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VILLAGE OF OAK BROOK
Zoning Board of Appeals

STAFF REPORT

DATE: April 18, 2019

CASE NO: 2018-20-ZO-VAR

DESCRIPTION: Variation – To permit the construction of parking spaces in a required front yard along Commerce Drive.

PETITIONER: William L. Smith
c/o 900 Commerce LLC
10 S. LaSalle #2660
Chicago, IL 60603

ADDRESS: 900 Commerce Drive

EXISTING ZONING: ORA-1 District (Office-Research-Assembly District)

ZONING/USE OF SURROUNDING PROPERTY:

- North:** ORA-1, (Office-Research-Assembly District), office buildings.
- South:** ORA-1, (Office-Research-Assembly District), office buildings.
- East:** ORA-1, (Office-Research-Assembly District), office buildings.
- West:** ORA-1, (Office-Research-Assembly District), office buildings.

DISCUSSION:

William L. Smith, representative of 900 Commerce LLC, owner of the office building located at 900 Commerce Drive has submitted a petition seeking approval of a variation in order to increase the number of parking spaces in the front yard, along the south frontage of the building, adjacent to Commerce Drive. The Village of Oak Brook Zoning Ordinance (OBZO) allows up six (6) spaces in the required front yard between the principal structure and the street.

900 Commerce LLC is seeking the variation in order to accommodate the construction of 65 parking spaces to better serve the needs and demands of the existing office building. The office building has a current vacancy 22,939 square feet. The petitioner intends to lease the vacant space and accommodate tenant requests for five (5) spaces per 1000 sq. ft. of vacant office space.

At present, the site contains a total of 317 parking spaces (as shown of the ALTA). If granted the proposal includes construction of the additional parking lot in phases, and

**STAFF REPORT – 900 COMMERCE LLC
VARIATIONS – 900 COMMERCE DRIVE
CASE NO. 2018-20-ZO-VAR**

will create a total of 382 spaces upon completion. The proposed parking lot would exceed the minimum required parking standards for office space in the ORA-1 District.

The applicant is seeking the variations from Section 13-12-3-H.2 in order to accommodate the construction of an additional 59 parking spaces beyond the permitted 6 spaces. The proposal is to phase the construction of the parking spaces based on tenant demand.

On January 15, 2019, the Zoning Board of Appeals opened the public hearing to discuss the application. No members of the public spoke. Board members requested a more detailed landscaping plan to include a berm on the west side of the parking, more detail about the materials, preservation of existing trees, specific information about the lighting of the parking lot, and a description of the proposed “phasing”.

Please see the materials provided by the petitioner for responses to the items identified by the Zoning Board.

Staff Comments:

- The applicant testified that they investigated a shared parking arrangement with neighboring property owners but were unsuccessful.
- Staff’s recent analysis of the appropriate parking ratio to office space observed different factors, which are applicable, when determining the ratio. The factors that appear to dictate the parking ratios include geography, parking structure vs. surface parking, existing vs. new construction and individual community preferences. The ratio in the Chicagoland area range from three to five spaces per 1,000 sq. ft. of office space.
- The applicant is proposing a landscaped berm for screening along the new parking areas (see the case file). Staff notes that the amended landscaping plan proposes perimeter landscaping for the entire parking lot and retains four existing trees. The plan includes 7 shade trees, 10 ornamental trees, and 19 evergreen trees. The landscaping will be required to comply with Section 13-12-4 and will be reviewed for compliance as part of the Building Permit submittal.
- The petitioner is phasing the installation of the parking spaces dependent on the tenant demand and has committed to completing all of the landscaping and berms as part of Phase I.
- The applicant provided a photometric drawing and exhibit, which depicts the proposed light standards. The lighting will be required to comply with Village Code and will be reviewed for compliance as part of the Building Permit submittal.

**STAFF REPORT – 900 COMMERCE LLC
VARIATIONS – 900 COMMERCE DRIVE
CASE NO. 2018-20-ZO-VAR**

RESPONSIBILITIES OF HEARING BODIES:

The Zoning Board of Appeals has the responsibility to make a recommendation on a request for variation. Please include in your consideration your findings with respect to the standards specified in the Zoning Ordinance for a variation. The materials submitted by the applicant specifically address these standards (see the case file).

Those standards are:

“Section 13-14-6 D. Standards:

1. The Zoning Board of Appeals shall not recommend a variation of the provisions of this Title as authorized in this Section unless it shall have made findings of fact based upon the evidence presented to it on the following specific issues that:
 - 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.
 - b. The plight of the owner is due to unique circumstances.
 - c. The variation, if granted, will not alter the essential character of the locality.
2. For the purpose of supplementing the above standards, the Zoning Board of Appeals, in making the determination whether there are practical difficulties or particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence that:
 - 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.
 - 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.
 - 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.
 - 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.
 - e. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

**STAFF REPORT – 900 COMMERCE LLC
VARIATIONS – 900 COMMERCE DRIVE
CASE No. 2018-20-ZO-VAR**

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

CONCLUSION:

If the Zoning Board of Appeals is of the opinion that the applicant has satisfied the requirements for the requested variation to the Zoning Ordinance for the property located at 900 Commerce Drive, a recommendation including specific reasons for its recommendation to approve the requested variation as follows:

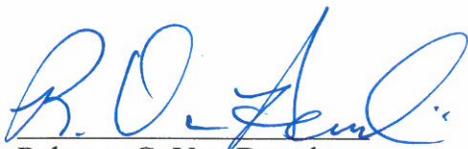
- Section 13-12-3H.2 – Variation to permit the construction of parking spaces within the required front yard at 900 Commerce.

Subject to the following conditions:

1. The proposed development including the proposed parking lot addition and landscaping shall be constructed in substantial conformance to the approved plans as submitted.
2. The landscaping and lighting plans are subject to Village staff final review and approval prior to Building Permit issuance.
3. The phased work shall include all of the required landscape and grading elements prior to the installation of any parking spaces.
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.”

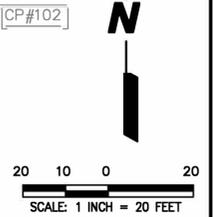
However, if you determine that the petitioner has not satisfied the required standards for variations, the request could be continued for further information/discussion or be denied. Staff requests that the Board include specific reasons for a recommendation to deny the requested variations.

Respectfully Submitted,



Rebecca G. Von Drasek
Village Planner

VARIANCE EXHIBIT PLAN FOR 900 COMMERCE DRIVE OAKBROOK, IL



LEGEND

EXISTING	PROPOSED	DESCRIPTION
		MANHOLE
		CATCH BASIN
		INLET
		CLEANOUT
		SLOPE INLET BOX
		HEADWALL
		END SECTION
		STORM SEWER
		SANITARY SEWER
		WATERMAIN
		VALVE & BOX
		WATER VALVE IN VAULT
		FIRE HYDRANT
		CONTOURS
		ELEVATIONS
		STREET LIGHT
		WATERMAIN PROTECTION
		SILT FENCE INLET PROTECTOR
		TEMPORARY STRAW BALE DITCH CHECK
		SILT FENCE DITCH CHECK
		RIP-RAP
		OVERFLOW ROUTE
		PROPOSED SITE LUMINAIRE W/POLE TOP OF PEDESTAL T/P=SEE PLAN

BENCHMARKS/CONTROL POINTS

ELEVATION REFERENCE MARKS

DUPAGE COUNTY BENCHMARK YK13001 - STATION IS LOCATED AT SOUTHEAST CORNER OF THE INTERSECTION OF ILLINOIS 56 (BUTTERFIELD ROAD) AND SOUTH YORK STREET. STATION IS 36.0 FT. WEST OF AT&T MANHOLE 5.5' WEST OF A WOODEN LIGHT POLE, AND 106.0 FT. NORTH OF A CONCRETE LIGHT STANDARD. MONUMENT IS 0.5 FT. ABOVE ROAD ON THE NORTH SIDE OF A TRAFFIC SIGNAL BASE. ELEVATION = 685.69 NAVD88

PROJECT CONTROL

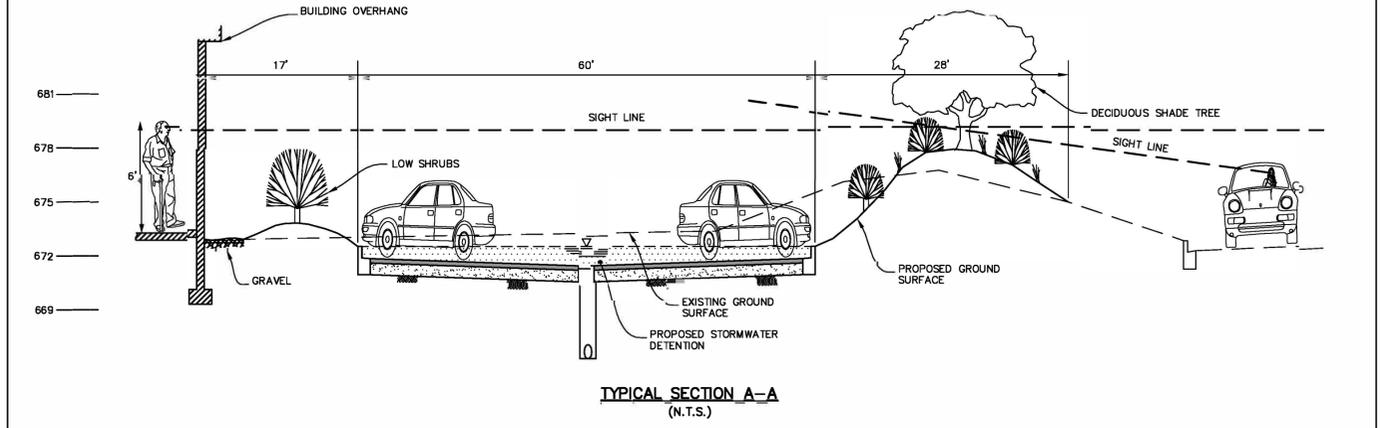
CP#102 - CUT 'X' IN TOP OF CURB EAST SIDE OF SITE 100 FT.± SOUTH OF NORTHEAST CORNER OF SITE 10 FT.± EAST OF EAST PROPERTY LINE WIDE SIDE OF CURB FOR 814 COMMERCE DRIVE. ELEVATION = 673.06 NAVD88
N 1888399.5630, E 1090950.5050

CP#103 - SET 'X' IN TOP OF CURB ADJACENT TO HYDRANT NORTH SIDE OF COMMERCE DRIVE 1ST HYDRANT WEST OF P.C. AND EAST OF WEST ENTRANCE OF SITE. ELEVATION = 675.50 NAVD88
N 1887949.8020, E 1090731.3220



* DO NOT OBSTRUCT HYDRANT WITH LANDSCAPE PLANTINGS

65 - PROPOSED PARKING STALLS (8.5' x 17.5')



PREPARED FOR:
GREEN FAIRWAYS INC.
900 COMMERCE DR. SUITE 205
OAK BROOK, IL 60523
(630) 928-0050

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cadd@cemcon.com Website: www.cemcon.com
DISC NO.: 764005 FILE NAME: VARIANCE & PHASE
DRAWN BY: RDS FLD. BK. / PG. NO.: D73/66-68
COMPLETION DATE: 04-20-18 JOB NO.: 764.005
PROJECT REFERENCE:

LIGHTING LAYOUT VERSION A ILLUMINANCE SUMMARIES

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description	PtSpcLr	PtSpcTb	Meter Type
Landscaping	Illuminance	Fc	0.15	4.6	0.0	N.A.	N.A.		5	5	Horizontal
Parking Lot	Illuminance	Fc	2.31	8.5	0.3	7.70	28.33		5	5	Horizontal
Street	Illuminance	Fc	0.00	0.0	0.0	N.A.	N.A.		5	5	Horizontal

Luminaire Schedule

Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	LLF	Description	Lum. Watts	Arr. Watts	Total Watts	Filename	BUG Rating
☐	4		ALED4T105	SINGLE	13680	13680	0.900	ALED4T105 (TYPE IV)	109.4	109.4	437.6	ALED4T105.ies	B1-U0-G3

Expanded Luminaire Location Summary

LumNo	Tag	X	Y	MTG HT	Orient	Tilt
1		1090708.70	1887982.79	22	122.607	0
2		1090780.95	1888043.44	22	133.914	0
3		1090837.43	1888095.67	22	133.133	0
4		1090878.34	1888152.85	22	135.881	0

Total Quantity: 4

NOTES:

* The light loss factor (LLF) is a product of many variables, only lamp lumen depreciation (LLD) has been applied to the calculated results unless otherwise noted. The LLD is the result (quotient) of mean lumens / initial lumens per lamp manufacturers' specifications.

* Illumination values shown (in footcandles) are the predicted results for planes of calculation either horizontal, vertical or inclined as designated in the calculation summary. Meter orientation is normal to the plane of calculation.

* The calculated results of this lighting simulation represent an anticipated prediction of system performance. Actual measured results may vary from the anticipated performance and are subject to means and methods which are beyond the control of RAB Lighting Inc.

* Mounting height determination is job site specific, our lighting simulations assume a mounting height (insertion point of the luminaire symbol) to be taken at the top of the symbol for ceiling mounted luminaires and at the bottom of the symbol for all other luminaire mounting configurations.

* It is the Owner's responsibility to confirm the suitability of the existing or proposed poles and bases to support the proposed fixtures, based on the weight and EPA of the proposed fixtures and the owner's site soil conditions and wind zone. It is recommended that a professional engineer licensed to practice in the state the site is located be engaged to assist in this determination.

* The landscape material shown hereon is conceptual, and is not intended to be an accurate representation of any particular plant, shrub, bush, or tree, as these materials are living objects, and subject to constant change. The conceptual objects shown are for illustrative purposes only. The actual illumination values measured in the field will vary.

* Photometric model elements such as buildings, rooms, plants, furnishings or any architectural details which impact the dispersion of light must be detailed by the customer documents for inclusion in the RAB lighting design model. RAB is not responsible for any inaccuracies caused by incomplete information on the part of the customer, and reserves the right to use best judgement when translating customer requests into photometric studies.

* RAB Lighting Inc. luminaire and product designs are protected under U.S. and International intellectual property laws. Patents issued or pending apply.

Scale: as noted
Date: 2/6/2019
Filename: 900 Commerce Drive Parking Lot Calcs 2019-02-05.AGI
Drawn By: Jason Jeunette

Job Name:
900 Commerce Drive, Oak Brook
New Parking Lot
Lighting Layout
Version A

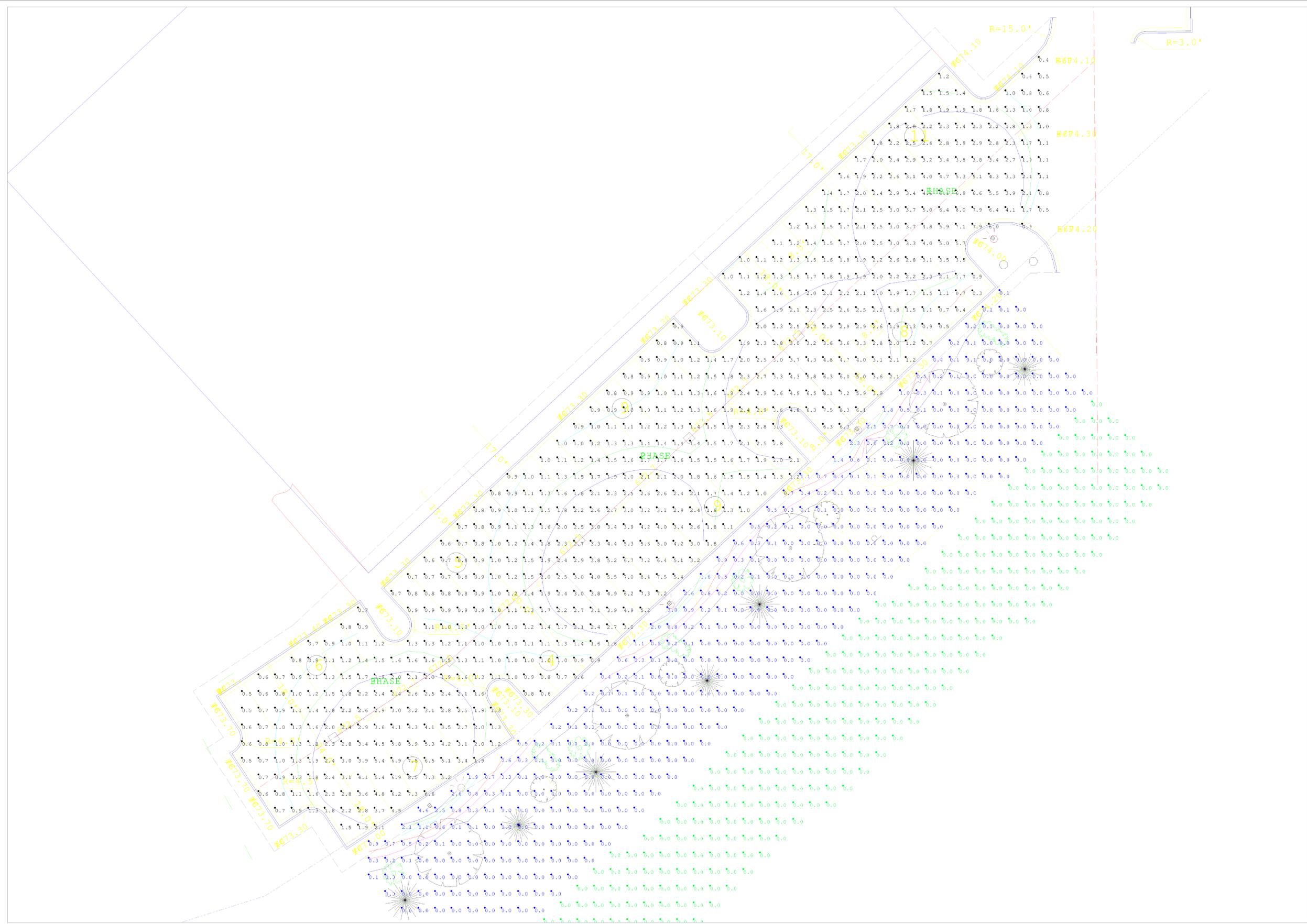
Prepared For:
Graybar
Prepared By:
Casey Electric Sales

PROJECT #
CASE #
Filename: 900 Commerce Drive Parking Lot Calcs 2019-02-05.AGI
Drawn By: Jason Jeunette

Filename: C:\Users\Jason.Jeunette\Dropbox\FAB\AG22 Lighting Designs\Distributors\GRAYBAR\900 Commerce Drive - Oak Brook\Calculations\900 Commerce Drive Parking Lot Calcs 2019-02-05.AGI



PHOTOMETRIC ANALYSIS



Not to Scale

Prepared For: Graybar	Job Name: 900 Commerce Drive, Oak Brook New Parking Lot	Scale: as noted	PROJECT #
	Lighting Layout Version A	Date: 2/6/2019	CASE #
Prepared By: Casey Electric Sales	Lighting Designer/Distributor: GRAYBAR 900 Commerce Drive - Oak Brook	Filename: 900 Commerce Drive Parking Lot Calcs 2019-02-05.AGI	Drawn By: Jason Jeunette



POLE/LUMINAIRE DETAILS

ALED4T150

RAB | Outdoor



Color: Bronze Weight: 32.9 lbs

Project:	Type:
Prepared By:	Date:

Driver Info	LED Info
Type: Constant Current	Watts: 150W
120V: 1.31A	Color Temp: 5000K (Cool)
208V: 0.80A	Color Accuracy: 71 CRI
240V: 0.66A	L70 Lifespan: 100,000
277V: 0.65A	Lumens: 18,454
Input Watts: 155.8W	Efficiency: 118.5 LPW
Efficiency: 96%	

Technical Specifications

Listings:
UL Listing: Suitable for wet locations
DLC Listed: This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.
DLC Product Code: P000175F
IESNA LM-79 & LM-80 Testing: RAB LED luminaires and LED components have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.
Dark Sky Conformance: Conforms to (allows for conformance to) the IDA's fully shielding requirement, emitting no light above 90 degrees with the exception of incidental light reflecting from fixture housing, mounts, and poles.

LED Characteristics

Lifespan: 100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations

LEDs: Multi-chip, high-output, long-life LEDs

Color Consistency: 7-step MacAdam Ellipse binning to achieve consistent future-to-future color

Color Stability: LED color temperature is warranted to shift no more than 200K in CCT over a 5-year period

Color Uniformity: RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2017.

Construction:
IES Classification: The Type IV distribution (also known as a Forward Throw) is especially suited for mounting on the sides of buildings and walls, and for illuminating the perimeter of parking areas. It produces a semi-circular distribution with essentially the same candlepower at lateral angles from 90° to 270°.
Effective Projected Area: EPA = 0.75
Maximum Ambient Temperature: Suitable for use in 40°C (104°F)
Cold Weather Starting: Minimum starting temperature is -40°C (-40°F)
Thermal Management: Superior thermal management with external "Air-Flow" fins

Lens: Tempered glass lens

Housing: Die-cast aluminum housing, lens frame and mounting arm

IP Rating: Ingress Protection rating of IP68 for dust and water

Mounting: Universal mounting arm compatible for pole spacing patterns from 1" to 5 1/2" center-to-center. Round Pole Adaptor plate included as a standard. Easy slide and lock to mount fixture with ease. Round pole diameter must be >4" to mount fixture at 90° orientation.

Reflector: Spherical vacuum-metalized polycarbonate

Gaskets: High-temperature silicone gaskets

Finish: Formulated for high durability and long-lasting color

Green Technology: Mercury and UV free, RoHS-compliant components.

Electrical

Surge Protection: 4kV

Driver: One Driver, Constant Current, Class 2, 2100mA 100-277V, 50/60Hz, Power Factor 99%

THD: 4.7% at 120V, 13.3% at 277V

Power Factor: 99.5% at 120V, 93.7% at 277V

Need help? Tech help line: (888) RAB-1000 Email: custserv@rablighting.com Website: www.rablighting.com
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ALED4T150

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Technical Specifications (continued)

Optical: B1 U0 G3

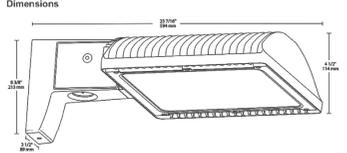
Other: BAA Compliance: Click www.rablighting.com/product/ALED4T150 USA

Warranty: RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, other performance and future finish. RAB's warranty is subject to all terms and conditions found at www.rablighting.com/legal/warranty

Buy American Act Compliance: RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

Equivalency: Equivalent to 400W Metal Halide

Dimensions



Features

- 66% energy cost savings vs. HID
- 100,000-hour LED lifespan
- 5-year warranty

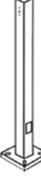
Ordering Matrix

Family	Optics	Wattage	Mounting	Color Temp	Finish	Driver Options	Options	Other Options
ALED	4T	150	A	A	A	A	A	A
4T = Type IV	50 = 50W	Blank = Pole mount	Blank = 5000K (Cool)	Blank = Bronze	Blank = 120-277V	Blank = No Option	Blank = Standard USA = BAA Compliant	
3T = Type III	75 = 75W	SF = Slip/fit	N = 4000K (Neutral)	RG = Roadway Gray	AB0 = 480V	LC = Lightcove® Corner		
2T = Type II	105 = 105W		Y = 3000K (Warm)	W = White	ID10 = 0-10V Dimming	PCS2 = 277V Swivel Photocell		
	125 = 125W			K = Black		PCS4 = 480V Swivel Photocell		
	150 = 150W					IPCT = 120-277V Twistlock Photocell		
						IPCS4 = 480V Swivel Photocell		
						IPCS4 = 480V Swivel Photocell		
						WS2 = Multi-Level Motion Sensor 20 ft.		
						WS4 = Multi-Level Motion Sensor 40 ft.		

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PS4-07-20D2

RAB | Outdoor



Color: Bronze Weight: 195.0 lbs

Project:	Type:
Prepared By:	Date:

Technical Specifications

Listings:
CSA Listed: Suitable for wet locations
Construction: 7
Shaft: 46,000 p.s.i. minimum yield.
Hand Holes: Reinforced with grounding lug and removable cover
Base Plates: 36,000 p.s.i. minimum yield.
Shipping Protection: All poles are shipped in individual corrugated cartons to prevent finish damage.
Color: Bronze powder coating
Height: 20 FT

Weight: 195 lbs
Gauge: 7
Wall Thickness: 3/16"
Shaft Size: 4"
Hand Hole Dimensions: 3" x 5"
Bolt Circle: 8 1/2"
Base Dimension: 8"

Anchor Bolt: Galvanized anchor bolts and galvanized hardware and anchor bolt template. All bolts have a 3" hook.
Anchor Bolt Templates: WARNING: Template must be printed on 11" x 17" sheet for actual size. CHECK SCALE BEFORE USING. Templates shipped with anchor bolts and available at www.rablighting.com/download/instructions/ps4-07.pdf
Pre-Shipped Anchor Bolts: Bolts can be pre-shipped upon request for additional freight charge.
Max EPA's/Max Weights:
70MPH 16.2 ft./200 lb.
80MPH 11.8 ft./285 lb.
90MPH 8.7 ft./205 lb.
100MPH 6.3 ft./150 lb.
110MPH 4.5 ft./110 lb.
120MPH 3.1 ft./75 lb.
130MPH 2.0 ft./50 lb.
140MPH 1.1 ft./30 lb.
150MPH 0.4 ft./10 lb.

Accessories:
Anchor Bolts: www.rablighting.com/product/ABK4-07

Other:
Terms of Sale: Pole Terms of Sale is available at www.rablighting.com/legal/warranty

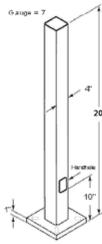
Buy American Act Compliance: RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

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PS4-07-20D2

RAB | Outdoor

Dimensions



Features

- Designed for ground mounting
- Heavy duty TGIC polyester coating
- Reinforced hand holes with grounding lug and removable cover for easy wiring access
- Anchor Bolt Kit includes pole cap and base cover (sold separately)
- Custom manufactured for each application

Need help? Tech help line: (888) RAB-1000 Email: custserv@rablighting.com Website: www.rablighting.com
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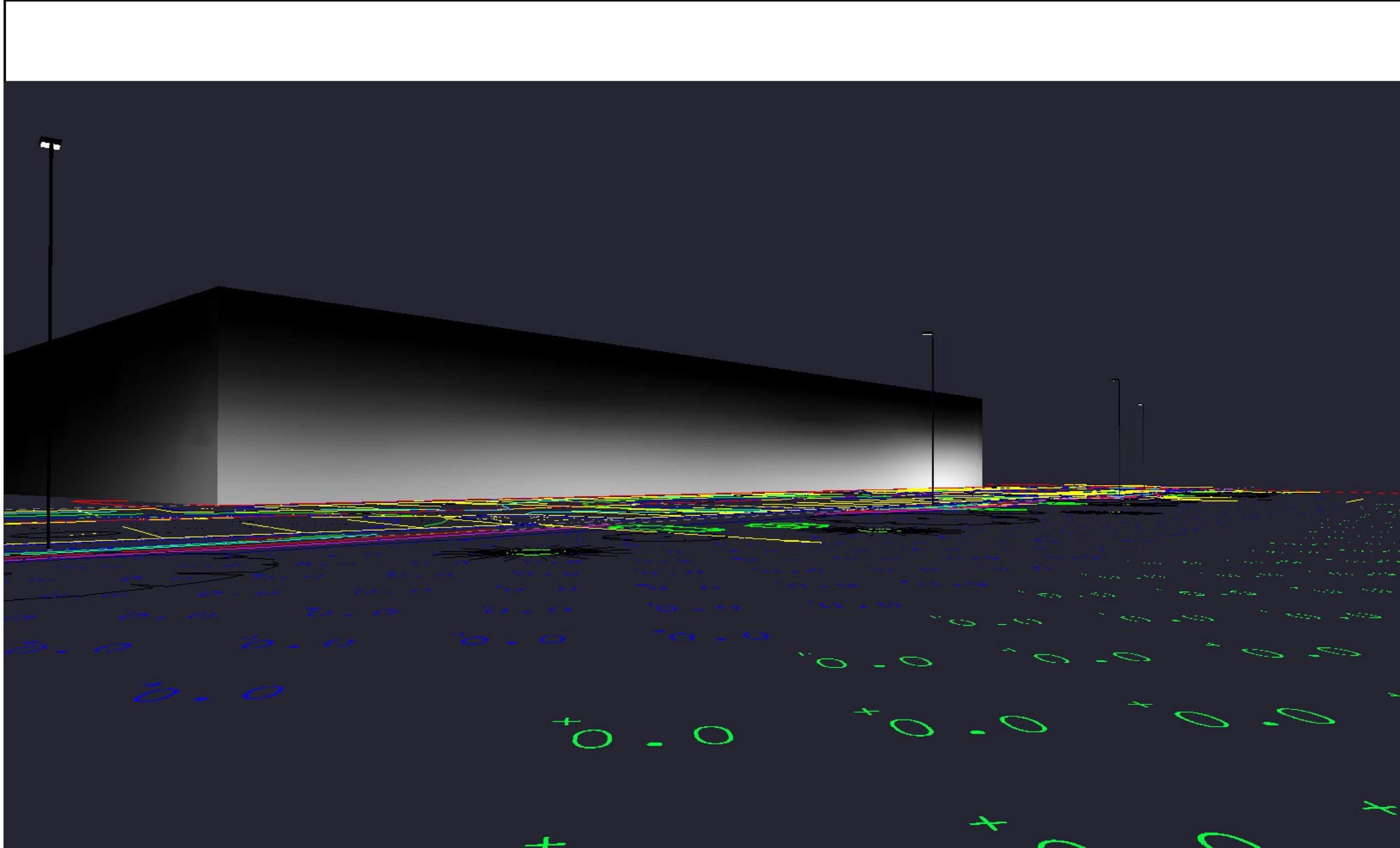


PREPARED FOR:
GREEN FAIRWAYS INC.
900 COMMERCE DR. SUITE 205
OAK BROOK, IL 60523
(630) 928-0050

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 764005 FILE NAME: VARIANCE & PHASE
DRAWN BY: RDS FLD. BK. / PG. NO.: D73/66-68
COMPLETION DATE: 04-20-18 JOB NO.: 764.005
PROJECT REFERENCE:

DARK SKY EXHIBIT



Prepared For:
Graybar

Prepared By:
Casey Electric Sales

Job Name:
900 Commerce Drive, Oak Brook
New Parking Lot

Lighting Layout
Version A

Scale: as noted

Date: 2/6/2019

Filename: 900 Commerce Drive Parking Lot Calcs 2019-02-05.AGI

Drawn By: Jason Jeunette

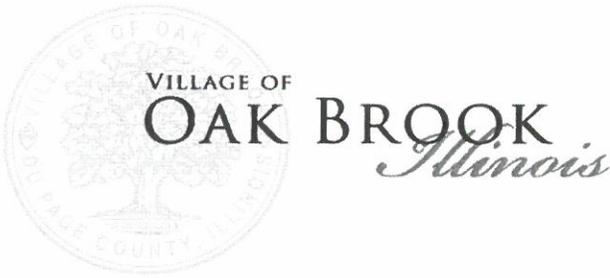
PROJECT #

CASE #



Filename: C:\Users\Jason.Jeunette\Documents\Dropbox\FAB\AG32 Lighting Designs\Distributors\GRAYBAR\900 Commerce Drive - Oak Brook\Calculations\900 Commerce Drive Parking Lot Calcs 2019-02-05.AGI

PLOT FILE CREATED: 2/26/2019 BY: BRANDON DAVIS DRAWING DATE: P:\744005\DWG\EXHIBIT\EXHIBIT5 VARIANCE AND PHASE EXHIBIT.DWG



MINUTES OF THE MARCH 5, 2019
REGULAR MEETING OF THE
ZONING BOARD OF APPEALS OF THE
VILLAGE OF OAK BROOK
APPROVED AS AMENDED ON APRIL 2, 2019

1. CALL TO ORDER:

CALL TO ORDER

The Meeting of the Zoning Board of Appeals was called to order by Chairman Wayne Ziemer in the Samuel E. Dean Board Room of the Butler Government Center at 7:00 p.m.

2. ROLL CALL:

ROLL CALL

Rebecca Von Drasek called the roll with the following persons:

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

ABSENT: Members Baker Nimry and Steven Young

IN ATTENDANCE: Trustee John Baar and Planner Rebecca Von Drasek

3. APPROVAL OF MINUTES

MINUTES

REGULAR ZONING BOARD OF APPEALS MEETING OF FEBURARY 5, 2019

FEBRUARY 5, 2019

Motion by Member Bulin, seconded by Member Savino to approve the minutes of the February 5, 2019 Regular Zoning Board of Appeals meeting as written. VOICE VOTE: Motion carried.

4. UNFINISHED BUSINESS

UNFINISHED BUSINESS

A. 900 COMMERCE LLC. – 900 COMMERECE DRIVE – VARIATION – PARKING REGULATIONS – TO ALLOW MORE THAN 6 PARKING SPACES TO BE LOCATED IN THE FRONT YARD SETBACK

900 COMMERCE DR
VAR-PARKING –
ALLOW MORE
THAN 6 SPACES IN
THE FRONT YARD
SETBACK

Chairman Ziemer noted that this matter would not be heard at this meeting and the applicant had requested the matter be continued to the Regular Zoning Board of Appeals meeting on May 7, 2019.

Motioned by Member Bulin, seconded by Member Cappetta to continue the matter to the Regular Zoning Board of Appeals meeting on May 7, 2019. ROLL CALL:

Ayes: 4 - Members Bulin, Cappetta, Pontrelli, Savino and Chairman Ziemer
Nays: 0 -
Absent 2 - Members Nimry and Young. Motion carried.



5. NEW BUSINESS

NEW BUSINESS

A. 3005 OAK BROOK HILLS ROAD - DARWEESH AND AL-DALLAL - MAP AMENDMENT - TO REZONE THE PROPERTY FROM R-1 SINGLE-FAMILY DETACHED TO R-2 SINGLE-FAMILY DETACHED ZONING DISTRICT

3005 OAK BROOK HILLS ROAD - DARWEESH & AL-DALLAL - MAP AMEND - REZONE FROM R-1 TO R-2

Chairman Ziemer noted that this matter would not be heard at this meeting and the applicant had requested the matter continued to the next Regular Zoning Board of Appeals meeting on May 7, 2019 pending the conclusion by the Plan Commission.

Motioned by Member Bulin, seconded by Member Pontrelli to continue the matter to the Regular Zoning Board of Appeals meeting on May 7, 2019. ROLL CALL:

Ayes: 4 - Members Bulin, Cappetta, Pontrelli, Savino and Chairman Ziemer
Nays: 0 -
Absent 2 - Members Nimry and Young. Motion carried.

6. OTHER BUSINESS

OTHER BUSINESS

A. ADOPTION OF THE 2019 VILLAGE OF OAK BROOK OFFICIAL ZONING MAP

ADOPTION OF THE 2019 VOB OFFICIAL ZONING MAP

Planner Von Drasek explained that according to the Illinois Municipal Code, the Village is required to adopt an Official Zoning Map on an annual basis which takes into account all of the actions that the Zoning Board of Appeals and Plan Commission have made the preceding calendar year, which were approved and adopted by the Village Board. The adoption deadline is on March 31, 2019.

There were no zoning changes and approximately four parcels that had subdivision changes. Additionally, planned developments were added to and highlighted on the 2019 Zoning Map.

Member Bulin did not agree with approving the map since in his opinion illustrated a two-lot subdivision on Wennes Court that was currently unresolved and under litigation. He stated that the Plan Commission, Zoning Board of Appeals and Village Board had all originally denied the subdivision until they were strong armed into

Gail Polanek

Subject: FW: 900 Commerce Drive 498.035 Task 00300

Subject: 900 Commerce Drive 498.035 Task 00300

Tony,

Bill has retained Greg Sagen of Signature Design Group to prepare the Landscape Plan and I have contacted RAB Outdoor Lighting to work on a Lighting/Photometric Plan. Greg will be contacting you to discuss content/plat materials. However, the active tenant prospect Bill has been dealing with has leased elsewhere and I do not expect we will have the above Plans ready by the Feb. 22, 2019 deadline to be on the April 2 ZBA meeting agenda so Bill has decided to defer to the **May 7th ZBA**. We do expect to have the Plans completeable by March 22nd. Thanks for rescheduling.



Randall W. Bus, P.E.
CEO

CEMCON, Ltd.

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS
2280 White Oak Circle, Suite 100, Aurora, IL 60502-9675
TEL: (630) 862-2100 FAX: (630) 862-2199

randybus@cemcon.com

B.

900 COMMERCE LLC. – 900 COMMERECE DRIVE – VARIATION – PARKING REGULATIONS – TO ALLOW MORE THAN 6 PARKING SPACES TO BE LOCATED IN THE FRONT YARD SETBACK

900 COMMERECE DR
VAR-PARKING REGS
– ALLOW MORE
THAN 6 SPACES IN
THE FRONT YARD
SETBACK

Chairman Ziemer announced the public hearing for the requested variation. All witnesses were sworn in.

William L. Smith Jr., owner of 900 Commerce Drive stated he has been a tenant in the building for 47 years and has owned the building for the past 20 years. The building is currently 74% occupied with only 80 vacant parking spaces. The potential tenants he has spoken to have requested 5 parking spaces per 1000 square-feet. There is over 23,000 square-feet of space available, which would require approximately 115 parking spaces. It has become difficult to fill the vacancies.

He described how the parking shortage situation occurred with more people in smaller work spaces, and more record storage on computers and in off-site facilities rather than onsite in file rooms. They have already shortened the width of the parking spaces from 9-feet to 8.5-feet in order to gain 10 additional spaces. They also encourage their tenants to use public transportation. He believes approximately 10-15 people actually use public transportation.

He stated that many of his corporate neighbors have been granted parking variations. The request is for a variation to the front yard setback in order to add 65 parking spaces (6 are allowed per code). The variations would be constructed in a phased process so that they only create the spaces that are needed.

Randy Bus, Cemcon, LTD., consulting engineer gave a power point presentation with photos of the current front yard as well as the phased plans to add the 65 parking spaces and the area where they would provide an open corridor from Commerce Drive to a Fire Department connection line against the building for their future use. The line would also be labeled so that it is never blocked.

The front yard setback would be 28-feet, which was consistent with other front yard setback variations in the area. He pointed out the sidewalk area and stated the landscape plan and drainage would be consistent with village code and that the lighting plan would consist of inward facing illumination so that the lighting would be maintained on the site.

Member Savino questioned the time frame for each phase. Mr. Smith responded that it would be dependent on the amount of space that was leased. If they leased 20,000 square-feet to one tenant that they had been working with, it would be

constructed at one time without phasing.

Member Bulin was concerned about constructing the parking lot in phases and wondered how they would excavate for the berm and then only do 1/3 of the parking lot. Mr. Bus replied that would only do one phase at a time if necessary.

Member Bulin asked if their current landscape plan was in compliance with village code since the plan appeared sparse and lacking plantings in the parking lot islands. Planner Von Drasek replied that code does require plantings in parking lot islands and that staff felt it was something that would be reviewed at the time of the permit.

Member Nimry did not believe the plan represented what would really happen since it is phased and without specific landscape details.

The members were concerned about the berm being built in phases and possibly causing a visual obstruction for the fire department.

Mr. Smith responded that they did not want to build all of the parking spaces if they were not needed, so the new lot may be built in phases to accommodate the need of future tenants.

Member Cappetta asked if there was a timeframe to complete a village approved variation. Director Budzikowski replied that there was not and he wouldn't want to prevent them from completing a phase of the parking lot if it was not needed for several years.

Planner Von Drasek noted that the relief if granted, runs with the land and would remain with the property

Member Cappetta questioned whether a final landscape plan should be part of the ZBA's review. Director Budzikowski responded that the ZBA can ask for a more detailed plan to review or they can make it a condition and ask the applicant to supplement the plan asking for specific details and plantings to be included.

Member Cappetta thought there should be a detailed lighting plan, which was not included in the case file. Mr. Bus responded that there is a specific level of illumination that is required and that they would meet the village code.

Member Bulin said that past parking lot variations had included detailed landscape and lighting plans, such as Christ Church. He wanted to ensure they had all the details needed to make a recommendation.

Member Young brought up previous issues with the Park District lighting.

Members Cappetta, Bulin, Savino and Young all agreed that 900 Commerce Drive needs the additional parking. They requested more detailed information regarding the landscape and lighting plans in order to make an informed decision.

Director Budzikowski summarized what he believed the ZBA was requesting.

- More detail to the landscape plan to include:
 1. The berm to be expanded to wrap around the west side of the parking lot.
 2. Specific plantings along the berm, the islands and the perimeters.
 3. Preservation plan of the existing trees.

- A lighting plan to include:
 1. Specific lighting fixtures – height, style and bulb.

Member Young suggested a BUG rating which evaluates upward, downward and side glare. He also suggested reviewing the refraction of light off of the building.

Member Cappetta suggested the plantings on the islands not cover the curb for safety when exiting vehicles.

Member Pontrelli questioned the need for handicap parking. Director Budzikowski responded that the State code determines the number of required handicap spaces based upon a percentage of the total parking spaces and that they be located closest to the entrance, which was in the back of this building away from the proposed parking. He assured the ZBA that the number of required handicapped spaces and signage would be addressed at time of building permit.

Mr. Smith added that the building currently has more than the required number of handicap assessable parking spaces.

Member Nimry believed the entire berm should be constructed at one time regardless of the phasing.

Member Cappetta said that it would be difficult to do, since they would use the excavating material from the new parking spaces to create the berm.

Members Bulin and Nimry believed it would be unsightly if only one section of the berm was complete and that there would be a straight view into parking if the other areas were left open.

Member Bulin suggested the addition of temporary screening (shrubs) to wrap around the parking area as each phase is completed.

Mr. Bus pointed out that there is an existing berm on the site and they would be happy to wrap a berm around each phase if needed.

Motioned by Member Savino, seconded by Member Bulin to continue the matter to the Zoning Board of Appeals meeting on March 5, 2019 in order to provide the additional information as requested by the members. ROLL CALL:

Ayes: 7 – Members Bulin, Cappetta, Nimry, Pontrelli, Savino, Young and Chairman Ziemer

Nays: 0 –

Absent: 0 – Motion carried.

6. OTHER BUSINESS

OTHER BUSINESS

Planner Von Drasek reviewed upcoming cases.

7. PUBLIC COMMENT

PUBLIC COMMENT

There were no additional comments from the public.

8. ADJOURNMENT:

ADJOURNMENT

Motion by Member Young, seconded by Member Bulin to adjourn the meeting at 8:01 p.m. VOICE VOTE: Motion carried.

ATTEST:

/s/ Tony Budzikowski

Tony Budzikowski

Director, Development Services

Secretary

**VILLAGE OF OAK BROOK
Zoning Board of Appeals**

STAFF REPORT

DATE: January 9, 2019

CASE NO: 2018-20-ZO-VAR

DESCRIPTION: Variation – To permit the construction of parking spaces in a required front yard along Commerce Drive.

PETITIONER: William L. Smith
c/o 900 Commerce LLC
10 S. LaSalle #2660
Chicago, IL 60603

ADDRESS: 900 Commerce Drive

EXISTING ZONING: ORA-1 District (Office-Research-Assembly District)

ZONING/USE OF SURROUNDING PROPERTY:

North: ORA-1, (Office-Research-Assembly District), office buildings.

South: ORA-1, (Office-Research-Assembly District), office buildings.

East: ORA-1, (Office-Research-Assembly District), office buildings.

West: ORA-1, (Office-Research-Assembly District), office buildings.

DISCUSSION:

William L. Smith, representative of 900 Commerce LLC, owner of the office building located at 900 Commerce Drive has submitted a petition seeking approval of a variation in order to increase the number of parking spaces in the front yard, along the south frontage of the building, adjacent to Commerce Drive. The Village of Oak Brook Zoning Ordinance (OBZO) allows up six (6) spaces in the required front yard between the principal structure and the street.

900 Commerce LLC is seeking the variation in order to accommodate the construction of an additional 65 parking spaces to better serve the needs and demands of the existing office building. The office building has a current vacancy 22,939 square feet. The petitioner intends to lease the vacant space and accommodate tenant requests for five (5) spaces per 1000 sq. ft. of vacant office space.

At present, the site contains a total of 317 parking spaces (as shown of the ALTA). If granted the proposal includes construction of the additional parking lot in phases, and

**STAFF REPORT – 900 COMMERCE LLC
VARIATIONS – 900 COMMERCE DRIVE
CASE NO. 2018-20-ZO-VAR**

will create a total of 382 spaces upon completion. The proposed parking lot would exceed the minimum required parking standards for office space in the ORA-1 District.

The applicant is seeking the variations from Section 13-12-3-H.2 in order to accommodate the construction of an additional 59 parking spaces. The proposal is to phase the construction of the parking spaces based on tenant demand.

Please see the materials provided by the petitioner in the case file for a more detailed description of this request.

Staff Comments:

- From a historical perspective, the properties at 814, 815 Commerce Drive and 2111 McDonalds Drive received approval of variations related to parking: S-0512 (1983), S-1107 (2005), and S-1269 (2009). All three variations included allowance of parking in the front yards. In the last 15 years, the Village has approved several similar requests to permit more than 6 spaces in the required front yard (i.e. 814 Commerce; 1818, 2020, and 2021 Swift Drive; 2122 York; 210, 600, 1415, and 1515 22nd Street). This is representative of a changing dynamic in office real estate, which demands a higher parking density.
- Fire Chief Liss submitted comments requesting the removal of some of the proposed spaces to prevent blocking of the fire department sprinkler connection. (please find his comments in the case file).
- The applicant is proposing landscape screening/buffer along the frontage of the new parking areas (see the case file). The landscaping will be required to comply with Section 13-12-4 and will be reviewed for compliance as part of the building permit submittal. Staff notes that the landscaping should continue along the entire perimeter of the parking area (including the western portion of the lot).

RESPONSIBILITIES OF HEARING BODIES:

The Zoning Board of Appeals has the responsibility to make a recommendation on a request for variation. Please include in your consideration your findings with respect to the standards specified in the Zoning Ordinance for a variation. The materials submitted by the applicant specifically address these standards (see the case file). Those standards are:

“Section 13-14-6 D. Standards:

1. The Zoning Board of Appeals shall not recommend a variation of the provisions of this Title as authorized in this Section unless it shall have made findings of fact based upon the evidence presented to it on the following specific issues that:

**STAFF REPORT – 900 COMMERCE LLC
VARIATIONS – 900 COMMERCE DRIVE
CASE NO. 2018-20-ZO-VAR**

- 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.
 - b. The plight of the owner is due to unique circumstances.
 - c. The variation, if granted, will not alter the essential character of the locality.
2. For the purpose of supplementing the above standards, the Zoning Board of Appeals, in making the determination whether there are practical difficulties or particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence that:
- 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.
 - 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.
 - 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.
 - 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.
 - e. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.
 - f. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.”

CONCLUSION:

If the Zoning Board of Appeals is of the opinion that the applicant has satisfied the requirements for the requested variation to the Zoning Ordinance for the property located at 900 Commerce Drive, a recommendation including specific reasons for its recommendation to approve the requested variation as follows:

- Section 13-12-3H.2 – Variation to permit the construction of parking spaces within the required front yard at 900 Commerce.

Subject to the following conditions:

1. The proposed development including the proposed parking lot addition and landscaping shall be constructed in substantial conformance to the approved

**STAFF REPORT – 900 COMMERCE LLC
VARIATIONS – 900 COMMERCE DRIVE
CASE NO. 2018-20-ZO-VAR**

plans as submitted. Revised to note the removal of spaces and reconfiguration of the landscaping islands to allow access to the sprinkler connection, which shall be subject to Fire Department approval.

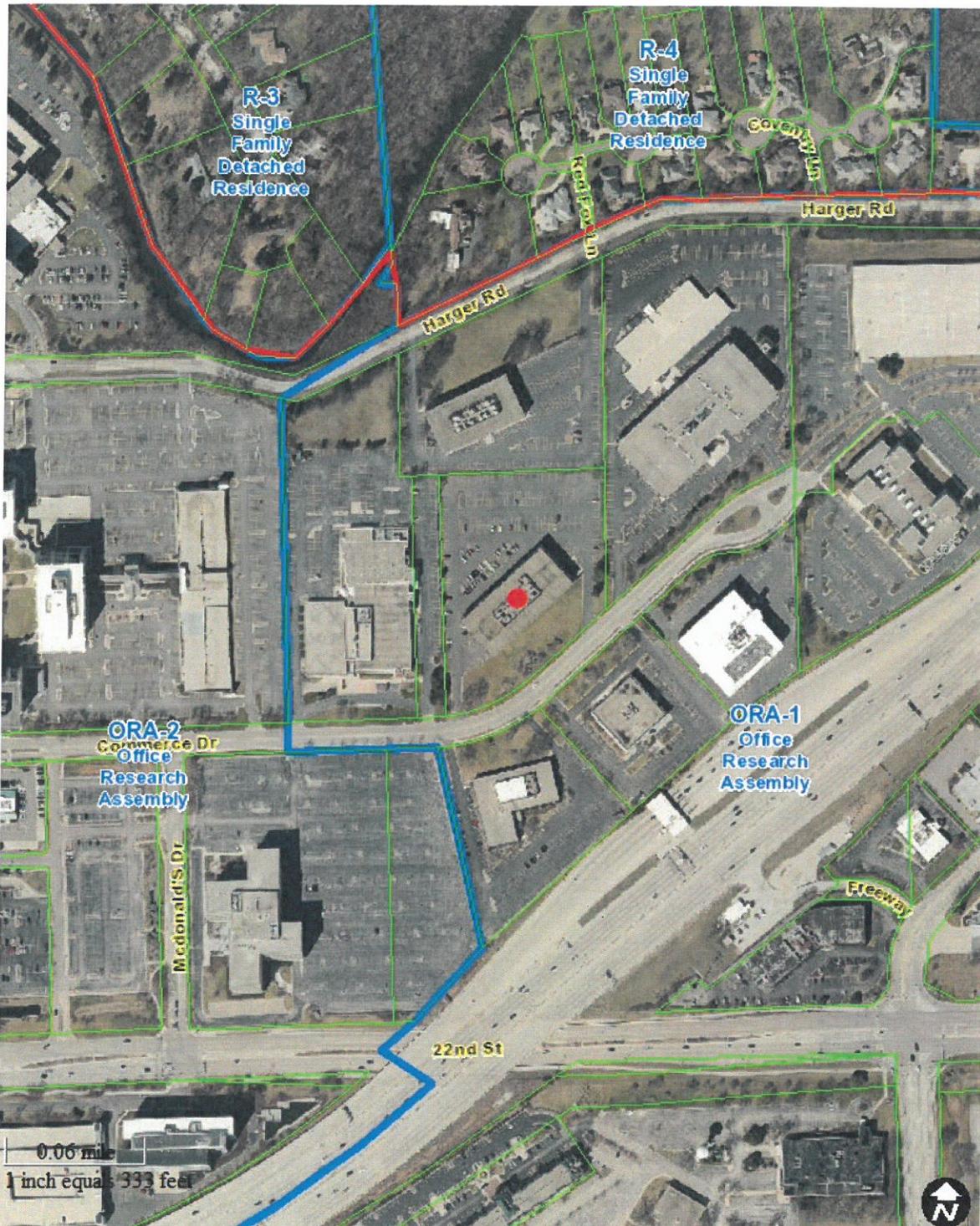
2. The landscaping plan is subject to Village staff final review and approval prior to Building Permit issuance.
3. The phased work shall include all of the required landscape and grading elements prior to the installation of any parking spaces
4. Add the condition “Notwithstanding the attached exhibits, the applicant shall meet all Village Ordinance requirements at the time of building permit application except as specifically varied or waived.”

However, if you determine that the petitioner has not satisfied the required standards for variations, the request could be continued for further information/discussion or be denied. Staff requests that the Board include specific reasons for a recommendation to deny the requested variations.

Respectfully Submitted,



Rebecca G. Von Drasek
Village Planner



Map created on: January 8, 2019
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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a basis for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

NOTICE IS HEREBY GIVEN that a public hearing before the Zoning Board of Appeals of the Village of Oak Brook, DuPage and Cook Counties, Illinois, will be held on Tuesday, January 15, 2019 at 7:00 p.m. in the Samuel E. Dean Board Room of the Butler Government Center, Village of Oak Brook, 1200 Oak Brook Road (31st Street and Spring Road), Oak Brook, Illinois 60523 for the purpose of considering an application from 900 Commerce, LLC, 10 S. LaSalle Street, Suite 2660, Chicago, IL 60603 property owner. The applicant is seeking variations as provided for under Title 13 of the Zoning Ordinance of the Village of Oak Brook, Illinois, Ordinance G-60 as amended.

All persons desiring to be heard will be afforded an opportunity to do so and may submit their statements orally or in writing or both. The hearings may be recessed to another date if notice of time and place thereof is publicly announced at the hearing or is given by newspaper publication not less than five (5) days prior to the date of the recessed hearing.

The applicant is seeking a variation to allow additional parking spaces in the front yard setback and a reduction of the required front yard setback. The subject property is located at 900 Commerce Drive, Oak Brook, IL 60523 and the legal description is as follows:

LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1 OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, IN DUPAGE COUNTY, ILLINOIS.

PIN 06-23-404-021
SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION

LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1 OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, IN DUPAGE COUNTY, ILLINOIS., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 0 MINUTES 00 SECONDS EAST (BEARINGS ASSUMED FOR THIS DESCRIPTION) ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 590.16 FEET TO THE NORTHWEST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 397.93 FEET TO THE SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 335.47 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 48 DEGREES 57 MINUTES 10 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 243.99 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2, BEING A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 365.00 FEET AN ARC DISTANCE OF 230.49 FEET TO THE POINT OF BEGINNING, THE CHORD OF SAID ARC HAVING A LENGTH OF 226.68 FEET AND A BEARING OF SOUTH 67 DEGREES 02 MINUTES 38 SECONDS WEST, IN DUPAGE COUNTY, ILLINOIS.

THE FOREGOING SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS THE PROPERTY DESCRIBED IN SCHEDULE OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 1401 880005417 D1, EFFECTIVE DATE: OCTOBER 24, 2007.

The petitioner's application including all supporting documents is on file with the Development Services Department. Persons wishing to examine the petition documents may arrange to do so with the Development Services Department, Village of Oak Brook, 1200 Oak Brook Road, Oak Brook, IL 60523, telephone 630-368-5106.

In accord with the provisions of the American with Disabilities Act, any individual who is in need of a reasonable accommodation in order to participate in or benefit from attendance at this public meeting should contact the Butler Government Center (Village Hall), at 630-368-5010 as soon as possible before the meeting date or for TDD response (630) 990-2131 as soon as possible before the meeting date.

Charlotte Pruss
Village Clerk
Published at the direction of the Corporate Authorities and the Zoning Board of Appeals of the Village of Oak Brook, DuPage and Cook Counties, Illinois.
Published in Daily Herald December 18, 2018 (4515064)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

DuPage County Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DuPage County DAILY HERALD. That said DuPage County DAILY HERALD is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of:

Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream, Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights, Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah, Naperville, Oakbrook, Oakbrook Terrace, Plainfield, Roselle, Villa Park, Warrenville, West Chicago, Westmont, Wheaton, Willowbrook, Winfield, Wood Dale, Woodridge

County(ies) of DuPage
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published December 18, 2018 in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Daula Baltz
Designee of the Publisher and Officer of the Daily Herald

Control # 4515064



VILLAGE OF
OAK BROOK
Illinois

**BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS 60523**

December 20, 2018

Dear Resident:

The Oak Brook Zoning Board of Appeals and the Village Board will be considering a variation to the Zoning Regulations. All meetings scheduled are on the reverse side of this notice.

The application has been filed by:	900 Commerce, LLC 10 South LaSalle Street, Suite 2660 Oakbrook Terrace, IL 6081
The property is located at:	900 Commerce Drive
Relationship of applicant to property:	Property Owner

Also shown on the reverse side of this notice is a map** of the area to assist you in determining your relationship to the property in question.

The petitioner is seeking the approval of variations to allow construction of additional parking spaces within the required front yard setback and to reduce the front yard setback.

If you desire more detailed information, please contact the Development Services Department at 630-368-5106 or 630-368-5103 between 8 AM-4 PM, Monday through Friday, except for holidays.

Sincerely,

Tony Budzikowski, AICP
Director, Development Services Department

TB/gp

In accord with the provisions of the Americans with Disabilities Act, any individual who is in need of a reasonable accommodation in order to participate in or benefit from attendance at a public meeting of the Village of Oak Brook should contact the Butler Government Center (Village Hall), at 630-368-5010 as soon as possible before the meeting date or for TDD response (630) 990-2131 as soon as possible before the meeting date.

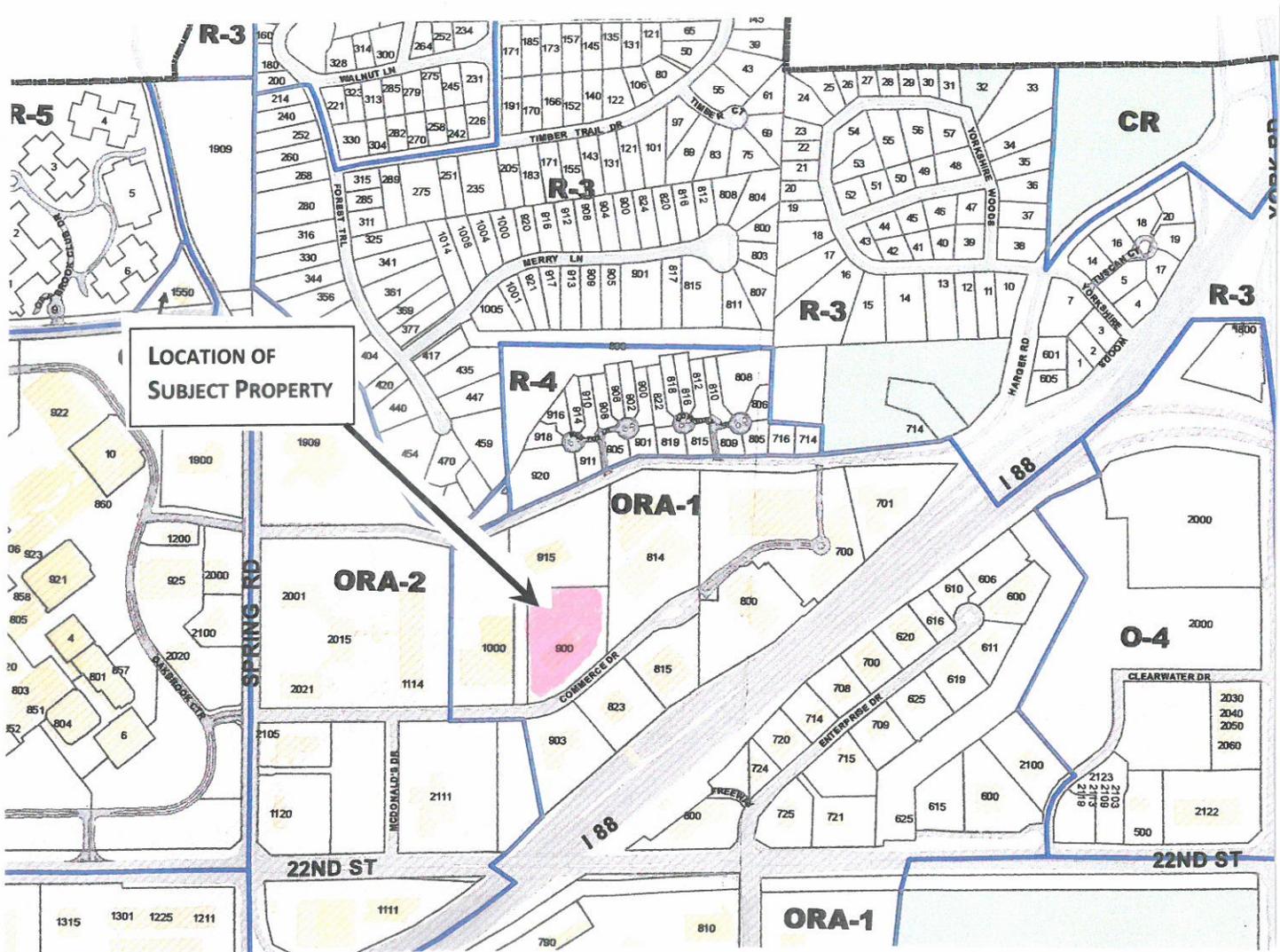
All meetings are held in the Butler Government Center of the Village of Oak Brook, located at 1200 Oak Brook Road (31st Street and Spring Road), Oak Brook, Illinois.

Zoning Board of Appeals*7:00 p.m., Tuesday, January 15, 2019

Board of Trustees Meeting7:00 p.m., Tuesday, February 12, 2019***

*Public Hearing Body – Variation

***Tentative – Follows the completion of the Zoning Board of Appeals public hearing



*Note: The map provided is only an approximation of the area in question and is intended to be used only as a visual aid to determine your relationship to the property



ITEM 6.C.1

BOARD OF TRUSTEES MEETING
SAMUEL E. DEAN BOARD ROOM
BUTLER GOVERNMENT CENTER
1200 OAK BROOK ROAD
OAK BROOK, ILLINOIS
630-368-5000

AGENDA ITEM

Regular Board of Trustees Meeting
of
January 8, 2019

SUBJECT: Referral – 900 Commerce Drive – Zoning Variation to Permit and Allow Parking in the Front Yard Setback

FROM: Tony Budzikowski, AICP, Development Services Director TB

BUDGET SOURCE/BUDGET IMPACT: N/A

RECOMMENDED MOTION: I move to refer the request for a zoning variation to the Zoning Board of Appeals for public hearing and recommendation.

Background/History:

William Smith on behalf of 900 Commerce, LLC, the property owner for 900 Commerce Drive, has submitted a petition requesting approval of a setback variation to the Zoning Ordinance. The 4.5-acre property is located on the north side of Commerce Drive approximately 640 feet east of McDonald's Drive and is zoned ORA-1 Office-Research-Assembly District. The property is currently improved with an 86,500 SF office building with accessory off-street parking spaces.

The petitioner is requesting approval of a zoning variation to Section 13-12-3H.2 of the Zoning Code to permit and allow off-street parking in the required front yard setback. The petitioner is proposing additional parking spaces to increase their parking ratio on-site in an effort to lease 23,000 SF of vacant office space at the office building.

Recommendation:

Please refer the request for a zoning variation for parking in the front yard setback at 900 Commerce Drive for public hearing and recommendation.

RG

13-12-3: OFF STREET PARKING REGULATIONS:

H. In Yards: Off-street parking spaces, open to the sky, in nonresidential districts, may be located in required interior side yards and rear yards, no less than ten feet (10') from the nearest lot line, except a parking area containing four (4) or more parking spaces shall be not less than forty feet (40') from an adjoining residence district boundary; provided, however, that:

1. On any lot in a B1 local shopping center district and a B3 general business district, the required off-street parking spaces may be located in a front yard or side yard adjoining a street not less than ten feet (10') from a street line;

2. On any lot in ORA1 or ORA2 office-research-assembly district and an O3 or O4 office district, not more than ten percent (10%) of the required off-street parking spaces, not to exceed six (6) spaces, may be located in a required front yard or along the side of the building adjoining the street and not less than twenty five feet (25') from a street line or fifty feet (50') from the street lines of Cermak and York Road; and

3. On any lot in an ORA3 office-research-assembly district, the location of off-street parking spaces shall be controlled by subsection [13-10C-4E](#) of this title and not the provisions of this subsection H.

13-10A-3: LOT AREA REQUIREMENTS:

A. Floor Area Ratio: Not to exceed 0.48.

B. Structure Height: Not more than five (5) stories or seventy six feet (76'), whichever is less.

C. Yards:

1. Front: Not less than one hundred feet (100') in depth, except when adjacent to a residence district boundary line not less than one hundred fifty feet (150') in depth;

2. Side: Not less than thirty feet (30') in depth, except: a) that portion of a side yard when abutting a residence district shall not be less than one hundred fifty feet (150') in depth; b) a side yard abutting a street shall conform in depth to the front yard depth of a contiguous lot abutting on such street; and c) side yards abutting 22nd Street and York Road shall have a depth of not less than one hundred feet (100');



VILLAGE OF OAK BROOK

1200 OAK BROOK ROAD
OAK BROOK, IL 60523
630-368-5106

PETITION APPLICATION for PUBLIC HEARING

ZONING ORDINANCE:

APPEAL (\$300)

VARIATION (\$750)

AMENDMENT (\$750)

SPECIAL USE (\$750)

CERTIFICATE OF APPROPRIATENESS (\$500)

STORMWATER: VARIATION (\$750)

PUBLIC HEARING SIGNS (\$50- each lot frontage) - Enter Number of Street Frontages/Per Parcel

APPLICANT TO COMPLETE

NOTE: ALL APPLICATIONS ARE TO BE RECEIVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND AFTER AN INITIAL REVIEW WILL BE FILED WITH THE VILLAGE CLERK.

LOCATION OF

SUBJECT PROPERTY 900 Commerce Drive

PERMANENT PARCEL NO* 06 23 404 021

LOT NO. 2 SUBDIVISION Oak Brook Dev. Company Commerce Plaza

LEGAL ADDRESS* See Attached Legal

ZONING DISTRICT ORA1 ZONING ORDINANCE SECTION 13-12-3H2 & 13-10-A-3

ACTION REQUESTED Zoning variance to section 13-12-3-h2 and 13-10a-3 to allow an additional 59 parking spaces in the front yard setback for a total of 65 spaces while maintaining a setback of 28 feet along Commerce Drive

PROPERTY INTEREST OF APPLICANT:

OWNER

CONTRACT PURCHASER

AGENT

OWNER(S) OF RECORD 900 Commerce, LLC

PHONE (312) 939-0100

ADDRESS 10 S. LaSalle #2660

CITY Chicago

STATE IL

ZIP 60603

BENEFICIARY(IES) OF TRUST N/A

PHONE _____

ADDRESS _____

CITY _____

STATE IL

ZIP 60603

NAME OF APPLICANT (and Billing Information) William L. Smith

PHONE (312) 939-0100

ADDRESS 10 S. LaSalle St #2660

CITY Chicago

STATE IL

ZIP 60603

Contact Name and E-mail Address(s) wls@shbk-law.com

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) give permission to the Village to install public hearing sign(s) on the lot frontages of the above subject property as described in the Village Code. In addition to the above fees, applicant agrees to reimburse the Village for publication costs within 30 days of billing.

William L. Smith
Signature of Owner

11-7-18
Date

William L. Smith
Signature of Applicant

11-7-18
Date

DO NOT WRITE IN THE SPACE BELOW - FOR OFFICE USE ONLY

Date Filed 11-20-18

Fee Paid \$ 1550

Receipt No. 501778

Received By C. Ciavaglia

Board of Trustees (Referral) 1-8-19

Notice Published 12-18-18

Newspaper Daily Herald

Adj. Property Owners Notified 12-19-19

PUBLIC HEARING DATES:

Plan Commission N/A

Zoning Board of Appeals 1-15-19

Board of Trustees 2-12-19*

Board of Trustees 2-26-19*

(Approval of Ordinance)

SIGNED - VILLAGE CLERK Charlotte K. Puss

Date 11/21/18

* TENTATIVE

A

Green Fairways, Inc.

Mr. Tony Budzikowski,
Development Services Director
Village of Oak Brook
1200 Oak Brook Road
Oak Brook, IL 60523

Re: 900 Commerce Drive PIN 06-23-404-021

Dear Mr. Budzikowski,

900 Commerce, LLC, owner of the subject property and the 86,511 sf office building constructed thereon has suffered chronic vacancy rates for a number of years as the office market has evolved in the post real estate collapse of 2008. Like many of the neighboring office buildings on Commerce Drive who are or have had similar experiences, a good many prospective tenants simply require parking ratios considerably higher than the conventional rates in the Zoning Ordinance (1/300 sf) for the ORA 1 Office-Research-Assembly District. While restriping the parking lot at 900 w Commerce Drive with 8.5' x 17.5' stalls has alleviated some of this parking shortage (the building is currently parked at 4 per 1,000 sf), our parking lot is usually full and there is still 22,939 sf of vacant office space that we have been unable to fill because of the prospective tenants (there have been several) require 5 per 1,000 sf dedicated parking spaces that we could not deliver. In addition several times a year our tenants need an additional 20 parking spaces to accommodate office meetings.

900 Commerce, LLC would like to remedy this vacancy problem by securing the ability to construct not only the 6 parking spaces in the front yard setback allowed under section 13-12-3 H2 of the Zoning Code, but to also construct up to 59 additional parking spaces in the front yard setback in increments as tenant demands dictate. The possible phased construction sequence of additional parking lot spaces is delineated on the attached Zoning Exhibit Plan. Stormwater Management for each phase would be provided on parking lot pavement surfaces up to 10± inches deep with an inline water quality treatment unit in conformance with the Village's Stormwater Management Ordinance.

900 Commerce, LLC is, therefore, seeking relief under Sec 13-12-3H.2 and Sec 13-10 A-3 of the Zoning Code to allow an additional 59 parking spaces in the front yard setback for a total of 65 spaces. A written response to justify the relief being sought and conformance with the specific criteria and circumstances warranting such relief is attached.

Neighboring properties that have sought and received similar relief are located at 814 Commerce Dr, 815 Commerce Dr, 823 Commerce Dr, 913 Commerce Dr, 1008 Commerce Dr, and 1114 Commence Dr. We are contacting several of those owners who have expressed their understanding of the problem and their support for this petition. If granted, 900 Commerce LLC will proceed to file Final Site Development Plans and a Stormwater Certification Application for the phased construction of these 65 additional parking spaces.

Respectfully submitted,



William L. Smith Managing Member

900 Commerce Drive ~ Oak Brook, IL. 60523 (630) 928-0050 ~ 928-0052 Fax
Chicago ~ Oak Brook ~ University Park & Springfield, IL ~ Benicia, CA ~ Key West, FL

B

900 Commerce Drive
Petition for Zoning Variation and Relief to Sections 13-
12-JH.2 And 13-10A-3 of the Village Code Relating to
Zoning Regulations

Standard

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:

- 1.a. Significant portions of the office space available on the subject in question has proven to be unleaseable given the shortage in parking spaces originally provided when the building was constructed which, at that time, was in conformance with the Zoning Regulations governing the district in which it is located.***

Standard:

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

Response:

- 1.b. Ownership is without other recourse but to respond to this changing environment in the office leasing marketplace by constructing additional parking spaces. Petitioner has exhausted other remedies such as restriping existing spaces which has helped but not remedied this problem.***

Standard:

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

Response:

- 1.c. The variation, if granted, will not alter the essential character of the locality as a number of neighboring and adjacent properties have also petitioned for and received the same relief and have constructed additional parking spaces in the 100 foot front yard setback as evidenced by the recent aerial photograph attached hereto.***

Standard:

- 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.

Mr. Budzikowski
November 8, 2018
Page 2

Response:

2.a. The number of parking spaces on all other remaining areas of the property has been maximized and a particular hardship would be wrought upon the owner of this property if the strict letter of regulations were to be carried out.

Standard:

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:

2.b. The condition upon which the petition for variation is based would not generally be applicable to other properties within the same zoning category which may not have exhausted other remedies as described above.

Standard:

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:

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.

Standard:

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:

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 values within the neighborhood.

Standard:

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

Response:

C.1

Mr. Budzikowski
November 8, 2018
Page 3

- 2.e. *The purpose of variation is not based exclusively upon a desire to make more money out of the property but to improve the efficiency, increase the tax base, and attract more businesses, employment, and customers to the Village.***

Standard:

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

Response:

- 2.f. *The alleged hardship of a lack of parking spaces was not caused or created by any person presently having an interest in the properties***

Respectfully submitted,

William L. Smith Managing Member

900 Commerce Drive - Oak Brook, IL. 60523

(630) 928-0050 ~ 928- 0052 Fax

Chicago ~ Oak Brook ~ University Park & Springfield, IL ~ Benicia, CA ~ Key West, FL

H:\764005\LETTERS\2018-11-08 Variation Standards and Response.doc

C.2

Certification Surrounding Property Owners

I (we) certify that the names and addresses of all the surrounding property owners including mailing labels submitted with this application are located within a minimum distance of 250 feet in all directions from the perimeter of the subject property and that the number of feet occupied by all public roads, streets, alleys, and public ways has been excluded in computing the 250-foot requirement.

Said names and addresses are as recorded in the office of the County Recorder of Deeds (or the Registrar of Titles of the County) and as appear from the authentic tax records of this County. The property owners as listed have been obtained from the Township Assessors office within 30 days of the filing of this application.

The surrounding property owners list as submitted herewith and supporting attachments are true to the best of my (our) knowledge and belief.

I (we) give permission to the Village to install public hearing sign(s) on the lot frontages of the subject property as described in the Village Code. In addition to the required application fees, applicant/owner agrees to reimburse the Village for publication costs, recording fees, and any other associated costs or fees within 30 days of billing.

900 Commerce, LLC

William L. Smith

Printed Name of Owner

Printed Name of Applicant

Signature of Owner

Date

Signature of Applicant

Date

William Smith manager 11/7/18 *William Smith* *11-7-18*

BILL TO INFORMATION:

900 Commerce, LLC

William Smith

(312) 939-0100

Print Name/Company

Contact Person

Contact Phone

900 Commerce Dr, Oak brook IL

6309280050

Address To be Billed

Alternate Phone

NOTE: If the applicant/owner has not complied with these requirements and notification has not been sent to a neighboring property owner within the 250-foot requirement less than 10 days prior to the scheduled hearing, the hearing on this matter will be postponed to the next regular meeting, or until such time as all neighbors within the 250-foot requirement have been sent proper notification.

D

NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of all surrounding property owners from the property in question for a distance of approximately 250 feet in all directions. The number of feet occupied by all public roads, streets, alleys, and public ways have been **excluded** in computing the 250-foot requirement. Said names are as recorded in the office of the County Recorder of Deeds (or the Registrar of Titles of the County) and as they appear from the authentic tax records of this County within 30 days of the filing of this application. **Provide a mailing label for each Property Owner listed.**

Note: The people on this list will be notified by mail with the information about your request and the meeting schedule.

NAME OF PROPERTY OWNER	MAILING ADDRESS OF PROPERTY OWNER	PROPERTY ADDRESS	PARCEL NUMBER
AT&T Communications of IL	P.O. Box 7207 Bedminster, NJ 07921	1000 Commerce Drive Oak Brook, IL 60523	06-23-404-023
AT&T Communications of IL	P.O. Box 7207 Bedminster, NJ 07921	1000 Commerce Drive Oak Brook, IL 60523	06-23-404-020
Strobeck Real Estate, Inc.	915 Harger Rd. No. 210 Oak Brook, IL 60523	915 Harger Ln. Oak Brook, IL 60523	06-23-404-024
CBRE, Inc.	814 Commerce Dr. Oak Brook, IL 60523	814 Commerce Dr., Oak Brook, IL 60523	06-23-404-022
Walker Partners, LLC	815 Commerce Dr., Unit 100 Oak Brook IL 60523	815 Commerce Dr. Oak Brook IL 60523	06-23-407-010
823 Commerce Dr. C/O CBRE	700 Commerce Dr., Unit 450 Oak Brook, IL 60523	823 Commerce Dr. Oak Brook, IL 60523	06-23-407-003
Oak Brook Commerce Center C/O Equity Property Tag G	P.O. Box 60494 Chicago, IL 60606	903 Commerce Dr. Oak Brook, IL 60523	06-23-407-002
McDonald's Corp.	P.O. Box 182571 Columbus, OH 43218		06-23-407-007
McDonalds Corp 012-0901	P.O. Box 182571 Columbus, OH 43218		06-23-407-006

(Attach additional sheets if necessary)

D.2

LEGAL DESCRIPTION

LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1 OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, IN DUPAGE COUNTY, ILLINOIS.

PIN 06-23-404-021

SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION

LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1 OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, IN DUPAGE COUNTY, ILLINOIS., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 0 MINUTES 00 SECONDS EAST (BEARINGS ASSUMED FOR THIS DESCRIPTION) ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 590.16 FEET TO THE NORTHWEST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 397.93 FEET TO THE SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 335.47 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 48 DEGREES 57 MINUTES 10 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 243.99 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2, BEING A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 365.00 FEET AN ARC DISTANCE OF 230.49 FEET TO THE POINT OF BEGINNING, THE CHORD OF SAID ARC HAVING A LENGTH OF 226.68 FEET AND A BEARING OF SOUTH 67 DEGREES 02 MINUTES 38 SECONDS WEST, IN DUPAGE COUNTY, ILUNOIS.

THE FOREGOING SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS THE PROPERTY DESCRIBED IN SCHEDULE OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 1401 880005417 D1, EFFECTIVE DATE: OCTOBER 24, 2007.

E.1

LEGAL DESCRIPTION

LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1 OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, IN DUPAGE COUNTY, ILLINOIS.

PIN 06-23-404-021

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THE FOREGOING SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS THE PROPERTY DESCRIBED IN SCHEDULE OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 1401 880005417 D1, EFFECTIVE DATE: OCTOBER 24, 2007.

E.2

Please Deposit Check in: Zoning Account 10-4302

For:

900 Commerce Drive - Parking Variation

NOTE: 1 check(s) - Total \$ **800**

Please return receipt(s) to Gail

Thanks

MISCELLANEOUS PAYMENT RECPT#: 501778
VILLAGE OF OAK BROOK
1200 OAK BROOK ROAD
OAK BROOK IL 60523

DATE: 12/20/18 TIME: 14:45
CLERK: reception DEPT:
CUSTOMER#: 0

INFO: 900 COMMERCE PARKING

4302 ZONING/SUBDIVIS 800.00

AMOUNT PAID: 800.00

PAID BY: GREEN FAIRWAYS, INC.
PAYMENT METH: CHECK
9591

REFERENCE:

AMT TENDERED: 800.00
AMT APPLIED: 800.00
CHANGE: .00

F

VARIANCE EXHIBIT PLAN

FOR

900 COMMERCE DRIVE

OAKBROOK, IL



20 10 0 20
SCALE: 1 INCH = 20 FEET

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		MANHOLE
		CATCH BASIN
		INLET
		CLEANOUT
		SLOPE INLET BOX
		HEADWALL
		END SECTION
		STORM SEWER
		SANITARY SEWER
		WATERMAIN
		VALVE & BOX
		WATER VALVE IN VAULT
		FIRE HYDRANT
		CONTOURS
		ELEVATIONS
		STREET LIGHT
		WATERMAIN PROTECTION
		SILT FENCE INLET PROTECTOR
		TEMPORARY STRAW BALE DITCH CHECK
		SILT FENCE DITCH CHECK
		RIP-RAP
		OVERFLOW ROUTE

BENCHMARKS/CONTROL POINTS

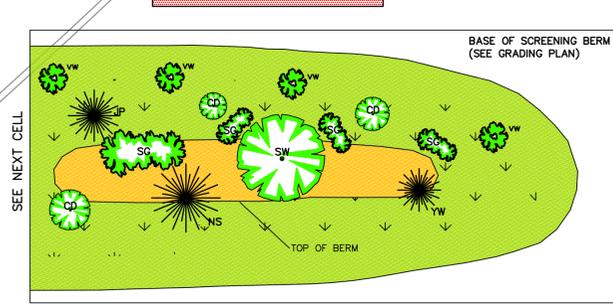
ELEVATION REFERENCE MARKS

DUPAGE COUNTY BENCHMARK YK13001 - STATION IS LOCATED AT SOUTHEAST CORNER OF THE INTERSECTION OF ILLINOIS 56 (BUTTERFIELD ROAD) AND SOUTH YORK STREET. STATION IS 36.0 FT. WEST OF AT&T MANHOLE 5.5' WEST OF A WOODEN LIGHT POLE, AND 106.0 FT. NORTH OF A CONCRETE LIGHT STANDARD. MONUMENT IS 0.5 FT. ABOVE ROAD ON THE NORTH SIDE OF A TRAFFIC SIGNAL BASE.
ELEVATION = 685.69 NAVD88

PROJECT CONTROL

CP#102 - CUT 'X' IN TOP OF CURB EAST SIDE OF SITE 100 FT.± SOUTH OF NORTHEAST CORNER OF SITE 10 FT.± EAST OF EAST PROPERTY LINE WIDE SIDE OF CURB FOR 814 COMMERCE DRIVE
ELEVATION = 673.06 NAVD88
N 1888399.5630, E 1090950.5050

CP#103 - SET 'X' IN TOP OF CURB ADJACENT TO HYDRANT NORTH SIDE OF COMMERCE DRIVE 1ST HYDRANT WEST OF P.C. AND EAST OF WEST ENTRANCE OF SITE
ELEVATION = 675.50 NAVD88
N 1887949.8020, E 1090731.3220

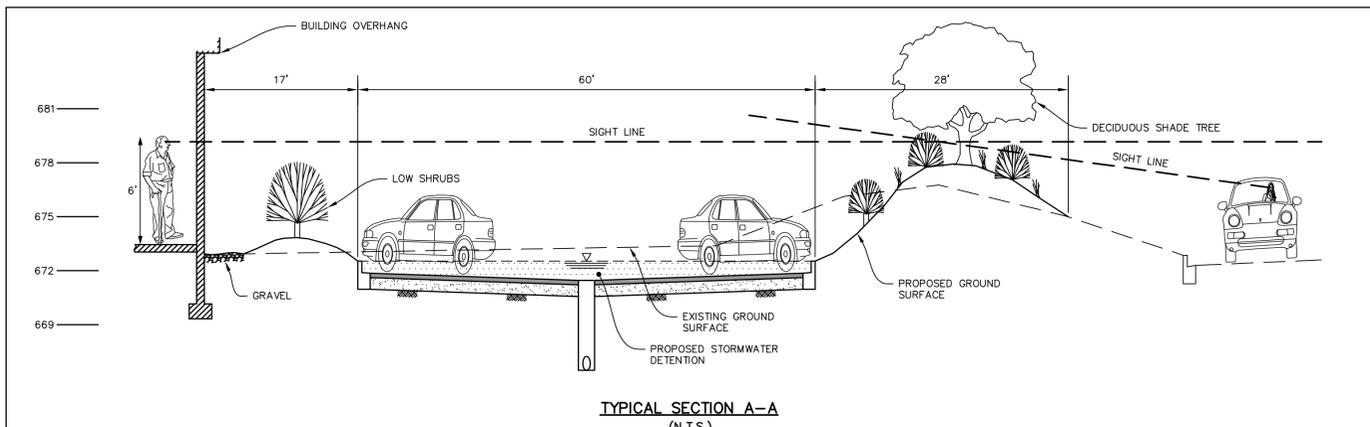


PLANT LIST FOR EACH 35 (LF) CELL

QTY	CALL OUT	PLANT NAME	SIZE
1	JP	JUNIPER (JUNIPERUS)	6'
1	NS	NORWAY SPRUCE (PICEA ABIES)	6'
1	YW	TAUNTON YEW (TAXUS TAUNTONII)	6'
1	SW	SWAMP WHITE OAK (QUERCUS BICOLOR)	6'-8'
3	CD	DOGWOOD (CORNUS MAS)	2 1/2" GAL
4	VW	VERNAL WITCH-HAZEL (HAMAMELIS VERNALIS)	4'
4	SG	SWITCH GRASS (PANICUM VIRGATUM)	1 GAL
30		KARL FOERSTER GRASS (CALAMAGROSTIS ACUTIFLORA)	2 GAL

NOTE: QUANTITIES IN PLANT LIST ARE FOR EACH 35 FOOT SECTION OF THE LANDSCAPING BERM. TOTAL CELLS ON PLAN, (WHICH TOTAL QUANTITIES CAN BE DERIVED FROM), ARE APPROXIMATELY 8.

65 - PROPOSED PARKING STALLS (8.5' x 17.5')



PREPARED FOR:
GREEN FAIRWAYS INC.
900 COMMERCE DR. SUITE 205
OAK BROOK, IL 60523
(630) 928-0050

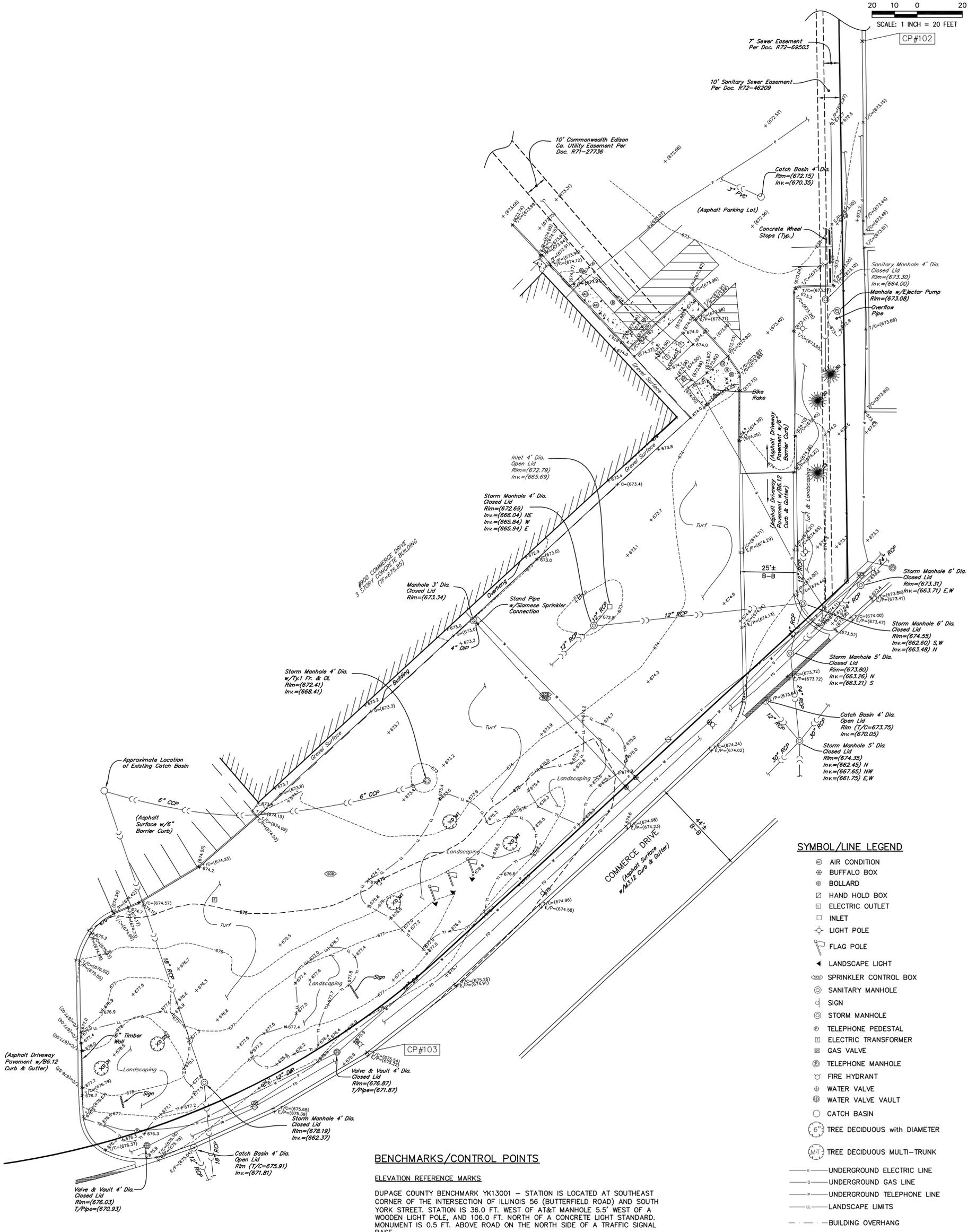
PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 764005 FILE NAME: VARIANCE & PHASE
DRAWN BY: RDS FLD. BK. / PG. NO.: D73/66-68
COMPLETION DATE: 04-20-18 JOB NO.: 764.005
PROJECT REFERENCE:

TOPOGRAPHIC MAP FOR 900 COMMERCE DRIVE OAKBROOK, IL



20 10 0 20
SCALE: 1 INCH = 20 FEET



SYMBOL/LINE LEGEND

- ⊙ AIR CONDITION
- ⊙ BUFFALO BOX
- ⊙ BOLLARD
- ⊙ HAND HOLD BOX
- ⊙ ELECTRIC OUTLET
- INLET
- ⊙ LIGHT POLE
- ⊙ FLAG POLE
- ⊙ LANDSCAPE LIGHT
- ⊙ SPRINKLER CONTROL BOX
- ⊙ SANITARY MANHOLE
- ⊙ SIGN
- ⊙ STORM MANHOLE
- ⊙ TELEPHONE PEDESTAL
- ⊙ ELECTRIC TRANSFORMER
- ⊙ GAS VALVE
- ⊙ TELEPHONE MANHOLE
- ⊙ FIRE HYDRANT
- ⊙ WATER VALVE
- ⊙ WATER VALVE VAULT
- ⊙ CATCH BASIN
- ⊙ TREE DECIDUOUS with DIAMETER
- ⊙ TREE DECIDUOUS MULTI-TRUNK
- E— UNDERGROUND ELECTRIC LINE
- G— UNDERGROUND GAS LINE
- P— UNDERGROUND TELEPHONE LINE
- LL— LANDSCAPE LIMITS
- — — BUILDING OVERHANG

BENCHMARKS/CONTROL POINTS

ELEVATION REFERENCE MARKS

DUPAGE COUNTY BENCHMARK YK13001 - STATION IS LOCATED AT SOUTHEAST CORNER OF THE INTERSECTION OF ILLINOIS 56 (BUTTERFIELD ROAD) AND SOUTH YORK STREET. STATION IS 36.0 FT. WEST OF AT&T MANHOLE 5.5' WEST OF A WOODEN LIGHT POLE, AND 106.0 FT. NORTH OF A CONCRETE LIGHT STANDARD. MONUMENT IS 0.5 FT. ABOVE ROAD ON THE NORTH SIDE OF A TRAFFIC SIGNAL BASE.
ELEVATION = 685.69 NAVD88

PROJECT CONTROL

CP#102 - CUT 'X' IN TOP OF CURB EAST SIDE OF SITE 100 FT.± SOUTH OF NORTHEAST CORNER OF SITE 10 FT.± EAST OF EAST PROPERTY LINE WIDE SIDE OF CURB FOR 814 COMMERCE DRIVE
ELEVATION = 673.06 NAVD88
N 1888399.5630, E 1090950.5050

CP#103 - SET 'X' IN TOP OF CURB ADJACENT TO HYDRANT NORTH SIDE OF COMMERCE DRIVE 1ST HYDRANT WEST OF P.C. AND EAST OF WEST ENTRANCE OF SITE
ELEVATION = 675.50 NAVD88
N 1887949.8020, E 1090731.3220

NOTES

PROPERTY LINES SHOWN BASED ON DATA PROVIDED BY CLIENT. CEMCON, LTD. DID NOT PERFORM A BOUNDARY SURVEY OF SITE.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND DRAWINGS IN SURVEYOR'S POSSESSION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.



PREPARED BY: CEMCON, Ltd.

Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 764005 FILE NAME: TOPO
DRAWN BY: TL FLD. BK. / PG. NO.: D73/66-68
COMPLETION DATE: 3-29-18 JOB NO.: 764.005
PROJECT REFERENCE:
REVISIONS:

VARIANCE EXHIBIT PLAN FOR 900 COMMERCE DRIVE OAKBROOK, IL



20 10 0 20
SCALE: 1 INCH = 20 FEET

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		MANHOLE
		CATCH BASIN
		INLET
		CLEANOUT
		SLOPE INLET BOX
		HEADWALL
		END SECTION
		STORM SEWER
		SANITARY SEWER
		WATERMAIN
		VALVE & BOX
		WATER VALVE IN VAULT
		FIRE HYDRANT
		CONTOURS
		ELEVATIONS
		STREET LIGHT
		WATERMAIN PROTECTION
		SILT FENCE INLET PROTECTOR
		TEMPORARY STRAW BALE DITCH CHECK
		SILT FENCE DITCH CHECK
		RIP-RAP
		OVERFLOW ROUTE

BENCHMARKS/CONTROL POINTS

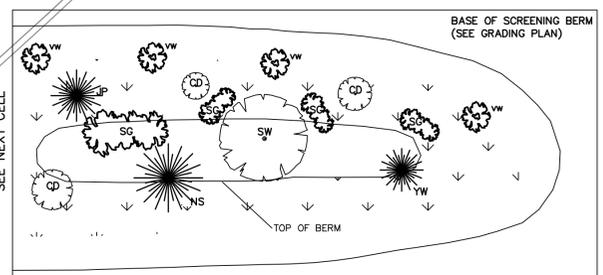
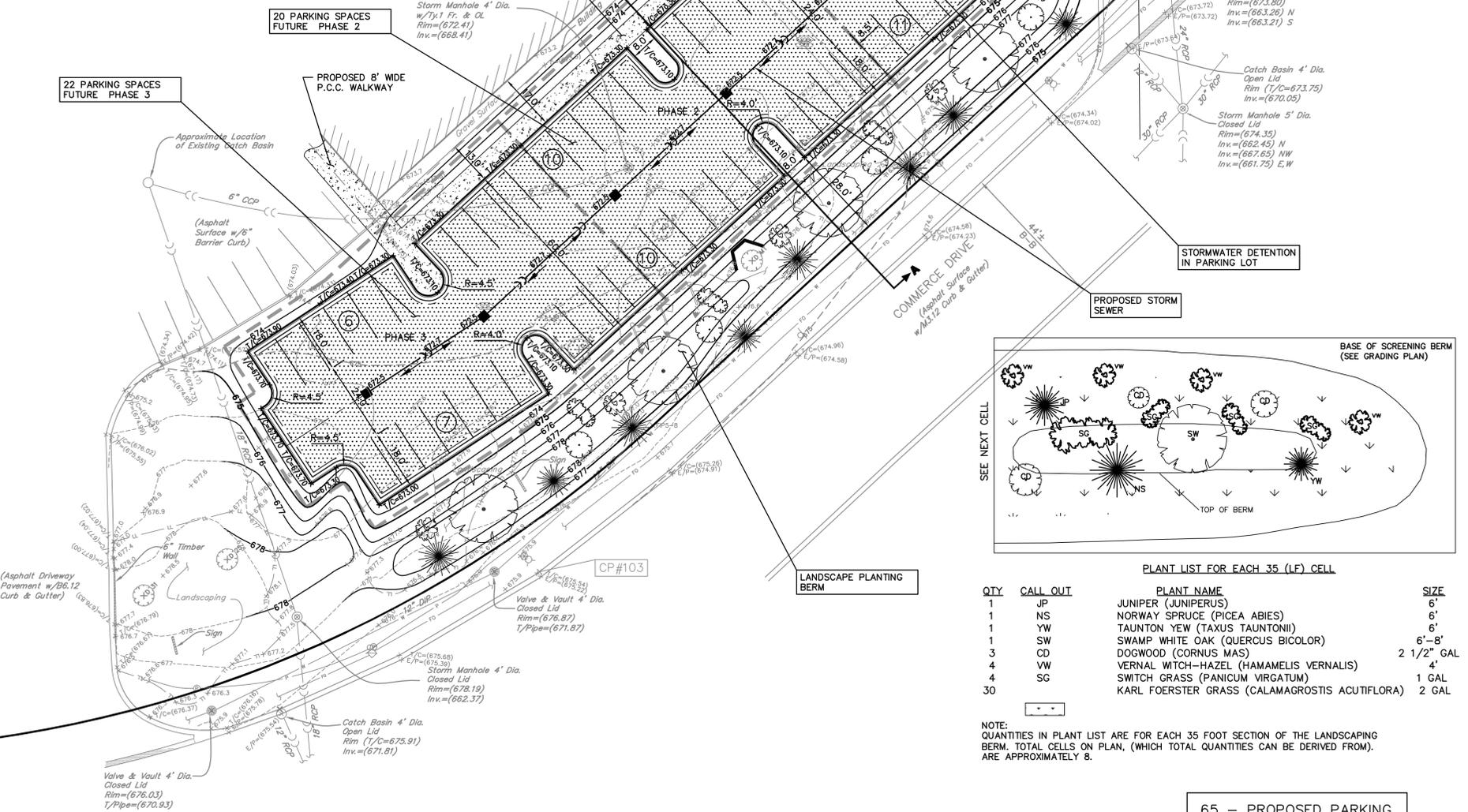
ELEVATION REFERENCE MARKS

DUPAGE COUNTY BENCHMARK YK13001 - STATION IS LOCATED AT SOUTHEAST CORNER OF THE INTERSECTION OF ILLINOIS 56 (BUTTERFIELD ROAD) AND SOUTH YORK STREET. STATION IS 36.0 FT. WEST OF AT&T MANHOLE 5.5' WEST OF A WOODEN LIGHT POLE, AND 106.0 FT. NORTH OF A CONCRETE LIGHT STANDARD. MONUMENT IS 0.5 FT. ABOVE ROAD ON THE NORTH SIDE OF A TRAFFIC SIGNAL BASE.
ELEVATION = 685.69 NAVD88

PROJECT CONTROL

CP#102 - CUT 'X' IN TOP OF CURB EAST SIDE OF SITE 100 FT.± SOUTH OF NORTHEAST CORNER OF SITE 10 FT.± EAST OF EAST PROPERTY LINE WIDE SIDE OF CURB FOR 814 COMMERCE DRIVE
ELEVATION = 673.06 NAVD88
N 1888399.5630, E 1090950.5050

CP#103 - SET 'X' IN TOP OF CURB ADJACENT TO HYDRANT NORTH SIDE OF COMMERCE DRIVE 1ST HYDRANT WEST OF P.C. AND EAST OF WEST ENTRANCE OF SITE
ELEVATION = 675.50 NAVD88
N 1887949.8020, E 1090731.3220



PLANT LIST FOR EACH 35' (LF) CELL

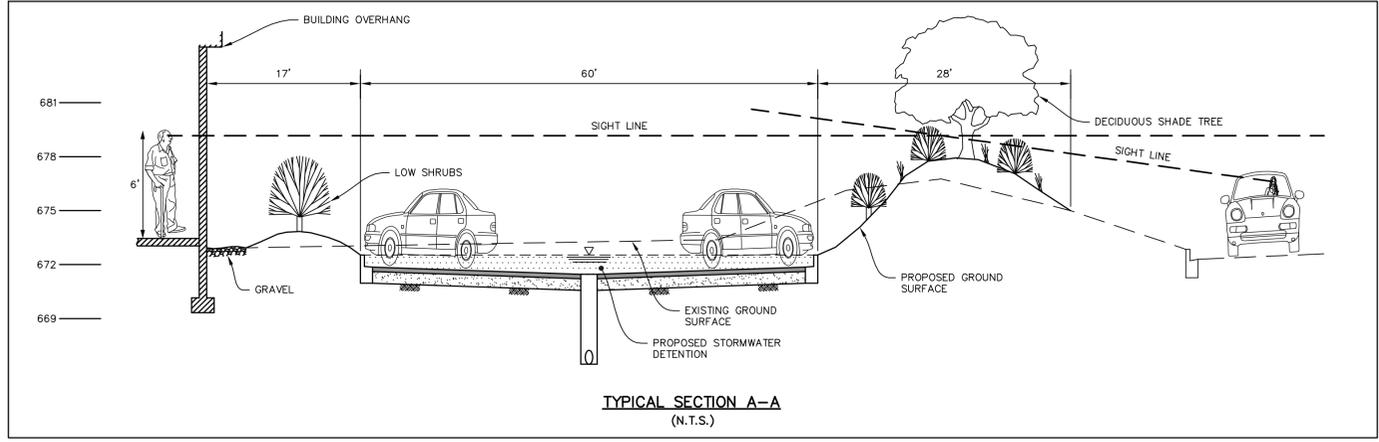
QTY	CALL OUT	PLANT NAME	SIZE
1	JP	JUNIPER (JUNIPERUS)	6"
1	NS	NORWAY SPRUCE (PICEA ABIES)	6"
1	YW	TAUNTON YEW (TAXUS TAUNTONII)	6"
1	SW	SWAMP WHITE OAK (QUERCUS BICOLOR)	6"-8"
3	CD	DOGWOOD (CORNUS MAS)	2 1/2" GAL
4	VW	VERNAL WITCH-HAZEL (HAMAMELIS VERNALIS)	4"
4	SG	SWITCH GRASS (PANICUM VIRGATUM)	1 GAL
30		KARL FOERSTER GRASS (CALAMAGROSTIS ACUTIFLORA)	2 GAL

NOTE: QUANTITIES IN PLANT LIST ARE FOR EACH 35 FOOT SECTION OF THE LANDSCAPING BERM. TOTAL CELLS ON PLAN, (WHICH TOTAL QUANTITIES CAN BE DERIVED FROM), ARE APPROXIMATELY 8.

65 - PROPOSED PARKING STALLS (8.5' x 17.5')

PREPARED FOR:
GREEN FAIRWAYS INC.
900 COMMERCE DR. SUITE 205
OAK BROOK, IL 60523
(630) 928-0050

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: cadd@cemcon.com Website: www.cemcon.com
DISC NO.: 764005 FILE NAME: CONCEPT
DRAWN BY: RDS FLD. BK. / PG. NO.: D73/66-68
COMPLETION DATE: 04-20-18 JOB NO.: 764.005
PROJECT REFERENCE:



TYPICAL SECTION A-A
(N.T.S.)

PLOT FILE CREATED: 11/25/2018 BY: BRANDON DAVIS

ALTA/ACSM LAND TITLE SURVEY

OF

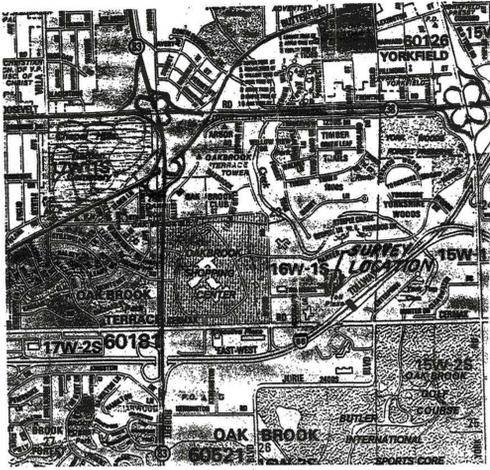
LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1, OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, IN DUPAGE COUNTY, ILLINOIS.

SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION

LOT 2 IN OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, OF PART OF LOT 1 AND ALL OF LOT 2 IN BUTLER COMPANY M-1, INC. ASSESSMENT PLAT NO. 1, OF PARTS OF SECTIONS 23 AND 24, TOWNSHIP 39 NORTH, RANGE, 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF OAK BROOK DEVELOPMENT COMPANY'S COMMERCE PLAZA SUBDIVISION UNIT 3, RECORDED APRIL 8, 1969 AS DOCUMENT R69-14514, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

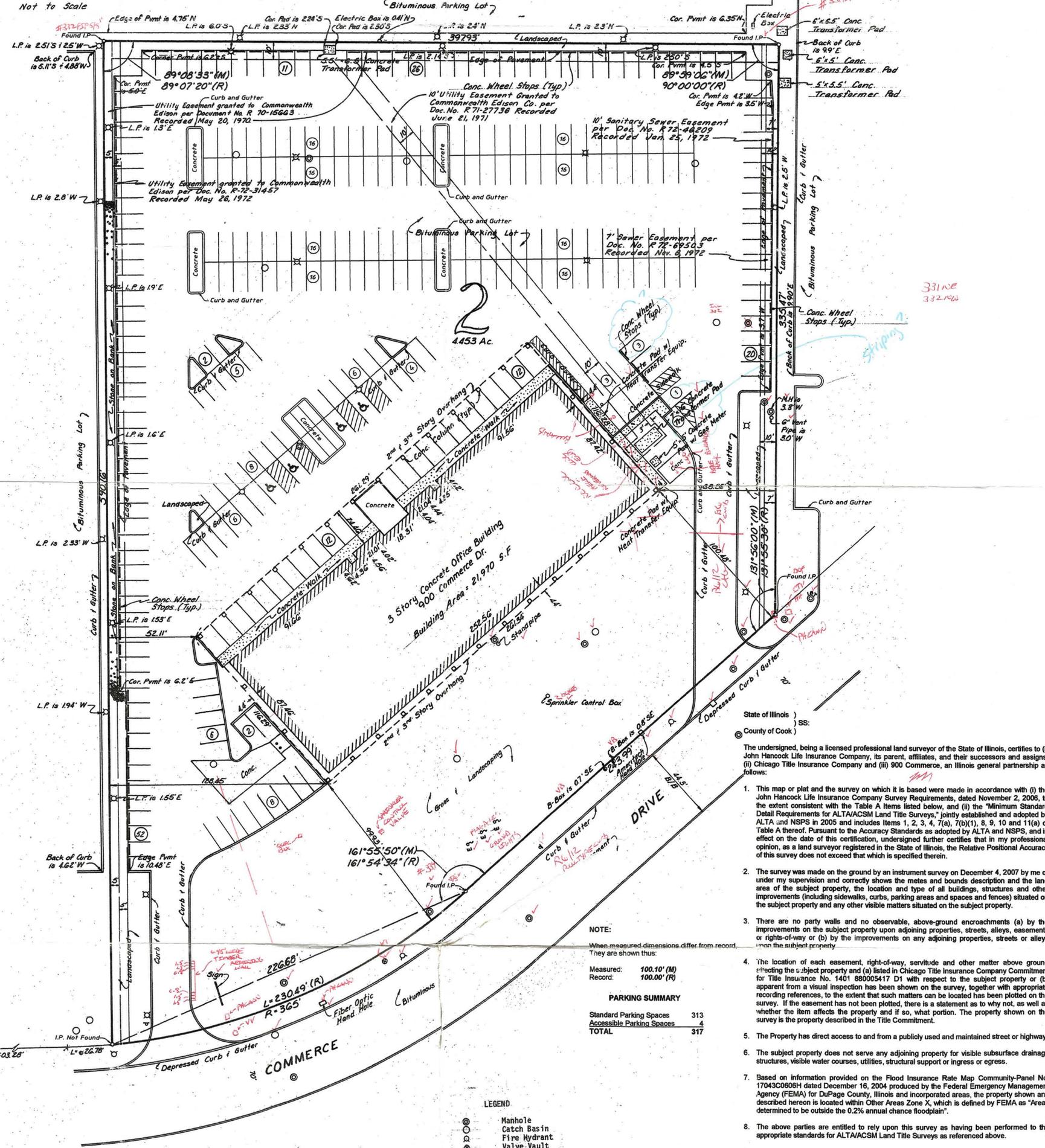
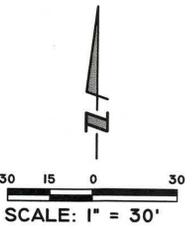
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (BEARINGS ASSUMED FOR THIS DESCRIPTION) ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 590.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 89 DEGREES 07 MINUTES 20 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 397.93 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREES 52 MINUTES 40 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 335.47 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 48 DEGREES 57 MINUTES 10 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 243.99 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 2, BEING A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 365.00 FEET AN ARC DISTANCE OF 230.49 FEET TO THE POINT OF BEGINNING, THE CHORD OF SAID ARC HAVING A LENGTH OF 226.68 FEET AND A BEARING OF SOUTH 67 DEGREES 02 MINUTES 38 SECONDS WEST, IN DUPAGE COUNTY, ILLINOIS.

THE FOREGOING SURVEYOR'S METES AND BOUNDS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS THE PROPERTY DESCRIBED IN SCHEDULE A OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 1401 880005417 D1, EFFECTIVE DATE: OCTOBER 24, 2007



LOCATION MAP

Not to Scale



The undersigned, being a licensed professional land surveyor of the State of Illinois, certifies to (i) John Hancock Life Insurance Company, its parent, affiliates, and their successors and assigns, (ii) Chicago Title Insurance Company and (iii) 900 Commerce, an Illinois general partnership as follows:

- This map or plat and the survey on which it is based were made in accordance with (i) the John Hancock Life Insurance Company Survey Requirements, dated November 2, 2006, to the extent consistent with the Table A items listed below, and (ii) the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005 and includes items 1, 2, 3, 4, 7(a), 7(b)(1), 8, 9, 10 and 11(a) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS, and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Illinois, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.
- The survey was made on the ground by an instrument survey on December 4, 2007 by me or under my supervision and correctly shows the metes and bounds description and the land area of the subject property, the location and type of all buildings, structures and other improvements (including sidewalks, curbs, parking areas and spaces and fences) situated on the subject property and any other visible matters situated on the subject property.
- There are no party walls and no observable above-ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets, alleys, easements or rights-of-way or (b) by the improvements on any adjoining properties, streets or alleys upon the subject property.
- The location of each easement, right-of-way, servitude and other matter above ground affecting the subject property and (a) listed in Chicago Title Insurance Company Commitment for Title Insurance No. 1401 880005417 D1 with respect to the subject property or (b) apparent from a visual inspection has been shown on the survey, together with appropriate recording references, to the extent that such matters can be located has been plotted on the survey. If the easement has not been plotted, there is a statement as to why not, as well as whether the item affects the property and if so, what portion. The property shown on the survey is the property described in the Title Commitment.
- The Property has direct access to and from a publicly used and maintained street or highway.
- The subject property does not serve any adjoining property for visible subsurface drainage structures, visible water courses, utilities, structural support or ingress or egress.
- Based on information provided on the Flood Insurance Rate Map Community-Panel No. 17043C0608H dated December 16, 2004 produced by the Federal Emergency Management Agency (FEMA) for DuPage County, Illinois and incorporated areas, the property shown and described herein is located within Other Areas Zone X, which is defined by FEMA as "Areas determined to be outside the 0.2% annual chance floodplain".
- The above parties are entitled to rely upon this survey as having been performed to the appropriate standards for ALTA/ACSM Land Title Surveys as referenced above.

NOTE:
Land Area:
 The Land Area of the subject property is 193,967 square feet and 4.45287 acres as described in the legal description.
Structures and Buildings:
 The total of all Building Areas (based upon exterior footprint of building on ground surface, not interior usable floor space) is 21,970 square feet.
Parking Spaces:
 There exist 313 regular parking spaces and 4 handicapped parking spaces on the subject property.
 Regarding Chicago Title Insurance Company Commitment for Title Insurance No. 1401 880005417 D1 Commitment for Title Insurance No. 1401 880005417 D1, effective date: October 24, 2007, all easements referenced in Schedule B are plotted on the survey.