance location for the Midwest Office, thus providing for easier office entrance identification to visitors.

2. a. The particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out.

**RESPONSE:** Due to current setback restrictions, as well as updated requirements, this medication would not be possible as requested by the building department for the office expansion request.

2. b. The condition upon which the petition for variation is based would not be applicable generally to the other property within the same zoning classification.

**RESPONSE:** They believe that this property is one of a few along 22<sup>nd</sup> Street that cannot meet the general setback. Since this building was previously owned by Kodak and setback requirements have changed substantially since the original construction.

2. c. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

**RESPONSE:** The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

2. d. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

**RESPONSE:** The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

2. e. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

**RESPONSE:** This variation is a request for Costco's Midwest Operations office and is not a result of a desire to make more money, but instead to provide adequate office space for the increase in company personnel needs.

2. f. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

**RESPONSE:** The hardship is based on Village setback requirements and the original user's construction placement of the building on the parcel. No revenue is generated directly from the Midwest Regional office for Costco.

Member Ziemer noted that the vestibule extends approximately 6'2" and then the overhang extends another 1'4" making it extend approximately 7'6" beyond the building.

Director of Community Development Kallien responded that whatever the Zoning Board recommends will go to the Village Board.

Member Bulin questioned whether the 628 parking spaces noted on the plans included those that were underground. He also asked how many interior spaces would be lost.

Ms. Krieg responded that it was her understanding the underground parking spaces were not included in the counts. She was not sure of the number of interior spaces that were being removed, but thought it might be around half.

Director of Community Development Kallien said that in terms of retail use for the overall building, they meet the required parking requirements. He noted that only a portion of the building is actually used for retail. He noted that the interior spaces were not open for the retail use of the building and were never counted.

Member Ziemer questioned where visitors/vendors park and how they access the vestibule.

Ms. Krieg responded that they will park underground or in the parking lot and walk along 22<sup>nd</sup> Street.

Member Bulin questioned whether there was a sidewalk along the building or if they would walk along the drive.

Director of Community Development Kallien responded that the sidewalk is located along 22<sup>nd</sup> Street.

Ms. Krieg responded that there are a few parking spaces along the outside of the building to the west of the building. She noted that vendors cannot come to the building without an appointment.

Member Bulin questioned whether there should be a sidewalk.

Director of Community Development Kallien responded that it would become a challenge because of the existing IDOT easement. The existing sidewalk and road pavement are technically in Oakbrook Terrace and the Village would need to seek some sort of link.

Dr. Moy commented that the request appeared to be straightforward.

There were no comments or questions from the audience.

Acting Chairman Savino noted that the Standards for a variation were well addressed verbally and in writing on page D of the case file.

Motion by Member Bulin, seconded by Member Ziemer that the applicant had satisfied the requirements for a variation and to recommend approval of the variation to allow the vestibule addition to be located on the north side of the Costco building in the front yard, subject to the following conditions:

1. Front t Yard – Reduce the existing 38 foot front yard setback to 32 feet as measured to the eave, for an approximate length of 36'4". It was noted that the applicant's request did not include a 1'4" overhead channel located above the vestibule and was not shown clearly on the plans. The Zoning Board found this to be reasonable and also recommends approval of this encroachment should it be allowable;
2. The proposed development shall be constructed in substantial conformance to the approved plans;
3. All other provisions of Ordinance 98-ZO-V-S-900 will remain in effect; and
4. Add the condition "Notwithstanding the attached exhibits, the applicant shall meet all Village Ordinance requirements at the time of building permit application except as specifically varied or waived."

ROLL CALL VOTE:

Ayes: 4 – Members Bulin, Cappetta, Ziemer and Acting Chairman Savino

Absent: 3 – Chairman Davis, Members Nimry and Young. Motion carried.

6. OTHER BUSINESS

OTHER BUSINESS

Director of Community Development Kallien reviewed possible upcoming cases.

There was no other business to discuss.

7. ADJOURNMENT:

ADJOURNMENT

Motion by Member Ziemer, seconded by Member Cappetta to adjourn the meeting at 7:26 p.m. VOICE VOTE: Motion carried.

ATTEST:

/s/ Robert L. Kallien, Jr.  
Director of Community Development  
Secretary

