



CITY COUNCIL AGENDA

Monday, September 19, 2022

Closed Session – 6:00 p.m.

Regular Session – 7:00 p.m.

Room 102

CALL TO ORDER

CLOSED SESSION

PROBABLE OR IMMINENT LITIGATION
PERSONNEL
SALE OF PROPERTY
PURCHASE OR LEASE OF PROPERTY
LITIGATION

REGULAR SESSION

ROLL CALL
PRAYER
PLEDGE OF ALLEGIANCE

PROCLAMATION

CONSTITUTION WEEK

PUBLIC COMMENT

(matters not on the agenda)

ALDERMEN ANNOUNCEMENTS/COMMENTS

MAYORAL ANNOUNCEMENTS/COMMENTS

Motion to Extend Declaration of Civil Emergency

CITY CLERK ANNOUNCEMENTS/COMMENTS

MANAGER'S REPORT

CITY ATTORNEY/GENERAL COUNSEL REPORT

CONSENT AGENDA

1. **FIRST READING – ORDINANCE M-25-22:** Approving a New Class M (Gas Station Retail Only for Off-Site Consumption Only) Liquor License for S&S Marathon, Inc., d/b/a Golf Mart at 10 W. Golf Road
2. **FIRST READING – ORDINANCE M-26-22:** Approving a Change in Classification of an Existing Liquor License for At 7, LLC d/b/a At 7 Bar & Grill, 1472 Market Street from a Class AB-1 (Bulk Sales & Tavern) to a Class A (Tavern, Consumption on Premises)
3. **FIRST READING – ORDINANCE M-27-22:** Approving a Change in Classification of an Existing Liquor License for Louie’s Crab House, LLC d/b/a Boston Fish Market Pier 4, 1225 East Forest Avenue from a Class H1 (Restaurant, Beer & Wine Only) to a Class A (Tavern, Consumption on Premises)
4. **RESOLUTION R-154-22:** Approving an Expenditure of Funds to Rush Truck Centers of Illinois in the Total Not-to-Exceed Amount of \$38,280.11 for the Repair of a Dump Truck. Budgeted Funds – Risk Management.
5. **SECOND READING – ORDINANCE M-24-22:** Approving a New Class H-1 Liquor License for Keing Corporation d/b/a Sushi Chicago Sushi at 574 East Oakton Street
6. **SECOND READING – ORDINANCE Z-25-22:** Approving a Zoning Text Amendment Regarding Outdoor Storage of Finished Products and Display of Finished Products for Trade Contractor Uses in the C-3 District
7. **SECOND READING – ORDINANCE Z-27-22:** Approving Major Variations for Building Sign Area and Electronic Message Board Location and Area at 1628 Rand Road
8. Minutes/Regular Meeting – September 6, 2022
9. **RESOLUTION R-153-22:** Rescinding Resolution R-58-22 and Authorizing the Purchase of Three (3) Ford Police Interceptor Sport Utility Vehicles (SUVs) from Sutton Ford of Matteson, Illinois at a Cost Not-to-Exceed \$132,633. Budgeted Funds – Fire/Equipment Replacement Fund.
10. Minutes/Closed Session – September 6, 2022

UNFINISHED BUSINESS

n/a

NEW BUSINESS

1. **FINANCE & ADMINISTRATION** – Alderman Artur Zadrozny, Chair
 - a. Warrant Register in the Amount of \$3,132,069.11 – **RESOLUTION R-155-22**

2. **COMMUNITY DEVELOPMENT** – Alderman Malcolm Chester, Chair
 - a. Consideration of Major Variations to Allow a 30-Foot Extension onto an Existing Commercial Mobile Radio Service Facility (i.e., cell tower) for the Property at 2064-2074 Mannheim Road – **FIRST READING – ORDINANCE Z-28-22**
 - b. Consideration of Zoning Text Amendments to Reclassify Currently Established Conditional Uses as Permitted Uses in the C-3 District: Convenience Mart Fueling Station and Motor Vehicle Sales – **FIRST READING – ORDINANCE Z-29-22**
 - c. Consideration of Amendments to Chapter 2 of Title 13 Regarding Processes in Applying for and Receiving Plat Approval and Receiving Reductions of Performance Security Regarding Required Public Improvements – **FIRST READING – ORDINANCE M-28-22**

OTHER MAYOR/ALDERMEN COMMENTS FOR THE GOOD OF THE ORDER

ADJOURNMENT

ORDINANCES ON THE AGENDA FOR FIRST READING APPROVAL MAY ALSO, AT THE COUNCIL’S DISCRETION, BE ADOPTED FOR FINAL PASSAGE AT THE SAME MEETING.

City of Des Plaines, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the accessibility of the meeting(s) or facilities, contact the ADA Coordinator at 391-5486 to allow the City to make reasonable accommodations for these persons.



OFFICE OF THE MAYOR

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5301
desplaines.org

MEMORANDUM

Date: September 7, 2022
To: Aldermen
From: Andrew Goczkowski, Mayor *AG..*
Cc: Michael G. Bartholomew, City Manager
Subject: Proclamation

At the beginning of the September 19, 2022 City Council Meeting, we will be issuing a Proclamation declaring the week of September 17 - 23 as Constitution Week.

OFFICE OF THE MAYOR

CITY OF

DES PLAINES, ILLINOIS

WHEREAS, *our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and*

WHEREAS, *it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all encroachment; and*

WHEREAS, *the 235th anniversary of the signing of the Constitution provides an historic opportunity for all Americans to realize the achievements of the Framers of the Constitution and the rights, privileges and responsibilities it affords; and*

WHEREAS, *the independence guaranteed to American Citizens, whether by birth or naturalizations, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 – 23, as designated by proclamation of the President of the United States of America in accordance with Public Law 915.*

Now, therefore, I, ANDREW GOCZKOWSKI, MAYOR OF THE CITY OF DES PLAINES, do hereby proclaim September 17th through 23rd as

CONSTITUTION WEEK

in Des Plaines and urge all citizens of Des Plaines to reflect during that week on the many benefits of our Federal Constitution and American citizenship.

Dated this 19th day of September, 2022.

Andrew Goczkowski, Mayor



MEMORANDUM

Date: August 30, 2022
To: Honorable Aldermen
From: Andrew Goczkowski, Local Liquor Commissioner
Cc: Vickie Baumann, Permit Technician, Registration & License Division
Subject: Liquor License Request for an Increase in Liquor License Classification

Attached please find a Liquor License request for the following applicant:

S & S Marathon Inc dba Golf Mart
10 W Golf Rd
Class M – Gas Station Retail Only (off-site consumption only)
- New Increase from 10 to 11

The complete application packet is on file in the Community and Economic Development Department. The required posting will be completed September 13, 2022 and all necessary fees have been secured.

This request will come before you on the Consent Agenda of the City Council meeting of Monday, September 19, 2022.

A handwritten signature in blue ink, appearing to read 'Andrew Goczkowski'.

Andrew Goczkowski
Mayor
Local Liquor Commissioner

Attachments: Ordinance M-25-22
Application Packet

CITY OF DES PLAINES

ORDINANCE M - 25 - 22

AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS “M” LIQUOR LICENSE.

WHEREAS, S & S Marathon, Inc., d/b/a Golf Mart ("*Applicant*"), applied to the Department of Community and Economic Development for a Class M liquor license for the premises commonly known as 10 West Golf Road Road, Des Plaines, Illinois ("*Premises*") pursuant to Chapter 4 of Title 4 of the Des Plaines City Code ("*City Code*"); and

WHEREAS, the City desires to issue one Class M liquor license to the Applicant for the Premises; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the City Code to add one Class M liquor license and grant the Applicant a Class M liquor license for the Premises;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION 2: APPROVAL OF LIQUOR LICENSE. The City Council hereby grants the Applicant a Class M Liquor License to the Applicant for the Premises.

SECTION 3: FEE SCHEDULE. Section 1, titled “Fee Schedule,” of Chapter 18, titled "Schedule of Fees," of Title 4, titled “Business Regulations,” of the City Code is hereby amended further to read as follows:

4-18-1: FEE SCHEDULE:

Section	Fee Description	Number	Term	Fee	
					New
	*	*	*		
Chapter 4	Liquor Control				
4-4-5A	License Fees and Number:				
	Class	Number	Term	Initial Fee	Annual Fee
	Class M	10 11	Annual	\$3,630.00	\$1,815.00
	*	*	*		

SECTION 4: SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Add One Class M Liquor License for S & S Marathon Inc dba Golf Mart 10 West Golf Road



LOCAL LIQUOR COMMISSIONER

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5301
W: desplaines.org

APPLICATION FOR A LIQUOR LICENSE

BUSINESS INFORMATION

Name: S & S Marathon Inc. dba GOLF MART
Address: 10 W Golf rd Des Plaines IL Zip: 60016
Mailing Address: 10 W Golf rd Dept:
City: Des Plaines St: IL Zip: 60016
Email: c.samawi@yahoo.com Phone#: 9524570057
Day/Hours of Operations: Monday: 10:30 AM 11 P.M. Tuesday: 10:30 AM 11 P.M. Wednesday: 10:30 AM 11 P.M.
Thursday: 10:30 AM 11 P.M. Friday: 10:30 AM 11 P.M. Saturday: 10:30 AM 12 midnight Sunday: 12 Noon 11 P.M.

CLASSIFICATION

- A TAVERN- seats 250 or less
A1 TAVERN - seats 251 - 500
A2 TAVERN - seats 501 +
AB TAVERN & BULK SALES - seats 250 or less
AB-1 TAVERN & BULK SALES - seats 251 - 500
B BULK SALES - retail only
B-1 BULK SALES -alcohol not primary retail
C CLUB
E RESTAURANT DINING ROOM - over 50
F RESTAURANT - beer only
G BANQUET HALL
H-1 RESTAURANT - beer & wine only
H-2 BULK SALES - beer & wine only
I RELIGIOUS SOCIETY
J SPECIAL 4:00AM - must have class A
K GOVERNMENTAL FACILITY
L WINE ONLY
M GAS STATION - retail only
N CASINO
P COFFEE SHOP

OWNERSHIP INFORMATION (list President, Vice-President, Secretary and all Officers owning 5% or more of stock)

Title: Owner/President % of Stock: 100
Name: Shawket Samawi
Title: % of Stock:
Name:

Has either the President, Vice-President, Secretary or any officer ever plead guilty, been found guilty, received supervision, plead nolo contendere (no contest) to any felony under Federal, State, County or Municipal law, statute or ordinance? [X] NO [] YES - Attach documentation identifying the charge, finding, court branch and docket #

ADDITIONAL INFORMATION

Does the applicant own the property or premises of the business? NO YES
If NO, please provide name/address of the property owner and expiration date of the executed lease:

Is any elected City Official, County Commission or County Board member affiliated directly or indirectly with the applicant/business? NO YES
If YES, please provide name, position and a detailed description to the particulars:

Has any officer, owner or stockholder of the corporation or business obtained a liquor license for another location? NO YES
If YES, please provide name, location and disposition/status of each:

Has any officer, owner or stockholder of the corporation or business had a liquor license revoked for another location? NO YES
If YES, please provide name, location and reason for revocation of each:

AFFIDAVIT

The undersigned swears and affirms that I have read and understand the Liquor code of the City of Des Plaines and that the corporation and/or business name on this application and its employees will not violate any of the municipal codes, IL State Statutes or governmental laws, in conduct of the place of business described herein. The statements contained in the application are true and correct to the best of my knowledge.

S.S. INITIALS

Either an owner, manager or bartender with alcohol awareness training, whom has been fingerprinted and background checked with the Des Plaines Police Department and has been placed on file with the Local Liquor Commissioner will be on duty at all times during the sale and serving of alcohol on the premises.

S.S. INITIALS

I acknowledge that any changes to the information on file during the time frame of the current liquor license period must be immediately reported to the Local Liquor Commissioner. Failure to comply may result in immediate suspension of the Liquor License, additional fines up to \$10,000 for each violation, revocation of the Liquor License and/or denial to renew for a Liquor License for the next time frame period.

S.S. INITIALS

[Handwritten Signature]
Signature of Owner

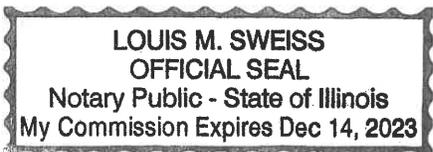
Shawket Samawi
Print Name

SUBSCRIBED and SWORN to before me this

31st day of JUNE, 2022

Louis M. Sweiss

NOTARY PUBLIC (STAMP SEAL BELOW)



FORM **BCA 2.10**
ARTICLES OF INCORPORATION
 Business Corporation Act

Filing Fee: \$150

File #: 73117593

Approved By: AKM

FILED
JAN 14 2021
Jesse White
Secretary of State

1. Corporate Name: S & S MARATHON, INC.

2. Initial Registered Agent: SHAWKAT SAMAWI

	First Name	Middle Initial	Last Name
Initial Registered Office:	<u>12118 SOMERSET RD</u>		
	Number	Street	Suite No.
	<u>ORLAND PARK</u>	<u>IL</u>	<u>60467-1126</u>
	City	ZIP Code	County
			<u>WILL</u>

3. Purposes for which the Corporation is Organized:
 The transaction of any or all lawful businesses for which corporations may be incorporated under the Illinois Business Corporation Act.

4. Authorized Shares, Issued Shares and Consideration Received:

Class	Number of Shares Authorized	Number of Shares Proposed to be Issued	Consideration to be Received Therefor
<u>COMMON</u>	<u>1000</u>	<u>1000</u>	<u>\$ 1000</u>

NAME & ADDRESS OF INCORPORATOR

5. The undersigned incorporator hereby declares, under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated <u>JANUARY 14</u>	<u>2021</u>	<u>12118 SOMERSET RD</u>
Month & Day	Year	Street
<u>SHAWKAT SAMAWI</u>	<u>ORLAND PARK</u>	<u>IL</u>
Name	City/Town	State
		<u>60467</u>
		ZIP Code

This document was generated electronically at www.cyberdriveillinois.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/9/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT NAME: Nihad Batarsch	
Nihad Agency, Inc.		PHONE (A/C, No, Ext): (708) 357-7770	FAX (A/C, No):
1042 Sterling Ave		E-MAIL ADDRESS: agent@assurancechoices.com	
Unit 217		INSURER(S) AFFORDING COVERAGE	
Flossmoor IL 60422		INSURER A: Northfield Insurance Company	
INSURED		INSURER B:	
S. & S Marathon Inc.		INSURER C:	
10 W GOLF RD		INSURER D:	
DES PLAINES IL 60016		INSURER E:	
		INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDSUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y Y	WS511647	06/08/2022	06/08/2023	EACH OCCURRENCE \$ 10000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 10000 MED EXP (Any one person) \$ 500 PERSONAL & ADV INJURY \$ 100000 GENERAL AGGREGATE \$ 200000 PRODUCTS - COM/OP AGG \$ 200000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below:					<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability	Y Y	WS511647	06/08/2022	06/08/2023	10000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City Of Des Plains as additional insured.

CERTIFICATE HOLDER**CANCELLATION**

City Of Des Plains
 1420 Miner St
 Des Plains IL 60016

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/9/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Nihad Agency, Inc. 1042 Sterling Ave Unit 217 Flossmoor IL 60422	CONTACT NAME: Nihad Batarseh PHONE (A/C, No, Ext): (708) 357-7770 E-MAIL ADDRESS: agent@assurancechoices.com	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	
INSURED S & S Marathon Inc 10 W GOLF RD DES PLAINES IL 60016	INSURER A: Northfield Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

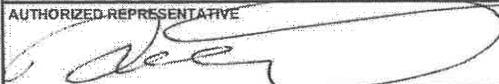
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
X	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y	Y	WS511647	06/08/2022	06/08/2023	EACH OCCURRENCE \$ 100000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 10000 MED EXP (Any one person) \$ 500 PERSONAL & ADV INJURY \$ 100000 GENERAL AGGREGATE \$ 200000 PRODUCTS - COM/PROP AGG \$ 200000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability			WS511647	06/08/2022	06/08/2023	100000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

State Of Illinois as additional insured.

CERTIFICATE HOLDER**CANCELLATION**

State Of Illinois 100 W Randolph Suite 7-89 Chicago IL 60601	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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ACORD 25 (2016/03)

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Verify that all of your Illinois Business Authorization information is correct.

Verify that the information below correctly represents your business location. In particular, be sure to verify that the information correctly represents whether you are within or outside of a municipality. If you have registered for Sales and Use Tax and the retail sales location listed is incorrect, contact our Local Tax Allocation Division at 217 785-6518.

**Des Plaines
Cook County**

For all other corrections, contact our Central Registration Division at 217 785-3707.

If all of the information is correct, cut along the dotted line (fits a standard 5" x 7" frame). Your authorization must be visibly displayed at the address listed. **Do not discard the attached Illinois Business Authorization unless the information displayed is incorrect or until it expires.** Your Illinois Business Authorization is an important tax document that indicates that you are registered or licensed with the Illinois Department of Revenue to legally do business in Illinois.

OFFICIAL DOCUMENT

State of Illinois - Department of Revenue

Illinois Business Authorization

OFFICIAL DOCUMENT

S & S MARATHON INC

10 W GOLF RD
DES PLAINES IL 60016-2471

Expiration Date:
2/8/2023

Certificate of Registration

Sales and use taxes and fees

Loc. Code: 016-0015-1-001

Des Plaines
Cook County

ILLINOIS REVENUE
[Signature]
Director

OFFICIAL DOCUMENT

Issued Date: 12/10/2021



OFFICE OF THE MAYOR

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5301
desplaines.org

MEMORANDUM

Date: August 30, 2022
To: Honorable Aldermen
From: Andrew Goczkowski, Local Liquor Commissioner
Cc: Vickie Baumann, Permit Technician, Registration & License Division
Subject: Liquor License Request for a Change in Classification

Attached please find a Liquor License request for a change in the classification for the following applicant:

At 7 LLC dba At 7 Bar & Grill
1472 Market Street

Class AB-1 – Bulk Sales and Tavern / seats 251-500 (consumption on premises)
- Decrease from 1 to 0

Class A – Tavern / seats 250 or less (consumption on premises)
- Increase from 39 to 40

This request will come before you on the Consent Agenda of the City Council meeting of Monday, September 19, 2022.

A handwritten signature in blue ink, appearing to read 'Andrew Goczkowski'.

Andrew Goczkowski
Mayor
Local Liquor Commissioner

Attachments: Ordinance M-26-22
Application Packet

CITY OF DES PLAINES

ORDINANCE M - 26 - 22

AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS “A” LIQUOR LICENSE AND REMOVE ONE CLASS “AB-1” LIQUOR LICENSE.

WHEREAS, At 7 LLC, d/b/a At 7 Bar & Grill ("*Applicant*"), applied to the Department of Community and Economic Development for a Class A liquor license for the premises commonly known as 1472 Market Street, Des Plaines, Illinois ("*Premises*") pursuant to Chapter 4 of Title 4 of the Des Plaines City Code ("*City Code*"); and

WHEREAS, the City desires to issue one Class A liquor license to the Applicant for the Premises; and

WHEREAS, the City Council has determined that it is in the best interest of the City to grant the Applicant a Class A liquor license for the Premises;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION 2: APPROVAL OF LIQUOR LICENSE. The City Council hereby grants the Applicant a Class A Liquor License to the Applicant for the Premises.

SECTION 3: FEE SCHEDULE. Section 4-18-1, titled “Fee Schedule,” of Chapter 18, titled "Schedule of Fees," of Title 4, titled “Business Regulations,” of the City Code is hereby amended further to read as follows:

4-18-1: FEE SCHEDULE:

Section	Fee Description	Number	Term	Fee	
					New
	*	*	*		
Chapter 4	Liquor Control				
4-4-5A	License Fees and Number:				
	Class	Number	Term	Initial Fee	Annual Fee
	Class A	38 39	Annual	\$3,850.00	\$1,925.00
	Class AB-1	1 0	Annual	\$8,470.00	\$4,235.00
	*	*	*		

SECTION 4: SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Add One Class A Liquor License for At 7 LLC dba At 7 Bar & Grill 1472 Market Street



APPLICATION FOR A LIQUOR LICENSE

BUSINESS INFORMATION

Name: AT 7 LLC DBA AT 7 BAR AND GRILL
Address: 1472 MARKET ST, DES PLAINES, IL Zip: 60016
Mailing Address: 1472 MARKET ST, DES PLAINES Dept: _____
City: DES PLAINES St: IL Zip: 60016
Email: AT7BARANDGRILL@GMAIL.COM Phone#: 224-804-0080
Day/Hours of Operations: Monday: 11AM-1AM Tuesday: 11AM-1AM Wednesday: 11AM-1AM
Thursday: 11AM-1AM Friday: 11AM-2AM Saturday: 11AM-2AM Sunday: 11AM-1AM

CLASSIFICATION

- | | |
|---|---|
| <input checked="" type="checkbox"/> A TAVERN – seats 250 or less | <input type="checkbox"/> G BANQUET HALL |
| <input type="checkbox"/> A1 TAVERN – seats 251 – 500 | <input type="checkbox"/> H-1 RESTAURANT – beer & wine only |
| <input type="checkbox"/> A2 TAVERN – seats 501 + | <input type="checkbox"/> H-2 BULK SALES – beer & wine only |
| <input type="checkbox"/> AB TAVERN & BULK SALES – seats 250 or less | <input type="checkbox"/> I RELIGIOUS SOCIETY |
| <input type="checkbox"/> AB-1 TAVERN & BULK SALES – seats 251 – 500 | <input type="checkbox"/> J SPECIAL 4:00AM – must have class A |
| <input type="checkbox"/> B BULK SALES – retail only | <input type="checkbox"/> K GOVERNMENTAL FACILITY |
| <input type="checkbox"/> B-1 BULK SALES –alcohol not primary retail | <input type="checkbox"/> L WINE ONLY |
| <input type="checkbox"/> C CLUB | <input type="checkbox"/> M GAS STATION – retail only |
| <input type="checkbox"/> E RESTAURANT DINING ROOM – over 50 | <input type="checkbox"/> N CASINO |
| <input type="checkbox"/> F RESTAURANT – beer only | <input type="checkbox"/> P COFFEE SHOP |

OWNERSHIP INFORMATION (list President, Vice-President, Secretary and all Officers owning 5% or more of stock)

Title: OWNER % of Stock: 80
Name: RON KAMMO
Title: OWNER % of Stock: 10
Name: ANDY MAYA

Has either the President, Vice-President, Secretary or any officer ever plead guilty, been found guilty, received supervision, plead nolo contendere (no contest) to any felony under Federal, State, County or Municipal law, statute or ordinance? NO YES – Attach documentation identifying the charge, finding, court branch and docket #

IVA CRVAK
OWNER

1/10 OF STOCK: 10

ADDITIONAL INFORMATION

Does the applicant own the property or premises of the business? NO YES
If NO, please provide name/address of the property owner and expiration date of the executed lease:

T METRO SQUARE, IL LLC

Is any elected City Official, County Commission or County Board member affiliated directly or indirectly with the applicant/business? NO YES

If YES, please provide name, position and a detailed description to the particulars:

Has any officer, owner or stockholder of the corporation or business obtained a liquor license for another location? NO YES

If YES, please provide name, location and disposition/status of each:

ALC CORP DBA QBAR & GRILL / ACTIVE

Has any officer, owner or stockholder of the corporation or business had a liquor license revoked for another location? NO YES

If YES, please provide name, location and reason for revocation of each:

AFFIDAVIT

The undersigned swears and affirms that I have read and understand the Liquor code of the City of Des Plaines and that the corporation and/or business name on this application and its employees will not violate any of the municipal codes, IL State Statutes or governmental laws, in conduct of the place of business described herein. The statements contained in the application are true and correct to the best of my knowledge.

KK INITIALS

Either an owner, manager or bartender with alcohol awareness training, whom has been fingerprinted and background checked with the Des Plaines Police Department and has been placed on file with the Local Liquor Commissioner will be on duty at all times during the sale and serving of alcohol on the premises.

KK INITIALS

I acknowledge that any changes to the information on file during the time frame of the current liquor license period must be immediately reported to the Local Liquor Commissioner. Failure to comply may result in immediate suspension of the Liquor License, additional fines up to \$10,000 for each violation, revocation of the Liquor License and/or denial to renew for a Liquor License for the next time frame period.

KK INITIALS

[Handwritten Signature]

Signature of Owner

RAJESH KANNO
Print Name

SUBSCRIBED and SWORN to before me this

6 day of July, 2022

NOTARY PUBLIC (STAMP SEAL BELOW)





OFFICE OF THE MAYOR

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5301
desplaines.org

MEMORANDUM

Date: August 30, 2022
To: Honorable Aldermen
From: Andrew Goczkowski, Local Liquor Commissioner
Cc: Vickie Baumann, Permit Technician, Registration & License Division
Subject: Liquor License Request for a Change in Classification

Attached please find a Liquor License request for a change in the classification for the following applicant:

Louie's Crab House LLC dba Boston Fish Market Pier 4
1225 E Forest Avenue

Class H1 – Restaurant / beer and wine only (consumption on premises)
- Decrease from 9 to 8

Class A – Tavern / seats 250 or less (consumption on premises)
- Increase from 39 to 40

This request will come before you on the Consent Agenda of the City Council meeting of Monday, September 19, 2022.

A handwritten signature in blue ink, appearing to read 'Andrew Goczkowski'.

Andrew Goczkowski
Mayor
Local Liquor Commissioner

Attachments: Ordinance M-27-22
Application Packet

CITY OF DES PLAINES

ORDINANCE M - 27 - 22

AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS “A” LIQUOR LICENSE AND REMOVE ONE CLASS “H1” LIQUOR LICENSE.

WHEREAS, Louie’s Crab House LLC, d/b/a Boston Fish Market Pier 4 ("*Applicant*"), applied to the Department of Community and Economic Development for a Class A liquor license for the premises commonly known as 1225 E Forest Avenue, Des Plaines, Illinois ("*Premises*") pursuant to Chapter 4 of Title 4 of the Des Plaines City Code ("*City Code*"); and

WHEREAS, the City desires to issue one Class A liquor license to the Applicant for the Premises; and

WHEREAS, the City Council has determined that it is in the best interest of the City to grant the Applicant a Class A liquor license for the Premises;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION 2: APPROVAL OF LIQUOR LICENSE. The City Council hereby grants the Applicant a Class A Liquor License to the Applicant for the Premises.

SECTION 3: FEE SCHEDULE. Section 4-18-1, titled “Fee Schedule,” of Chapter 18, titled "Schedule of Fees," of Title 4, titled “Business Regulations,” of the City Code is hereby amended further to read as follows:

“4-18-1: FEE SCHEDULE:

Section	Fee Description	Number	Term	Fee	
					New
	*	*	*		
Chapter 4	Liquor Control				
4-4-5A	License Fees and Number:				
	Class	Number	Term	Initial Fee	Annual Fee
	Class A	39 40	Annual	\$3,850.00	\$1,925.00
	Class H1	9 8	Annual	\$3,630.00	\$1,815.00
	*	*	*"		

SECTION 4: SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Add One Class A Liquor License for Louie's Crab House LLC dba Boston Fish Market Pier 4 1225 E Forest Avenue

CHANGE IN CLASSIFICATION



LOCAL LIQUOR COMMISSIONER

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5301
W: desplaines.org

APPLICATION FOR A LIQUOR LICENSE

BUSINESS INFORMATION

Name: Louie's Crab House LLC d/b/a Boston Fish Market Pier 4

Address: 1225 E Forest Ave, Des Plaines, IL Zip: 60018

Mailing Address: 1225 E Forest Ave Dept: N/A

City: Des Plaines St: IL Zip: 60018

Email: mike@bostonfishmkt.com Phone#: 847-803-2100

Day/Hours of Operations: Monday: 11am - 9pm Tuesday: 11am - 9pm Wednesday: 11am to 9pm

Thursday: 11/- 9pm Friday: 11am - 9pm Saturday: 11am - 9pm Sunday: N/A

CLASSIFICATION

- | | |
|--|---|
| <input checked="" type="checkbox"/> A TAVERN – seats 250 or less | <input type="checkbox"/> G BANQUET HALL |
| <input type="checkbox"/> A1 TAVERN – seats 251 – 500 | <input type="checkbox"/> H-1 RESTAURANT – beer & wine only |
| <input type="checkbox"/> A2 TAVERN – seats 501 + | <input type="checkbox"/> H-2 BULK SALES – beer & wine only |
| <input type="checkbox"/> AB TAVERN & BULK SALES – seats 250 or less | <input type="checkbox"/> I RELIGIOUS SOCIETY |
| <input type="checkbox"/> AB-1 TAVERN & BULK SALES – seats 251 – 500 | <input type="checkbox"/> J SPECIAL 4:00AM – must have class A |
| <input type="checkbox"/> B BULK SALES – retail only | <input type="checkbox"/> K GOVERNMENTAL FACILITY |
| <input type="checkbox"/> B-1 BULK SALES – alcohol not primary retail | <input type="checkbox"/> L WINE ONLY |
| <input type="checkbox"/> C CLUB | <input type="checkbox"/> M GAS STATION – retail only |
| <input type="checkbox"/> E RESTAURANT DINING ROOM – over 50 | <input type="checkbox"/> N CASINO |
| <input type="checkbox"/> F RESTAURANT – beer only | <input type="checkbox"/> P COFFEE SHOP |

OWNERSHIP INFORMATION (list President, Vice-President, Secretary and all Officers owning 5% or more of stock)

Title: Member / Executive Director % of Stock: 100

Name: Louis D. Psihogios

Title: N/A % of Stock: N/A

Name: N/A

Has either the President, Vice-President, Secretary or any officer ever plead guilty, been found guilty, received supervision, plead nolo contendere (no contest) to any felony under Federal, State, County or Municipal law, statute or ordinance? NO YES – Attach documentation identifying the charge, finding, court branch and docket #

ADDITIONAL INFORMATION

Does the applicant own the property or premises of the business? NO YES

If NO, please provide name/address of the property owner and expiration date of the executed lease:

Is any elected City Official, County Commission or County Board member affiliated directly or indirectly with the applicant/business? NO YES

If YES, please provide name, position and a detailed description to the particulars:

Has any officer, owner or stockholder of the corporation or business obtained a liquor license for another location? NO YES

If YES, please provide name, location and disposition/status of each:

Louie's Boston Fish Market. 412 N. Milwaukee Ave. Wheeling, IL 60090

Has any officer, owner or stockholder of the corporation or business had a liquor license revoked for another location? NO YES

If YES, please provide name, location and reason for revocation of each:

AFFIDAVIT

The undersigned swears and affirms that I have read and understand the Liquor code of the City of Des Plaines and that the corporation and/or business name on this application and its employees will not violate any of the municipal codes, IL State Statutes or governmental laws, in conduct of the place of business described herein. The statements contained in the application are true and correct to the best of my knowledge.

LDP INITIALS

Either an owner, manager or bartender with alcohol awareness training, whom has been fingerprinted and background checked with the Des Plaines Police Department and has been placed on file with the Local Liquor Commissioner will be on duty at all times during the sale and serving of alcohol on the premises.

LDP INITIALS

I acknowledge that any changes to the information on file during the time frame of the current liquor license period must be immediately reported to the Local Liquor Commissioner. Failure to comply may result in immediate suspension of the Liquor License, additional fines up to \$10,000 for each violation, revocation of the Liquor License and/or denial to renew for a Liquor License for the next time frame period.

LDP INITIALS

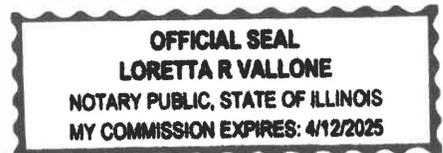

Signature of Owner

Louis Prihogioc
Print Name

SUBSCRIBED and SWORN to before me this

27 day of June, 2022.


NOTARY PUBLIC (STAMP SEAL BELOW)





**PUBLIC WORKS AND
ENGINEERING DEPARTMENT**

1111 Joseph J. Schwab Road
Des Plaines, IL 60016
P: 847.391.5464
desplaines.org

MEMORANDUM

Date: September 8, 2022

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager

From: Timothy Watkins, Assistant Director of Public Works and Engineering *TW*

Cc: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering

Subject: Accident Repair – Truck #277

Issue: One of the Public Works dump trucks was involved in an accident and needs to be repaired.

Analysis: On June 28, 2022, one of the Water Division’s dump trucks was involved in an accident with a Water Division backhoe. There were no injuries from the accident. We contacted Rush Truck Centers of Illinois, the regional distributor and repair facility of International Trucks, and they provided an estimate in the amount of \$33,280.11. Due to the amount of damage to the truck, the City filed an insurance claim with MICA, the City’s insurance group. MICA has approved the claim expenditure to the City in the amount of \$29,936.75. This amount is less than the repair cost due to the age of the vehicle. The damage to the 2008 truck was isolated to the front of the vehicle. Since the truck is inoperable, it will have to be towed to the repair facility. Rush Truck Center has been approved by MICA as a repair facility.

Recommendation: We recommend in the best interest of the City, the City Council approve the repair of Truck #277 in the amount of \$33,280.11 plus a contingency in the amount of \$5,000 for a total amount of \$38,280.11, to Rush Truck Centers of Illinois, 11816 South IL. Rt. 47, Huntley, Illinois, 60142. This expenditure will be paid with Risk Management Funds.

Attachments:
Attachment 1 – Rush Truck Centers Estimate
Resolution R-154-22



Rush Truck Centers of Illinois

11816 S IL RT 47
Huntley, IL 60142



Phone: (847) 802-5857 Fax: () -

Email: ScanlanE@RushEnterprises.com

Date:	6/30/2022	Year:	2008
Reference #:	024720002069	Make:	International
Estimated By:	Eric Scanlan	Model:	7400
Name:	City of Des Plaines	Unit #:	277
Address:	1111 Joseph Schwab Rd	VIN:	1HTWHAZR8J647797
City/State/Zip:	Des Plaines, IL 60016	Style:	SFA: set-forward-axle
Phone:	847-391-5477	Plate/State:	-
Cell Phone:	- -	WMI:	FIN:
Purchase Order:		Odometer:	
Customer Number:	024720002069	Color:	
Claim Contact:		Date Of Loss:	
Contact Title:		Authorized By:	
Contact Phone:	x	Claim Number:	
Contact Email:		RO:	

Operation	Description	Part #	Type	Labor	Paint	-----Parts-----	Misc	
----- Grille (w/ 2 Piece Surround) -----								
1	Replace	Grille Assembly	3613679C91	New Incl		1 @ \$1,110.00	\$1,110.00	
2	* Replace	Grille Surround Assembly	3613675C95	New	1.20	1 @ \$1,090.00	\$1,090.00	
3	^ Replace	Support	3613687C92	New		1 @ \$43.90	\$43.90	
4	^ Replace	Nut	3534873C2	New		1 @ \$1.49	\$1.49	
5	^ Replace	Bolt	3608605C1	New		1 @ \$8.49	\$8.49	
6	^ Replace	Screw	3565527C1	New		1 @ \$2.39	\$2.39	
----- Hood (3 Piece) -----								
7	Replace	Hood	3613760C94	New	8.00	7.00	1 @ \$4,050.00	\$4,050.00
8		Drill for Fender Mirrors, Dual		AddLbr	0.60			
9		Aim Head Lamps		AddLbr	0.50			
10	* Repair	Fender Extension (Fender Mounted) (Right)			1.00	1.50		
11		Fender Extension (Fender Mounted) (Right) to Hood		Adj		-0.40		
12		Add for Underside - Fender Extension (Fender Mounted) (Right)		AddPnt		0.50		
13	Replace	Spalsh Shield (Right)	3622635C3	New Incl		1 @ \$480.00	\$480.00	
14	Replace	Headlamp Assembly (Right)	3779264C92	New Incl		1 @ \$630.00	\$630.00	
15	^ R&I	Plow Lights			2.50	1 @ \$30.00	\$30.00	
16	^ Replace	Insulation	3625775C2	New	0.10	1 @ \$175.00	\$175.00	
17	^ Replace	Insulation	3625776C2	New	0.10	1 @ \$260.00	\$260.00	
18	^ Replace	Insulation	3625777C2	New	0.10	1 @ \$150.00	\$150.00	
19	^ Replace	Intake Grille	3622628C1	New		1 @ \$150.00	\$150.00	
20	^ Replace	LH Torsion Bar	3605060C3	New		1 @ \$305.00	\$305.00	
21	^ Replace	RH Torsion Bar	3605059C3	New		1 @ \$290.00	\$290.00	
----- Cooling -----								
22	Replace	Radiator	FLTRI7307400	A/M	M 6.20	1 @ \$810.00	\$810.00	
23		Deduct Radiator with Hood Removed		Ovrlp	-1.80			
24	* Replace	Antifreeze, Extended Duty		Mtrls AddPrt		9 @ \$15.00	\$135.00	
25		Charge A/C		AddLbr M	1.40			



Rush Truck Centers of Illinois

11816 S IL RT 47

Huntley, IL 60142



Phone: (847) 802-5857 Fax: () -

Email: ScanlanE@RushEnterprises.com

Date:	6/30/2022	Year:	2008
Reference #:	024720002069	Make:	International
Estimated By:	Eric Scanlan	Model:	7400
Name:	City of Des Plaines	Unit #:	277

Line	Qty	Description	Part #	Unit	Material	Price	Ext Price
26		Align Hood			AddLbr	1.00	
27	1 @	Replace Cooling Channel (Upper)	2591770C91	New	Incl M	\$450.00	\$450.00
28	1 @	Replace Cooling Channel (Left)	2591766C91	New	Incl M	\$150.00	\$150.00
29	1 @	Replace Rear Cooling Channel (Left)	2591767C91	New		\$255.00	\$255.00
30	1 @	Replace Cooling Channel (Right)	2591765C91	New	Incl M	\$150.00	\$150.00
31	1 @	Replace Rear Cooling Channel (Right)	2591768C91	New		\$255.00	\$255.00
32	1 @	Replace Cooling Channel (Lower)	2604127C91	New	Incl M	\$330.00	\$330.00
33	1 @	Replace Hose Bracket	2596551C1	New		\$77.82	\$77.82
34	2 @	Replace Insulator	3560217C3	New		\$99.90	\$199.80
35	1 @	Replace Radiator Support Strut, Lower (Left)	3605649C2	New	M 0.30	\$99.90	\$99.90
36	1 @	Replace Radiator Support Strut, Lower (Right)	3605649C2	New	M 0.30	\$99.90	\$99.90
37	1 @	Replace Rod Support, Left	3605647C3	New		\$71.90	\$71.90
38	1 @	Replace Rod Support, Right	3605648C3	New		\$94.90	\$94.90
39	1 @	Replace Radiator Side Seal Kit	2591783C93	New	Incl M	\$577.62	\$577.62
40	1 @	Replace Upper Radiator Hose	3627815C1	New	M 0.80	\$255.00	\$255.00
41		Radiator to Upper Hose Overlap			Ovrlp M	-0.20	
42	1 @	Replace Lower Radiator Hose	3814147C1	New	M 1.00	\$340.00	\$340.00
43		Radiator to Lower Hose Overlap			Ovrlp M	-0.20	
44	1 @	Replace Shroud	2591779C92	New	M 2.00	\$475.00	\$475.00
45	1 @	Replace Fan Blade	HOR993813503	New	Incl M	\$245.00	\$245.00
46	1 @	Replace Aeration Tank	FLTOT2591802	New	M 0.30	\$405.00	\$405.00
47	1 @	Replace Coolant Reservoir	2591790C2	New	M 0.80	\$510.00	\$510.00
48	2 @	Replace Nut	359783C1	New		\$4.99	\$9.98
49	2 @	Replace Insulator	3560217C3	New		\$99.90	\$199.80
50	2 @	Replace Decal	3625401C3	New		\$34.90	\$69.80
51	2 @	Replace Decal	3812865C1	New	0.30	\$59.90	\$119.80
52	1 @	Replace Clamp	452997C1	New		\$23.90	\$23.90
53	1 @	Replace U Bolt	452992C1	New		\$10.74	\$10.74
----- Charge Air Cooler -----							
54	1 @	Replace Charge Air Hose (Left)	3612976C1	New	Incl M	\$82.90	\$82.90
55	1 @	Replace Charge Air Hose (Left)	3566707C1	New	0.20	\$72.90	\$72.90
56	1 @	Replace Charge Air Cooler	222292	A/M	Incl M	\$1,700.00	\$1,700.00
57		Charge Air to Turbo Front Overlap			Ovrlp M	-0.20	
58	1 @	Replace Charge Air Pipe (Left)	3612930C3	New	Incl M	\$315.00	\$315.00
59		Charge Air to Turbo Side Overlap			Ovrlp M	-0.20	
60	1 @	Replace Charge Air Pipe (Right)	3612932C1	New	M 0.30	\$190.00	\$190.00
61	1 @	Replace Charge Air Hose (Right)	3558834C2	New	M 0.20	\$77.90	\$77.90
62		Charge Air to Manifold Hose Overlap			Ovrlp M	-0.20	
63	1 @	Replace Charge Air Hose (Right)	3612977C1	New	0.20	\$150.00	\$150.00
64	2 @	Replace Clamp	2026730C1	New		\$58.90	\$117.80
65	2 @	Replace Clamp	3557856C1	New		\$71.90	\$143.80



Rush Truck Centers of Illinois

11816 S IL RT 47
Huntley, IL 60142



Phone: (847) 802-5857 Fax: () -

Email: ScanlanE@RushEnterprises.com

Date:	6/30/2022	Year:	2008
Reference #:	024720002069	Make:	International
Estimated By:	Eric Scanlan	Model:	7400
Name:	City of Des Plaines	Unit #:	277

Operation	Description	Part #	Type	Labor	Paint	-----Parts-----	Misc
----- A/C & Heating -----							
66	Replace	A/C Condenser	FLTAC2450521	A/M Incl M		1 @ \$175.00	\$175.00
67	Replace	Freon		Mtrls AddPrt		3 @ \$12.00	\$36.00
68	^	Replace	Bracket	2591820C1	New	0.10	1 @ \$86.90 \$86.90
69	^	Replace	Bracket	2591819C1	New	0.10	2 @ \$46.43 \$92.86
70	^	Replace	Hardware Kit	2591831C91	New		1 @ \$83.90 \$83.90
71	Replace	A/C Receiver Drier	FLTAC3714012	A/M	M	0.90	1 @ \$175.00 \$175.00
72	Replace	A/C Compressor	FLTAC2004347AM	A/M	M	0.60	1 @ \$230.00 \$230.00
73	*	Replace	AC Compressor Belt	New	Incl M		1 @ \$99.90 \$99.90
74	*	Replace	Pressure Hose	3613039C93	New	M	0.50 1 @ \$235.00 \$235.00
75	*	Replace	Suction Hose	3613040C95	New	M	0.50 1 @ \$235.00 \$235.00
----- Air Cleaner -----							
76	*	Replace	Air Cleaner Housing Assembly	2515767C1	New	M	1.00 1 @ \$370.00 \$370.00
----- Engine & Transmission -----							
77	Replace	Turbocharger		New	M	2.00	1 @ \$2,660.00 \$2,660.00
78	^	Replace	Core		New		1 @ \$400.00 \$400.00
79	^	Replace	Clamp		New		1 @ \$68.90 \$68.90
80	^	Replace	Oil Feed Line		New	0.50	1 @ \$265.00 \$265.00
81	^	Replace	Bolt		New		1 @ \$6.49 \$6.49
82	^	Replace	O Ring		New		1 @ \$4.99 \$4.99
----- Cab Exterior -----							
83	*	Replace	One Piece Windshield		Sublet		1 @ \$400.00 \$400.00
----- Door (Right) -----							
84	*	Repair	Door Shell (Right)			1.50 2.50	
85			Non-Adjacent Overlap		Adj		-0.20
86	R&I		Vent Window (Right)			0.70	
87	R&I		Mirror Assembly (Right)			1.00	
88	R&I		Interior Door Panel (Right)			0.60	
----- Frame -----							
89	*	Replace	Upper Front Crossmember, 2-Piece	3612430C2	New	F	1.00 1 @ \$322.31 \$322.31
90	*	Replace	Lower Front Crossmember, 2-Piece	3612442C2	New	F	1.00 1 @ \$427.46 \$427.46
91	*	Replace	Radiator Crossmember Support	3612451C93	New	F	2.00 1 @ \$599.57 \$599.57
92	^	Replace	Frame Bolts		New		1 @ \$75.00 \$75.00
----- Maintenance & Service -----							
93	*	Repair	Check All Fluid Levels & Lamps			M	0.30
94	*	Repair	Road Test			M	0.70
----- Calculated Values -----							
95	^		Shop Supplies		Mtrls		\$500.00
96	^		Hazardous Waste				\$15.00
97	^		Truck Cover		Mtrls	0.60 @	\$15.00 \$0.00



Rush Truck Centers of Illinois

11816 S IL RT 47
Huntley, IL 60142



Phone: (847) 802-5857 Fax: () -

Email: ScanlanE@RushEnterprises.com

Date:	6/30/2022	Year:	2008
Reference #:	024720002069	Make:	International
Estimated By:	Eric Scanlan	Model:	7400
Name:	City of Des Plaines	Unit #:	277

98 ^	Paint Materials	Mtrls	\$599.50
------	-----------------	-------	----------

An '*' indicates user change of database part and '^' indicates manually entered or custom database rows.

Estimate Notes:

Summary	Amount	Rate	Disc	Total
Body Labor	19.1	\$105.00	0.00%	\$2,005.50
Paint Labor	10.9	\$105.00	0.00%	\$1,144.50
Mechanical	19.1	\$169.00	0.00%	\$3,227.90
Frame	4.0	\$169.00	0.00%	\$676.00
Misc. Labor	0.0	\$169.00	0.00%	\$0.00
Parts	\$25,111.71		0.00%	\$25,111.71
Misc.				\$1,114.50
Sub-total				\$33,280.11
Sales Tax				0.00
<hr/>				
Total				\$33,280.11
Betterment				\$0.00
Deductible				\$0.00
Grand Total				\$33,280.11



Rush Truck Centers of Illinois

11816 S IL RT 47
Huntley, IL 60142



Phone: (847) 802-5857 Fax: () -
Email: ScanlanE@RushEnterprises.com

Date:	6/30/2022	Year:	2008
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Estimated By:	Eric Scanlan	Model:	7400
Name:	City of Des Plaines	Unit #:	277



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Huntley, IL 60142



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Email: ScanlanE@RushEnterprises.com

Date: 6/30/2022
Reference #: 024720002069
Estimated By: Eric Scanlan
Name: City of Des Plaines

Year: 2008
Make: International
Model: 7400
Unit #: 277



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9032g.jpg



9032h.jpg



Rush Truck Centers of Illinois

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9032i.jpg



9032j.jpg



Rush Truck Centers of Illinois

**11816 S IL RT 47
Huntley, IL 60142**



Phone: (847) 802-5857 Fax: () -

Email: ScanlanE@RushEnterprises.com

Date:	6/30/2022	Year:	2008
Reference #:	024720002069	Make:	International
Estimated By:	Eric Scanlan	Model:	7400
Name:	City of Des Plaines	Unit #:	277

TERMS & CONDITIONS

The above is an estimate based on inspection and does not cover additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not have been evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

Parts pricing is good for 30 days.

Signed _____ Date _____

CITY OF DES PLAINES

RESOLUTION R - 154 - 22

A RESOLUTION APPROVING AN EXPENDITURE OF FUNDS TO RUSH TRUCK CENTERS OF ILLINOIS FOR THE REPAIR OF A DUMP TRUCK.

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the City has sufficient funds in the Risk Management Fund for use by the Department of Public Works and Engineering during the 2022 fiscal year for repair services; and

WHEREAS, on June 28, 2022, one of the Water Division's dump trucks was involved in an accident and requires repair ("**Damage Repair**"); and

WHEREAS, Rush Truck Centers of Illinois ("**Vendor**") submitted a quote to perform the Damage Repair in the amount of \$33,280.11; and

WHEREAS, pursuant to Chapter 10 of Title 1 of the City Code of the City of Des Plaines and the City's purchasing policy, the City Council has determined that competitive bidding is not required for the Damage Repair because Vendor has been approved by MICA, the City's insurance provider, as an authorized repair facility; and

WHEREAS, the City procure the Damage Repair services from Vendor in the amount of \$33,280.11 plus a contingency in the amount of \$5,000.00, for a total not-to-exceed amount of \$38,280.11; and

WHEREAS, the City Council has determined that it is in the best interest of the City to waive the competitive bidding requirements in the City Code and authorize the expenditure of funds in a total not-to-exceed amount of \$38,280.11;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: WAIVER OF COMPETITIVE BIDDING. The requirement that competitive bids be solicited for the Damage Repair is hereby waived.

SECTION 3: APPROVAL OF EXPENDITURE. The City Council hereby approves the expenditure in a total not-to-exceed amount of \$38,280.11 to Vendor for the Damage Repair.

SECTION 4: AUTHORIZATION OF EXPENDITURE. The City Council hereby authorizes and directs the Director of Finance to issue payment to Vendor in a total not-to-exceed amount of \$38,280.11 for the Damage Repair completed by the Vendor.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Resolution Dump Truck Repair – Rush Truck Centers



MEMORANDUM

Date: August 8, 2022
To: Honorable Aldermen
From: Andrew Goczkowski, Local Liquor Commissioner
Cc: Vickie Baumann, Permit Technician, Registration & License Division
Subject: Liquor License Request for an Increase in Liquor License Classification

Attached please find a Liquor License request for the following applicant:

Keing Corporation dba Sushi Chicago Sushi
574 E Oakton St
Class H-1 – Restaurant Dining Room – Beer & Wine Only
(on-site consumption only)
- New Increase from 8 to 9

The complete application packet is on file in the Community and Economic Development Department. The required posting will be completed August 16, 2022 and all necessary fees have been secured.

This request will come before you on the Consent Agenda of the City Council meeting of Tuesday, September 6, 2022.

A handwritten signature in blue ink, appearing to read 'Andrew Goczkowski'.

Andrew Goczkowski
Mayor
Local Liquor Commissioner

Attachments: Ordinance M-24-22
Application Packet

CITY OF DES PLAINES

ORDINANCE M - 24 - 22

AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS “H-1” LIQUOR LICENSE.

WHEREAS, Keing Corporation, d/b/a Sushi Chicago Sushi ("*Applicant*"), applied to the Department of Community and Economic Development for a Class H-1 liquor license for the premises commonly known as 574 East Oakton Street, Des Plaines, Illinois ("*Premises*") pursuant to Chapter 4 of Title 4 of the Des Plaines City Code ("*City Code*"); and

WHEREAS, the City desires to issue one Class H-1 liquor license to the Applicant for the Premises; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the City Code to add one Class H-1 liquor license and grant the Applicant a Class H-1 liquor license for the Premises;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION 2: APPROVAL OF LIQUOR LICENSE. The City Council hereby grants the Applicant a Class H-1 Liquor License to the Applicant for the Premises.

SECTION 3: FEE SCHEDULE. Section 1, titled “Fee Schedule,” of Chapter 18, titled "Schedule of Fees," of Title 4, titled “Business Regulations,” of the City Code is hereby amended further to read as follows:

4-18-1: FEE SCHEDULE:

Section	Fee Description	Number	Term	Fee	
					New
	*	*	*		
Chapter 4	Liquor Control				
4-4-5A	License Fees and Number:				
	Class	Number	Term	Initial Fee	Annual Fee
	Class H-1	8 9	Annual	\$3,630.00	\$1,815.00
	*	*	*		

SECTION 4: SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Add One Class H-1 Liquor License for Keing Corporation dba Sushi Chicago Sushi



LOCAL LIQUOR COMMISSIONER

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5301
W: desplaines.org

APPLICATION FOR A LIQUOR LICENSE

BUSINESS INFORMATION

Name: Sushi Chicago Sushi
Address: 574 E. Oakton St. Des Plaines, IL Zip: 60018
Mailing Address: 574 E. Oakton St. Dept:
City: Des Plaines St: IL Zip: 60018
Email: chicagoramen578@gmail.com Phone#: 847-813-5647
Day/Hours of Operations: Monday: 11am-3pm, 5pm-9pm Tuesday: Closed Wednesday: 11am-3pm, 5pm-9pm
Thursday: 11am-3pm, 5pm-9pm Friday: 11am-3pm, 5pm-9pm Saturday: 11am-3pm, 5pm-9pm Sunday: 11am-3pm, 5pm-9pm

CLASSIFICATION

- A TAVERN-seats 250 or less
A1 TAVERN - seats 251 - 500
A2 TAVERN - seats 501 +
AB TAVERN & BULK SALES - seats 250 or less
AB-1 TAVERN & BULK SALES - seats 251 - 500
B BULK SALES - retail only
B-1 BULK SALES -alcohol not primary retail
C CLUB
E RESTAURANT DINING ROOM - over 50
F RESTAURANT - beer only
G BANQUET HALL
H-1 RESTAURANT - beer & wine only
H-2 BULK SALES - beer & wine only
I RELIGIOUS SOCIETY
J SPECIAL 4:00AM - must have class A
K GOVERNMENTAL FACILITY
L WINE ONLY
M GAS STATION - retail only
N CASINO
P COFFEE SHOP

OWNERSHIP INFORMATION (list President, Vice-President, Secretary and all Officers owning 5% or more of stock)

Title: Owner / CEO % of Stock: 100%
Name: Kenta Ikehata
Title: % of Stock:
Name:

Has either the President, Vice-President, Secretary or any officer ever plead guilty, been found guilty, received supervision, plead nolo contendere (no contest) to any felony under Federal, State, County or Municipal law, statute or ordinance? [X] NO [] YES - Attach documentation identifying the charge, finding, court branch and docket #

ADDITIONAL INFORMATION

Does the applicant own the property or premises of the business? NO YES

If NO, please provide name/address of the property owner and expiration date of the executed lease:

JJOS Property LLC / 1010 Hillside Dr. Northbrook, IL 60062 / Apr. 30th, 2026

Is any elected City Official, County Commission or County Board member affiliated directly or indirectly with the applicant/business? NO YES

If YES, please provide name, position and a detailed description to the particulars:

Has any officer, owner or stockholder of the of the corporation or business obtained a liquor license for another location? NO YES

If YES, please provide name, location and disposition/status of each:

Has any officer, owner or stockholder of the of the corporation or business had a liquor license revoked for another location? NO YES

If YES, please provide name, location and reason for revocation of each:

AFFIDAVIT

The undersigned swears and affirms that I have read and understand the Liquor code of the City of Des Plaines and that the corporation and/or business name on this application and its employees will not violate any of the municipal codes, IL State Statutes or governmental laws, in conduct of the place of business described herein. The statements contained in the application are true and correct to the best of my knowledge.

K. I INITIALS

Either an owner, manager or bartender with alcohol awareness training, whom has been fingerprinted and background checked with the Des Plaines Police Department and has been placed on file with the Local Liquor Commissioner will be on duty at all times during the sale and serving of alcohol on the premises.

K. I INITIALS

I acknowledge that any changes to the information on file during the time frame of the current liquor license period must be immediately reported to the Local Liquor Commissioner. Failure to comply may result in immediate suspension of the Liquor License, additional fines up to \$10,000 for each violation, revocation of the Liquor License and/or denial to renew for a Liquor License for the next time frame period.

K. I INITIALS

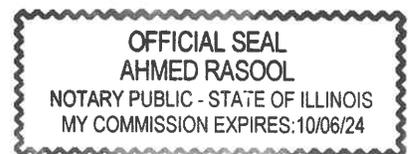
[Signature]
Signature of Owner

Kenta Ikehata
Print Name

SUBSCRIBED and SWORN to before me this

7 day of JUNE, 2022

[Signature]
NOTARY PUBLIC (STAMP SEAL BELOW)



FORM **BCA 2.10**
ARTICLES OF INCORPORATION
 Business Corporation Act

Filing Fee \$150

File # 73000076

Approved By BLA

FILED
 NOV 16 2020
 Jesse White
 Secretary of State

1. Corporate Name: KEING CORPORATION

2. Initial Registered Agent: BUSINESS FILINGS INCORPORATED

Initial Registered Office		First Name	Middle Initial	Last Name
600 S 2ND ST STE 104				
Number	Street	Suite No		
SPRINGFIELD	IL	62704-2550	SANGAMON	
City	ZIP Code	County		

3. Purposes for which the Corporation is Organized:
 The transaction of any or all lawful businesses for which corporations may be incorporated under the Illinois Business Corporation Act.

4. Authorized Shares, Issued Shares and Consideration Received:

Class	Number of Shares Authorized	Number of Shares Proposed to be Issued	Consideration to be Received Therefor
COMMON	2000	2000	\$ 20

NAME & ADDRESS OF INCORPORATOR

5. The undersigned Incorporator hereby declares, under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated	Month & Day	Year	Street	City/Town	State	ZIP Code
NOVEMBER 16		2020	173 N MAIN ST #400	SAYVILLE	NY	11782
KERRY WALSH						
	Name					



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/14/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Charmjoun Insurance & Financial Services 6131 Orangethorpe Ave., Suite 250 Buena Park CA 90620	CONTACT NAME: Charmjoun Insurance PHONE (A/C, No, Ext): (562) 475-0110 E-MAIL ADDRESS: info@charmjoun.com	FAX (A/C, No): (562) 475-0113
	INSURER(S) AFFORDING COVERAGE	
INSURED Keing Corporation DBA Chicago Sushi 574 E. Oakton St. Des Plaines IL 60018	INSURER A: AMGUARD INS CO	NAIC # 42390
	INSURER B: EMPLOYERS PREFERRED INS CO	10346
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			KEBP384652	06/01/2022	06/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 <u>Liquor Liability</u> \$ \$1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N Y N/A	EIG4684595-01	01/01/2022	01/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

* Liquor consumption on premises

Location) 574 E. Oakton St Des Plaines, IL 60018

CERTIFICATE HOLDER**CANCELLATION**

Local Liquor Commissioner 1420 Miner Street Des Plaines, IL 60016	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Verify that all of your Illinois Business Authorization information is correct.

Verify that the information below correctly represents your business location. In particular, be sure to verify that the information correctly represents whether you are within or outside of a municipality. If you have registered for Sales and Use Tax and the retail sales location listed is incorrect, contact our Local Tax Allocation Division at 217 785-6518.

**Des Plaines
Cook County**

For all other corrections, contact our Central Registration Division at 217 785-3707.

If all of the information is correct, cut along the dotted line (fits a standard 5" x 7" frame). Your authorization must be visibly displayed at the address listed. **Do not discard the attached Illinois Business Authorization unless the information displayed is incorrect or until it expires.** Your Illinois Business Authorization is an important tax document that indicates that you are registered or licensed with the Illinois Department of Revenue to legally do business in Illinois.

OFFICIAL DOCUMENT

State of Illinois - Department of Revenue

Illinois Business Authorization

OFFICIAL DOCUMENT

KEING CORPORATION

DBA: SUSHI CHICAGO SUSHI

**574 E OAKTON ST
DES PLAINES IL 60018-1950**

Loc. Code: 016-0016-1-002

**Des Plaines
Cook County**

**Expiration Date:
1/1/2023**

Certificate of Registration

Sales and use taxes and fees (4383-5651)

ILLINOIS REVENUE

[Signature]
Director

OFFICIAL DOCUMENT

Issued Date: 11/02/2021



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: August 25, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community & Economic Development *JTC*
Jonathan Stytz, AICP, Senior Planner *JS*

Subject: **Zoning Text Amendment Regarding Outdoor Display and Storage:** Establish Allowance for Outdoor Display and Storage for Trade Contractor Uses in the C-3 General Commercial District

Issue: The petitioner requests a text amendment to Section 12-7-3.F.5 to allow the outdoor display and storage of products for trade contractor uses in the C-3 district where such outdoor storage and display is not allowed.

Assuming approval, the petitioner is also requesting an amended conditional use permit to allow outdoor display and storage of products for a trade contractor use in the C-3 district at 1628 Rand Road. *This is a separate agenda item packet for the Tuesday, September 6, City Council meeting.*

PIN: 09-16-104-022-0000

Petitioners: Granite Place & Quartz, LLC and Cabinet Land Kitchen & Bath Corporation, 2020 Berry Lane, Des Plaines, IL 60018

Owner: Art Investment, LLC, 2020 Berry Lane, Des Plaines, IL 60018

Case Number: #22-024-TA-CU-V

TEXT AMENDMENT

Project Description: The first portion of the petitioner’s proposal consists of amending Section 12-7-3.F.5 of the Zoning Ordinance under Standards for Site Plan Review to allow for the storage and display of products on C-3-zoned property. The petitioner has worked with staff to construct these text amendments to make outdoor storage and display areas an impactful improvement to trade contractor properties on C-3-zoned properties throughout the City while also ensuring such storage could be designed appropriately to meet the overarching principals of the Zoning Ordinance.

First, the proposed text amendment limits the allowance of outdoor display and storage to trade contractor uses with an active business license and a conditional use permit. Since trade contractor uses are permitted in the C-3 district only through a conditional use permit, the conditional use process allows the Planning & Zoning Board (PZB) and City Council to review the proposed scale, location, and other components of proposed outdoor display and storage.

In addition, outdoor display and storage on properties with a trade contractor use would be governed by certain general conditions and restrictions beyond the conditions in a conditional use ordinance—for example, location (not in required yards), height (maximum 8 feet), and screening—to ensure that they do not create adverse effects on the subject property or surrounding properties. Outdoor storage and display would be required to occur on dust-free hard surfaces and would not be permitted within required yards to prevent outdoor display and storage from being directly at property lines of neighboring properties. Moreover, outdoor display and storage would be limited to eight feet in height and required to be fully screened by an eight-foot-tall, opaque fence, which is especially useful when the subject property abuts a residential district. As Section 12-7-3.F.5 already requires properties in the C-3 zoning district to install eight-foot-tall fencing on property lines abutting residential districts, this regulation would be consistent with the intent of the Zoning Ordinance. Finally, the type of outdoor display materials would be regulated to allow only prefabricated or finished products to be displayed, prohibiting raw or landscape materials, or any other materials utilized for the manufacturing, processing, or assembly of products, from being located outside. The intent is to distinguish “outdoor display and storage of products” from “open storage,” which is currently only possible in the M-2 General Manufacturing District (see Section 12-7-4).

PZB Recommendation and Conditions: The PZB met on July 26, 2022 to consider the text amendment to allow the outdoor display and storage of products for trade contractor uses in the C-3 General Commercial district pursuant to a conditional use permit. PZB discussion and rationale is captured in the excerpt to the draft minutes of the July 26, 2022 meeting. The PZB *recommended* (4-0) that the City Council *approve* the proposed text amendment with the changes discussed during the meeting, as noted in the attached Acting Chairman Saletnik memo.

City Council Action: Pursuant to Section 12-3-7.D.4 of the Zoning Ordinance, the City Council may vote to approve, approve with modifications, or deny the request. The Council has final authority over the text amendment, which would be approved by Ordinance Z-25-22.

Attachments:

Attachment 1: Petitioner’s Responses to Standards for Amendments

Attachment 2: Acting Chairman Saletnik Memo to Mayor and City Council

Attachment 3: Excerpt of Approved Minutes from the July 26, 2022 Planning and Zoning Board Meeting

Ordinance Z-25-22

STANDARDS FOR TEXT AMENDMENTS

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Text Amendment in terms of the following standards. Keep in mind that in responding to the questions below, you are demonstrating that the proposed text change is appropriate for the entire jurisdiction, not just a particular site. Please answer each question completely and thoroughly.

1. Is the proposed amendment consistent with the goals, objectives, and policies of the Comprehensive Plan? *Yes it is. The code currently does not specify fully fenced back yard usage and storage*
2. Is the proposed amendment compatible with current conditions and the overall character of existing development? *Yes. the amendment will clarify back yard usage + storage in C-3 areas and for conditional use properties*
3. Is the proposed amendment appropriate considering the adequacy of public facilities and services available to the subject property? *Yes. The amendment will eliminate confusion regarding back yard storage/usage and unnecessary ticketing / waste of Village resources*
4. Will the proposed amendment have an adverse effect on the value of properties throughout Des Plaines?
No. It will improve the value
5. Does the proposed amendment reflect responsible standards for development and growth?
Yes, by establishing firm regulation regarding back yard/storage use and eliminating waste of Village resources + time.



July 27, 2022

Mayor Goczkowski and Des Plaines City Council
CITY OF DES PLAINES

Subject: Planning and Zoning Board, 1628 Rand Road, Case 22-024-TA-CU-V, 1st Ward
RE: Consideration of Requests for Text Amendment, Conditional Use Amendment, and Major Variations

Honorable Mayor and Members of the Des Plaines City Council:

The Planning and Zoning Board (PZB) held a public hearing on July 26, 2022 for requests associated with an existing trade contractor use located at 1628 Rand Road. Petitioners, Granite Place & Quartz, LLC and Cabinet Land Kitchen & Bath Corporation, are requesting the following: (i) a text amendment to Section 12-7-3.F.5 of the Zoning Ordinance to allow the outdoor display of finished products in the C-3 General Commercial district where such outdoor displays are not currently allowed; (ii) an amendment to the existing Conditional Use permit for a trade contractor use at 1628 Rand Road to allow the outdoor display of finished products on the subject property; (iii) a Major Variation from Section 12-11-6.B to allow a total wall sign area for a single building of 236 square feet, where the maximum is 125 square feet; (iv) a Major Variation from Section 12-11-6.B to allow an electronic message board (EMB) sign located approximately 189.5 feet away from a residence in the R-1 district, where a minimum 250 feet is required; and (v) a Major Variation from Section 12-11-6.B to allow an EMB sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an EMB.

Written summaries of the petitioner's and staff's presentations; evidence presented and public comment offered; Board discussion and votes are included in the Board's meeting minutes from the July 26 PZB meeting. Ultimately, the Board considered the evidence presented and the statements in the case materials for each of the five requests individually. The first was in regard to the text amendment to allow outdoor displays of finished products. While the language and scope of the presented text amendment focused around finish product displays, the petitioners expressed interest in an allowance for storage of products as well. The conversation between staff, the petitioners, and the PZB led into a discussion of necessary revisions to the proposed text amendment to capture both requests of the petitioners. The end result yielded language changes and additions to the proposed text amendment to allow both outdoor storage and outdoor displays of products for trade contractor uses pursuant to a conditional use permit and certain conditions and restrictions. The PZB voted 4-0 to recommend approval of the text amendment as revised.

The PZB then considered the proposed amendment to the existing conditional use—which currently prohibits outdoor displays and storage of any kind on the subject property—along with the recommended conditions from staff. A discussion occurred over the proposed location of the outdoor display/storage area on the subject property as this was not identified on the Site Plan provided by the petitioners. The petitioners confirmed that all products displayed outside would be within a fenced in area out of view from surrounding properties. The PZB determined that if the products were displayed/stored in an enclosed space on the subject property, that the specific area did not need to be identified and that the recommended condition requiring this to be labeled on the Site Plan was unnecessary. Ultimately, the PZB retained one of the four recommended conditions from staff—requiring all proposed improvements to be in full compliance with all applicable code and ordinances—in their 4-0 vote to recommend approval of the Conditional Use Amendment.

The PZB considered the major variation requests regarding signs through a review of existing code regulations from staff and hearing testimony from the petitioners, starting with the request to allow 236-square feet of building sign area where a maximum of 125-square feet is allowed. The PZB considered how the installed wall sign could be altered to meet the requirements and the rationale for size of the two installed wall signs, especially the wrap around sign fronting Rand Road and Groove Avenue. Ultimately, the PZB voted 3-0 to recommend approval of the major variation request for building sign area.

The second variation is related to the required setback of the proposed electronic message board (EMB) sign on the existing pole sign located on the subject property. The PZB considered alternative placements of the pole sign—currently setback approximately 189.5-feet from the nearest residence—to meet the minimum 250-foot-setback requirement and heard testimony from a resident who had concerns about seeing the EMB sign from her rear yard. Based on the findings that the pole sign faces are directed east and west and the impacted properties are located north, the PZB determined that the proposed EMB sign would not negatively impact surrounding residences and voted 4-0 to recommend approval of the variation request for the EMB sign setback.

The third variation is related to the total area of the proposed EMB sign in proportion to the total pole sign area. Staff, PZB members, and the petitioner discussed in the differences between static sign and EMB sign in relation to their characteristics and potential effect on motorists, pedestrians, and residents. Some concerns were expressed regarding the potential adverse effects of a pole sign with 100-percent EMB and if the subject property was unique as compared to other commercial properties in Des Plaines to warrant such a request. Ultimately, the PZB voted 2-2 on a motion to recommend approval of the EMB sign area request. However, per the City Code (2-2-3.D: Necessary Vote), this outcome does not amount to an affirmative vote of a majority of the appointed members and is therefore a *recommendation to deny* the requested EMB sign area request. However, pursuant to the Zoning Ordinance (12-3-7.D.4: Action by City Council), the Council has the final authority on the request.

Respectfully submitted,



Paul Saletnik,
Des Plaines Planning and Zoning Board, Acting Chairman

Cc: City Officials/Aldermen



DES PLAINES PLANNING AND ZONING BOARD MEETING
July 26, 2022
MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, July 26, 2022, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Vice Chair Saletnik participated by telephone and read the following statement:

Pursuant to the emergency procedures of the Open Meetings Act, the Vice Chair declares that a “bona fide” emergency exists because of a recent COVID-19 diagnosis of one of the Public Body members necessary to establish a quorum. As a result, this meeting is being conducted in person and remotely. The meeting venue will accommodate remote participation such that all discussion and votes may be heard by both in-person and remote participants. All votes this evening will be taken by roll call. The City has made all reasonable efforts to publicize this declaration.

Vice Chair Saletnik called the meeting to order at 7:02 p.m. and roll call was established.

PRESENT: Weaver, Veremis, Hofherr, Saletnik (phone)

ABSENT: Szabo, Weaver, Fowler, Catalano

ALSO PRESENT: John Carlisle, AICP, Director of Community & Economic Development
Jonathan Stytz, AICP, Senior Planner
Laura Fast/Deputy Clerk, Recording Secretary

A quorum was present.

Vice Chair Saletnik requested a nomination to appoint a Chairman Pro-Tem for this evening’s meeting.

A motion was made by Board Member Weaver, seconded by Board Member Hofherr to appoint Member Veremis as the Chairman Pro-Tem for this evening’s meeting.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Weaver to approve the meeting minutes of June 14, 2022.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to approve the meeting minutes of June 28, 2022.

AYES: Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: Weaver

PUBLIC COMMENT ON NON-AGENDA ITEM.

There was no public comment.

Pending Applications

1. Address: 1628 Rand Avenue

Case Number: 22-024-TA-CU-V

The petitioner requests the following items: (i) a text amendment to Section 12-7-3.F.5 to allow the outdoor display of finished products in the C-3 General Commercial district where such outdoor displays are not currently allowed; (ii) an amendment to the existing Conditional Use permit for a trade contractor use at 1628 Rand Road to allow the outdoor display of finished products on the subject property; (iii) a Major Variation from Section 12-11-6.B to allow a total wall sign area for a single building of 236 square feet, where the maximum is 125 square feet; (iv) a Major Variation from Section 12-11-6.B to allow an electronic message board (EMB) sign located approximately 189.5 feet away from a residence in the R-1 district, where a minimum 250 feet is required; (v) a Major Variation from Section 12-11-6.B to allow an EMB sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an EMB.

PIN: 09-16-104-022-0000

Petitioner: Granite Place & Quartz, LLC and
Cabinet Land Kitchen & Bath Corporation,
2020 Berry Lane, Des Plaines, IL 60018

Case Number: #22-024-TA-CU-V

Ward Number: #1, Alderman Mark Lysakowski

Existing Zoning: C-3, General Commercial District

Surrounding Zoning: North: R-1, Single-Family Residential district
South: C-3, General Commercial district
East: C-1, Neighborhood Shopping district
West: C-3, General Commercial district

Surrounding Land Uses: North: Single-family detached homes
South: Fuel Station/Dentist Office/Vacant Building
East: Office Building
West: Religious Institution

Street Classification: Rand Road is a minor arterial and Grove Avenue is a local street.

Comprehensive Plan :

The Comprehensive Plan illustrates the property as commercial

Property/Zoning History: Based on City records, the subject property was annexed into the City in 1965. A conditional use was approved in 2021 through Ordinance Z-36-21 to permit a trade contractor use at this address. Since then, there have been code enforcement warnings issued to this property for outdoor storage and various work done without permits, including, but not limited to, the installation of fencing, awning, signs, and parking lot paving and stripping. However, the applicant has been working with the City to resolve outstanding issues and to address the outstanding code violations. This application is part of the resolution.

TEXT AMENDMENT

Project Description: The Zoning Ordinance currently does not allow outdoor storage or display in the C-3 General Commercial district, in particular for the types of products that might be displayed by a trade contractor. Thus, the first portion of the petitioner’s proposal consists of the attached Proposed Text Amendment to Section 12-7-3.F.5 of the Zoning Ordinance under Standards for Site Plan Review to allow for the display of finished products and fabricated goods on a C-3-zoned property. The petitioner has worked diligently with staff to construct these text amendments in an effort to make outdoor display areas an impactful improvement to trade contractor properties on C-3-zoned properties throughout the City while also ensuring it is designed appropriately to meet the overarching principals of the Zoning Ordinance.

First, the proposed text amendment limits the allowance of outdoor display areas to trade contractor uses with an active business license and a conditional use permit. Since trade contractor uses are only permitted in the C-3 district through a conditional use permit, this would require businesses classified as trade contractor uses (who are interested in installing outdoor displays on their site) to indicate on the proposed Site Plan the location, quantity, and type of outdoor display on a given C-3-zoned property and allow decision makers to determine the practicality and scale of outdoor display areas based on the property’s development, size, location, etc. In addition, outdoor displays on properties with a trade contractor use would be governed by certain general conditions and restrictions—beyond the conditions in a conditional use ordinance—related to location, height, screening, and type of outdoor displays, to ensure that they do not create adverse effects on the subject property or surrounding properties. Outdoor displays would be required on dust-free hard surfaces and would not be permitted within required yards in an effort to prevent outdoor displays from being directly at property lines of neighboring properties.

Moreover, outdoor displays would be limited to eight in height and required to be fully screened by an eight-foot-tall, opaque fence to reduce adverse impacts from neighboring properties, especially when the subject property abuts a residential district. As Section 12-7-3.F.5 already requires properties in the C-3 zoning district to install eight-foot-tall fencing on property lines abutting residential districts, this regulation would be consistent with the intent of the Zoning Ordinance. Finally, the type of outdoor display materials would be regulated to allow only prefabricated finished products to be displayed and prohibiting raw materials or any other materials utilized for the manufacturing, processing or assembly of products from being located outside. The intent is to distinguish “outdoor display” from “open storage,” which is currently only possible in the M-2 General Manufacturing District (see Section 12-7-4). The attached Proposed Text Amendment provides all suggested changes for the allowance of outdoor displays.

CONDITIONAL USE AMENDMENT

Project Description: The following description and analysis assumes approval of the requested amendments as submitted.

The petitioner is requesting an amendment to the existing Conditional Use permit approved in 2021 through Ordinance Z-36-21, which allowed a trade contractor use to operate on subject property. The requested amended approval would remove the condition prohibiting the outdoor storage of fabricated goods on the property. However, if the proposed text amendment is approved, the petitioner proposes to utilize an outdoor portion of the subject property for storage of business products, processing business orders, and as a staging area for incoming and outgoing orders. The attached Site Plan, which was recently approved through a building permit in February 2022, does not specifically identify the area(s) intended for the outdoor display or storage of finished products for this use. Thus, staff recommends a condition that the Site Plan is revised to identify the area(s) on site designed for this purpose prior to the City Council meeting for additional clarity. Because the petitioner's request may differ from staff's recommendation, it is important the Board ask the petitioner to explain clearly what they want to do and why they would not want to be bound to a specific location on site and quantity of outdoor display. It is also important to note that the existing conditions on site do not match the improvements provided on the approved building permit Site Plan. Consequently, staff has added a separate condition that the improvements shown on the approved Site Plan are installed on the subject property if the conditional use amendment is approved.

VARIATIONS

Request Summary: The petitioner's project narrative requests several variations related to signs. The first variation relates to total wall sign area, specifically wall signs totaling 236 square feet in area, that have been installed without a permit and exceed the maximum sign area allowed for the entire building.

Pursuant to Section 12-11-6.B of the Zoning Ordinance: *"The total sign area (including the area of any awning or canopy signs) permitted on any street facing elevation shall not exceed 3 sq. ft. per linear foot of horizontal building face. The total sign area (including the area of any awning or canopy signs) permitted on an entire building (including all elevations) shall not exceed 125 sq. ft. unless such building is a shopping center or office building containing three or more businesses."*

As the existing building does not meet the definition of a shopping center – at least three tenant spaces are required – or office building, it is limited to a total of 125 square feet for the entire building (including all elevations). The petitioner's request to allow almost double the sign area does not meet the sign code requirements and requires a major variation.

The other two variation requests relate to an existing pole sign structure along the southern property line near the southwest corner of the property and at the Rand Road frontage. There is currently no sign installed on the existing pole but rather the framing of the pole sign structure with exposed electrical and internal sign cabinet components. Nonetheless, the petitioner intends to repurpose this pole sign structure with a new electronic message board (EMB) sign. EMB signs and regulations are discussed in Sections 12-11-5.G and 12- 11-6.B of the Zoning Ordinance. However, the two EMB sign regulations in conflict with the petitioner's proposal are noted below pursuant to Section 12- 11-6.B:

1. Location: The animated face of an electronic message board sign shall be a minimum of 250 feet away from a residence in the R-1, R-2, and R-3 Residential Districts and shall be arranged to prevent direct glare onto any adjacent properties.
2. Electronic message boards shall not exceed 50% of the total sign area.

As the existing pole sign structure is located approximately 189.5 feet from the nearest residence in the R-1 district, just north of the subject property, it does not meet the minimum setback distance required. Moreover, the petitioner’s proposal includes an EMB that would equal 100 percent of the pole sign area, double the 50 percent maximum sign area permitted for EMBs in pole signs. As such, two separate major variation requests are necessary for the EMB sign setback distance and area in relation to the total pole sign area.

The petitioner’s requested variations are summarized in the table below.

Regulation Type	Requirements	Proposal
Total sign area (wall, awning, and canopy signs) allowed for Entire Building	125 sq. ft. maximum	236 sq. ft.
Setback Distance for EMB signs from a residence in the R-1, R-2, and R-3 districts	250 feet minimum	189.50 feet
Area allowed for EMB portion for Pole Signs (%)	50% maximum	100%

Standards for Text Amendment:

The following is a discussion of standards for zoning amendments from Section 12-3-7(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own. See also the petitioner’s responses to standards.

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the City Council;

Comment: The 2019 Comprehensive Plan identifies restrictions on the permanent sale or display of merchandise for C-3-zoned properties, so the proposed text amendment could be utilized to build off this allowance and further clarify the use of merchandise displays for these properties. The proposed text amendment provides an allowance for trade contractor uses that have products to display but do not necessarily have the indoor space to display their products. This allowance lessens restrictions for these types of uses in an effort to support existing trade contractor uses and foster a more business-friendly environment.

PZB Additions or Modifications (if necessary): _____.

2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development;

Comment: Amending the regulations to allow outdoor displays of finished products would be compatible with current conditions across the City, as many trade contractor uses and similar uses in the C-3 district have showrooms where finished products are on display for purchase. This allowance is tailored for trade contractor uses and specifically restricted in order to be consistent with the character of area for which the property is located in.

PZB Additions or Modifications (if necessary): _____.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property;

Comment: The proposed amendments are not anticipated to impact public facilities and available services but rather enhance existing trade contractor uses in Des Plaines. This new allowance may also result in the rendition of new trade contractor uses that can, in return, provide additional services to residents.

PZB Additions or Modifications (if necessary): _____.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and

Comment: All proposed amendments as written for a specific use with specific restrictions is meant to complement existing properties and be design in a way to have little to no adverse effect on property values throughout the City. All outdoor displays will be screened from all property lines and positioned away from property lines to be less noticeable and less likely to impact neighboring property values.

PZB Additions or Modifications (if necessary): _____.

5. Whether the proposed amendment reflects responsible standards for development and growth.

Comment: The proposed text amendments work toward responsible standards for development and growth by addressing concerns of existing trade contractors and, in return, allowing them to provide additional services to residents. The new allowance attempts to provide a balance between trade contractor needs and the City's desire to foster a business-friendly environment.

PZB Additions or Modifications (if necessary): _____.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Des Plaines Zoning Ordinance. The petitioner seeks to amend the existing conditional use for the sole purpose of striking a condition in the conditional use prohibiting the storage or display of finished products on the subject property. If this conditional use amendment is denied, the petitioner will not lose the entitlement of Ordinance Z-36-21 but will be required to continue to adhere to all the conditions, notably the prohibition of storing or displaying any materials, including their fabricated and finished products.

The petitioner's rationale for how the conditional use amendment would satisfy each of the standards is attached. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own. The standards that should serve as the basis of findings are the following:

1. The proposed conditional use is in fact a conditional use established within the specific zoning district involved;

PZB Additions or Modifications (if necessary): _____.

2. The proposed conditional use is in accordance with the objectives of the city's comprehensive plan and this title;

PZB Additions or Modifications (if necessary): _____.

3. The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and character of the general vicinity;

PZB Additions or Modifications (if necessary): _____.

4. The proposed conditional use is not hazardous or disturbing to existing neighboring uses;

PZB Additions or Modifications (if necessary): _____.

5. The proposed conditional use is to be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or the persons or agencies responsible for establishment of the proposed conditional use shall provide adequately any such services;

PZB Additions or Modifications (if necessary): _____.

6. The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community;

PZB Additions or Modifications (if necessary): _____.

7. The proposed conditional use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

PZB Additions or Modifications (if necessary): _____.

8. The proposed conditional use provides vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares;

PZB Additions or Modifications (if necessary): _____.

9. The proposed conditional use does not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance; and

PZB Additions or Modifications (if necessary): _____.

10. The proposed conditional use complies with all additional regulations in this title specific to the conditional use requested.

PZB Additions or Modifications (if necessary): _____.

Variation Standards: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Staff has the following individual comments for each variation request based on the standards. The PZB may use staff comments, the petitioner's response, or state their own comments as rationale for their decision.

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

a. Comment: Staff does not see a hardship or practical difficulty preventing the petitioner from complying with the maximum total building sign area requirements for several reasons. First, the subject property is located on a corner and fronts two separate streets, allowing additional visibility than interior lots. Wall signs on street-facing elevations are allowed an area of up to three square feet of sign area per linear foot of building frontage provided that the total sign area does not exceed 125 square feet for the entire building (all elevations). Furthermore, the maximum 125-square-foot sign area restriction for the entire building is more than sufficient to advertise all aspects of the business activity on site, allowing for up to two wall signs on street-facing elevations (this building fronts two streets and is allowed up to four building signs). Finally, the wrap-around sign straddling two building elevations is not consistent with existing signs in Des Plaines or the character of the area.

b. Some argument could be made for the requested EMB sign distance-from-residential variation, as the sign faces would face Rand Road, not the residences within 250 feet of the EMB sign. The pole sign could be relocated, but given the property characteristics, it may be difficult for the property owner to meet the minimum setback distance for EMB sign given the property's close proximity to the R-1 district.

c. Staff does not see any hardship or practical difficulty regarding the adherence of the maximum EMB sign area regulation, which restricts the EMB portion of the sign to 50 percent of the total sign area. While the petitioner is attempting to repurpose an existing pole sign structure, there is opportunity to install a smaller EMB portion than what is proposed to effectively advertise the property and still meet the code requirement. As the petitioner has not provided an adequate description of this request or justification on how this variation request meets the standards, this request appears to merely be a convenience for the property owner, not a hardship.

PZB Additions or Modifications (if necessary): _____.

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

a. Comment: The lot is irregular in shape, which forms some basis for the EMB-distance request; perhaps if the lot were more regularly shaped at its north end, sufficient distance would be present. Further, the sign frieze of the single-story building is "tight" in the sense that it does not seem to provide a lot of opportunity for traditional commercial wall signs (e.g. channel letter signs, box signs).

b. On the other hand, as the building has a large frontage on two separate streets, its visibility from the street is larger than it would be for many other properties in Des Plaines. In fact, many properties in the C-3 zoning district are smaller in size than the subject property and only front one street so the subject property's size and positioning is more of an advantage than a detriment or unique physical condition as compared to other C-3-zoned lots in Des Plaines. In particular, a sign that is half EMB, half static panel would seem to be quite visible from Rand Road. The Board may wish to ask the petitioner to explain why the sign must be 100% EMB based on uniqueness of the lot, the Rand Road frontage, or any issue.

PZB Additions or Modifications (if necessary): _____.

3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

a. Comment: While the subject property's location, size, and development may not be a result of any action or inaction of the property owner, the subject property was purchased with these attributes and conditions being pre-existing. The wall signs that are the subject of the variation request to allow 236 square feet of sign area where a maximum of 125 square feet is allowed were installed on the building without proper permitting. Thus, this variation request is the direct result of an action of the property owner who wishes to keep the wall signs already installed on the structure for convenience and additional advertising purposes. In addition, the large building frontage and existing pole sign structure alone provide more than adequate advertising potential for this property within the confines of the Zoning Ordinance.

PZB Additions or Modifications (if necessary): _____.

4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

a. Comment: Staff's review has concluded that carrying out the strict letter of this code for signage does not deprive the property owners of substantial rights. First, there is ample room on site and allowances in the Zoning Ordinance to allow adequate advertising of the site, arguably more than other C-3-zoned properties in this area. Second, there are other C-3-zoned properties that are close to or directly abut R-1, R-2, and R-3 residential districts, limiting their ability to install an EMB sign. Finally, while EMB signs are prevalent in Des Plaines the request for a 100% EMB sign is not. In staff's opinion, restricting the property owner to applicable code requirements for all three sign-related variation requests does not infringe on the property owner's ability to advertise their business as other businesses are also restricted to these same regulations.

PZB Additions or Modifications (if necessary): _____.

5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.

a. Comment: The approval of any of the wall sign and 100%-EMB variations would result in signage that is not consistent with the character of the area or the intention of the Zoning Ordinance. As the purpose of the sign rules is to allow a balanced amount of advertising for all businesses, the approval of the excessive signage proposed in this application, would not meet this intention. The Board may consider whether all of the signage together goes beyond getting motorists attention to being distracting.

PZB Additions or Modifications (if necessary): _____.

6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.

a. Comment: On one hand, the property owner has made substantial improvements to the site that match the type of development the Zoning Ordinance and Comprehensive Plan want to encourage. The investment has been substantial and now a new business exists on a previously vacant site, generating tax revenue and improving the Rand corridor overall. For this, the petitioner is worthy of praise.

b. However, the proposed signage, some of which was already installed without permits, may actually detract from this investment. In fact, it seems in conflict with the Zoning Ordinance intentions to: (i) provide reasonable yet appropriate conditions for identifying businesses and services rendered in commercial, institutional, and industrial areas (the proposal represents an overabundance of signage that is more excessive and incongruous with surrounding development than attractive in appearance); and (ii) reduce traffic hazards by restricting signs and lights which exceed a viewer's capacity to receive information or which increases the potential for accidents created by signage which distracts or obstructs a viewer's vision (the EMB sign comprising the entire sign face in and of itself would be a direct distraction and safety hazard for motorists and pedestrians alike).

c. For these reasons, there are reasonable options for redesigning or reducing the proposed signage – the wall signage down from 236 square feet and the pole sign at less than 100% of the sign panel – to effectively advertise the site without needing relief from three separate sign regulations.

PZB Additions or Modifications (if necessary): _____.

7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

a. Comment: There are multiple alternatives to the sign-related variations requested by the petitioner. As mentioned above, the code allows street-facing wall signs an area of up three- square feet of area for every linear foot of building frontage, provided that the total sign area does not

exceed 125 square feet. The fact that the building fronts two streets and is larger in size, the available sign area allowed for this property is the maximum 125-square-foot sign permitted by code and can be split up across multiple building elevations providing additional visibility. It is also important to note that EMB signs are a convenience—not a necessity—to effectively advertise a site, meaning that a 100% static sign or 50% static sign with a 50% EMB sign would still provide the adequate identification, advertising, and communication within the community. The Board may wish to ask the petitioner to explain if they have explored or implemented alternatives to reduce the existing wall signage and repurpose or replace the pole sign structure.

PZB Additions or Modifications (if necessary): _____.

8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.

a. Comment: Regarding the EMB distance from residential, the relief is minimal in staff's opinion. However, the wall sign area and EMB percentage requests may exceed the minimum relief needed. The petitioner could consider the multiple alternatives to redesign the proposed signage to provide advertising that is tasteful, balanced, and better aligns with the principals of the Zoning Ordinance.

b. For this reason, the Board may consider that it under Section 12-3-6.I, "The reviewing authority may grant variations less than or different from that requested when the record supports the applicant's right to some relief but not to the entire relief requested."

PZB Additions or Modifications (if necessary): _____.

PZB Procedure and Recommended Conditions: Under Section 12-3-4.F of the Zoning Ordinance (Conditional Uses), Section 12-3-6.G of the Zoning Ordinance (Major Variations), and Section 12-3-7 of the Zoning Ordinance (Amendments), the PZB has the authority to recommend approval, approval subject to conditions, or denial the requests. The City Council has the final authority.

The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-4.E (Standards for Conditional Uses), Section 12-3-6.H of the Zoning Ordinance (Standards for Variations), and Section 12-3-7.E. of the Zoning Ordinance (Findings of Fact for Amendments) as outlined in the Zoning Ordinance. The PZB should take two motions to consider each request individually. First, the Board should consider the text amendments, which may be recommended for approval as submitted, approval as revised, or denial.

Second, based on the outcome of the first motion, the Board can consider a recommendation regarding the conditional use request. Third, the Board can take a motion on its recommendation regarding the variation requests; these are not connected to the text amendment and can be considered regardless of its outcome.

Should the PZB recommend approval or approval with modifications of the conditional use and major variations, staff suggests the following conditions:

Recommended Conditions of Approval:

1. The petitioner shall implement all site improvements shown on the approved Site Plan attached with permit #2021-07000329 approved on February 22, 2022.
2. The petitioner shall add to the site plan to show and label how much/how many products will be displayed outdoors and within which area(s) of the site, prior to consideration of the City Council.
3. The required 3-foot-wide landscape bed, populated with shrubs and perennials, shall be installed around the base of the new EMB pole sign and maintained in accordance with all applicable City of Des Plaines codes.
4. All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.

Chair Veremis swore in Petitioner Urszula Topolewicz, 2020 Berry Lane, Des Plaines, IL 60018.

Chair Veremis swore in the Petitioner's Attorney for Art Investment, LLC, Joanna Klimek, 6444 N Milwaukee, Chicago, IL 60631.

Attorney Klimek explained that the petitioners previous conditional use agreement stated that there would be no outdoor storage. The outdoor area is used for storage and display of granite and is an essential part of their business. It is not possible to store all the product inside. The petitioner received a violation for storing racks outside and is therefore seeking a text amendment to allow this on site.

Board Member Hofherr expressed his concern that violations have been issued to the business.

Chair Veremis asked the petitioner if she was aware of the conditional use previously agreed to regarding outdoor storage.

Petitioner Topolewicz stated that she was not represented during the last conditional use hearing and did not understand the restrictions. At their previous business location in Schiller Park there were no restrictions. The property has been significantly improved. The reason that they are seeking a text amendment is to have flexibility to relocate the racks where they need to around the lot. Sometimes product comes in and is not unloaded right away.

Chair Veremis swore in Petitioner Peter Topolewicz, 2020 Berry Lane, Des Plaines, IL 60018.

Petitioner Topolewicz stated that he installed an eight (8) foot fence around the parking lot with a gate. The entire area is restricted from the view of the public. Mr. Topolewicz stated that the parking lot will be paved and possibly a loading dock will be added in the future.

Member Saletnik stated that he does not want product stored all over the lot where it can be seen from the street.

Senior Planner Stytz reviewed the proposed text amendments that would allow this use and yet tailor the amendments to place restrictions on certain types of uses.

Community Development Director Carlisle explained that outdoor storage is not allowed in the C-3 district therefore, a text amendment is required.

Discussion ensued whether the outdoor product should be classified as storage or display.

Petitioner Topolewicz explained that all polishing, cutting, and fabrication is done indoors.

Member Weaver agreed to the outdoor storage if it was temporary.

Member Saletnik requested that a site plan should be provided that designates areas where items will be stored.

Attorney Klimek stated that they don't want restrictions as to where items are stored. During different times of the year items are stored differently.

Community Development Director Carlisle amended the proposed language to replace "outdoor display of finished products" to "outdoor storage and display of finished products." The amendment was read aloud.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve a revised zoning text amendment, as read by Community Development Director Carlisle, to allow the outdoor storage and display of finished products on the subject property.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

Senior Planner Stytz reviewed the petitioners request for an amendment to the existing conditional use permit for a trade contractor use to allow the outdoor display of finished products on the subject property.

Member Saletnik requested a revised site plan.

Attorney Klimek stated that a specific site plan is difficult because items are stored in different locations as product is delivered.

Members agreed that if all product is behind the fence a site plan is not necessary.

Member Weaver proposed to approve the conditional use amendment with only condition number four (4) as a condition of approval.

Community Development Director Carlisle stated that condition number one (1) is to reinforce fulfilling the building permit; however, fulfilling the project can still be enforced and the condition is not necessary.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve the conditional use with condition number four and to remove the condition of prohibiting outdoor storage.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

Senior Planner Stytz reviewed the petitioners request for several variations related to signs.

Attorney Klimek explained that one building houses two businesses and the building fronts two streets. The wrap around sign is completely on the fascia board and totals 236 sq ft. There is a stand-alone sign on the Rand Street side and an existing pole and frame that the petitioner would like to use for an electronic message board.

Member Weaver expressed his concern that the variance is for almost twice the size of the City's requirement of a maximum sign requirement of 125 sq ft.

Chair Veremis would support the variance because of the uniqueness of two businesses in one building and fronting two streets.

Chair Veremis reviewed the petitioners request for a variance to operate an electronic message board sign approximately 189.5 feet from the nearest residence when the City code requires a minimum of 250 feet. The petitioner is also requesting an electronic message board when the City Code required that the sign electronic message board shall not exceed 50% of the total sign area.

Attorney Klimek explained that the electronic message board can be dimmed or shut-off at night and controlled better than a static sign.

Pam Kroschel, 310 Grove, Des Plaines, IL 60016 was sworn in. Ms. Kroschel lives four houses from the building and expressed her concern that bright lights from the message board may be flashing while she is in her backyard.

Senior Planner Stytz explained that both static and electronic message boards have a maximum brightness restriction.

Community Development Director Carlisle stated that a condition could be added with an hours of use restriction.

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to allow the 236 sq ft sign that is over the 125 sq ft sign.

AYES: Veremis, Saletnik, Hofherr

NAYES: Weaver

ABSTAIN: None

*****MOTION CARRIES *****

A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to allow an electronic message board to be located 189.5 feet from a residence, where a minimum 250 foot-set back is required.

AYES: Weaver, Hofherr, Saletnik, Veremis
NAYES: None
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to allow a major variation to allow an electronic message board sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an electronic message board.

AYES: Saletnik, Hofherr
NAYES: Weaver, Veremis
ABSTAIN: None

*****MOTION FAILED *****

Board Member Saletnik suggested that the petitioners produce more technical information regarding the proposed sign before this item goes to the City Council.

The Petitioners and Attorney Klimek left the meeting at 10:08 p.m.

New Business/Discussion

Community Development Director Carlisle reviewed a memorandum dated July 22, 2022. The issue is the Zoning Ordinance describes the process for whether the City should consider an application shortly after it has been denied (successive application). The PZB is given certain authority to make an important determination in the process.

Analysis: Section 12-3-1.B reads as follows:

“1. Second Applications Without New Grounds Barred: Whenever any application filed pursuant to this title has been denied on its merits, a second application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the official, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact occurred that significantly affected the prior denial.

“2. New Grounds To Be Stated: Any such second application shall include a detailed statement of the grounds justifying its consideration.”

The Ordinance goes on to state that after a period of 12 months since denial, there is no longer a requirement to state new grounds. Within the 12 months, however, the Ordinance is clear that a detailed statement is required to state the grounds. However, it does not define “substantial new evidence”; it allows the PZB to make that determination.

CITY OF DES PLAINES

ORDINANCE Z - 25 - 22

**AN ORDINANCE AMENDING SECTION 12-7-3 OF THE
DES PLAINES ZONING ORDINANCE REGARDING THE
OUTDOOR DISPLAY AND STORAGE OF PRODUCTS IN
THE C-3 GENERAL COMMERCIAL DISTRICT.**

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the "Des Plaines Zoning Ordinance of 1998," as amended ("**Zoning Ordinance**"), is codified as Title 12 of the City Code of the City of Des Plaines ("**City Code**"); and

WHEREAS, Granite Place & Quartz, LLC and Cabinet Land Kitchen & Bath Corporation (collectively, the "**Applicant**") operate trade contractor uses on the property commonly known as 1628 Rand Road, Des Plaines, Illinois ("**Property**"), which is located in the C-3 General Commercial District of the City ("**C-3 District**"); and

WHEREAS, the Applicant desires to store and display products outdoors on the Property; and

WHEREAS, the Zoning Ordinance does not allow outdoor display and storage of products in the C-3 District; and

WHEREAS, the Applicant has applied to the City for an amendment to Section 12-7-3.F.5 of the Zoning Code to allow trade contractor uses that have been approved pursuant to a conditional use permit to display and store products outdoors, subject to certain conditions and restrictions ("**Text Amendment**"); and

WHEREAS, a public hearing by the City Council ("**PZB**") to consider the Proposed Text Amendments was duly advertised in the *Des Plaines Journal* on July 6, 2022 and held on July 26, 2022; and

WHEREAS, on July 26, 2022, the PZB voted 4-0 to recommend approval of the Text Amendment; and

WHEREAS, the PZB forwarded its recommendations in writing to the City Council on July 27, 2022; and

WHEREAS, the City Council has considered the factors set forth in Section 12-3-7.E, titled "Standards for Amendments," of the Zoning Ordinance; and

Additions are bold and double-underlined; ~~deletions are struck through.~~

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Text Amendment and amend the Zoning Ordinance as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. FINDING OF COMPLIANCE. The City Council finds that consideration of the Text Amendments has complied with the provisions of Section 12-3-7 of the Zoning Ordinance.

SECTION 3. COMMERCIAL DISTRICTS REGULATIONS. Section 12-7-3, titled "Commercial Districts Regulations," of Chapter 7, titled "Districts," of the Zoning Ordinance is hereby amended to read as follows:

"12-7-3: COMMERCIAL DISTRICTS REGULATIONS:

* * *

F: C-3 General Commercial District:

* * *

5. Standards For Site Plan Review:

a. Front Yards: No front yard shall be used for the permanent sale or display of merchandise. The temporary seasonal sale or display of merchandise shall not encroach into areas of required parking unless permitted by the zoning administrator pursuant to section 12-8-11, "Temporary Uses", of this title.

b. Lights: If the premises abuts a residential district, lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon such abutting residential district.

c. Fencing: If the premises abuts a residential district or use, a solid opaque view screen fence, eight feet (8') in height, shall be provided upon the premises along each property line abutting such residential district or use.

d. Outdoor display and storage of products: For properties utilized by a trade contractor use with an active business license and pursuant to a conditional use permit, finished or prefabricated products related to such use may be stored or displayed outdoors, subject to the following conditions and restrictions:

i. Products may not be stored or displayed outdoors within any required yard.

Additions are bold and double-underlined; ~~deletions are struck through.~~

- ii. Products must be fully screened with an eight-foot tall, solid, opaque fence.
- iii. For the purposes of this Section 12-7-3.F, “finished or prefabricated products” means products ready for sale to an end user. Raw or landscape materials, or materials utilized for the manufacturing, processing or assembly of products, are not permitted to be stored or displayed outdoors.
- iv. Products, either cumulatively or individually, and including the racks or structures used to display the products outdoors, may not exceed eight feet in height.
- v. Products stored or displayed outdoors must be located on a paved, dust-free hard surface; provided, however, products and associated storage racks may not reduce, block, or otherwise interfere with parking lot drive aisles and off-street parking spaces.

* * *

SECTION 4. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

[SIGNATURE PAGE FOLLOWS]

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Amending the Zoning Code Regarding Outdoor Storage & Displays of Finished Products for Trade Contractor uses

Additions are bold and double-underlined; ~~deletions are struck through.~~



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: August 25, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community & Economic Development *JTC*
Jonathan Stytz, AICP, Senior Planner *JS*

Subject: Consideration of Major Variations for Building Sign Area and Electronic Message Board (EMB) Location and Area

Issue: The petitioner requests the following items: (i) a Major Variation from Section 12-11-6.B to allow a total wall sign area for a single building to be 236 square feet, where the maximum is 125 square feet; (ii) a Major Variation from Section 12-11-6.B to allow an electronic message board (EMB) sign located approximately 189.5 feet away from a residence in the R-1 district, where a minimum 250 feet is required; and (iii) a Major Variation from Section 12-11-6.B to allow an EMB sign to cover 100 percent of the total pole sign area, where a maximum 50 percent is allowed.

Address: 1628 Rand Road

Petitioners: Granite Place & Quartz, LLC and Cabinet Land Kitchen & Bath Corporation, 2020 Berry Lane, Des Plaines, IL 60018

Owner: Art Investment, LLC, 2020 Berry Lane, Des Plaines, IL 60018

Case Number: 22-024-TA-CU-V

PIN: 09-16-104-022-0000

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-3, General Commercial district

Existing Land Use: Retail Store and Trade Contractor for installation of products

Surrounding Zoning: North: R-1, Single-Family Residential district
South: C-3, General Commercial district

East: C-1, Neighborhood Shopping district
West: C-3, General Commercial district

Surrounding Land Use: North: Single-family detached homes
South: Fuel Station / Dentist Office / Vacant Building
East: Office Building
West: Religious Institution Office

Street Classification: Rand Road is a minor arterial and Grove Avenue is a local street.

Comprehensive Plan The Comprehensive Plan illustrates the property as commercial.

Zoning/Property History: Based on City records, the subject property was annexed into the City in 1965. A conditional use was approved in 2021 through Ordinance Z-36-21 to permit a trade contractor use at this address. Since then, there have been code enforcement warnings issued to this property for work done without permits, including wall signs. However, the applicant has been working with the City to resolve outstanding issues and to address the outstanding code violations. The City has paused enforcement to allow this petition to be decided by the City Council.

Variations

Project Summary: The petitioner’s project narrative requests several variations related to signs. The first variation relates to total wall sign area, specifically wall signs totaling 236 square feet in area, that have been installed without a permit and exceed the maximum sign area allowed for the entire building.

Pursuant to Section 12-11-6.B of the Zoning Ordinance: *“The total sign area (including the area of any awning or canopy signs) permitted on any street facing elevation shall not exceed 3 sq. ft. per linear foot of horizontal building face. The total sign area (including the area of any awning or canopy signs) permitted on an entire building (including all elevations) shall not exceed 125 sq. ft. unless such building is a shopping center or office building containing three or more businesses.”*

As the existing building does not meet the definition of a shopping center – at least three tenant spaces are required – or office building, it is limited to a total of 125 square feet for the entire building (including all elevations). The petitioner’s request to allow almost double the sign area does not meet the sign code requirements and requires a major variation.

The other two variation requests relate to an existing pole sign structure along the southern property line near the southwest corner of the property and at the Rand Road frontage. There is currently no sign installed on the existing pole but rather the framing of the pole sign structure with exposed electrical and internal sign cabinet components. Nonetheless, the petitioner intends to repurpose this pole sign structure with a new electronic message board (EMB) sign. EMB signs and regulations are discussed in Sections 12-11-5.G and 12-11-6.B of the Zoning Ordinance.

The two EMB sign regulations in conflict with the petitioner’s proposal are noted below pursuant to Section 12-11-6.B:

- Location: The animated face of an electronic message board sign shall be a minimum of 250 feet away from a residence in the R-1, R-2, and R-3 Residential Districts and shall be arranged to prevent direct glare onto any adjacent properties.
- Electronic message boards shall not exceed 50% of the total sign area.

As the existing pole sign structure is located approximately 189.5 feet from the nearest residence in the R-1 district, just north of the subject property, it does not meet the minimum setback distance required. Moreover, the petitioner’s proposal includes an EMB that would equal 100 percent of the pole sign area, double the 50 percent maximum sign area permitted for EMBs in pole signs. As such, two separate major variation requests are necessary for the EMB sign setback distance and area in relation to the total pole sign area.

Section 12-11-6.B requires that EMB signs have automatic dimming. Specifically, they should have “...light sensing devices or a scheduled dimming timer which automatically dims the intensity of the light emitted by the sign during ambient low light and nighttime (dusk to dawn) conditions. The signs shall not exceed 500 nits of intensity as measured at the sign surface during nighttime and low light conditions and 5,000 nits during daytime hours.” Staff would require a building permit submittal to demonstrate these specifications. In summary, the petitioner’s requested variations are below.

Regulation Type	Requirements	Proposal
Total sign area (wall, awning, and canopy signs) allowed for Entire Building	125 sq. ft. maximum	236 sq. ft.
Setback Distance for EMB signs from a residence in the R-1, R-2, and R-3 districts	250 feet minimum	189.50 feet
Area allowed for EMB portion for Pole Signs (%)	50% maximum	100%

PZB Recommendation and Conditions: The PZB held a public hearing on July 26, 2022 to consider the sign requests. Their rationale for their recommending votes is captured in the excerpt to the draft minutes of the July 26, 2022 meeting. The PZB made a motion for each request individually:

- Voted (3-1) to *recommend* that the City Council *approve* the total wall sign area request as presented to allow 236 square feet where a maximum of 125 square feet of sign area, including wall, canopy, and awning signs, is permitted;
- Voted (4-0) to *recommend* that the City Council *approve* the EMB sign setback request as presented, allowing the sign to be located approximately 189.5 feet from a residence where a minimum of 250 feet is required; and
- Voted (2-2) on a motion to *recommend* that the City Council approve the EMB sign area request as presented. Per the City Code, this vote results in a recommendation to *deny*.

Pursuant to Sections 12-3-4.D.4 and 12-3-7.D.4 of the Zoning Ordinance, the City Council may vote to approve, approve with modifications, or deny the requests. The Council has final authority over the major variation requests included with Ordinance Z-27-22.

Attachments:

Attachment 1: Location/Zoning Map

Attachment 2: Site and Context Photos

Attachment 3: ALTA/NSPS Land Title Survey

Attachment 4: Project Narrative

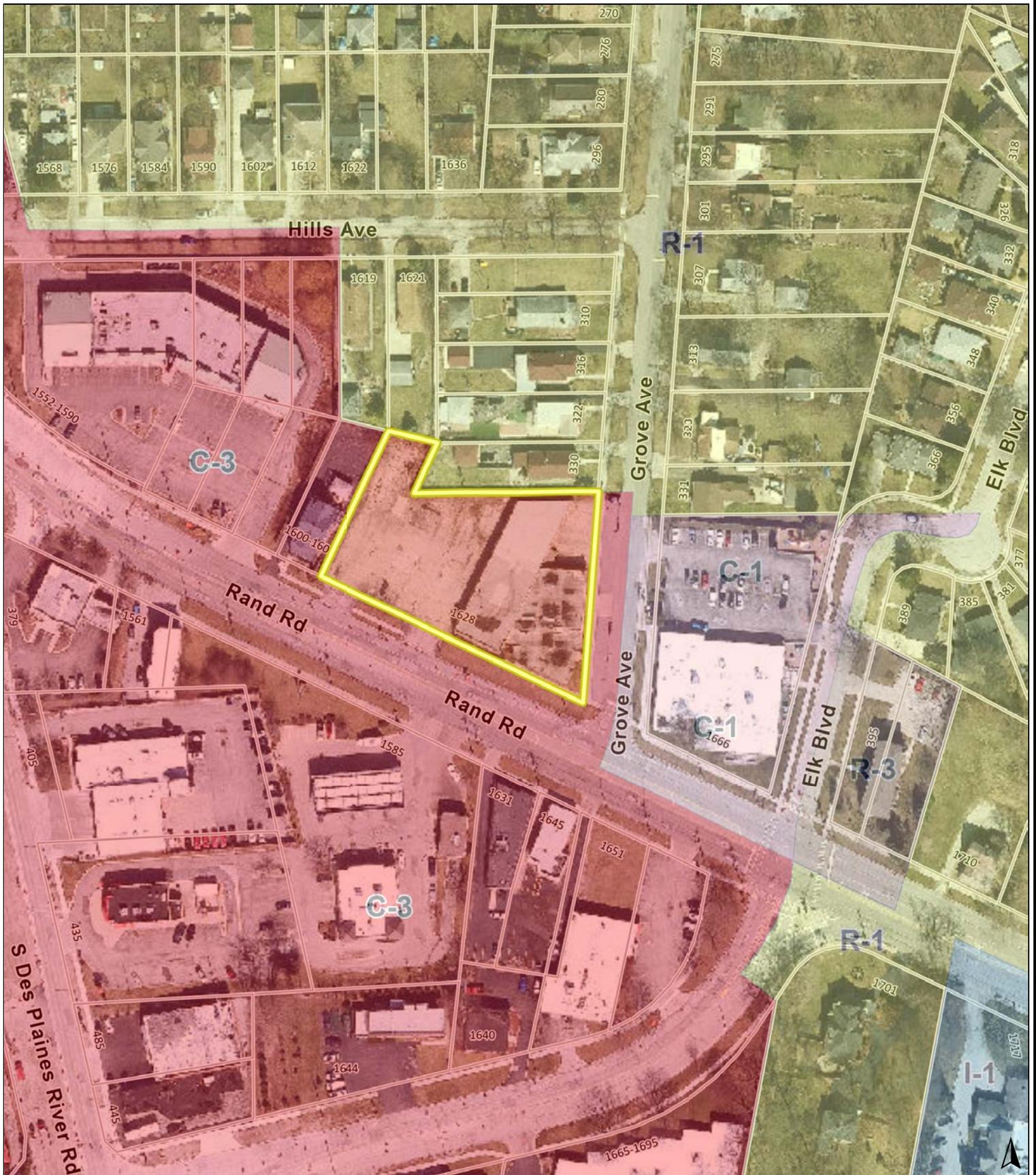
Attachment 5: Petitioner's Responses to Standards for Variations

Attachment 6: Acting Chairman Saletnik Memo to Mayor and City Council

Attachment 7: Excerpt of Approved Minutes from the July 26, 2022 Planning and Zoning Board Meeting

Ordinance Z-27-22

Exhibit A: Sign Photos and Renderings



Print Date: 7/22/2022

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. 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 base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



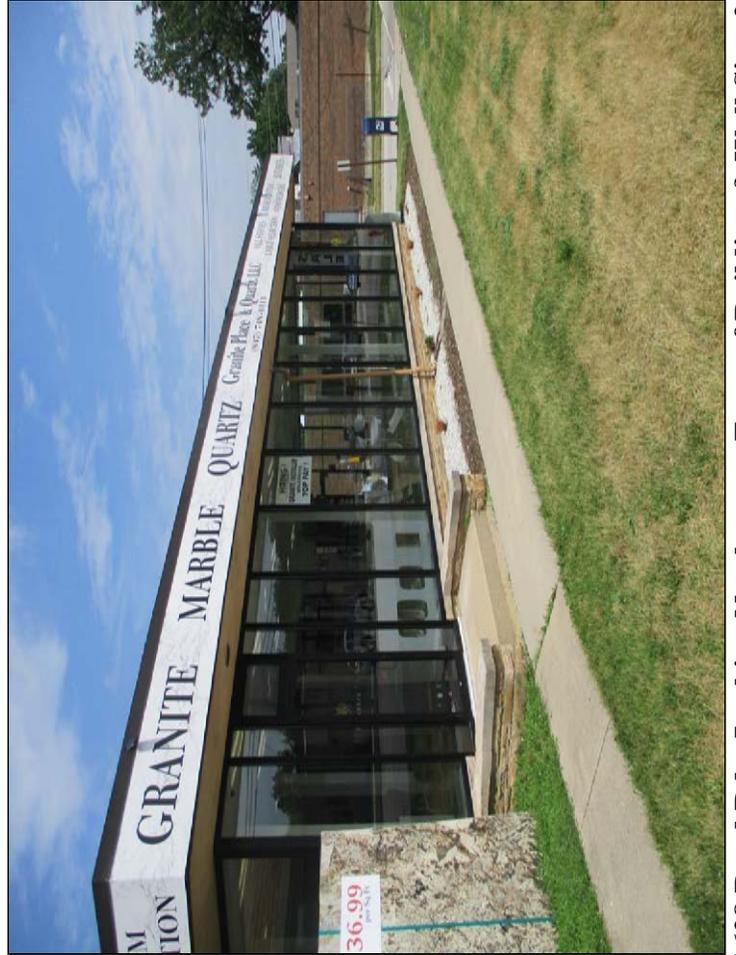
1628 Rand Rd – Public Notice & Front of Building



1628 Rand Rd – Looking Northwest at Parking Area & Pole Sign



1628 Rand Rd – Looking Northwest at Front of Building & Wall Sign 1



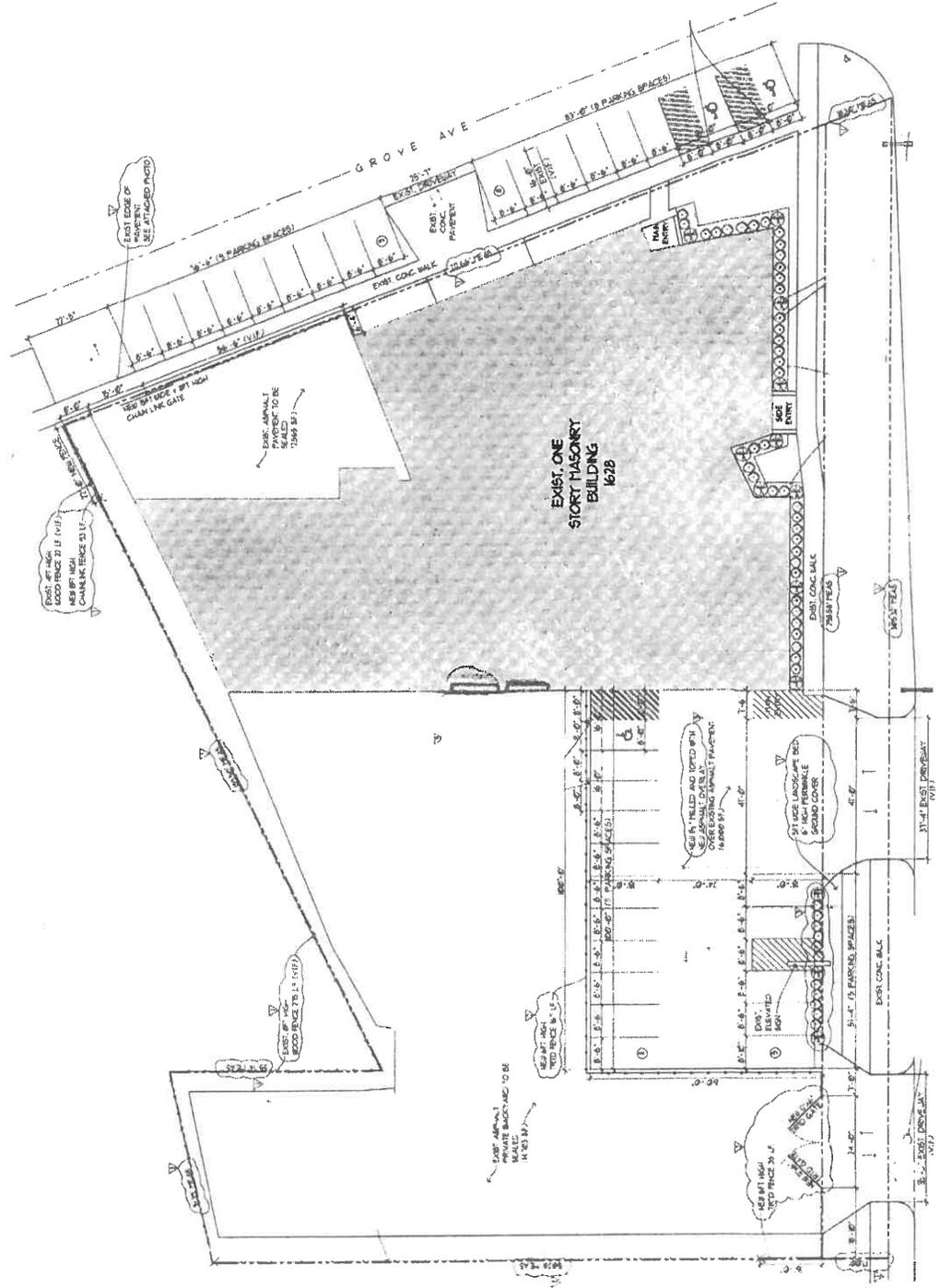
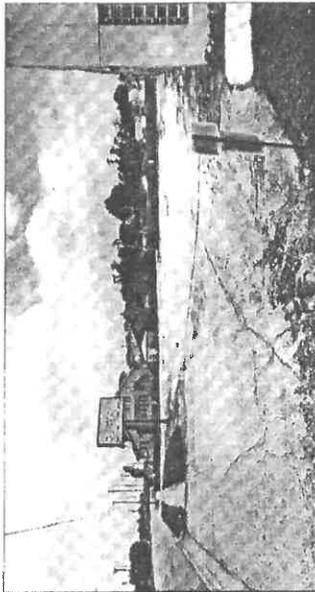
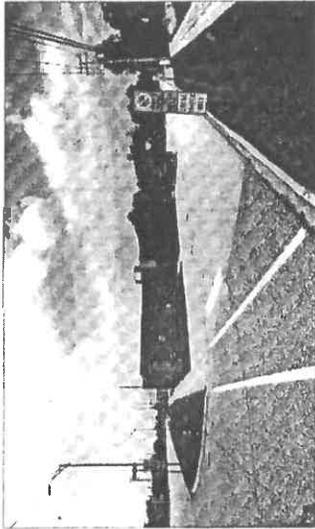
1628 Rand Rd – Looking Northeast at Front of Building & Wall Sign 2

1	EXISTING PAVEMENT
2	EXISTING CONCRETE
3	EXISTING ASPHALT
4	EXISTING GRAVEL
5	EXISTING DIRT
6	EXISTING SAND
7	EXISTING ROCK
8	EXISTING CURB
9	EXISTING DRIVE
10	EXISTING SIDEWALK
11	EXISTING FENCE
12	EXISTING SIGN
13	EXISTING UTILITY
14	EXISTING TREE
15	EXISTING SHrub
16	EXISTING LIGHT
17	EXISTING WALL
18	EXISTING DOOR
19	EXISTING WINDOW
20	EXISTING ROOF
21	EXISTING FOUNDATION
22	EXISTING STRUCTURE
23	EXISTING EQUIPMENT
24	EXISTING FURNITURE
25	EXISTING LANDSCAPE
26	EXISTING PLANTING
27	EXISTING TREES
28	EXISTING SHRUBS
29	EXISTING FLOWERS
30	EXISTING VEGETATION
31	EXISTING SOIL
32	EXISTING WATER
33	EXISTING SEWER
34	EXISTING SANITARY
35	EXISTING GAS
36	EXISTING ELECTRIC
37	EXISTING TELEPHONE
38	EXISTING CABLE
39	EXISTING FIBER
40	EXISTING RAILROAD
41	EXISTING HIGHWAY
42	EXISTING AIRPORT
43	EXISTING MARINA
44	EXISTING PORT
45	EXISTING CANAL
46	EXISTING DAM
47	EXISTING BRIDGE
48	EXISTING TUNNEL
49	EXISTING CAUSEWAY
50	EXISTING EMBANKMENT
51	EXISTING CUT
52	EXISTING DITCH
53	EXISTING DRAINAGE
54	EXISTING POND
55	EXISTING LAKE
56	EXISTING RIVER
57	EXISTING STREAM
58	EXISTING CREEK
59	EXISTING WETLAND
60	EXISTING SWAMP
61	EXISTING MARSH
62	EXISTING BAY
63	EXISTING GULF
64	EXISTING OCEAN
65	EXISTING SEA
66	EXISTING LAKE
67	EXISTING RIVER
68	EXISTING STREAM
69	EXISTING CREEK
70	EXISTING DITCH
71	EXISTING DRAINAGE
72	EXISTING POND
73	EXISTING LAKE
74	EXISTING RIVER
75	EXISTING STREAM
76	EXISTING CREEK
77	EXISTING DITCH
78	EXISTING DRAINAGE
79	EXISTING POND
80	EXISTING LAKE
81	EXISTING RIVER
82	EXISTING STREAM
83	EXISTING CREEK
84	EXISTING DITCH
85	EXISTING DRAINAGE
86	EXISTING POND
87	EXISTING LAKE
88	EXISTING RIVER
89	EXISTING STREAM
90	EXISTING CREEK
91	EXISTING DITCH
92	EXISTING DRAINAGE
93	EXISTING POND
94	EXISTING LAKE
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96	EXISTING STREAM
97	EXISTING CREEK
98	EXISTING DITCH
99	EXISTING DRAINAGE
100	EXISTING POND

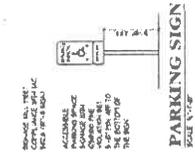
ART INVESTMENTS LLC
 PHONE: 773-292-4114
 EMAIL: p@artinvestments.com

PROPOSED SITE IMPROVEMENTS
 DES PLAINES, ILLINOIS
 1628 RAND ROAD

DATE:	9/7/2023
PROJECT:	
DRAWN BY:	CHKC
CHECKED BY:	
SHEET NO.:	



NOT TO SCALE
 ALL DIMENSIONS ARE IN FEET AND INCHES
 UNLESS OTHERWISE NOTED
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DES PLAINES SPECIFICATIONS
 ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DES PLAINES SPECIFICATIONS
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 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DES PLAINES SPECIFICATIONS
 ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY



SITE PLAN
 SCALE 1/2" = 1'-0"

PROJECT NARRATIVE

The petitioner, Peter Topolewicz as Member of Art Investment LLC, owner of 1628 Rand Road, Des Plaines, IL 60016 and lessor to Granite Place & Quartz. LLC along with Cabinet Land Kitchen & Bath. Co is requesting an Amendment to the Conditional Use Permit to for a Trade Contractor use, at 1628 Rand Road, namely, Ordinance Z-36-21. Attached hereto as Exhibit A. The subject property is located within the C-3, General Commercial district and has been granted conditional use as a Trade Contractor is in the C-3 zoning district. The subject property contains a commercial building with an off-street surface parking area on the west side of the property and on-street parking area along Grove Avenue on the east side of the property as shown in the Plat of Survey (Attachment 3). The subject property is located along Rand Road at the northwest corner of the Rand Road/Grove Lane intersection. The subject property is currently accessed by three curb cuts, two off Rand Road and one off Grove Lane.

The existing one-story, 14,604-square foot building consists with two front customer entrances in the front and a separate shop area in the rear. The petitioner utilizes the front portion of the building as an office/showroom area and the rear portions of the building as a material warehouse and fabrication room based on the Site Plan (Attached hereto as Exhibit B). The petitioner's amendment proposal to Ordinance Z-36-21 does not include any changes to the building. The petitioner already added landscaping in front of the building and along Rand Road as per Ordinance Z-36-21 and Landscape Plan previously approved. In addition to the Village improvement requirements under Ordinance Z-36-21, Petitioner has made significant improvements to the exterior and interior of the property that has contributed to the beautification and increased safety for the residence of the surrounding area.

The property in question was previously vacant and abandoned for more than few years prior to Petitioner purchasing the property. Due to the improvements made by the Petitioner, including the 5-6 lights placed along the building on Rand Road, residence of the surrounding area have expressed their joy and gratitude that the area feels and appears much safer than when the building was held vacant and abandoned for years by the previous owner.

Attached as Exhibit C please find pictures of the property prior to Petitioners purchase and after. As may be noted from the pictures provided in Exhibit C, the property has undergone extreme renovations. One of the preminent changes was the fencing around the property. As noted in the attached pictures, the property has been split off and separated into sections, including private and exclusive parking for customers. There is a separate section, closed off by a 8 foot fence for the business back yard, which has no access to the public nor views to the public or surrounding residence, thus creating no public nuisance. The back yard of the business is utilized for incoming and outgoing orders, for storage of business products and basic functioning of business orders. The current Ordinance Z-36-21 is written, namely Section 4. Conditions subparagraph C. 4, not only restricts the Petitioners ability to conduct regular/standard business but also places the current employees health and safety at risk as the current restrictions under Section 4. Conditions subparagraph C. 4 of the Z-36-21 Ordinance

limit what and how the employees may complete their job. As you are aware the finished product we produce such as, granite/quartz/marble and/or any stone are not light materials that may be moved easily from place to place. The unrealistic and unsafe restrictions referenced in Section 4. Conditions subparagraph C. 4 of Ordinance Z-36-21 are placing the employees of the Petitioner in an unhealthy and unsafe work environment, especially during the fall and winter seasons. The Petitioner should have access to their own, secured back yard to store business equipment as fits the time of the season and need of the business.

In order to continue to serve the residents of Des Plaines, ensure a safe working environment for the employees and continue to not be a nuisance to the surrounding residence, Ordinance Z-36-21 should be modified as follows: Section 4. Conditions subparagraph C. 4 shall be removed in its entirety. The restriction of Ordinance Z-36-21 Section 4. Conditions subparagraph C. 4, is an additional restriction specifically for this property.

As there is no restriction/ stipulation in the City code regarding back yard storage, the Amendment to Ordinance Z-36-21 Section 4. Conditions subparagraph C. 4 would be the best resolution for all parties involved, including the Village, Petitioner, future and current C-3 and the surrounding community and residence. However, if a Text Amendment is required (which should not be as this an addition instead of an amendment to the City Code), then Petitioner proposes the following addition (not per se amendment as back yards are not covered in the statute to 12-7.3 F.5 but an addition): the addition of subparagraph 5.d to the City Code is requested to 12.7.3 F12-7.3 .5 as follows: Back yard may be used for storage of finished products and/or fabricated products without limitation as long as the back yard is enclosed with 8 foot wooden fencing and does not create a health hazard to the surrounding residence.

Attached please find pictures of the property in question and the deplorable conditions it was held in for over numerous years along with pictures of the exterior renovations completed by the Petitioner to improve and beautify the property and the community. (Attached hereto as Exhibits C, D, and E). As may be observed, the property now functions as a modern and welcoming business that caters to the sale of kitchen cabinets, kitchen accessories and various types of counter tops, including but not limited to granite, marble, quartz and various stones.

More importantly, Exhibits D and E illustrate not only the improvements and beatification to the exterior of the property but also are an example and the reason for the signage variation request. As Exhibit D illustrates, the block windows were replaced with floor to ceiling windows. As Exhibit E illustrates, additional floor to ceiling windows were added to allow a more open, clear and welcoming building structure for the community as a whole, passing traffic (foot or automobile) and for patrons. The position of the signs illustrated in Exhibits D and E, although Exceed 125 sq ft around, make it clear that the signs may not be placed in the floor to ceiling windows (and would be more of a distraction to both drivers and pedestrians). Moreover, as Exhibits D and E illustrate, the way the signage are placed makes the property appear as two separate businesses instead on one continuing "obnoxious" flow of advertisement. Also please keep in mind, the signage is longer in length (as to the 125 sq ft) but short in width than most standard signs authorized by the Village Code.

Furthermore, as Exhibits D and E illustrate, the signage is not obstructive to traffic, roadway, pedestrians or residential owners. In fact, surrounding residence have expressed their gratitude and excitement regarding the tremendous improvements and how now they feel safer to walk to the local strip mall to contribute to local businesses more than in the past, namely due to the additional lighting installed by the Petitioner along Rand Road as illustrated in Exhibit D. The 5-6 lights added to the front of the building are also not a nuisance but actual contribute to the safety and productivity of the community, the residence and traffic on the adjacent roadways. Therefore, overall, the signage placed along the building, although slightly exceeds 125 sq ft, does not interfere with traffic or safety of the community, they in fact increase and contribute to the safety of both residents and commuters along Rand Road and should be approved as a variation by the Village Board.

In regards to the Electronic Message Board (EMB) signage variation request, attached please find Exhibit F for installation and specifications. Please note that the current signage post, height and dimensions that were previously approved by the Village and in place for numerous years will not change. The only difference in the signage will be whether it will be an electronic messaging board or bulb lighting. The Village code current states that EMB signs may not be placed within 250 feet of a residence. The only residence that may “potentially” be “affected” by the EMB sign is residence commonly known as 1600 Rand Rd., Des Plaines, IL 60016. As Exhibit G illustrates, the resident in question has its own very bright and illuminating sign in front of their own residence. Thus, the EMB will not have an impact on this particular resident.

Moreover, please see additional pictures included in Exhibit G that show that the EMB will not have an impact on any other surrounding residence as the EMB signage faces the traffic and main street of Rand Road horizontally and does NOT face vertically towards the residences located slightly outside the 250 feet requirement but also behind a 6-8 foot security fence. Any illumination from the EMB signage will not affect the surrounding residence in a negative way.

Also, please keep in mind that we may simply install plastic signage with high impact and illuminating light bulbs (which is not a violation nor requires a variation from the Village). However, as long standing residence of Des Plaines, we want our surrounding residence to be satisfied and to keep the Village thriving. Our EMB sign will do just that. Not only will the EMB sign reduce light nuisance to the surrounding residence, as the EMB sign automatically dim during certain hours but may be completely turned off during certain hours (unlike the standard bulb lighting currently authorized by the Village.)

It is also worth mentioning that the size of the sign is not in question, as the size will remain the same or slightly smaller, but whether it will be an EMB controlled lighting sign or a constant bulb sign that cannot be controlled and will create more of a nuisance to the surrounding residence. Please also keep in mind that this property was left abandoned, dark and unlit for multiple years and a “regular bulb lit sign” which is approved by the Village would actually create a bigger nuisance for the residence and for the traffic/roadway.

Overall, thank you for your time and consideration regarding the consideration of our Amendment to Current Conditional Use under Ordinance Z-36-21, potential Text Amendment (unless incorporated into Amendments requested in Ordinance Z-36-21) and Signage Variations. Please keep in mind all improvements made by Petitioner have been to enhance the safety, environment and productivity of the surrounding residence and the Des Plaines community as a whole.

CoList Broker:

Copyright 2022 MRED LLC - The accuracy of all information, regardless of source, including but not limited to square footages and lot sizes, is deemed reliable but not guaranteed and should be personally verified through personal inspection by and/or with the appropriate professionals. NOTICE: Many homes contain recording devices, and buyers should be aware that they may be recorded during a showing.



COMMUNITY AND ECONOMIC DEVELOPMENT

1420 Miner Street
Des Plaines, IL 60016
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desplaines.org

STANDARDS FOR VARIATIONS

In order to understand your reasons for requesting a variation, please answer the following items completely and thoroughly (two to three sentences each). Variation applicants must demonstrate that special circumstances or unusual conditions prevent them from following the specific regulations of their zoning district. Applicants must prove that the zoning regulations, in combination with the uncommon conditions of the property, prevents them from making any reasonable use of the land. Keep in mind that no variation may be granted that would adversely affect surrounding properties or the general neighborhood.

- 1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.**

Variation to allow an EMB sign located less than 250 feet from a residence. The proposed EMB sign will remain in the same position and location as the previous non EMB sign. The height and size of the previously sign which is approved by the Village will not increase and will actually be more beneficial to surrounding residents as the previous approved sign (same size and dimensions) used regular bulbs that were constantly bright and did not dim. Please see Exhibit G attached to the Narrative which illustrates the current size and the proposed sign. The proposed EMB sign, although within roughly 180 sq ft of the nearest residence, the sign will be able to be controlled electronically, dimmed during certain time nightfall and completely turned off during certain hours. The type of stock and inventory Petitioner holds requires constant updates on sales/promotions and updates in the industry; creating a hardship by limiting the type of sign allowed for advertiser

- 2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.**

Requesting to allow the EMB portion to be 100% of the pole sign area. It would be a hardship to not have a 100% EMB sign as it would hinder visibility of the content being advertised (including the business and the product) to traffic along the main road. EMB signs are now the common signs used by most industries; it would hinder and harm Petitioners business to use an out dated sign that is static in any percentage. Moreover, the cost and restructuring of the sign to be 50% static would be an enormous financial hardship of the Petitioner. 50% EMB and 50% static signs are not common and are basically two separate signs

lease note that the current signage post, height and dimensions that were previously approved by the Village and in place for numerous years will not change. The only difference in the signage will be whether it will be an electronic messaging board or bulb lighting. The Village code current states that EMB signs may not be placed within 250 feet of a residence. Please see additional pictures included in Exhibit G that show that the MB will not have an impact on any other surrounding residence as the EMB signage faces the traffic and main street of Rand Road horizontally and does NOT face vertically towards the residences located slightly outside the 250 feet requirement but also behind a 6-8 foot security fence. Any illumination from the EMB signage will not affect the surrounding residence in a negative way. Also, please keep in mind that we may simply install static signage with high impact and illuminating light bulbs (which is not a violation nor requires a variation from the Village). However, as long standing residence of Des Plaines, we want our surrounding residence to be satisfied and to keep the Village thriving. Our EMB sign will do just that. Not only will the EMB sign reduce light nuisance to the surrounding residence, as the EMB sign automatically dim during certain hours but my be completely turned off during certain hours (unlike the standard bulb lighting currently authorized by the Village.)

- 3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.**

The proposed EMB sign will remain in the same position and location as the previous non EMB sign. The height and size of the previously sign which is approved by the Village will not increase and will actually be more beneficial to surrounding residents as the previous approved sign (same size and dimensions) used regular bulbs that were constantly bright and did not dim. Please see Exhibit G attached to the Narrative which illustrates the current size and the proposed sign. The proposed EMB sign, although within roughly 180 sq ft of the nearest residence, the sign will be able to be controlled electronically, dimmed during certain time nightfall and completely turned off during certain hours.

- 4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.**

The proposed sign will have less of an impact on the surrounding residence and the community than the current "approved" sign by the Village. The Petition would be deprived of rights provided to other commercial businesses in Des Plaines to advertise his business and products.

- 5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.**

The proposed sign is already utilized and permitted for other businesses throughout the Village, including within 250 sq feet from residence. One prime example is the Villages own sign, which the Village should be held to at least the same standards as all other residence of Des Plaines, if not higher. The proposed sign will have less of an impact on the surrounding residence and the community than the current "approved" sign by the Village. The Petition would be deprived of rights provided to other commercial bsuniesses in Des Plaines to advertise his business and products.

- 6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.**

Please see response to paragraphs 1-5 above

- 7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.**

The other remedy, which is per the Village code currently, will be more of a distraction to the surrounding residence within 250 of the sign and the oncoming traffic.

- 8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.**

Yes, due to the positioning of the EMB sign and layout of the building the signage is the minimum needed to alleviate the hardship.



July 27, 2022

Mayor Goczkowski and Des Plaines City Council
CITY OF DES PLAINES

Subject: Planning and Zoning Board, 1628 Rand Road, Case 22-024-TA-CU-V, 1st Ward
RE: Consideration of Requests for Text Amendment, Conditional Use Amendment, and Major Variations

Honorable Mayor and Members of the Des Plaines City Council:

The Planning and Zoning Board (PZB) held a public hearing on July 26, 2022 for requests associated with an existing trade contractor use located at 1628 Rand Road. Petitioners, Granite Place & Quartz, LLC and Cabinet Land Kitchen & Bath Corporation, are requesting the following: (i) a text amendment to Section 12-7-3.F.5 of the Zoning Ordinance to allow the outdoor display of finished products in the C-3 General Commercial district where such outdoor displays are not currently allowed; (ii) an amendment to the existing Conditional Use permit for a trade contractor use at 1628 Rand Road to allow the outdoor display of finished products on the subject property; (iii) a Major Variation from Section 12-11-6.B to allow a total wall sign area for a single building of 236 square feet, where the maximum is 125 square feet; (iv) a Major Variation from Section 12-11-6.B to allow an electronic message board (EMB) sign located approximately 189.5 feet away from a residence in the R-1 district, where a minimum 250 feet is required; and (v) a Major Variation from Section 12-11-6.B to allow an EMB sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an EMB.

Written summaries of the petitioner's and staff's presentations; evidence presented and public comment offered; Board discussion and votes are included in the Board's meeting minutes from the July 26 PZB meeting. Ultimately, the Board considered the evidence presented and the statements in the case materials for each of the five requests individually. The first was in regard to the text amendment to allow outdoor displays of finished products. While the language and scope of the presented text amendment focused around finish product displays, the petitioners expressed interest in an allowance for storage of products as well. The conversation between staff, the petitioners, and the PZB led into a discussion of necessary revisions to the proposed text amendment to capture both requests of the petitioners. The end result yielded language changes and additions to the proposed text amendment to allow both outdoor storage and outdoor displays of products for trade contractor uses pursuant to a conditional use permit and certain conditions and restrictions. The PZB voted 4-0 to recommend approval of the text amendment as revised.

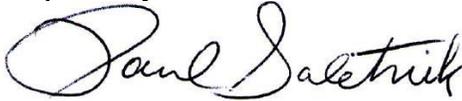
The PZB then considered the proposed amendment to the existing conditional use—which currently prohibits outdoor displays and storage of any kind on the subject property—along with the recommended conditions from staff. A discussion occurred over the proposed location of the outdoor display/storage area on the subject property as this was not identified on the Site Plan provided by the petitioners. The petitioners confirmed that all products displayed outside would be within a fenced in area out of view from surrounding properties. The PZB determined that if the products were displayed/stored in an enclosed space on the subject property, that the specific area did not need to be identified and that the recommended condition requiring this to be labeled on the Site Plan was unnecessary. Ultimately, the PZB retained one of the four recommended conditions from staff—requiring all proposed improvements to be in full compliance with all applicable code and ordinances—in their 4-0 vote to recommend approval of the Conditional Use Amendment.

The PZB considered the major variation requests regarding signs through a review of existing code regulations from staff and hearing testimony from the petitioners, starting with the request to allow 236-square feet of building sign area where a maximum of 125-square feet is allowed. The PZB considered how the installed wall sign could be altered to meet the requirements and the rationale for size of the two installed wall signs, especially the wrap around sign fronting Rand Road and Groove Avenue. Ultimately, the PZB voted 3-0 to recommend approval of the major variation request for building sign area.

The second variation is related to the required setback of the proposed electronic message board (EMB) sign on the existing pole sign located on the subject property. The PZB considered alternative placements of the pole sign—currently setback approximately 189.5-feet from the nearest residence—to meet the minimum 250-foot-setback requirement and heard testimony from a resident who had concerns about seeing the EMB sign from her rear yard. Based on the findings that the pole sign faces are directed east and west and the impacted properties are located north, the PZB determined that the proposed EMB sign would not negatively impact surrounding residences and voted 4-0 to recommend approval of the variation request for the EMB sign setback.

The third variation is related to the total area of the proposed EMB sign in proportion to the total pole sign area. Staff, PZB members, and the petitioner discussed in the differences between static sign and EMB sign in relation to their characteristics and potential effect on motorists, pedestrians, and residents. Some concerns were expressed regarding the potential adverse effects of a pole sign with 100-percent EMB and if the subject property was unique as compared to other commercial properties in Des Plaines to warrant such a request. Ultimately, the PZB voted 2-2 on a motion to recommend approval of the EMB sign area request. However, per the City Code (2-2-3.D: Necessary Vote), this outcome does not amount to an affirmative vote of a majority of the appointed members and is therefore a *recommendation to deny* the requested EMB sign area request. However, pursuant to the Zoning Ordinance (12-3-7.D.4: Action by City Council), the Council has the final authority on the request.

Respectfully submitted,



Paul Saletnik,
Des Plaines Planning and Zoning Board, Acting Chairman

Cc: City Officials/Aldermen



DES PLAINES PLANNING AND ZONING BOARD MEETING

July 26, 2022

MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, July 26, 2022, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Vice Chair Saletnik participated by telephone and read the following statement:

Pursuant to the emergency procedures of the Open Meetings Act, the Vice Chair declares that a “bona fide” emergency exists because of a recent COVID-19 diagnosis of one of the Public Body members necessary to establish a quorum. As a result, this meeting is being conducted in person and remotely. The meeting venue will accommodate remote participation such that all discussion and votes may be heard by both in-person and remote participants. All votes this evening will be taken by roll call. The City has made all reasonable efforts to publicize this declaration.

Vice Chair Saletnik called the meeting to order at 7:02 p.m. and roll call was established.

PRESENT: Weaver, Veremis, Hofherr, Saletnik (phone)

ABSENT: Szabo, Weaver, Fowler, Catalano

ALSO PRESENT: John Carlisle, AICP, Director of Community & Economic Development
Jonathan Stytz, AICP, Senior Planner
Laura Fast/Deputy Clerk, Recording Secretary

A quorum was present.

Vice Chair Saletnik requested a nomination to appoint a Chairman Pro-Tem for this evening’s meeting.

A motion was made by Board Member Weaver, seconded by Board Member Hofherr to appoint Member Veremis as the Chairman Pro-Tem for this evening’s meeting.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Weaver to approve the meeting minutes of June 14, 2022.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to approve the meeting minutes of June 28, 2022.

AYES: Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: Weaver

PUBLIC COMMENT ON NON-AGENDA ITEM.

There was no public comment.

Pending Applications

1. Address: 1628 Rand Avenue

Case Number: 22-024-TA-CU-V

The petitioner requests the following items: (i) a text amendment to Section 12-7-3.F.5 to allow the outdoor display of finished products in the C-3 General Commercial district where such outdoor displays are not currently allowed; (ii) an amendment to the existing Conditional Use permit for a trade contractor use at 1628 Rand Road to allow the outdoor display of finished products on the subject property; (iii) a Major Variation from Section 12-11-6.B to allow a total wall sign area for a single building of 236 square feet, where the maximum is 125 square feet; (iv) a Major Variation from Section 12-11-6.B to allow an electronic message board (EMB) sign located approximately 189.5 feet away from a residence in the R-1 district, where a minimum 250 feet is required; (v) a Major Variation from Section 12-11-6.B to allow an EMB sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an EMB.

PIN: 09-16-104-022-0000

Petitioner: Granite Place & Quartz, LLC and
Cabinet Land Kitchen & Bath Corporation,
2020 Berry Lane, Des Plaines, IL 60018

Case Number: #22-024-TA-CU-V

Ward Number: #1, Alderman Mark Lysakowski

Existing Zoning: C-3, General Commercial District

Surrounding Zoning: North: R-1, Single-Family Residential district
South: C-3, General Commercial district
East: C-1, Neighborhood Shopping district
West: C-3, General Commercial district

Surrounding Land Uses: North: Single-family detached homes
South: Fuel Station/Dentist Office/Vacant Building
East: Office Building
West: Religious Institution

Street Classification: Rand Road is a minor arterial and Grove Avenue is a local street.

Comprehensive Plan : The Comprehensive Plan illustrates the property as commercial

Property/Zoning History: Based on City records, the subject property was annexed into the City in 1965. A conditional use was approved in 2021 through Ordinance Z-36-21 to permit a trade contractor use at this address. Since then, there have been code enforcement warnings issued to this property for outdoor storage and various work done without permits, including, but not limited to, the installation of fencing, awning, signs, and parking lot paving and stripping. However, the applicant has been working with the City to resolve outstanding issues and to address the outstanding code violations. This application is part of the resolution.

TEXT AMENDMENT

Project Description: The Zoning Ordinance currently does not allow outdoor storage or display in the C-3 General Commercial district, in particular for the types of products that might be displayed by a trade contractor. Thus, the first portion of the petitioner’s proposal consists of the attached Proposed Text Amendment to Section 12-7-3.F.5 of the Zoning Ordinance under Standards for Site Plan Review to allow for the display of finished products and fabricated goods on a C-3-zoned property. The petitioner has worked diligently with staff to construct these text amendments in an effort to make outdoor display areas an impactful improvement to trade contractor properties on C-3-zoned properties throughout the City while also ensuring it is designed appropriately to meet the overarching principals of the Zoning Ordinance.

First, the proposed text amendment limits the allowance of outdoor display areas to trade contractor uses with an active business license and a conditional use permit. Since trade contractor uses are only permitted in the C-3 district through a conditional use permit, this would require businesses classified as trade contractor uses (who are interested in installing outdoor displays on their site) to indicate on the proposed Site Plan the location, quantity, and type of outdoor display on a given C-3-zoned property and allow decision makers to determine the practicality and scale of outdoor display areas based on the property’s development, size, location, etc. In addition, outdoor displays on properties with a trade contractor use would be governed by certain general conditions and restrictions—beyond the conditions in a conditional use ordinance—related to location, height, screening, and type of outdoor displays, to ensure that they do not create adverse effects on the subject property or surrounding properties. Outdoor displays would be required on dust-free hard surfaces and would not be permitted within required yards in an effort to prevent outdoor displays from being directly at property lines of neighboring properties.

Moreover, outdoor displays would be limited to eight in height and required to be fully screened by an eight-foot-tall, opaque fence to reduce adverse impacts from neighboring properties, especially when the subject property abuts a residential district. As Section 12-7-3.F.5 already requires properties in the C-3 zoning district to install eight-foot-tall fencing on property lines abutting residential districts, this regulation would be consistent with the intent of the Zoning Ordinance. Finally, the type of outdoor display materials would be regulated to allow only prefabricated finished products to be displayed and prohibiting raw materials or any other materials utilized for the manufacturing, processing or assembly of products from being located outside. The intent is to distinguish “outdoor display” from “open storage,” which is currently only possible in the M-2 General Manufacturing District (see Section 12-7-4). The attached Proposed Text Amendment provides all suggested changes for the allowance of outdoor displays.

CONDITIONAL USE AMENDMENT

Project Description: The following description and analysis assumes approval of the requested amendments as submitted.

The petitioner is requesting an amendment to the existing Conditional Use permit approved in 2021 through Ordinance Z-36-21, which allowed a trade contractor use to operate on subject property. The requested amended approval would remove the condition prohibiting the outdoor storage of fabricated goods on the property. However, if the proposed text amendment is approved, the petitioner proposes to utilize an outdoor portion of the subject property for storage of business products, processing business orders, and as a staging area for incoming and outgoing orders. The attached Site Plan, which was recently approved through a building permit in February 2022, does not specifically identify the area(s) intended for the outdoor display or storage of finished products for this use. Thus, staff recommends a condition that the Site Plan is revised to identify the area(s) on site designed for this purpose prior to the City Council meeting for additional clarity. Because the petitioner's request may differ from staff's recommendation, it is important the Board ask the petitioner to explain clearly what they want to do and why they would not want to be bound to a specific location on site and quantity of outdoor display. It is also important to note that the existing conditions on site do not match the improvements provided on the approved building permit Site Plan. Consequently, staff has added a separate condition that the improvements shown on the approved Site Plan are installed on the subject property if the conditional use amendment is approved.

VARIATIONS

Request Summary: The petitioner's project narrative requests several variations related to signs. The first variation relates to total wall sign area, specifically wall signs totaling 236 square feet in area, that have been installed without a permit and exceed the maximum sign area allowed for the entire building.

Pursuant to Section 12-11-6.B of the Zoning Ordinance: *"The total sign area (including the area of any awning or canopy signs) permitted on any street facing elevation shall not exceed 3 sq. ft. per linear foot of horizontal building face. The total sign area (including the area of any awning or canopy signs) permitted on an entire building (including all elevations) shall not exceed 125 sq. ft. unless such building is a shopping center or office building containing three or more businesses."*

As the existing building does not meet the definition of a shopping center – at least three tenant spaces are required – or office building, it is limited to a total of 125 square feet for the entire building (including all elevations). The petitioner's request to allow almost double the sign area does not meet the sign code requirements and requires a major variation.

The other two variation requests relate to an existing pole sign structure along the southern property line near the southwest corner of the property and at the Rand Road frontage. There is currently no sign installed on the existing pole but rather the framing of the pole sign structure with exposed electrical and internal sign cabinet components. Nonetheless, the petitioner intends to repurpose this pole sign structure with a new electronic message board (EMB) sign. EMB signs and regulations are discussed in Sections 12-11-5.G and 12- 11-6.B of the Zoning Ordinance. However, the two EMB sign regulations in conflict with the petitioner's proposal are noted below pursuant to Section 12- 11-6.B:

1. Location: The animated face of an electronic message board sign shall be a minimum of 250 feet away from a residence in the R-1, R-2, and R-3 Residential Districts and shall be arranged to prevent direct glare onto any adjacent properties.
2. Electronic message boards shall not exceed 50% of the total sign area.

As the existing pole sign structure is located approximately 189.5 feet from the nearest residence in the R-1 district, just north of the subject property, it does not meet the minimum setback distance required. Moreover, the petitioner’s proposal includes an EMB that would equal 100 percent of the pole sign area, double the 50 percent maximum sign area permitted for EMBs in pole signs. As such, two separate major variation requests are necessary for the EMB sign setback distance and area in relation to the total pole sign area.

The petitioner’s requested variations are summarized in the table below.

Regulation Type	Requirements	Proposal
Total sign area (wall, awning, and canopy signs) allowed for Entire Building	125 sq. ft. maximum	236 sq. ft.
Setback Distance for EMB signs from a residence in the R-1, R-2, and R-3 districts	250 feet minimum	189.50 feet
Area allowed for EMB portion for Pole Signs (%)	50% maximum	100%

Standards for Text Amendment:

The following is a discussion of standards for zoning amendments from Section 12-3-7(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own. See also the petitioner’s responses to standards.

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the City Council;

Comment: The 2019 Comprehensive Plan identifies restrictions on the permanent sale or display of merchandise for C-3-zoned properties, so the proposed text amendment could be utilized to build off this allowance and further clarify the use of merchandise displays for these properties. The proposed text amendment provides an allowance for trade contractor uses that have products to display but do not necessarily have the indoor space to display their products. This allowance lessens restrictions for these types of uses in an effort to support existing trade contractor uses and foster a more business-friendly environment.

PZB Additions or Modifications (if necessary): _____.

2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development;

Comment: Amending the regulations to allow outdoor displays of finished products would be compatible with current conditions across the City, as many trade contractor uses and similar uses in the C-3 district have showrooms where finished products are on display for purchase. This allowance is tailored for trade contractor uses and specifically restricted in order to be consistent with the character of area for which the property is located in.

PZB Additions or Modifications (if necessary): _____.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property;

Comment: The proposed amendments are not anticipated to impact public facilities and available services but rather enhance existing trade contractor uses in Des Plaines. This new allowance may also result in the rendition of new trade contractor uses that can, in return, provide additional services to residents.

PZB Additions or Modifications (if necessary): _____.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and

Comment: All proposed amendments as written for a specific use with specific restrictions is meant to complement existing properties and be design in a way to have little to no adverse effect on property values throughout the City. All outdoor displays will be screened from all property lines and positioned away from property lines to be less noticeable and less likely to impact neighboring property values.

PZB Additions or Modifications (if necessary): _____.

5. Whether the proposed amendment reflects responsible standards for development and growth.

Comment: The proposed text amendments work toward responsible standards for development and growth by addressing concerns of existing trade contractors and, in return, allowing them to provide additional services to residents. The new allowance attempts to provide a balance between trade contractor needs and the City’s desire to foster a business-friendly environment.

PZB Additions or Modifications (if necessary): _____.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Des Plaines Zoning Ordinance. The petitioner seeks to amend the existing conditional use for the sole purpose of striking a condition in the conditional use prohibiting the storage or display of finished products on the subject property. If this conditional use amendment is denied, the petitioner will not lose the entitlement of Ordinance Z-36-21 but will be required to continue to adhere to all the conditions, notably the prohibition of storing or displaying any materials, including their fabricated and finished products.

The petitioner’s rationale for how the conditional use amendment would satisfy each of the standards is attached. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own. The standards that should serve as the basis of findings are the following:

- 1. The proposed conditional use is in fact a conditional use established within the specific zoning district involved;

PZB Additions or Modifications (if necessary): _____.

- 2. The proposed conditional use is in accordance with the objectives of the city’s comprehensive plan and this title;

PZB Additions or Modifications (if necessary): _____.

- 3. The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and character of the general vicinity;

PZB Additions or Modifications (if necessary): _____.

- 4. The proposed conditional use is not hazardous or disturbing to existing neighboring uses;

PZB Additions or Modifications (if necessary): _____.

- 5. The proposed conditional use is to be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or the persons or agencies responsible for establishment of the proposed conditional use shall provide adequately any such services;

PZB Additions or Modifications (if necessary): _____.

- 6. The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community;

PZB Additions or Modifications (if necessary): _____.

- 7. The proposed conditional use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

PZB Additions or Modifications (if necessary): _____.

- 8. The proposed conditional use provides vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares;

PZB Additions or Modifications (if necessary): _____.

- 9. The proposed conditional use does not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance; and

PZB Additions or Modifications (if necessary): _____.

- 10. The proposed conditional use complies with all additional regulations in this title specific to the conditional use requested.

PZB Additions or Modifications (if necessary): _____.

Variation Standards: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Staff has the following individual comments for each variation request based on the standards. The PZB may use staff comments, the petitioner’s response, or state their own comments as rationale for their decision.

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

a. Comment: Staff does not see a hardship or practical difficulty preventing the petitioner from complying with the maximum total building sign area requirements for several reasons. First, the subject property is located on a corner and fronts two separate streets, allowing additional visibility than interior lots. Wall signs on street-facing elevations are allowed an area of up to three square feet of sign area per linear foot of building frontage provided that the total sign area does not exceed 125 square feet for the entire building (all elevations). Furthermore, the maximum 125-square-foot sign area restriction for the entire building is more than sufficient to advertise all aspects of the business activity on site, allowing for up to two wall signs on street-facing elevations (this building fronts two streets and is allowed up to four building signs). Finally, the wrap-around sign straddling two building elevations is not consistent with existing signs in Des Plaines or the character of the area.

b. Some argument could be made for the requested EMB sign distance-from-residential variation, as the sign faces would face Rand Road, not the residences within 250 feet of the EMB sign. The pole sign could be relocated, but given the property characteristics, it may be difficult for the property owner to meet the minimum setback distance for EMB sign given the property's close proximity to the R-1 district.

c. Staff does not see any hardship or practical difficulty regarding the adherence of the maximum EMB sign area regulation, which restricts the EMB portion of the sign to 50 percent of the total sign area. While the petitioner is attempting to repurpose an existing pole sign structure, there is opportunity to install a smaller EMB portion than what is proposed to effectively advertise the property and still meet the code requirement. As the petitioner has not provided an adequate description of this request or justification on how this variation request meets the standards, this request appears to merely be a convenience for the property owner, not a hardship.

PZB Additions or Modifications (if necessary): _____.

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

a. Comment: The lot is irregular in shape, which forms some basis for the EMB-distance request; perhaps if the lot were more regularly shaped at its north end, sufficient distance would be present. Further, the sign frieze of the single-story building is "tight" in the sense that it does not seem to provide a lot of opportunity for traditional commercial wall signs (e.g. channel letter signs, box signs).

b. On the other hand, as the building has a large frontage on two separate streets, its visibility from the street is larger than it would be for many other properties in Des Plaines. In fact, many properties in the C-3 zoning district are smaller in size than the subject property and only front one street so the subject property’s size and positioning is more of an advantage than a detriment or unique physical condition as compared to other C-3-zoned lots in Des Plaines. In particular, a sign that is half EMB, half static panel would seem to be quite visible from Rand Road. The Board may wish to ask the petitioner to explain why the sign must be 100% EMB based on uniqueness of the lot, the Rand Road frontage, or any issue.

PZB Additions or Modifications (if necessary): _____.

3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

a. Comment: While the subject property’s location, size, and development may not be a result of any action or inaction of the property owner, the subject property was purchased with these attributes and conditions being pre-existing. The wall signs that are the subject of the variation request to allow 236 square feet of sign area where a maximum of 125 square feet is allowed were installed on the building without proper permitting. Thus, this variation request is the direct result of an action of the property owner who wishes to keep the wall signs already installed on the structure for convenience and additional advertising purposes. In addition, the large building frontage and existing pole sign structure alone provide more than adequate advertising potential for this property within the confines of the Zoning Ordinance.

PZB Additions or Modifications (if necessary): _____.

4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

a. Comment: Staff’s review has concluded that carrying out the strict letter of this code for signage does not deprive the property owners of substantial rights. First, there is ample room on site and allowances in the Zoning Ordinance to allow adequate advertising of the site, arguably more than other C-3-zoned properties in this area. Second, there are other C-3-zoned properties that are close to or directly abut R-1, R-2, and R-3 residential districts, limiting their ability to install an EMB sign. Finally, while EMB signs are prevalent in Des Plaines the request for a 100% EMB sign is not. In staff’s opinion, restricting the property owner to applicable code requirements for all three sign-related variation requests does not infringe on the property owner’s ability to advertise their business as other businesses are also restricted to these same regulations.

PZB Additions or Modifications (if necessary): _____.

5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.

a. Comment: The approval of any of the wall sign and 100%-EMB variations would result in signage that is not consistent with the character of the area or the intention of the Zoning Ordinance. As the purpose of the sign rules is to allow a balanced amount of advertising for all businesses, the approval of the excessive signage proposed in this application, would not meet this intention. The Board may consider whether all of the signage together goes beyond getting motorists attention to being distracting.

PZB Additions or Modifications (if necessary): _____.

6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.

a. Comment: On one hand, the property owner has made substantial improvements to the site that match the type of development the Zoning Ordinance and Comprehensive Plan want to encourage. The investment has been substantial and now a new business exists on a previously vacant site, generating tax revenue and improving the Rand corridor overall. For this, the petitioner is worthy of praise.

b. However, the proposed signage, some of which was already installed without permits, may actually detract from this investment. In fact, it seems in conflict with the Zoning Ordinance intentions to: (i) provide reasonable yet appropriate conditions for identifying businesses and services rendered in commercial, institutional, and industrial areas (the proposal represents an overabundance of signage that is more excessive and incongruous with surrounding development than attractive in appearance); and (ii) reduce traffic hazards by restricting signs and lights which exceed a viewer's capacity to receive information or which increases the potential for accidents created by signage which distracts or obstructs a viewer's vision (the EMB sign comprising the entire sign face in and of itself would be a direct distraction and safety hazard for motorists and pedestrians alike).

c. For these reasons, there are reasonable options for redesigning or reducing the proposed signage – the wall signage down from 236 square feet and the pole sign at less than 100% of the sign panel – to effectively advertise the site without needing relief from three separate sign regulations.

PZB Additions or Modifications (if necessary): _____.

7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

a. Comment: There are multiple alternatives to the sign-related variations requested by the petitioner. As mentioned above, the code allows street-facing wall signs an area of up three- square feet of area for every linear foot of building frontage, provided that the total sign area does not

exceed 125 square feet. The fact that the building fronts two streets and is larger in size, the available sign area allowed for this property is the maximum 125-square-foot sign permitted by code and can be split up across multiple building elevations providing additional visibility. It is also important to note that EMB signs are a convenience—not a necessity—to effectively advertise a site, meaning that a 100% static sign or 50% static sign with a 50% EMB sign would still provide the adequate identification, advertising, and communication within the community. The Board may wish to ask the petitioner to explain if they have explored or implemented alternatives to reduce the existing wall signage and repurpose or replace the pole sign structure.

PZB Additions or Modifications (if necessary): _____.

8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.

a. Comment: Regarding the EMB distance from residential, the relief is minimal in staff’s opinion. However, the wall sign area and EMB percentage requests may exceed the minimum relief needed. The petitioner could consider the multiple alternatives to redesign the proposed signage to provide advertising that is tasteful, balanced, and better aligns with the principals of the Zoning Ordinance.

b. For this reason, the Board may consider that it under Section 12-3-6.I, “The reviewing authority may grant variations less than or different from that requested when the record supports the applicant's right to some relief but not to the entire relief requested.”

PZB Additions or Modifications (if necessary): _____.

PZB Procedure and Recommended Conditions: Under Section 12-3-4.F of the Zoning Ordinance (Conditional Uses), Section 12-3-6.G of the Zoning Ordinance (Major Variations), and Section 12-3-7 of the Zoning Ordinance (Amendments), the PZB has the authority to recommend approval, approval subject to conditions, or denial the requests. The City Council has the final authority.

The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-4.E (Standards for Conditional Uses), Section 12-3-6.H of the Zoning Ordinance (Standards for Variations), and Section 12-3-7.E. of the Zoning Ordinance (Findings of Fact for Amendments) as outlined in the Zoning Ordinance. The PZB should take two motions to consider each request individually. First, the Board should consider the text amendments, which may be recommended for approval as submitted, approval as revised, or denial.

Second, based on the outcome of the first motion, the Board can consider a recommendation regarding the conditional use request. Third, the Board can take a motion on its recommendation regarding the variation requests; these are not connected to the text amendment and can be considered regardless of its outcome.

Should the PZB recommend approval or approval with modifications of the conditional use and major variations, staff suggests the following conditions:

Recommended Conditions of Approval:

1. The petitioner shall implement all site improvements shown on the approved Site Plan attached with permit #2021-07000329 approved on February 22, 2022.
2. The petitioner shall add to the site plan to show and label how much/how many products will be displayed outdoors and within which area(s) of the site, prior to consideration of the City Council.
3. The required 3-foot-wide landscape bed, populated with shrubs and perennials, shall be installed around the base of the new EMB pole sign and maintained in accordance with all applicable City of Des Plaines codes.
4. All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.

Chair Veremis swore in Petitioner Urszula Topolewicz, 2020 Berry Lane, Des Plaines, IL 60018.

Chair Veremis swore in the Petitioner's Attorney for Art Investment, LLC, Joanna Klimek, 6444 N Milwaukee, Chicago, IL 60631.

Attorney Klimek explained that the petitioners previous conditional use agreement stated that there would be no outdoor storage. The outdoor area is used for storage and display of granite and is an essential part of their business. It is not possible to store all the product inside. The petitioner received a violation for storing racks outside and is therefore seeking a text amendment to allow this on site.

Board Member Hofherr expressed his concern that violations have been issued to the business.

Chair Veremis asked the petitioner if she was aware of the conditional use previously agreed to regarding outdoor storage.

Petitioner Topolewicz stated that she was not represented during the last conditional use hearing and did not understand the restrictions. At their previous business location in Schiller Park there were no restrictions. The property has been significantly improved. The reason that they are seeking a text amendment is to have flexibility to relocate the racks where they need to around the lot. Sometimes product comes in and is not unloaded right away.

Chair Veremis swore in Petitioner Peter Topolewicz, 2020 Berry Lane, Des Plaines, IL 60018.

Petitioner Topolewicz stated that he installed an eight (8) foot fence around the parking lot with a gate. The entire area is restricted from the view of the public. Mr. Topolewicz stated that the parking lot will be paved and possibly a loading dock will be added in the future.

Member Saletnik stated that he does not want product stored all over the lot where it can be seen from the street.

Senior Planner Stytz reviewed the proposed text amendments that would allow this use and yet tailor the amendments to place restrictions on certain types of uses.

Community Development Director Carlisle explained that outdoor storage is not allowed in the C-3 district therefore, a text amendment is required.

Discussion ensued whether the outdoor product should be classified as storage or display.

Petitioner Topolewicz explained that all polishing, cutting, and fabrication is done indoors.

Member Weaver agreed to the outdoor storage if it was temporary.

Member Saletnik requested that a site plan should be provided that designates areas where items will be stored.

Attorney Klimek stated that they don't want restrictions as to where items are stored. During different times of the year items are stored differently.

Community Development Director Carlisle amended the proposed language to replace "outdoor display of finished products" to "outdoor storage and display of finished products." The amendment was read aloud.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve a revised zoning text amendment, as read by Community Development Director Carlisle, to allow the outdoor storage and display of finished products on the subject property.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

Senior Planner Stytz reviewed the petitioners request for an amendment to the existing conditional use permit for a trade contractor use to allow the outdoor display of finished products on the subject property.

Member Saletnik requested a revised site plan.

Attorney Klimek stated that a specific site plan is difficult because items are stored in different locations as product is delivered.

Members agreed that if all product is behind the fence a site plan is not necessary.

Member Weaver proposed to approve the conditional use amendment with only condition number four (4) as a condition of approval.

Community Development Director Carlisle stated that condition number one (1) is to reinforce fulfilling the building permit; however, fulfilling the project can still be enforced and the condition is not necessary.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve the conditional use with condition number four and to remove the condition of prohibiting outdoor storage.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

Senior Planner Stytz reviewed the petitioners request for several variations related to signs.

Attorney Klimek explained that one building houses two businesses and the building fronts two streets. The wrap around sign is completely on the fascia board and totals 236 sq ft. There is a stand-alone sign on the Rand Street side and an existing pole and frame that the petitioner would like to use for an electronic message board.

Member Weaver expressed his concern that the variance is for almost twice the size of the City's requirement of a maximum sign requirement of 125 sq ft.

Chair Veremis would support the variance because of the uniqueness of two businesses in one building and fronting two streets.

Chair Veremis reviewed the petitioners request for a variance to operate an electronic message board sign approximately 189.5 feet from the nearest residence when the City code requires a minimum of 250 feet. The petitioner is also requesting an electronic message board when the City Code required that the sign electronic message board shall not exceed 50% of the total sign area.

Attorney Klimek explained that the electronic message board can be dimmed or shut-off at night and controlled better than a static sign.

Pam Kroschel, 310 Grove, Des Plaines, IL 60016 was sworn in. Ms. Kroschel lives four houses from the building and expressed her concern that bright lights from the message board may be flashing while she is in her backyard.

Senior Planner Stytz explained that both static and electronic message boards have a maximum brightness restriction.

Community Development Director Carlisle stated that a condition could be added with an hours of use restriction.

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to allow the 236 sq ft sign that is over the 125 sq ft sign.

AYES: Veremis, Saletnik, Hofherr

NAYES: Weaver

ABSTAIN: None

*****MOTION CARRIES *****

A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to allow an electronic message board to be located 189.5 feet from a residence, where a minimum 250 foot-set back is required.

AYES: Weaver, Hofherr, Saletnik, Veremis
NAYES: None
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to allow a major variation to allow an electronic message board sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an electronic message board.

AYES: Saletnik, Hofherr
NAYES: Weaver, Veremis
ABSTAIN: None

*****MOTION FAILED *****

Board Member Saletnik suggested that the petitioners produce more technical information regarding the proposed sign before this item goes to the City Council.

The Petitioners and Attorney Klimek left the meeting at 10:08 p.m.

New Business/Discussion

Community Development Director Carlisle reviewed a memorandum dated July 22, 2022. The issue is the Zoning Ordinance describes the process for whether the City should consider an application shortly after it has been denied (successive application). The PZB is given certain authority to make an important determination in the process.

Analysis: Section 12-3-1.B reads as follows:

“1. Second Applications Without New Grounds Barred: Whenever any application filed pursuant to this title has been denied on its merits, a second application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the official, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact occurred that significantly affected the prior denial.

“2. New Grounds To Be Stated: Any such second application shall include a detailed statement of the grounds justifying its consideration.”

The Ordinance goes on to state that after a period of 12 months since denial, there is no longer a requirement to state new grounds. Within the 12 months, however, the Ordinance is clear that a detailed statement is required to state the grounds. However, it does not define “substantial new evidence”; it allows the PZB to make that determination.

CITY OF DES PLAINES

ORDINANCE Z - 27 - 22

AN ORDINANCE APPROVING MAJOR VARIATIONS FROM SECTION 12-11-6.B OF THE CITY OF DES PLAINES ZONING ORDINANCE TO ALLOW THE INSTALLATION OF WALL SIGNS AND AN ELECTRONIC MESSAGE BOARD POLE SIGN AT 1628 RAND ROAD, DES PLAINES, ILLINOIS (CASE #22-024-TA-CU-V).

WHEREAS, Granite Place & Quartz, LLC and Cabinet Land Kitchen & Bath Corporation (collectively, the "*Petitioner*") are the lessees of that certain property commonly known as 1628 Rand Road, Des Plaines, Illinois ("*Subject Property*"); and

WHEREAS, the Subject Property is located in the C-3 General Commercial District of the City ("*C-3 District*"); and

WHEREAS, pursuant to Section 12-11-6.B of the Des Plaines Zoning Ordinance of 1998, as amended ("*Zoning Ordinance*"): (i) the total sign area permitted on any street-facing building elevation may not exceed 125 square feet; (ii) the animated face of an electronic message board sign must be at least 250 feet from a residence located in the R-1, R-2, or R-3 Districts; and (iii) electronic message boards may not exceed 50 percent of the total sign area; and

WHEREAS, the Petitioner has installed wall signs on the Subject Property with the total sign area of 236 square feet, in violation of Section 12-11-6.B of the Zoning Ordinance; and

WHEREAS, the Petitioner proposes to install an electronic message board sign in an existing pole sign structure that would: (i) would be located 189.5 feet from the nearest residence in the R-1 District; and (ii) consist of 100 percent of the sign area, in violation of Section 12-11-6.B of the Zoning Ordinance; and

WHEREAS, the Petitioner submitted an application to the City of Des Plaines to the Department of Community and Economic Development ("*Department*") for major variations from Section 12-11-6.B of the Zoning Ordinance to: (i) increase the maximum wall sign area from 125 square feet to 236 square feet ("*Wall Sign Area Variation*"); (ii) decrease the required distance between the animated face of an electronic message board sign and a residence in the R-1 District from 250 feet to 189.5 feet ("*Residential Separation Variation*"); and (iii) increase the maximum permitted sign area for the electronic message board sign from 50 percent to 100 percent ("*EMB Sign Area Variation*") (collectively, the "*Variations*"); and

WHEREAS, the Petitioner's application for the Variations was referred by the Department, within 15 days after its receipt, to the Planning and Zoning Board of the City of Des Plaines ("*PZB*"); and

WHEREAS, within 90 days after the date of the Petitioner's application, a public hearing

was held by the PZB on July 26, 2022, pursuant to publication of notice in the *Des Plaines Journal* on July 6, 2022; and

WHEREAS, notice of the public hearing was mailed to all owners of property located within 500 feet of the Subject Property; and

WHEREAS, during the public hearing, the PZB heard testimony and received evidence with respect to the Petitioner's application for the Variations; and

WHEREAS, on July 26, 2022, the PZB voted on the following motions: (i) the motion to recommend approval the Wall Sign Area Variation passed by a vote of 4-0; (ii) the motion to recommend approval of the Residential Separation Variation passed by a vote of 3-1; and (iii) the motion to recommend approval of the EMB Sign Area Variation failed to pass by a vote of 2-2; and

WHEREAS, on July 27, 2022, the PZB filed a written report with the City Council summarizing the testimony received by the PZB and the PZB's recommendations; and

WHEREAS, the Petitioner made representations to the PZB with respect to the requested Variations, which representations are hereby found by the City Council to be material and upon which the City Council relies in granting the Variations subject to certain terms and conditions; and

WHEREAS, the City Council has studied the written report of the PZB, the applicable standards set forth in the Zoning Ordinance, and the Staff Memorandum dated August 25, 2022, including its exhibits, which form part of the basis for this Ordinance;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting part of the factual basis for this Ordinance granting the Variations.

SECTION 2. LEGAL DESCRIPTION OF SUBJECT PROPERTY. The Subject Property is legally described as follows:

LOTS 14 TO 18, BOTH INCLUSIVE, (EXCEPT THE SOUTHWESTERLY 17.0 FEET THEREOF) IN BLOCK 3 IN RIVER-RAND ROAD SUBDIVISION OF LOTS 1 TO 8, INCLUSIVE, IN BLOCK 18 (OR BENNET BLOCK) AND LOT 1 TO 13, EXCLUSIVE IN, BLOCK 18 (OR RAND BLOCK) IN PARK SUBDIVISION OF PARTS OF SECTIONS 16 AND 17, TOWNSHIP 41 NORTH,

RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDAN, IN COOK COUNTY, ILLINOIS.

PIN: 09-16-104-022-0000

Commonly known as 1628 Rand Road, Des Plaines, Illinois.

SECTION 3. VARIATIONS.

A. Wall Sign Area Variation. The City Council finds that the Wall Sign Area Variation satisfies the standards set forth in Section 12-3-6.H of the Zoning Ordinance and, pursuant to the City's home rule powers, finds that the Wall Sign Area Variation is otherwise necessary and appropriate. Subject to and contingent upon the conditions, restrictions, limitations and provisions set forth in Section 4 of this Ordinance, the City Council hereby grants the Wall Sign Area Variation for the Subject Property to the Petitioner.

B. Residential Separation Variation. The City Council finds that the Residential Separation Variation satisfies the standards set forth in Section 12-3-6.H of the Zoning Ordinance and, pursuant to the City's home rule powers, finds that the Residential Separation Variation is otherwise necessary and appropriate. Subject to and contingent upon the conditions, restrictions, limitations and provisions set forth in Section 4 of this Ordinance, the City Council hereby grants the Residential Separation Variation for the Subject Property to the Petitioner.

C. EMB Sign Area Variation. The City Council finds that the EMB Sign Area Variation satisfies the standards set forth in Section 12-3-6.H of the Zoning Ordinance and, pursuant to the City's home rule powers, finds that the EMB Sign Area Variation is otherwise necessary and appropriate. Subject to and contingent upon the conditions, restrictions, limitations and provisions set forth in Section 4 of this Ordinance, the City Council hereby grants the EMB Sign Area Variation for the Subject Property to the Petitioner.

SECTION 4. CONDITIONS. The Variations granted in Section 3 of this Ordinance shall be, and are expressly subject to and contingent upon the conditions, restrictions, and limitations set forth in this Section 4. The development, use, and maintenance of the Subject Property shall be in strict compliance with the “Sign Photos and Renderings” consisting of 11 sheets, submitted by the Petitioner, and undated, copies of which is attached to and, by this reference, made a part of this Ordinance as **Exhibit A**, except for minor changes and site work approved by the Director of the Department of Community and Economic Development in accordance with applicable City codes, ordinances, and standards.

SECTION 5. EFFECT. This Ordinance authorizes the use and development of the Subject Property in accordance with the terms and conditions of this Ordinance and shall prevail against other ordinances of the City to the extent that any might conflict. The terms and conditions of this Ordinance shall be binding upon Petitioner, its grantees, assigns and successors in interest to the Subject Property.

SECTION 6. LIMITATIONS. The Variations shall be valid for not more than 12 months prior to the issuance of a building permit and the commencement of construction in accordance with the terms and conditions of this Ordinance. The Zoning Administrator may extend the Variations if the Petitioner requests an extension in accordance with Section 12-3-6.L of the Zoning Ordinance.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law; provided, however, that this Ordinance shall not take effect unless and until a true and correct copy of this Ordinance is executed by the Owner of the Subject Property or such other party in interest consenting to and agreeing to be bound by the terms and conditions contained within this

Ordinance. Such execution shall take place within 60 days after the passage and approval of this Ordinance or within such extension of time as may be granted by the City Council by motion and delivered directly to the City Clerk.

SECTION 8. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

I, _____, being the owner or other party in interest of the property legally described within this Ordinance, having read a copy of the Ordinance, do hereby accept, concur and agree to develop and use the Subject Property in accordance with the terms of this Ordinance.

Dated: _____

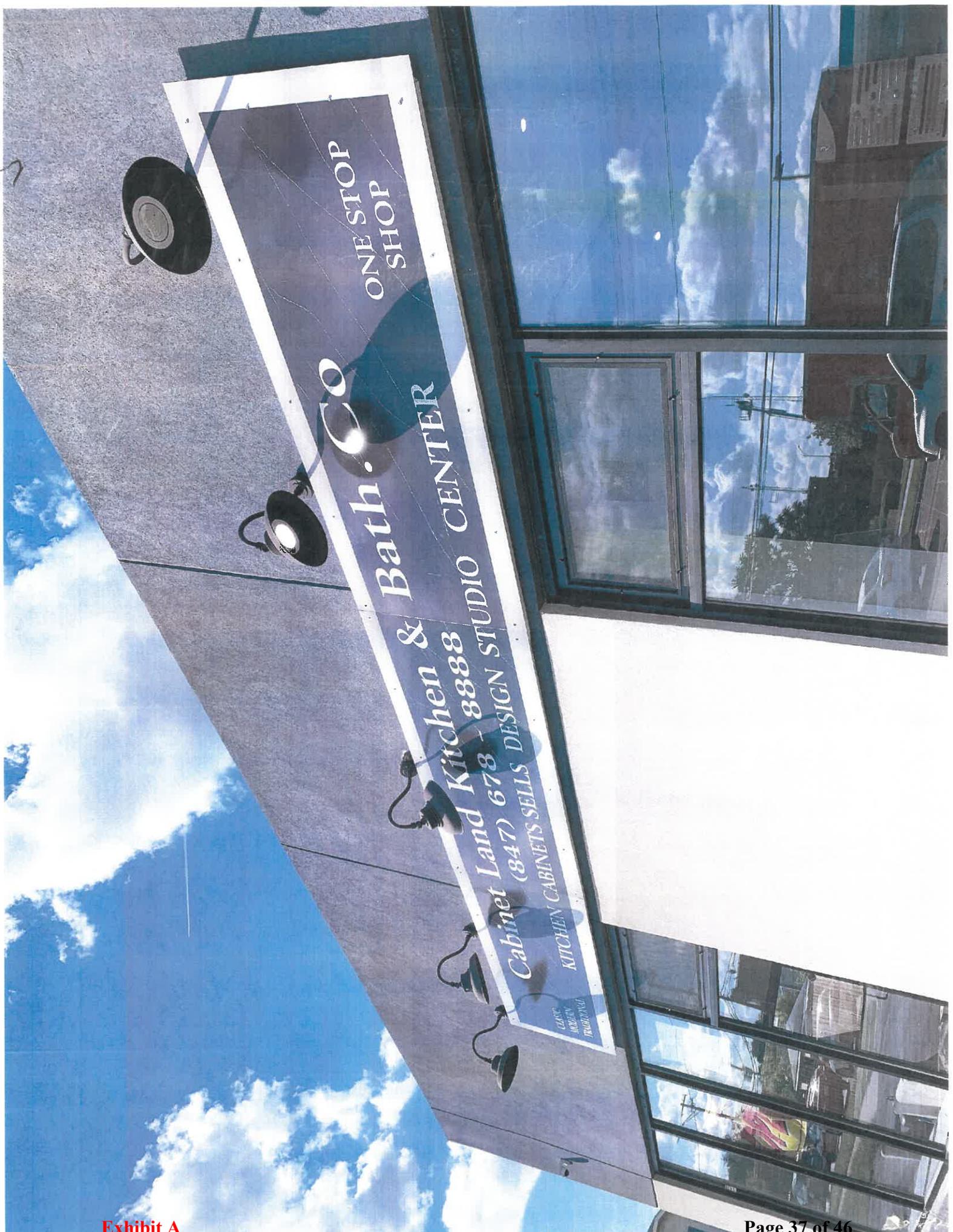
(Signature)



EXISTING WOOD FRAME IS TIED INTO THE WALL WITH 3/4" (THICK) AND 8' (LONG) KWIK BOLT LONG THREAD CARBON STEEL EXPANSION ANCHORS.

MATERIAL: ALU PANEL 12.5 MM INSTALL TO EXISTING GREEN WOOD FRAME.

DIMENSIONS: 24' X 3'







VINYL WRAP OVER EXISTING FRONT FASCIA BOARD.

MATERIAL: VINYL STICKER

DIMENSIONS: 82' X 2'

GRANITE MARBLE QUARTZ

ALL STONES
LARGE SELECTION
BEST PRICES









Outdoor LED Programmable sign

16mm Pixel Pitch

Cabinet Size 73" by 144"

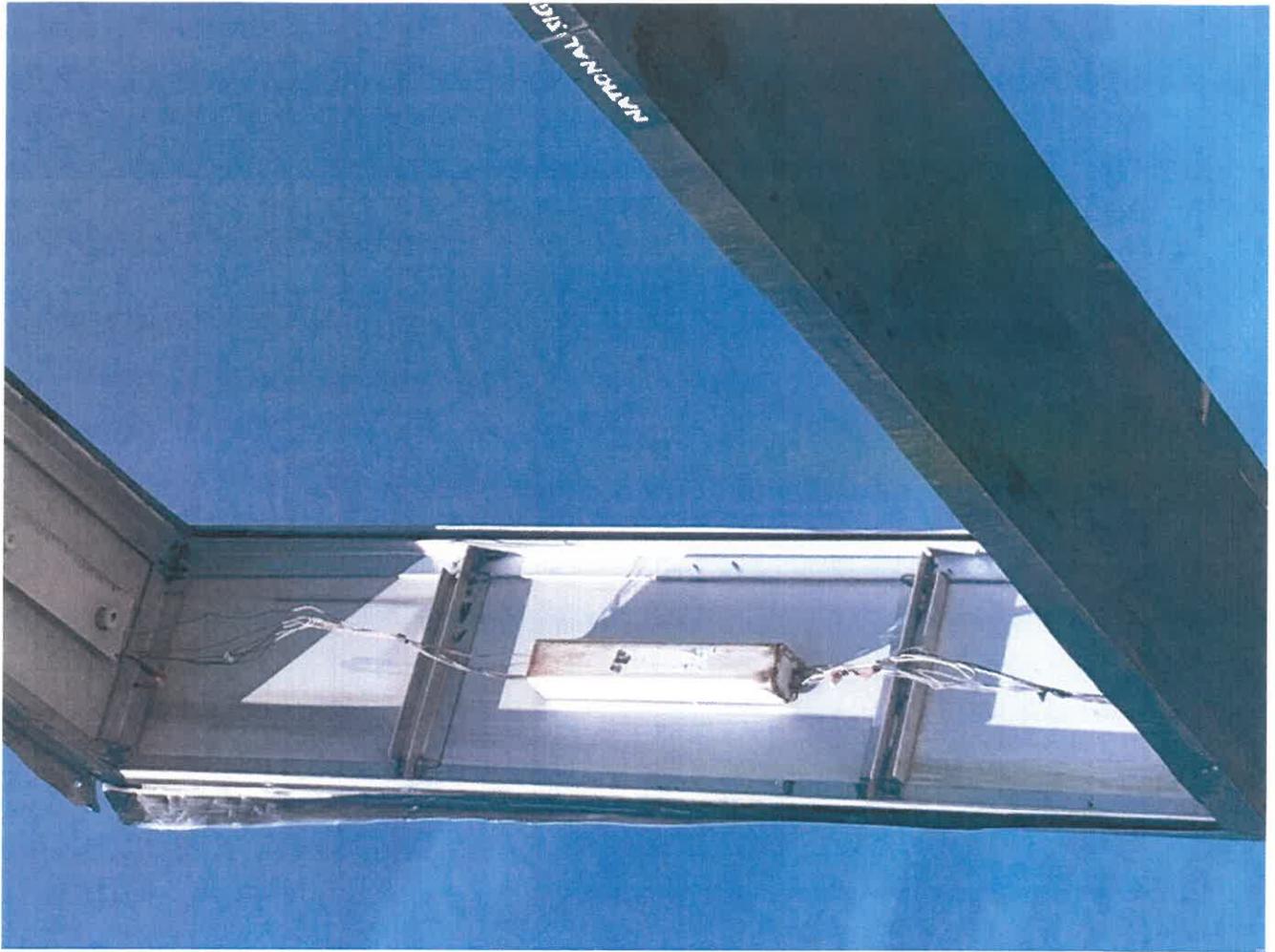
Viewable Area 70.5" by 141.5"

Brightness adjustable and includes Auto Dimmer

Install to **existing** Electric contraction







MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS, DES PLAINES CIVIC CENTER, TUESDAY, SEPTEMBER 6, 2022

CALL TO ORDER

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Goczkowski at 6:00 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Tuesday, September 6, 2022.

ROLL CALL

Roll call indicated the following Aldermen present: Lysakowski, Oskerka, Zadrozny, Chester. Absent: Moylan, Brookman, Smith, Ebrahimi. A quorum was present.

CLOSED SESSION

Moved by Chester, seconded by Oskerka to enter into Closed Session under the following sections of the Open Meetings Act – Probable or Imminent Litigation, Personnel, Sale of Property, Purchase or Lease of Property, and Litigation.

Upon roll call, the vote was:

AYES: 4 - Lysakowski, Oskerka, Zadrozny, Chester

NAYS: 0 - None

ABSENT: 4 - Moylan, Brookman, Smith, Ebrahimi

Motion declared unanimously carried.

The City Council recessed at 6:01 p.m.

The City Council reconvened at 7:00 p.m.

Roll call indicated the following Alderman present: Lysakowski, Oskerka, Zadrozny, Chester, Ebrahimi. Absent: Moylan, Brookman, Smith. A quorum was present.

Also present were: City Manager Bartholomew, Assistant City Manager/Director of Finance Wisniewski, Director of Public Works and Engineering Oakley, Director of Community and Economic Development Carlisle, Fire Chief Anderson, Police Chief Anderson, and General Counsel Culbertson.

PRAYER AND PLEDGE

The prayer and the Pledge of Allegiance to the Flag of the United States of America were offered by Alderman Zadrozny.

PROCLAMATION

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring September 15, 2022 – October 15, 2022 as Hispanic Heritage Month.

Mayor Goczkowski presented the proclamation to a member of Maine West High School's Latinx Club.

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring September as Suicide Prevention Awareness Month.

PUBLIC COMMENT

Three members of the Knights of Columbus - David, Jeffrey, and Roger - mentioned they will be hosting their annual Tootsie Roll Drive starting September 16, 2022 through September 18, 2022; they will be collecting donations for the disabled throughout Des Plaines during this timeframe. David stated the Knights of Columbus have been a part of the Des Plaines community for over fifty years.

Resident Paula Hatfield stated she is a crossing guard at the corner of Dempster St/Thacker St and Westgate Rd. She asked the City for help regarding the danger at the crosswalk from reckless drivers.

Resident Paul Beramek stated there has been a recent issue with rats near Arlington Ave and Webford Ave, and he asked the City for help with the rat problem.

**MAYORAL
ANNOUNCEMENTS**

Mayor Goczkowski stated the City will be hosting a Patriot Day Ceremony on Sunday, September 11, 2022 at 8:00 a.m. The ceremony will take place at the Des Plaines Civic Center, and all are welcome to attend.

On May 3, 2021, a Declaration of Civil Emergency for the City of Des Plaines related to the COVID-19 emergency was authorized. The Declaration provided that: (1) the City may enter into contracts for the emergency purchase of goods and services; (2) the City Manager may implement emergency staffing protocols pursuant to the City’s respective collective bargaining agreements; and (3) directed City officials and employees to cooperate with other government agencies.

In accordance with Illinois statutes, the Mayor’s Declaration lasted only for a period of seven days, unless it was extended by action of the City Council. At each subsequent City Council meeting, the City Council, by motion, extended the Declaration until the next adjournment of the next special or City Council meeting. This extension of the Declaration includes the Supplemental Order dated January 3, 2022.

Mayor Goczkowski presented an extension to the Declaration of Civil Emergency.

Moved by Chester, seconded by Zadrozny, to extend the May 3, 2021 Declaration of Civil Emergency until the adjournment of the next regular, special, or emergency meeting of the City Council including the Supplement Order dated January 3, 2022.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny
Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

**GENERAL
COUNSEL REPORT**

General Counsel Culbertson stated she is filling in for Peter Friedman who is feeling under the weather.

CONSENT AGENDA

Mayor Goczkowski stated Staff requested Item Number 2, be removed from the Consent Agenda. Item Number 2, Ordinance M-25-22, was removed from the Consent Agenda without objection.

Moved by Oskerka, seconded by Zadrozny, to Establish the Consent Agenda.

Upon voice vote, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny,
Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

Moved by Oskerka, seconded by Chester, to Approve the Consent Agenda.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny,
Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

Minutes were approved; Ordinance M-24-22 was approved; Requests were approved; Resolutions R-148-22, R-149-22, R-150-22 were adopted.

**AMEND CITY
CODE/ ADD ONE
H-1 LIQ LIC/ 574 E
OAKTON ST**
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve First Reading of Ordinance M-24-22, AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS “H-1” LIQUOR LICENSE. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-24-22**

**AMEND CITY
CODE/ ADD ONE
CLASS M LIQ LIC/
10 W GOLF RD**
Consent Agenda

Staff requested Item Number 2, Ordinance M-25-22, be removed from the Consent Agenda. Item Number 2, Ordinance M-25-22, was removed from the Consent Agenda without objection.

**Ordinance
M-25-22**

**APPROVE CLASS B
LIQ LIC/ CHG/ 1185
ELMHURST RD**
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve, CHANGE OF OWNERSHIP FOR A CLASS B – BULK RETAIL SALES ONLY LIQUOR LICENSE FOR GOGO FOOD & LIQUOR, INC., 1185 ELMHURST ROAD. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE CLASS M
LIQ LIC/ CHG/ 825
W. OAKTON ST**
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve, CHANGE OF OWNERSHIP FOR A CLASS M – GAS STATION RETAIL ONLY LIQUOR LICENSE FOR ANSH & ANVI CORPORATION D/B/A 7-ELEVEN #30101C, 825 W. OAKTON STREET. Motion declared carried as approved unanimously under Consent Agenda.

**SUP APP/ GRANT
FUNDS/ IDOT**
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve Resolution R-148-22, A RESOLUTION SUPPORTING AN APPLICATION FOR ITEP GRANT FUNDS FROM THE ILLINOIS DEPARTMENT OF TRANSPORTATION. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-148-22**

**APPROVE AGRMT/
DEMO/ 1374, 1384, &
1392-1396 OAKTON
ST**
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve Resolution R-149-22, A RESOLUTION APPROVING AN AGREEMENT WITH K.L.F. ENTERPRISES, INC. FOR THE DEMOLITION OF THE PROPERTIES LOCATED AT 1374, 1384, AND 1392-1396 OAKTON STREET. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-149-22**

**APPROVE IGA/
CONFINED SPACE
ENTRY PERMIT/
MWRD**
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve Resolution R-150-22, AA RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO REGARDING A CONFINED SPACE ENTRY PERMIT. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-150-22**

APPROVE
MINUTES
Consent Agenda

Moved by Oskerka, seconded by Chester, to Approve the Minutes of the City Council meeting of August 15, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

UNFINISHED
BUSINESS

CONSIDER
APPROVING &
AUTHORIZING
THE EXECUTION
OF A PURCH &
SALE AGRMT OF
THE PROPERTY
LOCATED AT 1332
WEBFORD AVE
Ordinance
M-22-22

Director of Community & Economic Development Carlisle reviewed a memorandum dated August 26, 2022.

At its August 1, 2022 meeting, the City Council voted 6-1 to approve the first reading of Ordinance M-22-22, which authorizes the City’s entrance into a Purchase and Sale Agreement (PSA) for 1332 Webford Avenue, a City-owned public parking lot. The proposed purchaser, 622 Graceland Apartments LLC, contemplates the property as part of a mixed-use residential, commercial, parking, and green space development, a zoning change for which (C-3 to C-5 district) was approved on August 1 via Ordinance Z-23-22. The terms of the agreement reflect the following:

- The purchase price for 1332 Webford is now simply \$10. However, the agreement necessitates that the purchaser/developer finalize acquisition of 1330 Webford, an approximately 9,000-square-foot parcel immediately west of 1332 Webford. This acquisition (closing) must happen either prior to the closing for 1332 Webford or essentially simultaneous. The reasoning is some members of the Council have expressed a desire to see the 1330 Webford property (currently improved with “The Dance Building”) repurposed as a green space open to the public.
- The PSA requires the purchaser/developer to be responsible for paying for demolition of the existing building at 1330 Webford, as well as all site preparation, programming, and landscaping of the property with placemaking or recreational elements desired by the City.
- The PSA stipulates the purchaser/developer, as the new owner of 1330 Webford, would record a permanent and perpetual easement requiring that 1330 Webford be maintained as public open space, with purchaser/developer or any successors responsible for property maintenance, including maintenance of any recreational improvements. Further, the developer/purchaser or any successors would be responsible for any real estate taxes as may be levied. The result of this arrangement is the City essentially trades a current surface parking lot for a future, publicly available green space, while not inheriting a maintenance obligation for the green space. The City would also receive a supply of indoor public parking in the garage in the new development.
- The PSA refers to a subsequent redevelopment agreement that would require the proposed mixed-use residential, commercial, and parking project at 622 Graceland, 1332 Webford, and 1368 Webford to be “constructed, maintained, and operated in accordance with plans approved” by the City. This term is intended to give the Council the ability to ensure the petitioner uses desired design concepts.
- The PSA requires the purchaser/developer to deliver a rezoning covenant in a legal instrument acceptable to the General Counsel that pledges the purchaser or any successors in title would not object to a rezoning of 622 Graceland, 1332 Webford, and 1368 Webford to its previous C-3 if the project as contemplated is abandoned prior to application for building permits.

622 Graceland Apartments LLC, an Illinois limited liability corporation, has approached the City with an offer to purchase the property at 1332 Webford Avenue, which is a City-owned public parking lot. The purchaser intends to acquire the property and develop it vertically, pursuant to the applicable bulk rules of the Zoning Ordinance, with a mixed-use residential, commercial, and parking development that would include public parking spaces and publicly accessible green space.

1332 Webford is a 13,500-square-foot property directly west of the 622 Graceland Avenue-1368 Webford property (the “Journal and Topics site”) and east of a small mixed-use commercial-residential building at 1330 Webford. A public parking lot, 1332 Webford has been used historically by a mix of permit-holders, who have obtained a monthly permit from the City’s Finance Department, and those seeking time-limited free public parking.

622 Graceland Apartments LLC is proposing a mixed-use development (the “Graceland-Webford project”) with 131 residential units, approximately 2,800 square feet of restaurant-lounge/commercial space, an approximately 3,400-square-foot publicly available open green space adjacent to Webford, and a parking garage that would contain 179 spaces. Of these 179 spaces, 25 would be allocated for public use, intended to partially replace the 38 spaces currently at 1332 Webford. The remaining 154 would fulfill the off-street parking requirements of the Zoning Ordinance for the residential units (137 spaces) and proposed restaurant-lounge (17 spaces) in the development. The Graceland-Webford project as designed relies upon the acquisition of 1332 Webford.

The City would not be involved in or obligated to any administrative functions nor any enforcement responsibilities for the public spaces within a garage. Maintenance responsibilities would rest solely with the purchaser/developer and/or any future property owners. Although the City would not be able to collect revenue from the spaces, the agreement does not allow the purchaser/developer to collect revenue, either; the public spaces would be free. This and other terms governing the use and operation of the public parking spaces would be formalized and recorded against the property, and encompassed within the redevelopment agreement.

Resident Jim Hansen stated he does not believe any of the residents asked the City to request the developer to buy the dance building in order to turn it into a park. He also stated the push for green space led to the City selling the parking lot for ten dollars to offset the high cost of the dance building.

Resident Jordan Minerva stated he believes the idea of the park being placed at that location was meant as an alternative to the development, not as a negotiating point.

Resident Phil Rominski asked for clarification regarding who is responsible for any issues that may arise at the green space, and who the residents should call to report problems.

Police Chief Anderson stated the residents should call the police since the property is a part of incorporated Des Plaines.

Resident Phil Rominski also asked for Joe Taylor to work the neighborhood to decide the design and development of the green space.

Developer Joe Taylor stated he commits to scheduling meetings with the community for input on the design of the green space.

Resident Paul Beramek asked what is the guarantee that the developer will follow through on the commitment to working with the community for the development of the green space.

Mayor Goczkowski stated the developer has to enter into a Redevelopment Agreement with the City which will lay out specific stipulations that will need to be met, and that there are steps that can be taken to ensure compliance.

Advanced to Second Reading by Zadrozny, seconded by Chester, to Adopt the Ordinance M-22-22, AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR THE SALE OF THE PROPERTY LOCATED AT 1332 WEBFORD AVENUE, DES PLAINES, ILLINOIS.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny, Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

NEW BUSINESS

FINANCE & ADMINISTRATION – Alderman Zadrozny, Chair

WARRANT REGISTER
Resolution R-151-22

Alderman Zadrozny presented the Warrant Register.

Moved by Zadrozny, seconded by Oskerka, to Approve the Warrant Register of September 7, 2022 in the Amount of \$6,707,530.71 and Approve Resolution R-151-22.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny, Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

CONSIDER AMENDMENTS TO THE INVESTMENT POLICY
Resolution R-152-22

Assistant City Manager/Director of Finance Wisniewski reviewed a memorandum dated August 24, 2022.

Consideration is requested of the City Council to approve a Resolution accepting the amendments to Chapter VI – “Investments” of the City of Des Plaines Financial Policy and Procedure Manual.

The current Investment Policy was last updated on January 20, 2015; the proposed Investment Policy for the City of Des Plaines includes suggested revisions and changes in accordance with the State Statutes.

The objective of revising the Investment Policy was to clarify the existing language, update recent State Statute language changes and add a new broker/dealer. According with the Illinois Public Funds Investment Act (30 ILCS 235 / 2.5) the investment policy shall include or address the twelve objectives:

- A listing of all Authorized Investments
- A “Prudent Person Rule”
- A Statement of Purpose for the Funds
- Diversification Guidelines
- Collateral Guidelines and Safekeeping
- A system of Internal Controls
- Identification of the Chief Investment Officer
- Performance Measures
- A system to review the General Objectives
- Reporting Requirements
- Authorized Financial Institutions and Advisors
- A statement on Ethics and Conflict of Interest

The following provides a summary of the changes recommended to the current investment policy:

- Authorized Investments:
 - Added the reference “but not limited to” as there are investments allowed under the act not listed in this policy.
 - Changed the language referencing commercial paper and commercial bonds to reflect the new statute.
 - Removed Illinois Metropolitan Investment Fund (IMET) as it is already included under the Listing of Authorized Financial Institutions.
- Diversification:
 - Clarifying the portfolio diversification limitations per financial institution.
 - Increased the percentages of commercial paper holdings from 10% to 33%.
- Broker/Dealers
 - Added Fifth Third Securities Inc. to the List of Broker/Dealers.

Staff recommended that the City Council adopt the revised Chapter VI – “Investments” of the City of Des Plaines Financial Policy and Procedure Manual as set forth in the Resolution.

Moved by Zadrozny, seconded by Chester, to Approve the Resolution R-152-22, A RESOLUTION ADOPTING AMENDMENTS TO THE INVESTMENT POLICY FOR THE CITY OF DES PLAINES.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny,
Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

COMMUNITY DEVELOPMENT - Alderman Chester, Chair

CONSIDER
AMENDING SEC 12-
7-3 OF THE ZONING
ORDINANCE
REGARDING THE
OUTDOOR
DISPLAY AND
STORAGE OF
PRODUCTS IN THE
C-3 GENERAL
COMMERCIAL
DISTRICT
Ordinance
Z-25-22

Director of Community & Economic Development Carlisle reviewed a memorandum dated August 25, 2022.

The petitioner’s proposal consists of amending Section 12-7-3.F.5 of the Zoning Ordinance to allow for the storage and display of products on C-3-zoned property. The petitioner has worked with staff to construct these text amendments to make outdoor storage and display areas an impactful improvement to trade contractor properties on C-3-zoned properties throughout the City while also ensuring such storage could be designed appropriately to meet the principals of the Zoning Ordinance.

First, the proposed text amendment limits the allowance of outdoor display and storage to trade contractor uses with an active business license and a conditional use permit. Since trade contractor uses are permitted in the C-3 district only through a conditional use permit, the conditional use process allows the Planning & Zoning Board (PZB) and City Council to review the proposed scale, location, and other components of proposed outdoor display and storage.

In addition, outdoor display and storage on properties with a trade contractor use would be governed by certain general conditions and restrictions beyond the conditions in a conditional use ordinance to ensure that they do not create adverse effects on the subject property or surrounding properties. Outdoor storage and display would be required to occur on dust-free hard surfaces and would not be permitted within required yards to prevent outdoor display and storage from being directly at property lines of neighboring properties. Moreover, outdoor display and storage would be limited to eight feet in height and required to be fully screened by an eight-foot-tall, opaque fence. As Section 12-7-3.F.5 already requires properties in the C-3 zoning district to install eight-foot-tall fencing on property lines abutting residential

districts, this regulation would be consistent with the intent of the Zoning Ordinance. Finally, the type of outdoor display materials would be regulated to allow only prefabricated or finished products to be displayed, prohibiting raw or landscape materials, or any other materials utilized for the manufacturing, processing, or assembly of products, from being located outside. The intent is to distinguish “outdoor display and storage of products” from “open storage,” which is currently only possible in the M-2 General Manufacturing District.

The PZB recommended (4-0) that the City Council approve the proposed text amendment with the changes discussed during the meeting.

Moved by Lysakowski, seconded by Chester, to Approve the Ordinance Z-25-22, AN ORDINANCE AMENDING SECTION 12-7-3 OF THE DES PLAINES ZONING ORDINANCE REGARDING THE OUTDOOR DISPLAY AND STORAGE OF PRODUCTS IN THE C-3 GENERAL COMMERCIAL DISTRICT.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny, Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

CONSIDER
GRANTING AN
AMENDMENT TO
AN EXISTING
CONDITIONAL USE
PERMIT TO
ALLOW OUTDOOR
DISPLAY AND
STORAGE OF
PRODUCTS AT 1628
RAND RD
Ordinance
Z-26-22

Director of Community & Economic Development Carlisle reviewed a memorandum dated August 25, 2022.

The petitioner is requesting an amendment to the existing Conditional Use permit approved in 2021 through Ordinance Z-36-21, which allowed a trade contractor use to operate on subject property. The requested amended approval would remove the condition prohibiting the outdoor storage of fabricated goods on the property. However, if the proposed text amendment is approved, the petitioner proposes to utilize an outdoor portion of the subject property for storage of business products, processing business orders, and as a staging area for incoming and outgoing orders. The petitioner expressed in the public hearing of the Planning & Zoning Board (PZB) that they believe it is impractical to confine the outdoor display and storage to a specific area of the site, so they did not submit a site plan marking such area.

Currently the subject property lies within the 100-year floodplain; for that reason, the floodplain regulations of Title 14 of the City Code, which is designed to mirror and enforce regulations of all other agencies such as the Federal Emergency Management Agency (FEMA), will restrict the ability to store or display products outside. There are options for the petitioner to either (i) provide compensatory storage to comply with floodplain regulations or (ii) have the property mapped out of the floodplain via the Letter of Map Amendment/Revision process. Nonetheless, regardless of whether Ordinance Z-26-22 is approved to amend the conditional use (e.g., zoning entitlement), the petitioner would have to comply with the Flood Control regulations, which are separate from Zoning.

The PZB recommended (4-0) that the City Council approve the conditional use amendment request with condition No. 1; and Staff recommends adding condition No. 2.

Conditions of Approval:

1. All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.
2. No outdoor storage or display shall be placed on the Subject Property unless such placement complies with Flood Control regulations in Title 14 of the Municipal Code.

Moved by Lysakowski, seconded by Chester, to Approve the Ordinance Z-25-22, AN ORDINANCE GRANTING AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW OUTDOOR DISPLAY AND STORAGE OF PRODUCTS RELATED TO THE TRADE CONTRACTOR USE LOCATED AT 1628 RAND ROAD, DES PLAINES, ILLINOIS.

No vote due to a substitute motion.

The petitioners and their attorney spoke on their behalf – they gave a case regarding why they believe their outdoor storage should not fall under the terms of the FEMA regulations, Title 14, and the requirement of compensatory storage.

Alderman Oskerka stated he would like to postpone the vote on the Ordinance until further clarification can be provided regarding flood control on the property and the expectation of the property owners.

Moved by Oskerka, seconded by Lysakowski, to approve a substitute motion to postpone the Ordinance Z-25-22 to a date in the future when further clarification can be provided regarding the floodplain and the expectations of the property owners, AN ORDINANCE GRANTING AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW OUTDOOR DISPLAY AND STORAGE OF PRODUCTS RELATED TO THE TRADE CONTRACTOR USE LOCATED AT 1628 RAND ROAD, DES PLAINES, ILLINOIS.

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny,
Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

CONSIDER
APPROVING
MAJOR
VARIATIONS OF
THE ZONING
ORDINANCE TO
ALLOW THE
INSTALLATION OF
WALL SIGNS AND
AN ELECTRONIC
MESSAGE BOARD
POLE SIGN AT 1628
RAND RD
Ordinance
Z-27-22

Director of Community & Economic Development Carlisle reviewed a memorandum dated August 25, 2022.

The petitioner's project narrative requests several variations related to signs. The first variation relates to total wall sign area, specifically wall signs totaling 236 square feet in area, that have been installed without a permit and exceed the maximum sign area allowed for the building.

Pursuant to Section 12-11-6.B of the Zoning Ordinance: The total sign area permitted on any street facing elevation shall not exceed 3 sq. ft. per linear foot of horizontal building face. The total sign area permitted on an entire shall not exceed 125 sq. ft. unless such building is a shopping center or office building containing three or more businesses.

As the existing building does not meet the definition of a shopping center or office building, it is limited to a total of 125 square feet for the entire building. The petitioner's request regarding the sign area does not meet the sign code requirements and requires a major variation.

The other two variation requests relate to an existing pole sign structure along the southern property line near the southwest corner of the property and at the Rand Road frontage. There is currently no sign installed on the existing pole but rather the framing of the pole sign structure with exposed electrical and internal sign cabinet components. The petitioner intends to repurpose this pole sign structure with a new electronic message board (EMB) sign.

The two EMB sign regulations in conflict with the petitioner's proposal are:

- Location: The animated face of an electronic message board sign shall be a minimum of 250 feet away from a residence in the R-1, R-2, and R-3 Residential Districts and shall be arranged to prevent direct glare onto any adjacent properties.
- Electronic message boards shall not exceed 50% of the total sign area.

As the existing pole sign structure is located approximately 189.5 feet from the nearest residence in the R-1 district, just north of the subject property, it does not meet the minimum setback distance required. Moreover, the petitioner’s proposal includes an EMB that would equal 100 percent of the pole sign area, double the 50 percent maximum sign area permitted for EMBs in pole signs. As such, two separate major variation requests are necessary for the EMB sign setback distance and area in relation to the total pole sign area.

Section 12-11-6.B requires that EMB signs have automatic dimming. Staff would require a building permit submittal to demonstrate the required specifications.

The PZB made a motion for each request individually:

- Voted (3-1) to recommend that the City Council approve the total wall sign area request as presented to allow 236 square feet where a maximum of 125 square feet of sign area, including wall, canopy, and awning signs, is permitted;
- Voted (4-0) to recommend that the City Council approve the EMB sign setback request as presented, allowing the sign to be located approximately 189.5 feet from a residence where a minimum of 250 feet is required; and
- Voted (2-2) on a motion to recommend that the City Council approve the EMB sign area request as presented. Per the City Code, this vote results in a recommendation to deny.

Moved by Lysakowski, seconded by Zadrozny, to Approve the Ordinance Z-27-22, AN ORDINANCE APPROVING MAJOR VARIATIONS FROM SECTION 12-11-6.B OF THE CITY OF DES PLAINES ZONING ORDINANCE TO ALLOW THE INSTALLATION OF WALL SIGNS AND AN ELECTRONIC MESSAGE BOARD POLE SIGN AT 1628 RAND ROAD, DES PLAINES, ILLINOIS (CASE #22-024-TA-CU-V).

Upon roll call, the vote was:

AYES: 5 - Lysakowski, Oskerka, Zadrozny,
Chester, Ebrahimi

NAYS: 0 - None

ABSENT: 3 - Moylan, Brookman, Smith

Motion declared carried.

ADJOURNMENT

Moved by Oskerka, seconded by Chester to adjourn the meeting. The meeting adjourned at 8:09 p.m.

Jessica M. Mastalski – CITY CLERK

APPROVED BY ME THIS _____

DAY OF _____, 2022

Andrew Goczkowski, MAYOR

MEMORANDUM

Date: September 8, 2022

To: Michael G. Bartholomew, City Manager

From: Daniel Anderson, Fire Chief *DA*
Sam Foster, Deputy Chief *SF*

Subject: Purchase of Fire Department Administrative Vehicles

Issue: At the March 21, 2022, City Council Meeting, Resolution R-58-22 was approved authorizing the purchase of three Ford Police Interceptor Utility Vehicles from Currie Motors through the Suburban Purchasing Cooperative. The order was submitted to Currie Motors; however, they could not accept the order as Ford would not allow dealers to accept any new orders for the 2022 model year just a few days prior to our submittal. Ford would not be accepting any new orders until they released their pricing for 2023 models.

Analysis: The ability to purchase these vehicles is a nationwide issue. Vehicle manufacturers are struggling with supply issues and have either cut production windows or stopped making certain units. With countless public safety entities all looking for vehicles, Fire Department staff continued to look for alternative purchasing sources. We received notification that the State of Illinois, through its Central Management Services (“CMS”) issued a contract for purchase of 2023 Ford Police Interceptors which would only be open for a few days. Staff received the specification and order form as well as confirmed the build slots were available. Staff submitted our purchase specification package to Sutton Ford of Matteson, who has the Ford vehicle contract with CMS, to secure production slots.

Staff provided the Finance Director and City Manager with an update on the purchase opportunity that included an expected increase in pricing from Ford. The previously approved purchase through the Suburban Purchasing Cooperative (“SPC”) for 2022 models was based on the existing contract with Currie Motors. The Currie Motors contract is only for the 2022 models, which are not being accepted anymore, and no new contract has been posted for the 2023 models. As anticipated, Ford increased their prices by nearly \$10,000 per unit.

The window for taking orders on the 2023 models is expected to close September 9, 2022, which is consistent with the Ford F150 Police pickup truck version which closed after a few weeks. It is recommended that the City purchase these vehicles from the Sutton Ford through the CMS contract. The vehicles have a replacement cost of \$44,211 per unit, for a total purchase price of \$132,633.

Recommendation: We recommend the City Council rescind Resolution R-58-22 and approve Resolution R-153-22 for the purchase of three Ford Police Interceptor Utility Vehicles from Sutton Ford of Matteson, Illinois, at a cost not to exceed \$132,633. Purchase of these vehicles are included in the 2022 Fire Department Equipment Replacement Fund, Account # 410-70-000-0000.8020.

Attachments:

Attachment 1 – Sutton Ford Order Form – Ford Police Interceptor Fire Department Vehicles
Resolution R - 153 - 22



2023 Ford Explorer Police Utility
State of Illinois
Joint Purchasing Master Contract



ORDER CUTOFF DATE: Friday, September 9, 2022



Contact: Brittany Hall, Fleet Manager
Phone: 708-720-8035
Email: bhall@suttonford.com

Please contact us to learn about ready for the road turnkey packages and municipal leasing options.

2023 Ford Explorer Police Utility

Please enter the following:

Agency Name & Address	City of Des Plaines
	1420 Miner Street
	Des Plaines, IL 60016
Contact Name	Tim Watkins
Phone Number	847-391-5468
Purchase Order Number	2022- 00000435
Tax Exempt Number	E99981793
Delivery Address	1111 Joseph J Schwab Road
	Des Plaines, IL 60016

Please Submit Tax Exempt Letter with Vehicle Order:

Sutton Ford
21321 Central Ave.
Matteson, IL 60443
Contact: Brittany Hall
Phone: (708)720-8035
Email: bhall@suttonford.com

If We Have Missed an Option, Please Contact Our Office

**Base Vehicles,
Optional Equipment,
and Upfitting**

Vehicle Quantity:

3

Base Vehicle Bid Lines

BID LINE	ENGINES	Option Code	Price	Selection
STD	Police Interceptor Utility AWD	K8A	STD	STD
46	AWD 3.3L V6 Direct-Injection Hybrid Engine System with 10-Speed Automatic Transmission (136-MPH Top Speed)- Includes all standard equipment: Power windows and door locks; Air conditioning and heat climate control; AM/FM radio, clock and bluetooth capability; Cruise control, Front cloth bucket seats with power driver's seat; Rear vinyl split bench seat; heated foldaway power exterior mirrors; Keyless entry with single key for entry, ignition, trunk and glovebox; 3 key sets for each vehicle; Steering wheel program.; Noise suppression ground straps; Rear view camera in center stack; Secure idle; Each vehicle individually keyed	99W/44B	\$ 42,424.00	<input checked="" type="checkbox"/>
49	AWD 3.3L V6 Direct-Injection FFV with 10-Speed Automatic Transmission (136-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank- Includes all standard equipment: Power windows and door locks; Air conditioning and heat climate control; AM/FM radio, clock and bluetooth capability; Cruise control, Front cloth bucket seats with power driver's seat; Rear vinyl split bench seat; heated foldaway power exterior mirrors; Keyless entry with single key for entry, ignition, trunk and glovebox; 3 key sets for each vehicle; Steering wheel program.; Noise suppression ground straps; Rear view camera in center stack; Secure idle; Each vehicle individually keyed	99B/44U	\$ 39,923.00	<input type="checkbox"/>
50	AWD 3.0L V6 EcoBoost® with 10-Speed Automatic Transmission – (148-MPH Top Speed) Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank) -Includes all standard equipment: Power windows and door locks; Air conditioning and heat climate control; AM/FM radio, clock and bluetooth capability; Cruise control, Front cloth bucket seats with power driver's seat; Rear vinyl split bench seat; heated foldaway power exterior mirrors; Keyless entry with single key for entry, ignition, trunk and glovebox; 3 key sets for each vehicle; Steering wheel program.; Noise suppression ground straps; Rear view camera in center stack; Secure idle; Each vehicle individually keyed	99C/44U	\$ 43,301.00	<input type="checkbox"/>

COLORS	Option Code	Price	Selection
Medium Brown Metallic	BU	N/C	<input type="checkbox"/>
Arizona Beige Metallic Clearcoat	E3	N/C	<input type="checkbox"/>
Vermillion Red	E4	N/C	<input type="checkbox"/>
Blue Metallic	FT	N/C	<input type="checkbox"/>
Smokestone Metallic	HG	N/C	<input type="checkbox"/>
Kodiak Brown Metallic	J1	N/C	<input type="checkbox"/>
Dark Toreador Red Metallic	JL	N/C	<input type="checkbox"/>
Iconic Silver Metallic	JS	N/C	<input type="checkbox"/>
Dark Blue	LK	N/C	<input type="checkbox"/>
Royal Blue	LM	N/C	<input type="checkbox"/>
Light Blue Metallic	LN	N/C	<input type="checkbox"/>
Silver Grey Metallic	TN	N/C	<input type="checkbox"/>
Sterling Grey Metallic	UJ	N/C	<input type="checkbox"/>
Agate Black	UM	N/C	<input type="checkbox"/>
Medium Titanium Metallic	YG	N/C	<input type="checkbox"/>
Oxford White	TYZ	N/C	<input checked="" type="checkbox"/>
Carbonized Grey	M7	N/C	<input type="checkbox"/>

Vehicle Options

EQUIPMENT GROUP	Option Code	Price	Selection
Interior Upgrade Package <ul style="list-style-type: none"> • 1st and 2nd Row Carpet Floor Covering • Cloth Seats – Rear • Center Floor Console less shifter (Maintains Column Shifter) • Includes Console and Top Plate with 2 cup holders • Floor Mats, front and rear (carpeted) • Includes SYNC 3® 	65U	\$ 367.00	<input type="checkbox"/>
Front Headlamp Lighting Solution <ul style="list-style-type: none"> • Includes LED Low beam/High beam headlamp, Wig-wag function and (2) Red/Blue/White LED side warning lights in each headlamp (factory configured: driver's side White/Red / passenger side White/Blue) • Includes pre-wire for grille LED lights, siren and speaker (60A) • Wiring, LED lights included (in headlamps only; grille lights not included). Controller "not" included Note: Not available with option: 67H Note: Recommend using Ultimate Wiring Package (67U)	66A	\$ 841.00	<input type="checkbox"/>
Tail Lamp / Police Interceptor Housing Only <ul style="list-style-type: none"> • Pre-existing holes with standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies) Note: Not available with options: 66B and 67H	86T	\$ 56.00	<input type="checkbox"/>
Tail Lamp Lighting Solution <ul style="list-style-type: none"> • Includes LED lights plus two (2) rear integrated hemispheric lighthouse white LED side warning lights in taillamps • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H, 86T Note: Recommend using Ultimate Wiring Package (67U)	66B	\$ 405.00	<input type="checkbox"/>
Rear Lighting Solution <ul style="list-style-type: none"> • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / passenger side blue) mounted to inside liftgate glass • Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open) • LED lights only. Wiring, controller "not" included Note: Not available with option: 67H Note: LED lights only – does "not" include wiring or controller Note: Recommend using Ultimate Wiring Package (67U)	66C	\$ 428.00	<input type="checkbox"/>
Ready for the Road Package: All-in Complete Package – Includes Police Interceptor Packages: 66A, 66B, 66C, plus <ul style="list-style-type: none"> • Whelen Cencom Light Controller Head with dimmable backlight • Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2nd row seat) • Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtails • High current pigtail • Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head • Pre-wiring for grille LED lights, siren and speaker (60A) • Rear console plate (85R) – contours through 2nd row; channel for wiring • Grille linear LED Lights (Red / Blue) and harness • 100-Watt Siren / Speaker • Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P) Note: Not available with options: 66A, 66B, 66C, 67U and 65U	67H	\$ 3,379.00	<input type="checkbox"/>
Ultimate Wiring Package includes the following: <ul style="list-style-type: none"> • Rear console mounting plate (85R) – contours through 2nd row; channel for wiring • Pre-wiring for grille LED lights, siren and speaker (60A) • Wiring harness I/P to rear cargo area (overlay) – Two (2) light cables – supports up to six (6) LED lights (engine compartment/grille) – One (1) 10-amp siren/speaker circuit engine compartment • Rear hatch/cargo area wiring – supports up to six (6) rear LED lights • Does "not" include LED lights, side connectors or controller Note: Recommend Police Wire Harness Connector Kit 67V Note: Not available with options: 65U, 67H	67U	\$ 526.00	<input type="checkbox"/>
Police Wire Harness Connector Kit – Front/Rear For connectivity to Ford PI Package solutions includes: <ul style="list-style-type: none"> • Front <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector • Rear <ul style="list-style-type: none"> – (2) Male 4-pin connectors for siren – (5) Female 4-pin connectors for lighting/siren/speaker – (1) 4-pin IP connector for speakers – (1) 4-pin IP connector for siren controller connectivity – (1) 8-pin sealed connector – (1) 14-pin IP connector 	67V	\$ 174.00	<input checked="" type="checkbox"/>

Vehicle Options Continued

EQUIPMENT GROUP	Option Code	Price	Selection
Audio / Video			
12.1" Integrated Computer Screen <ul style="list-style-type: none"> • Includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area • Includes Audio Video Extender (AVX) box, (2) AVX cables, (2) USB cables and (1) HDMI cable • Includes SYNC 3 ® 	47E	\$ 2,580.00	<input type="checkbox"/>
Rear View Camera displayed in rear view mirror (Includes Electrochromic Rear View Mirror) Note: Not recommended with option 47E 12.1" Integrated Computer Screen Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) "OR" the rear view mirror (87R)	87R	N/C	STD
Rear Camera On-Demand – allows driver to enable rear camera on-demand	19V	\$ 217.00	<input type="checkbox"/>
Doors / Locks			
Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) Note: Not available with 68G – includes all content of 68G Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches	52P	\$ 150.00	<input type="checkbox"/>
Rear-Door controls Inoperable (locks, handles and windows) Note: Not available with 52P. Note: Can manually remove window or door disable plate with special tool Note: Locks/windows operable from driver's door switches	68G	N/C	STD
Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with Remote Keyless Entry)	18D	N/C	STD
Remote Keyless-Entry Key Fob (w/o Keypad, less PATS) – (includes 4-key fobs) Note: Available with Keyed Alike, however, key fobs are "not" fobbed alike when ordered with Keyed Alike	55F	\$ 320.00	STD
Keys (Note: Can be ordered with Remote Keyless-Entry – 55F): Not Available with Perimeter Anti-Theft Alarm (593)			
Keyed Alike – 1435x	59E	\$ 47.00	<input type="checkbox"/>
Keyed Alike – 1284x	59B	\$ 47.00	<input type="checkbox"/>
Keyed Alike – 0135x	59D	\$ 47.00	<input type="checkbox"/>
Keyed Alike – 0576x	59F	\$ 47.00	<input type="checkbox"/>
Keyed Alike – 1111x	59J	\$ 47.00	<input type="checkbox"/>
Keyed Alike – 1294x	59C	\$ 47.00	<input type="checkbox"/>
Keyed Alike – 0151x	59G	\$ 47.00	<input type="checkbox"/>
Flooring / Seats			
1 st and 2 nd row carpet floor covering (includes floor mats, front and rear)	16C	\$ 118.00	XX
2 nd Row Cloth Seats	88F	\$ 56.00	XX
Power Passenger Seat (8-way) w/2-way power recline and lumbar	87P	\$ 306.00	<input type="checkbox"/>
Rear Console Plate Note: Not available with option: 65U, 85D	85R	\$ 42.00	XX
Safety & Security			
Ballistic Door-Panels (Level III+) – Driver Front-Door Only	90D	\$ 1,490.00	<input type="checkbox"/>
Ballistic Door-Panels (Level III+) – Driver & Pass Front-Doors	90E	\$ 2,979.00	<input type="checkbox"/>
Ballistic Door-Panels (Level IV+) – Driver Front-Door Only	90F	\$ 2,270.00	<input type="checkbox"/>
Ballistic Door-Panels (Level IV+) – Driver & Pass Front-Doors	90G	\$ 4,541.00	<input type="checkbox"/>
BLIS® – Blind Spot Monitoring with Cross-traffic Alert Note: Includes manual fold-away mirrors, w/heat, w/o memory, w/o puddle lamps	55B	\$ 512.00	XX
Police Perimeter Alert – detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I. Doors will lock and windows will automatically go up at level II. Includes visual display in instrument cluster with tracking. Note: ★ Now enables rearview camera image display in the rear view mirror option (87R) when Rear Camera on Demand (19V) is ordered	68B	\$ 635.00	<input type="checkbox"/>
Pre-Collision Assist with Pedestrian Detection (includes Forward Collision Warning and Automatic Emergency Braking) Note: Includes unique one-touch temporary disable switch for Law Enforcement use Note: Not available with option 96W	76P	\$ 136.00	<input type="checkbox"/>
Mirrors – Heated Sideview Note: Not required when ordering BLIS® (heated mirror is included with BLIS®)	549	\$ 56.00	<input type="checkbox"/>

Vehicle Options Continued

EQUIPMENT GROUP	Option Code	Price	Selection
Safety & Security (continued)			
Perimeter Anti-Theft Alarm <ul style="list-style-type: none"> Activated by Hood, Door or Liftgate; when unauthorized entry occurs, system will flash the headlamps, parking lamps and sound the horn Requires Keyless-Entry Key Fob (55F) Note: Cannot be ordered with Keyed-Alike options	593	\$112.00	<input type="checkbox"/>
Police Engine Idle feature <ul style="list-style-type: none"> This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle. Allows the key to be removed from ignition while vehicle remains idling. 	47A	\$ 244.00	STD
Reverse Sensing System	76R	\$ 259.00	<input checked="" type="checkbox"/>
Misc			
Rear Auxiliary Air Conditioning Note: Now available with Cargo Storage Vault (63V).	17A	\$ 573.00	<input type="checkbox"/>
Badge Delete <ul style="list-style-type: none"> Deletes the "Police Interceptor" badging on rear liftgate Deletes the "Interceptor" badging on front hood (EcoBoost®) 	16D	N/C	<input checked="" type="checkbox"/>
Cargo Storage Vault (includes lockable door and compartment light) Note: Now available with Aux Air Conditioning (17A).	63V	\$ 230.00	<input type="checkbox"/>
H8 AGM Battery (850 CCA/92-amp)	19K	\$ 103.00	<input type="checkbox"/>
Low-Band Frequency Noise Suppression Kit <ul style="list-style-type: none"> Recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9) Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range Note: Noise Suppression Bonds (60R) do not provide adequate noise suppression in this frequency range	68E	\$ 183.00	<input type="checkbox"/>
Noise Suppression Bonds (Ground Straps) Note: Low-Band Frequency Noise Suppression Kit (68E) recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF Low Band – Channels 1-9)	60R	\$ 94.00	<input type="checkbox"/>
Rear Bumper Step Pad	16P	\$ 89.00	<input type="checkbox"/>
100 Watt Siren/Speaker (includes bracket and pigtail)	18X	N/C	STD
OBD-II Split Connector – Allows up to 2 devices to be connected to the vehicle's OBD-II port	61B	\$ 52.00	<input type="checkbox"/>

Vehicle Options Continued

KEY EXTERIOR OPTIONS	Option Code	Price	Selection
Engine Block Heater	41H	\$ 85.00	<input checked="" type="checkbox"/>
License Plate Bracket – Front	153	N/C	STD
Lamps / Lighting			
Dark Car Feature – Courtesy lamps disabled when any door is opened	43D	N/C	STD
Daytime Running Lamps(Permanently on – cannot be turned off or reprogrammed) Note: Replaces Standard Configurable Daytime Running Lamps for agencies that require Permanently on Daytime Running Lamps	942	\$42.00	<input type="checkbox"/>
Switchable Red/White Lighting in Cargo Area (deletes 3 rd row overhead map light)	17T	\$ 47.00	<input checked="" type="checkbox"/>
Front Warning Auxiliary LED Lights (Driver side – Red / Passenger side – Blue) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	21L	\$ 517.00	<input type="checkbox"/>
Front Interior Visor Light Bar (LED) <ul style="list-style-type: none"> Super low-profile warning LED light bar fully integrated into the top of the windshield near the headliner – fully programmable. (Red/Red or Blue/Blue operation. White “take down” and “scene” capabilities) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package [65U]) Note: Front/Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U) Note: Not available with option 76P	96W	\$ 1,076.00	<input type="checkbox"/>
Pre-wiring for grille LED lights, siren and speaker	60A	\$ 47.00	<input checked="" type="checkbox"/>
Rear Auxiliary Liftgate Lights (Red/Blue LED Lights; located beneath liftgate glass in applique panel) <ul style="list-style-type: none"> LED lights only. Wiring, controller “not” included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	43A	\$ 371.00	<input type="checkbox"/>
Rear Quarter Glass Side Marker LED Lights (Driver side – Red / Passenger side – Blue) <ul style="list-style-type: none"> LED lights only. Wiring, controller “not” included Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	63L	\$ 541.00	<input type="checkbox"/>
Rear Spoiler Traffic Warning Lights (LED) <ul style="list-style-type: none"> Fully integrated in rear spoiler for enhanced visibility Provides red/blue/amber directional lighting – fully programmable Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U) (when not ordering the Interior Upgrade Package [65U]) Note: Rear Console Plate no longer required; can be ordered with Interior Upgrade Package (65U)	96T	\$ 1,405.00	<input type="checkbox"/>
Side Marker LED – Sideview Mirrors (Driver side – Red / Passenger side – Blue) <ul style="list-style-type: none"> Located on exterior mirror housing LED lights only. Wiring, controller “not” included Note: Requires Pre-wiring for grille LED Lights, siren and speaker (60A) Note: Recommend using Ready for the Road Package (67H) or Ultimate Wiring Package (67U)	63B	\$ 273.00	<input type="checkbox"/>
Spot Lamp Prep Kits			
Spot Lamp Prep Kit, Driver Only Note: Does not include spot lamp housing and bulb	51P	\$ 132.00	<input type="checkbox"/>
Spot Lamp Prep Kit, Dual Driver and Passenger Note: Does not include spot lamp housing and bulbs	51W	\$ 264.00	<input type="checkbox"/>
Spot Lamp – LED Bulb:			
Driver Only (Unity)	51R	\$ 371.00	<input type="checkbox"/>
Driver Only (Whelen)	51T	\$ 394.00	<input type="checkbox"/>
Dual (driver and passenger) (Unity)	51S	\$ 582.00	<input type="checkbox"/>
Dual (driver and passenger) (Whelen)	51V	\$ 625.00	<input type="checkbox"/>
Body			
Glass – Solar Tint 2 nd Row door glass, Rear Quarter and Liftgate Window (Deletes Privacy Glass)	92G	\$ 112.00	<input type="checkbox"/>
Glass – Solar Tint 2 nd Row Only door glass, Privacy Glass on Rear Quarter and Liftgate Window	92R	\$ 80.00	<input type="checkbox"/>
Underbody Deflector Plate (engine and transmission shield)	76D	\$ 315.00	<input type="checkbox"/>
Wheels			
Wheel Covers (18" Full Face Wheel Cover) Note: Only available with the standard Police wheel, not available with 64E	65L	\$ 56.00	<input type="checkbox"/>
18" Painted Aluminum Wheel Note: Spare wheel is an 18" conventional (Police) black steel wheel. Not available with 65L.	64E	\$ 447.00	<input checked="" type="checkbox"/>

Upfit Options

Sutton Patrol Package (Bid Lines 81, 82, and 88)	Price	
Pathfinder Siren Controller 100Watt Speaker Allegiant Light Bar 53" 2 Color C Series Red/White for Ford Grill Cut out C Series Blue/White for Ford Grill Cut out Rear ILS 3 Color Cargo Window Mounted- Micro Pulse Havis Console 12V/USB Charger Strip *Inclusive of all mounting hardware	\$ 5,989.00	<input type="checkbox"/>
Additional Upfit Options Available: Contact for Pricing		
Partitons Prisoner Seat Cargo Box Dash Cameras Radar Docking Solutions Graphics Gun Racks Push Bumpers License Plate Readers	Call for Pricing	

CITY OF DES PLAINES

RESOLUTION R - 153 - 22

**A RESOLUTION RESCINDING RESOLUTION R-58-22
AND AUTHORIZING THE PURCHASE OF THREE FORD
POLICE INTERCEPTOR SUVs FROM SUTTON FORD OF
MATTESON, IL**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*, authorize and encourage intergovernmental cooperation; and

WHEREAS, the Des Plaines Fire Department has identified the need to replace three fire administration vehicles with three new 2023 Ford Police Interceptor SUVs ("***Vehicles***"); and

WHEREAS, on March 21, 2022, the City Council adopted Resolution R-58-22, which authorized the purchase of the Vehicles from Currie Motors in an amount not to exceed \$104,841.00; and

WHEREAS, the City was not able to purchase the Vehicles from Currie Motors because the Vehicles were no longer available; and

WHEREAS, the City is a member of the Illinois Central Management Services joint purchasing program ("***CMS***"), which typically ensures local government participants the best available price, quality of product, and terms of delivery; and

WHEREAS, CMS sought bids for the award of CMS Contract #22-416CMS-BOSS4-B-27256 with amendment P-41049 JPMC for the purchase of the Vehicles; and

WHEREAS, CMS identified Sutton Ford of Matteson, IL. ("***Vendor***") as the lowest responsible bidder for CMS Contract #22-416CMS-BOSS4-B-27256 with amendment P-41049 JPMC; and

WHEREAS, City staff has determined that CMS's purchasing policies satisfy the City's competitive bidding requirements; and

WHEREAS, the City Council has determined that it is in the best interest of the City to rescind Resolution R-58-22 and authorize the purchase the Vehicles from the Vendor in the not-to-exceed amount of \$132,633 in accordance with the CMS Contract #22-416CMS-BOSS4-B-27256 with amendment P-41049 JPMC;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: RECISSION OF RESOLUTION R-58-22. The City Council hereby rescinds Resolution R-58-22 in its entirety. Resolution R-58-22 is of no further force and effect.

SECTION 3: APPROVAL OF PURCHASE. The City Council hereby approves the purchase by the City of the Vehicles from the Vendor in a total-not-to-exceed amount of \$132,633.

SECTION 4: AUTHORIZATION OF PURCHASE. The City Manager is hereby authorized and directed to execute such documents approved by the General Counsel and to make such payments, on behalf of the City, as are necessary to complete the purchase of the Vehicles from the Vendor in a total-not-to-exceed amount of \$132,633, all in accordance with CMS Contract #22-416CMS-BOSS4-B-27256 with amendment P-41049 JPMC.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2022.

APPROVED this ____ day of _____, 2022.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel



MEMORANDUM

Date: September 7, 2022
To: Michael G. Bartholomew, City Manager
From: Dorothy Wisniewski, Assistant City Manager/Director of Finance
Subject: Resolution R-155-22, September 19, 2022, Warrant Register

Recommendation: I recommend that the City Council approve the September 19, 2022, Warrant Register Resolution R-155-22.

Warrant Register.....\$3,132,069.11

Estimated General Fund Balance
Balance as of 06/30/2022: \$35,160,290
Please use caution when evaluating this number as revenues fluctuate dramatically from month to month due to delays in receiving sales tax revenue from the State and 1st & 2nd installments of property tax revenue.

CITY OF DES PLAINES

RESOLUTION

R-155-22

Be it resolved by the City Council of the City of Des Plaines that the following bills are due and payable and that the Mayor and City Clerk be and are hereby authorized to make payment for same.

September 19, 2022

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 100 - General Fund					
Elected Office					
Division: 110 - Legislative					
1	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	785.41
Total 110 - Legislative					785.41
Division: 120 - City Clerk					
2	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	42.41
3	6100	Publication of Notices	1050 Journal & Topics Newspapers	188534 Legal Notice - Custodial Services 2023-2025 08/17/2022	121.17
Total 120 - City Clerk					163.58
Total 10 - Elected Office					948.99
City Administration					
Division: 210 - City Manager					
4	6009	Legal Fees - Admin Hearings/Prosecutions	1735 Cohen Law Firm PC	07-22 Administrative Hearings 7/7, 7/19, and 7/21/2022	900.00
5	6009	Legal Fees - Admin Hearings/Prosecutions	1073 Bartel, Raymond	22-16 8/4/22 Administrative Hearings & 7/25 Traffic Court in Skokie	1,815.00
6	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	42.41
7	7000	Office Supplies	1644 Warehouse Direct Inc	5303770-0 3 Cartons of Copy Paper	149.77
8	7320	Equipment < \$5,000	1644 Warehouse Direct Inc	5284211-1 1 Hand Truck	55.15
Total 210 - City Manager					2,962.33
Division: 230 - Information Technology					
9	6000	Professional Services	4288 Burwood Group Incorporated	PS-22753-Y5W0 Phone System Service Dates 8/9-8/18/2022	2,490.00
10	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	340.17
Total 230 - Information Technology					2,830.17
Division: 240 - Media Services					
11	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	163.24
12	7000	Office Supplies	1644 Warehouse Direct Inc	5295258-0 Tape Dispenser and Scissors	37.42
Total 240 - Media Services					200.66
Division: 250 - Human Resources					
13	5315	Tuition Reimbursements	7321 Ciraulo, Joseph	TRP2022Summer Tuition Reimbursement 6/13-8/7/2022	1,927.50
14	5315	Tuition Reimbursements	6518 Tennant, Patrick	TRP2022Summer Tuition Reimbursement 5/9-7/2/2022	2,832.00
15	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	42.41
Total 250 - Human Resources					4,801.91
Total 20 - City Administration					10,795.07

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Department: 30 - Finance					
16	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	144.53
Total 30 - Finance					144.53

Community Development					
Division: 410 - Building & Code Enforcement					
17	6000	Professional Services	8304 TPI Building Code Consultants Inc	202204 Plan Review and Inspections (Health) April 2022	7,090.00
18	6000	Professional Services	8304 TPI Building Code Consultants Inc	220205 Plan Review and Inspections (Health) May 2022	1,402.50
19	6000	Professional Services	5764 GovTempUSA LLC	4027035 Permit Tech Assistance - Clerical Weeks Ending 8/14 & 8/21/22	3,150.00
20	6000	Professional Services	7647 Citywide Elevator Inspection Services Inc	DT7677 39 Elevator Inspections August 2022	312.00
21	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	512.93
22	7200	Other Supplies	1644 Warehouse Direct Inc	5306611-0 1 Pk of Note Pads, 4 Ctns of Copy Paper, Etc.	27.93
Total 410 - Building & Code Enforcement					12,495.36

Division: 420 - Planning & Zoning					
23	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	42.41
24	6110	Printing Services	1050 Journal & Topics Newspapers	188573 Legal Notice 8/24/2022 for PZB Mtg 9/13/2022	259.65
25	7000	Office Supplies	1644 Warehouse Direct Inc	5306611-0 1 Pk of Note Pads, 4 Ctns of Copy Paper, Etc.	357.58
Total 420 - Planning & Zoning					659.64

Division: 430 - Economic Development					
26	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	32.41
27	6601	Incentive - Business Assistance	6228 Charcoal Delights on Oakton Inc	BAP 8/31/2022 Business Assistance Charcoal Delights on Oakton 08/31/2022	15,000.00
Total 430 - Economic Development					15,032.41

Total 40 - Community Development					28,187.41
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Public Works & Engineering					
Division: 100 - Administration					
28	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	99.97
29	6040	Waste Hauling & Debris Removal	6988 Lighting Resources LLC	53-14579 Lightbulb Recycling - 06/30/2022	1,742.20
30	6040	Waste Hauling & Debris Removal	6988 Lighting Resources LLC	53-14903 Lightbulb Recycling - 08/18/2022	105.28
31	6300	R&M Software	6055 Axiom Human Resource Solutions Inc	0000046500 Monthly User Fees - July 2022	188.16
Total 100 - Administration					2,135.61

Division: 510 - Engineering					
32	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	325.08
Total 510 - Engineering					325.08

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
Division: 520 - Geographic Information Systems						
33	6195	Miscellaneous Contractual Services	1107 Ayres Associates	201726	R-96-22 Task Order #1 - Aerial Photography 6/5-8/6/22	10,462.00
Total 520 - Geographic Information Systems					10,462.00	

Division: 530 - Street Maintenance						
34	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	392.17
35	6040	Waste Hauling & Debris Removal	6988 Lighting Resources LLC	53-14139	Lightbulb Recycling - 05/26/2022	2,663.18
36	6040	Waste Hauling & Debris Removal	6988 Lighting Resources LLC	53-14139CM	Lightbulb Recycling Credit - 06/30/2022	(1,742.20)
37	6170	Tree Maintenance	6555 Landscape Concepts Management Inc	23292	Parkway Stump Removals/Restorations - 08/12/2022	3,344.06
38	6170	Tree Maintenance	6555 Landscape Concepts Management Inc	23345	Branch Pick Up - 60018 - 08/19/2022	9,879.76
39	6175	Tree Plantings	1153 West Central Municipal Conference	0007294-IN	2022-2023 Membership Dues for City	575.00
40	6195	Miscellaneous Contractual Services	5399 Beary Landscape Management	232805	Weed Removal - Weller Creek - 08/05/2022	2,200.00
41	6195	Miscellaneous Contractual Services	5399 Beary Landscape Management	232914	Irrigation Leak Repair - Metra Train Station - 08/08/2022	875.00
42	6195	Miscellaneous Contractual Services	5399 Beary Landscape Management	232915	Paver & Turf Repair - Miner & Graceland - 08/15/2022	560.00
43	6195	Miscellaneous Contractual Services	5399 Beary Landscape Management	232916	Mulch Bed - Miner & Pearson - 08/15/2022	570.00
44	6195	Miscellaneous Contractual Services	2615 Four Seasons Decor Inc	5729	Banner Removal & Replacement - 04/11-04/12/2022	2,320.00
45	6195	Miscellaneous Contractual Services	2615 Four Seasons Decor Inc	5730	Banner Removal & Replacement - 04/13-04/14/2022	2,160.00
46	6195	Miscellaneous Contractual Services	7706 Lakeshore Recycling Systems LLC	PS474074	Street Sweeping City Wide & Bike Lanes - 08/15/2022	17,207.55
47	6325	R&M Street Lights	1044 H&H Electric Co	39622	Streetlight Repair/Inspection - Ellinwood - 04/21/2022, R-29-22	562.60
48	7000	Office Supplies	1644 Warehouse Direct Inc	5305796-0	2 Cartons Copy Paper - PW	118.76
49	7020	Supplies - Safety	4177 Uline Inc	152488519	Safety Bollard - PW	195.31
50	7030	Supplies - Tools & Hardware	8244 Des Plaines Ace Hardware	2545	Eye Bolt w/ Nut	1.61
51	7030	Supplies - Tools & Hardware	1520 Russo Power Equipment	SPI11203324	Helmet, Bull Pruner, Rope, Pole, & Base Pole	230.95
52	7050	Supplies - Streetscape	1057 Menard Incorporated	3072	Concrete Forming, Sealant, Bushing, Plug	35.58
53	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10453549	2.00 Cu Yds Top Soil & 7.60 Cu Ft Peat Moss - 08/19/2022	101.00
54	7055	Supplies - Street R&M	1057 Menard Incorporated	01433	Brushes, Covers, Tray, Etc. - Graffiti Removal	88.82
55	7055	Supplies - Street R&M	1057 Menard Incorporated	04132	Flat Washers	6.98
56	7055	Supplies - Street R&M	1057 Menard Incorporated	04281	PVC Pipe - Irrigation Repair	41.81
57	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	100994	38.07 Tons Asphalt - Mill St Repairs - 07/21/2022	2,512.62
58	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	103071	15.97 Tons Asphalt - Main Break Restorations - 08/12/2022	1,054.02

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
59	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	103261	1.57 Tons Asphalt - Potholes - 08/15/2022	103.62
60	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	103382	1.03 Tons Asphalt - Potholes - 06/16/2022	67.98
61	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	103884	1.01 Tons Asphalt - Sewer Pavement Repairs - 08/22/2022	66.66
62	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	104140	17.30 Tons Asphalt - Wicke Spot Patching - 08/24/2022	1,141.80
63	7055	Supplies - Street R&M	7691 Builders Asphalt LLC	104292	7.56 Tons Asphalt - Pavement Restorations - 08/25/2022	498.96
64	7055	Supplies - Street R&M	1057 Menard Incorporated	1876	Brush, Blade, Scraper	27.31
65	7055	Supplies - Street R&M	1047 Home Depot Credit Svcs	2072710	Floor Scrubbing Compound	23.98
66	7055	Supplies - Street R&M	1192 Sherwin Industries Inc	SS095102	56 Bags Concrete Cold Patch	2,343.41
Total 530 - Street Maintenance					50,228.30	

Division: 535 - Facilities & Grounds Maintenance

67	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	178.70
68	6135	Rentals	8673 Satellite Shelters Incorporated	INV597969	Bathrm/Shower Trailer Rental-Fire Sta 61-08/22-09/18/22 R-127-22	8,520.00
69	6135	Rentals	8673 Satellite Shelters Incorporated	INV597970	Bathroom Trailer Rental-Fire Station #61-08/22-09/18/22 R-127-22	4,815.52
70	6135	Rentals	8673 Satellite Shelters Incorporated	INV597971	Bathroom Trailer Rental-Fire Station #61-08/22-09/18/22 R-127-22	4,815.52
71	6145	Custodial Services	8073 Crystal Maintenance Services Corporation	30418	Custodial Services - 7 Buildings - September 2022	8,240.00
72	6195	Miscellaneous Contractual Services	1029 Cintas Corporation	4128676764	Mat Service - Metra Train Station - 08/17/2022	35.55
73	6195	Miscellaneous Contractual Services	1029 Cintas Corporation	4129359676	Mat Service - Police Station - 08/24/2022	128.85
74	6195	Miscellaneous Contractual Services	1029 Cintas Corporation	4129359677	Mat Service - Metra Train Station - 08/24/2022	35.55
75	6315	R&M Buildings & Structures	1025 Bedco Inc	098111	HVAC Repairs - Metra Train Station - 08/06-08/07/2022	2,360.40
76	6315	R&M Buildings & Structures	1025 Bedco Inc	098133	Filter Change - PW Gun Range - 08/19/2022	414.80
77	6315	R&M Buildings & Structures	1237 Pro-Line Door Systems Inc	93521	Overhead Door Repair - PW - 08/11/2022	1,244.60
78	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9603	Electrical Repairs - IT Remodel - 07/06/2022	1,482.00
79	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9604	Electrical Repairs - IT Remodel - 07/07/2022	2,036.00
80	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9605	Electric Wiring in IT Storage Room- 7/8/22	1,337.00
81	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9606	Electrical Repairs - IT Remodel - 07/19/2022	1,836.00
82	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9607	Electric Repairs for IT Remodel- 7/20/22	1,474.00
83	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9608	Electrical Services for IT Remodel- 7/21/22	1,608.00

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
84	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9609 Electrical Services - IT Remodel - 07/22/2022	1,583.00
85	6315	R&M Buildings & Structures	4583 Argon Electric Company, Inc	9611 Data Wiring 08/01/2022 - IT Remodel	2,409.00
86	6315	R&M Buildings & Structures	1544 Fox Valley Fire & Safety Company Inc	IN00539579 Fire Alarm Monitoring - Food Pantry - August 2022	210.00
87	7025	Supplies - Custodial	1029 Cintas Corporation	4128676792 Cleaners, Paper Towels, Soap, Mat, & Scrubs - PW	151.64
88	7025	Supplies - Custodial	1029 Cintas Corporation	4129359680 Cleaners, Paper Towels, Soap, Mat, & Scrubs - PW	268.18
89	7030	Supplies - Tools & Hardware	1057 Menard Incorporated	2519 3 Drill Sets & Drill Bits	21.68
90	7045	Supplies - Building R&M	1018 Anderson Lock Company LTD	1097954 Screws, Collar, Oil Bronze, Door Handles - IT	62.99
91	7045	Supplies - Building R&M	1018 Anderson Lock Company LTD	1099560 Key Cylinder - Police Station	158.94
92	7045	Supplies - Building R&M	1018 Anderson Lock Company LTD	1099890 2 Door Cylinders & Keys Cut - City Hall FC Office & 4th Floor	124.83
93	7045	Supplies - Building R&M	1057 Menard Incorporated	1673 2 Pails - IT Remodel	37.10
94	7045	Supplies - Building R&M	1057 Menard Incorporated	1674 5 Mechanical Test Plugs & Caulk - Police Station	38.13
95	7045	Supplies - Building R&M	1057 Menard Incorporated	1686 Dryer Repair Parts - Fire Station #63	46.99
96	7045	Supplies - Building R&M	1057 Menard Incorporated	1688 Board, Conduit, Gang Mudring, Start Tap, Etc. - IT Remodel	190.28
97	7045	Supplies - Building R&M	1057 Menard Incorporated	1689 Picture Hanger & Drywall Anchors - IT Remodel	19.95
98	7045	Supplies - Building R&M	1057 Menard Incorporated	1697 Spray Paint - PW Foreman Office	13.96
99	7045	Supplies - Building R&M	1057 Menard Incorporated	1817 Returned Spray Paint, Cord Cover, Angle	(65.67)
100	7045	Supplies - Building R&M	8244 Des Plaines Ace Hardware	2553 2 Water Shutoffs - 4th Floor Remodel	8.09
101	7045	Supplies - Building R&M	8244 Des Plaines Ace Hardware	2570 Power Cord - City Hall Finance Department	12.59
102	7045	Supplies - Building R&M	8244 Des Plaines Ace Hardware	2571 Light Switch for Lights by Lifts - PW	7.19
103	7045	Supplies - Building R&M	1057 Menard Incorporated	2691 Light Bulbs - Fire Station #63	194.25
104	7045	Supplies - Building R&M	1057 Menard Incorporated	2692 Round Box, Gasket, Plug GFCI, Clamp, Cap - City Hall	54.29
105	7045	Supplies - Building R&M	1057 Menard Incorporated	2693 Coil Cleaner	19.99
106	7045	Supplies - Building R&M	1057 Menard Incorporated	2702 3 Bags Mortar Repair - Fire Station #63	10.74
107	7045	Supplies - Building R&M	1057 Menard Incorporated	2703 Pan & Tapcon Hex - City Hall	24.72
108	7045	Supplies - Building R&M	1057 Menard Incorporated	3119 Returned Steel Pallet	(131.99)
109	7045	Supplies - Building R&M	1057 Menard Incorporated	3491 Goop Towels, LED Lights, Bit Set, Ballast - City Hall	76.32
110	7045	Supplies - Building R&M	1057 Menard Incorporated	3492 Laminate, Concrete Cement, Drywall Screws, Etc. - IT Remodel	82.20
111	7045	Supplies - Building R&M	1057 Menard Incorporated	3512 Tapcon, Drill Bit, Elbows, Coupler, Etc. for Plumbing Repairs	90.12

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
112	7045	Supplies - Building R&M	1057 Menard Incorporated	3702	Conduit & Outlets - PW	88.30
113	7045	Supplies - Building R&M	1057 Menard Incorporated	3772	Hole Saw & Electrical Tape - City Hall 4th Floor	27.94
114	7045	Supplies - Building R&M	1057 Menard Incorporated	3832	Locking Outlet & Cover - PW Wheel Balancer	22.97
115	7045	Supplies - Building R&M	1057 Menard Incorporated	3894	6 Wire Raceways - City Hall 4th Floor	77.94
116	7045	Supplies - Building R&M	1057 Menard Incorporated	4011	Nitrile Gloves & Roof Cement - PW	28.77
117	7045	Supplies - Building R&M	1057 Menard Incorporated	4108	Toggle Bolts & Brackets - City Hall 4th Floor	19.42
118	7045	Supplies - Building R&M	1057 Menard Incorporated	4112	Cord, Cord Clips, & Under Cabinet Light - City Hall Finance	50.14
119	7045	Supplies - Building R&M	1047 Home Depot Credit Svcs	973320	Cabinets, Sink Base, Lazy Susan - IT Remodel	200.47
120	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/001811	Circuit Breaker - PW Tire Machine	85.29
121	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/058666	Galvanized Nipple, Conduit, & Plug - Theater	7.65
122	7045	Supplies - Building R&M	2313 City Electric Supply Company (CES)	DEP/058695	20-Amp Circuit Breaker - PW Shop	85.29
123	7045	Supplies - Building R&M	1208 Steiner Electric Company	S007204502.001	Electrical Supplies - PW HVAC	293.90
124	7140	Electricity	1033 ComEd	0459113083-08/22	Electricity Service 07/14-08/12/2022	5,981.27
125	7140	Electricity	1033 ComEd	2685017085-08/22	Electricity Service 07/06-08/04/2022	99.45
126	7140	Electricity	1033 ComEd	4974385007-08/22	Electricity Service 07/11-08/09/2022	23.60
127	7140	Electricity	1033 ComEd	4974507003-08/22	Electricity Service 07/06-08/04/2022	314.94
Total 535 - Facilities & Grounds Maintenance					53,689.34	

Division: 540 - Vehicle Maintenance

128	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	117.54
129	6040	Waste Hauling & Debris Removal	2214 Liberty Tire Recycling	2337175	101 Tires Recycled - 08/20/2022	400.17
130	6135	Rentals	1029 Cintas Corporation	4128595883	Mechanic's Uniform Rental - 08/17/2022	187.11
131	6135	Rentals	1029 Cintas Corporation	4129285042	Mechanic's Uniform Rental - 08/24/2022	187.11
132	6195	Miscellaneous Contractual Services	8481 Linde Gas & Equipment Inc	30800590	Cylinder Rental - 07/20-08/20/2022	905.80
133	6305	R&M Equipment	1346 Lorchem Technologies Inc	76525	Pressure Washer Service Call - PW 5136 - 08/18/2022	2,021.72
134	6310	R&M Vehicles	3157 Nemeth Glass of Illinois Inc	170717	Windshield Replacement - Police 6035 - 08/02/2022	644.75
135	6310	R&M Vehicles	1354 MPC Communications & Lighting Inc	22-1233	Secure Idle System Installation - Fire 7610 - 08/03/2022	371.00
136	6310	R&M Vehicles	1745 Suburban Accents Inc	32243	Vehicle Graphics Repair - Fire 7703 - 07/22/2022	580.00
137	6310	R&M Vehicles	1643 Golf Mill Ford	866317	Repair & Program Signal Trailer Control Police 6920-08/19/2022	338.78

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
138	6310	R&M Vehicles	5823 Interstate Power Systems Inc	R042037323:01 Aerial Bucket Operation Inspection - PW 5045 - 07/15/2022	7,469.48
139	7030	Supplies - Tools & Hardware	6224 Bumper to Bumper	408-1303433 Coupler and A/C Dye	113.18
140	7040	Supplies - Vehicle R&M	1677 Wholesale Direct Inc	000258759 2 Spotlight Handles - Police Stock	123.19
141	7040	Supplies - Vehicle R&M	1078 Acme Truck Brake & Supply Co	01_278162 Brake Pads - Fire 7703	175.78
142	7040	Supplies - Vehicle R&M	1078 Acme Truck Brake & Supply Co	01_279575 2 Hardware Kits - Fire 7703	35.10
143	7040	Supplies - Vehicle R&M	1673 Chicago Parts & Sound LLC	1-0296751 40 Wiper Blades - PW Stock	159.60
144	7040	Supplies - Vehicle R&M	1673 Chicago Parts & Sound LLC	1-0297278 6 Batteries & 6 Core Deposits - Police Stock	727.72
145	7040	Supplies - Vehicle R&M	1057 Menard Incorporated	1683 Steel Racking Beams, Steel Frame, Etc.	584.65
146	7040	Supplies - Vehicle R&M	2942 Myers Tire Supply	21212129 Adhesive & Tire Plugs - PW Stock	233.95
147	7040	Supplies - Vehicle R&M	1354 MPC Communications & Lighting Inc	22-1251 Siren Clutch & Brakes - Fire 7608	441.00
148	7040	Supplies - Vehicle R&M	1345 Lindco Equipment Sales Inc	220032P 25 Curb Guards - PW Stock	2,173.00
149	7040	Supplies - Vehicle R&M	1345 Lindco Equipment Sales Inc	220691P 17 Plow Blades - PW Stock	1,893.16
150	7040	Supplies - Vehicle R&M	1501 Foster Coach Sales Inc	24540 2 Rub Rails, 2 Reflectors, & 3 LED Lights - Fire 7708	1,051.92
151	7040	Supplies - Vehicle R&M	3518 O'Reilly Auto Parts	2479-127219 Fiberglass & Adhesive - PW 5093	44.48
152	7040	Supplies - Vehicle R&M	3315 Regional Truck Equipment	273501 Lock Cylinder & Keys - Police 6901	45.33
153	7040	Supplies - Vehicle R&M	6224 Bumper to Bumper	408-1301428 Toggle Switches - Fire 7603	7.59
154	7040	Supplies - Vehicle R&M	6224 Bumper to Bumper	408-1301429 Toggle Switches	7.59
155	7040	Supplies - Vehicle R&M	6224 Bumper to Bumper	408-1301454 Returned Toggle Switches - Fire #7603	(15.58)
156	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	533870P Visor Assembly - Police 6097	131.48
157	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	534403P Brake Module - Police 6920	204.00
158	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	534662P Coolant Hose - Police 6916	93.09
159	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	534741P Coolant Hose & Transmission Filter Kit - Police 6916	161.60
160	7040	Supplies - Vehicle R&M	1643 Golf Mill Ford	534833P Tire Sensor & Valve - Police 6916	72.15
161	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	834620 4 Drain Plugs - Police 6918	38.52
162	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	835178 Ball Hitch & Clips - Police 6920	66.81
163	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	835246 Returned Tensioner, Belts, Seal, Hub, Etc. - PW Stock	(469.62)
164	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	835477 Returned Lights & Core Deposit - PW Stock	(87.55)
165	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	835481 Filters, Brake Chamber, LED Lights, & Strobe - PW Stock	444.30

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
166	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	835692	Starter & Core Deposit - PW 5076	177.97
167	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P17951	2 Sealed Ball Joint Kits - Fire 7607	1,501.99
168	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P17985	Gauges, Tags, & Window Crank - Fire 7608	728.60
169	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P18046	Power Steering Filter, Seal, & Washer Seal - Fire 7609	46.59
170	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P18049	2 Belts - Fire 7607	106.96
171	7040	Supplies - Vehicle R&M	8104 MacQueen Emergency Group	P18080	2 Shock Absorbers - Fire 7607	829.45
172	7320	Equipment < \$5,000	8454 NAPA Auto Parts	835588	Wheel Lift - PW Shop	1,255.00
173	7320	Equipment < \$5,000	1043 WW Grainger Inc	9410551213	Blast Cabinet - PW Shop	2,073.35
Total 540 - Vehicle Maintenance					28,399.81	

Total 50 - Public Works & Engineering	145,240.14
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Police Department						
Division: 100 - Administration						
174	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	179.64
Total 100 - Administration					179.64	

Division: 610 - Uniformed Patrol						
175	5325	Training	1129 DuPage, College of	14215	Police Academy Training for 1 Recruit 6/20-9/23/2022	3,735.60
176	5325	Training	1261 Northeast Multiregional Training	309033	40 Field Training Officer Training 8/15-8/19/2022 (1 Ofc)	255.00
177	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	1,832.05
178	7200	Other Supplies	2509 Lynn Peavey Co	392772	2 Cases Sterile Water (ET)	63.34
179	7300	Uniforms	1489 JG Uniforms Inc	102867	Uniforms for New Officer	119.95
180	7300	Uniforms	1489 JG Uniforms Inc	102868	Uniforms for New Officer	120.00
181	7300	Uniforms	1489 JG Uniforms Inc	103273	Uniforms- Ballistic Vest Cover- New Officer	187.00
182	7320	Equipment < \$5,000	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	434.92
Total 610 - Uniformed Patrol					6,747.86	

Division: 620 - Criminal Investigation						
183	5325	Training	1627 IL Homicide Investigators Assoc	2022A122	IL Homicide Invest Assoc Conf (5 Det, 1 ET) 10/11-10/13/2022	1,500.00
184	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	970.65
185	7300	Uniforms	5705 Artistic Engraving	19512	Detective Star (1)	123.92
186	7320	Equipment < \$5,000	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	414.95
Total 620 - Criminal Investigation					3,009.52	

Division: 630 - Support Services						
187	6015	Communication Services	8484 PTS Communications Inc	2092162	3 Public Pay Phones Monthly Fee 9/1-9/30//2022	228.00
188	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	429.10
189	6305	R&M Equipment	2500 Bio-Tron Inc	41464	Annual Inspection of 28 AED's 8/19/2022	700.00

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
190	7000	Office Supplies	1644 Warehouse Direct Inc	5305497-0	8 Ctns of Paper and Document Protectors	411.68
191	7000	Office Supplies	1644 Warehouse Direct Inc	5305497-1	Document Protectors	20.71
192	7000	Office Supplies	1644 Warehouse Direct Inc	5313257-0	4 Packs of DVD-R	128.04
193	7015	Supplies - Police Range	2820 Pro-Tech Security Sales	INV880	350 Boxes of 12 Gauge Super Sock Rounds	1,995.00
194	7320	Equipment < \$5,000	4177 Uline Inc	152783024	Shelving and Storage Bins for START	724.68
Total 630 - Support Services					4,637.21	

Total 60 - Police Department	14,574.23
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Fire Department						
Division: 100 - Administration						
195	5310	Membership Dues	1349 MABAS Mutual Aid Box Alarm System Division 3	IL2202	2022 MABAS Division 3 - IL State Dues	1,137.00
196	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	274.46
197	6195	Miscellaneous Contractual Services	1077 Shred-It USA LLC	8002158321	On Site Shredding Service Sta. 61 - 07/22/22	103.36
198	7300	Uniforms	3212 On Time Embroidery Inc	102570	2 S/S Polos - Chief	92.00
199	7300	Uniforms	3212 On Time Embroidery Inc	103639	Oxford Shoe, 4 T-Shirts - Division Chief	150.00
Total 100 - Administration					1,756.82	

Division: 710 - Emergency Services						
200	5330	In-Service Training	8477 Advocate Lutheran General Hospital	08/16/22 - Fire	Continuing Education July 2021-July 2022-32 EMT's & 56 Medics	2,880.00
201	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	920.33
202	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	756.29
203	6035	Dispatch Services	5973 Emergency Twenty Four Inc	53398	Elevator Alarm Dispatch - July 2022	3,852.00
204	6195	Miscellaneous Contractual Services	1580 Mighty Mites Awards Inc	17113	Engraving Retirement Badge - 8/13/22 - Paramedic	40.90
205	6310	R&M Vehicles	8602 Legacy Fire Apparatus	INV-17184	On-Going Vehicle Maint R-85-22-Twr 61-03/05-08/26/2022	35,880.41
206	7025	Supplies - Custodial	1043 WW Grainger Inc	9424904408	2 Tumblers, 12 Brooms, 12 Car Brushes, 3 Sponges	372.30
207	7035	Supplies - Equipment R&M	6656 Route 12 Rental Co Inc	124434	16 Quarts of Fuel, 1 Gallon & 1 Quart Bar Oil	167.74
208	7200	Other Supplies	1571 Welding Industrial Supply	2920079	6 H Therapy Oxygen Cylinders	157.19
209	7200	Other Supplies	1057 Menard Incorporated	3898	8 - 27 Gallon Totes	94.32
210	7300	Uniforms	3212 On Time Embroidery Inc	102300	2 S/S Polos - Paramedic	92.00
211	7300	Uniforms	3212 On Time Embroidery Inc	102480	Side Zip Boot - Paramedic	119.00
212	7300	Uniforms	3212 On Time Embroidery Inc	102537	S/S Polo - Engineer	48.00

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
213	7300	Uniforms	3212 On Time Embroidery Inc	102900	1/4 Zip Job Shirt - Paramedic	78.00
214	7300	Uniforms	3212 On Time Embroidery Inc	103533	Oxford Shoe, 3 T-Shirts, 2 Polos, Belt, BDU Shorts - Lieutenant	294.00
215	7300	Uniforms	3212 On Time Embroidery Inc	104260	Twill Cap, T-Shirt - Engineer	33.00
216	7300	Uniforms	3212 On Time Embroidery Inc	104261	3 T-Shirts, Zip Job Shirt, Belt - Paramedic	134.00
217	7300	Uniforms	3212 On Time Embroidery Inc	104262	3 S/S Polos 6 T-Shirts, 1/4 Zip Job Shirt - Lieutenant	296.00
218	7300	Uniforms	3212 On Time Embroidery Inc	104263	L/S Polo - Engineer	54.00
219	7300	Uniforms	3212 On Time Embroidery Inc	104264	3 T-Shirts, Zip Job Shirt - Paramedic	120.00
220	7300	Uniforms	3212 On Time Embroidery Inc	104265	3 S/S Polos - Lieutenant	153.00
221	7300	Uniforms	3212 On Time Embroidery Inc	92955	Soft Toe Work Boot - Lieutenant	162.00
222	7300	Uniforms	3212 On Time Embroidery Inc	97307	Soft Toe Work Boot - Paramedic	169.00
223	7300	Uniforms	3212 On Time Embroidery Inc	98369	Soft Toe Work Boot - Paramedic	169.00
224	7320	Equipment < \$5,000	1080 Air One Equipment Inc	184334	O'Ring for GI Battery	171.60
225	7320	Equipment < \$5,000	1080 Air One Equipment Inc	184453	4 Rescue Kevlar Straps	186.00
226	7320	Equipment < \$5,000	1513 Owl Hardwood Lumber & Plywood Inc	X-18641-01	Lumber for Retirement Plaque - Paramedic	149.03
Total 710 - Emergency Services					47,549.11	

Division: 720 - Fire Prevention						
227	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	138.33
228	6110	Printing Services	1233 Press Tech Inc	49791	2 Boxes of Business Cards 08/22/2022	50.00
Total 720 - Fire Prevention					188.33	

Division: 730 - Emergency Management Agency						
229	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	42.41
Total 730 - Emergency Management Agency					42.41	

Total 70 - Fire Department					49,536.67
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Department: 75 - Fire & Police Commission						
230	5340	Pre-Employment Testing	5372 COPS & FIRE Personnel Testing Service	107451	Pre-Employment Psychological Testing Services 8/3/2022	450.00
Total 75 - Fire & Police Commission					450.00	

Total 100 - General Fund					249,877.04
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Fund: 230 - Motor Fuel Tax Fund						
231	6000	Professional Services	7355 Soil & Material Consultants Inc	47938	2022 CIP Contract A Cylinders Testing 07/28/2022	116.00
232	6330	R&M Traffic Signals	8693 Rosemont, Village of	2022-00000051	Traffic Signal Maint. - Devon & Shafer 06/22-06/30/2022	1,041.71

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account		Vendor	Invoice	Invoice Description	Amount
233	7140	Electricity	1033 ComEd	0193753007-08/22	Electricity Service 07/11-08/09/2022	82.43
234	7140	Electricity	1033 ComEd	0237106099-08/22	Electricity Service 07/06-08/04/2022	266.88
235	7140	Electricity	1033 ComEd	0392121005-08/22	Electricity Service 07/06-08/04/2022	120.44
236	7140	Electricity	1033 ComEd	0445091056-08/22	Electricity Service 07/06-08/04/2022	321.15
237	7140	Electricity	1033 ComEd	0725000037-08/22	Electricity Service 07/07-08/05/2022	28.78
238	7140	Electricity	1033 ComEd	1273119011-08/22	Electricity Service 07/07-08/05/2022	2,346.30
239	7140	Electricity	1033 ComEd	1521117181-08/22	Electricity Service 07/06-08/04/2022	293.43
240	7140	Electricity	1033 ComEd	2493112068-08/22	Electricity Service 07/06-08/04/2022	37.38
241	7140	Electricity	1033 ComEd	2607132134-08/22	Electricity Service 07/06-08/03/2022	219.02
242	7140	Electricity	1033 ComEd	2644104014-08/22	Electricity Service 07/05-08/03/2022	174.62
243	7140	Electricity	1033 ComEd	2901166089-08/22	Electricity Service 07/06-08/04/2022	614.30
244	7140	Electricity	1033 ComEd	2943015087-08/22	Electricity Service 07/21-08/19/2022	15,612.28
245	7140	Electricity	1033 ComEd	3471079047-08/22	Electricity Service 07/06-08/04/2022	32.30
246	7140	Electricity	1033 ComEd	6045062008-08/22	Electricity Service 07/06-08/04/2022	79.76
247	8100	Improvements	3099 Schroeder Asphalt Services Inc	2021-CIP-MFT-P6F	R-88-21 2021 CIP Street/Utility Improvements 12/7-4/29/22 -FINAL	93,564.63
248	8100	Improvements	1328 John Neri Construction Company Inc	2022-CIP-MFT-P3	R-92-22 2022 CIP Street & Utility Improvements 07/26-08/29/2022	54,148.78
Total 230 - Motor Fuel Tax Fund						169,100.19

Fund: 260 - Asset Seizure Fund

Program: 2610 - Customs						
249	8015	Equipment	1026 CDW LLC	CF50985	Memory for Squad Computers	537.20
250	8015	Equipment	1026 CDW LLC	CL87164	16GB RAM (13)	3,824.34
Total 2610 - Customs						4,361.54

Program: 2620 - DEA						
251	7320	Equipment < \$5,000	8660 Security Pro USA	178410	3 Ballistic Shields Level IIIA for Patrol	6,162.00
252	8015	Equipment	8664 Aero Precision LLC	1274815	23 Patrol Carbines	19,999.46
253	8015	Equipment	7920 SF Mobile-Vision Inc	47242	Body Camera Molle Clip (30) Body Camera Belt Clip (30)	1,615.00
254	8015	Equipment	7920 SF Mobile-Vision Inc	47269	9 Docking Stations for Body Worn Cameras	10,035.00
255	8015	Equipment	8671 TacticalGear.com	SD005484922	23 Weapon Mounted Lights	2,668.00
Total 2620 - DEA						40,479.46

Total 260 - Asset Seizure Fund						44,841.00
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City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 400 - Capital Projects Fund					
256	6000	Professional Services	8492 TranSystems Corporation	3890879-02 R-171-21 Ph 1 Eng Srv-Algonquin Rd/UPRR Grade Sep 7/23-8/19/22	30,198.32
257	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	83.42
Total 400 - Capital Projects Fund					30,281.74

Fund: 420 - IT Replacement Fund					
258	6140	Leases	5109 Konica Minolta Premier Finance	5021502375 Konica Minolta Lease 09/21/22-10/20/22	7,304.18
259	8000	Computer Software	1035 Dell Marketing LP	10608140457 Exchange Online Plan July-Oct 2022	428.50
260	8005	Computer Hardware	5068 IT Savvy LLC	01367899 150 Meter Armored Fiber Cable	4,173.27
Total 420 - IT Replacement Fund					11,905.95

Fund: 430 - Facilities Replacement Fund					
261	6000	Professional Services	7661 FGM Architects Inc	22-3527.01-1 TO#14 Mailroom Design - City Hall - 05/28-07/01/2022	5,250.00
Total 430 - Facilities Replacement Fund					5,250.00

Fund: 500 - Water/Sewer Fund					
Non Departmental					
Division: 550 - Water Systems					
262	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	7.71
263	6015	Communication Services	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	985.74
264	6195	Miscellaneous Contractual Services	5995 Wunderlich-Malec Services Inc	20412 Service Call - Central St Communication - 06/14/2022	798.50
265	6195	Miscellaneous Contractual Services	5995 Wunderlich-Malec Services Inc	20415 Service Call - Miner Tower Communication - 06/20/2022	2,046.20
266	6195	Miscellaneous Contractual Services	4583 Argon Electric Company, Inc	9598 TO#16 Cables/Antennas Install - 05/07-06/18/2022, R-174-21	18,906.00
267	6195	Miscellaneous Contractual Services	1112 Architectural Consulting Group LTD	C22-296 TO#1 Roof Inspection - Maple PS - 08/17/2022	3,463.00
268	6305	R&M Equipment	2513 Lee Jensen Sales Co	0017538-00 Shoring Box Repair - 08/19/2022	740.00
269	7035	Supplies - Equipment R&M	8244 Des Plaines Ace Hardware	2615 AA Batteries - Locator	15.29
270	7035	Supplies - Equipment R&M	1057 Menard Incorporated	4199 Batteries, Poly Tubing, & Riser	16.86
271	7035	Supplies - Equipment R&M	8454 NAPA Auto Parts	834732 Air Filter - PW 9036	17.90
272	7035	Supplies - Equipment R&M	1154 West Side Tractor Sales	W03399 V-Belts, Hose, & Radiator - PW 9018	306.62
273	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10453858 3.00 Cu Yds Top Soil - Restorations - 08/22/2022	96.00
274	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10453940 3.00 Cu Yds Top Soil - Restorations - 08/22/2022	96.00
275	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10453974 25 Lbs Grass Seed - 08/22/2022	97.00
276	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10453983 Returned 25lbs Grass Seed - 08/22/2022	(10.00)
277	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10454047 3.00 Cu Yds Top Soil - Restorations - 08/22/2022	96.00
278	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10454145 1.50 Cu Yds Top Soil - 08/23/2022	48.00

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
279	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10454183 20 Pallets Sod - Parkway Repair - 08/23/2022	69.00
280	7050	Supplies - Streetscape	1347 Lurvey Landscape Supply	T1-10454713 3.0 Cu Yds Top Soil & 25 Lbs Grass Seed - 08/25/2022	183.00
281	7070	Supplies - Water System Maintenance	4177 Uline Inc	153079575 Dry Erase Board, Eraser, Dry Erase Markers - Water Plant	463.33
282	7070	Supplies - Water System Maintenance	8244 Des Plaines Ace Hardware	2559 Utility Knife & 8 Fasteners	3.73
283	7070	Supplies - Water System Maintenance	1709 Ziebell Water Service Products Inc	259142-000 B-Box Repair Parts	499.44
284	7070	Supplies - Water System Maintenance	1057 Menard Incorporated	3352 Plywood Sheeting - Howard Tank Shed	127.44
285	7070	Supplies - Water System Maintenance	1057 Menard Incorporated	3357 6 Drip Caps - Howard Tank Shed	28.68
286	7070	Supplies - Water System Maintenance	1057 Menard Incorporated	4527 6 Bags Mortar - Sidewalk Repair	53.88
287	7070	Supplies - Water System Maintenance	4093 White Cap LP	50019502676 Brick Cast Sidewalk Step	106.59
288	7070	Supplies - Water System Maintenance	1072 Prairie Material	890648455 1.75 Cu Yds Concrete - Driveway Repair - 08/18/2022	219.19
289	7070	Supplies - Water System Maintenance	1072 Prairie Material	890665888 1.25 Cu Yds Concrete - Sidewalk Repair - 08/26/2022	156.56
290	7070	Supplies - Water System Maintenance	3217 Ozinga Ready Mix Concrete Inc	ARI00425410 8.00 Cu Yds Concrete - Street Repair - 08/11/2022	1,402.00
291	7070	Supplies - Water System Maintenance	6992 Core & Main LP	R289582 6 Repair Clamps	2,263.00
292	7070	Supplies - Water System Maintenance	6992 Core & Main LP	R381933 12 Repair Clamps	2,198.74
293	7140	Electricity	1033 ComEd	0718079040-08/22 Electricity Service 07/06-08/04/2022	68.37
294	7140	Electricity	1033 ComEd	1602149012-08/22 Electricity Service 07/06-08/03/2022	73.52
295	7140	Electricity	1033 ComEd	2382141015-08/22 Electricity Service 07/06-08/04/2022	32.82
296	7140	Electricity	1033 ComEd	2902009038-08/22 Electricity Service 07/01-08/02/2022	166.27
297	7140	Electricity	1033 ComEd	3526170000-08/22 Electricity Service 07/01-08/02/2022	48.23
298	7140	Electricity	1033 ComEd	4436122006-08/22 Electricity Service 07/14-08/15/2022	9,113.06
299	7140	Electricity	1033 ComEd	5646761001-08/22 Electricity Service 07/01-08/02/2022	23.79
300	7140	Electricity	1033 ComEd	6152054027-08/22 Electricity Service 07/05-08/03/2022	6,557.60
301	7320	Equipment < \$5,000	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	899.98
302	7320	Equipment < \$5,000	1552 Verizon Wireless	9913414148 Communication Service 07/14-08/13/2022	199.98
Total 550 - Water Systems					52,685.02

Division: 560 - Sewer Systems						
303	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	533.36
304	6310	R&M Vehicles	1278 Dave & Jim's Auto Body Inc	22614	Front End Alignment - PW 8038 - 08/17/2022	65.00
305	6310	R&M Vehicles	1675 Universal Hydraulic Services & Sales Inc	45578	Repaired Hydraulic Motor - PW 8035 - 08/04/2022	711.25

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
306	6510	Subsidy - Flood Assistance	8687 Kakis, Stephan	FRP22-015	Flood Rebate 8/16/2022	2,000.00
307	7020	Supplies - Safety	2053 USA Bluebook	079809	Disinfecting Wipes	63.12
308	7020	Supplies - Safety	2053 USA Bluebook	089282	Compact Speaker	79.19
309	7035	Supplies - Equipment R&M	1078 Acme Truck Brake & Supply Co	01_278984	6 Hub Cap Plugs - PW 8T03	21.60
310	7035	Supplies - Equipment R&M	1078 Acme Truck Brake & Supply Co	01_279407	Air Spring - PW 8T03	166.34
311	7035	Supplies - Equipment R&M	1071 Pomp's Tire Service Inc	280137429	6 Trailer Tires - PW 8T03	1,765.10
312	7035	Supplies - Equipment R&M	1071 Pomp's Tire Service Inc	280137449	6 Trailer Tires - PW 8T03	1,760.10
313	7035	Supplies - Equipment R&M	1071 Pomp's Tire Service Inc	280137456	4 Trailer Tires - PW 8T02	633.48
314	7035	Supplies - Equipment R&M	6224 Bumper to Bumper	408-1303435	10 Clamps	12.30
315	7035	Supplies - Equipment R&M	8454 NAPA Auto Parts	835051	6 Gals Engine Oil - PW 8043	195.78
316	7035	Supplies - Equipment R&M	1520 Russo Power Equipment	SPI11213410	Saw Blade for Weed Whip	43.53
317	7040	Supplies - Vehicle R&M	3518 O'Reilly Auto Parts	2479-126840	Lug Nuts - PW 8038	19.00
318	7040	Supplies - Vehicle R&M	1071 Pomp's Tire Service Inc	280137231	10 Truck Tires - PW 8038, 8039, Stock	1,516.30
319	7040	Supplies - Vehicle R&M	1057 Menard Incorporated	3739	Flex Tape - PW 8020	57.87
320	7040	Supplies - Vehicle R&M	8454 NAPA Auto Parts	835215	Tie Rod End - PW 8038	107.75
321	7075	Supplies - Sewer System Maintenance	8598 Ray Schramer & Company	162840	7 Pro-Rings & Adhesive	959.10
322	7075	Supplies - Sewer System Maintenance	8244 Des Plaines Ace Hardware	2589	Plumbers Putty	5.93
323	7075	Supplies - Sewer System Maintenance	1057 Menard Incorporated	3430	Wood - Sewer Repair	14.00
324	7075	Supplies - Sewer System Maintenance	1274 O'Leary's Contractors Equipment & Supply Inc	432860	Saw Blade & Belt	279.00
325	7075	Supplies - Sewer System Maintenance	1072 Prairie Material	890658607	2.0 Cu Yds Concrete - Restorations - 08/24/2022	250.50
326	7075	Supplies - Sewer System Maintenance	1347 Lurvey Landscape Supply	T1-10452840	2.00 Cu Yds Top Soil - Restorations - 08/15/2022	64.00
327	7140	Electricity	1033 ComEd	0096017042-08/22	Electricity Service 07/06-08/04/2022	578.09
328	7140	Electricity	1033 ComEd	0575134020-08/22	Electricity Service 07/01-08/02/2022	128.19
329	7140	Electricity	1033 ComEd	0640144010-08/22	Electricity Service 07/06-08/04/2022	39.37
330	7140	Electricity	1033 ComEd	0762050019-08/22	Electricity Service 07/07-08/05/2022	21.64
331	7140	Electricity	1033 ComEd	2038128006-08/22	Electricity Service 07/01-08/02/2022	46.94
332	7140	Electricity	1033 ComEd	2148094073-08/22	Electricity Service 07/07-08/05/2022	55.65
333	7140	Electricity	1033 ComEd	3240002012-08/22	Electricity Service 07/26-08/24/2022	465.95
334	7140	Electricity	1033 ComEd	3461136053-08/22	Electricity Service 07/05-08/03/2022	36.58

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount	
335	7140	Electricity	1033 ComEd	3526009006-08/22	Electricity Service 07/06-08/04/2022	99.36
336	7140	Electricity	1033 ComEd	3657136067-08/22	Electricity Service 07/06-08/04/2022	78.61
337	7140	Electricity	1033 ComEd	4995025051-08/22	Electricity Service 07/05-08/03/2022	27.38
338	7140	Electricity	1033 ComEd	5060090016-08/22	Electricity Service 07/07-08/05/2022	123.26
339	7140	Electricity	1033 ComEd	5814097012-08/22	Electricity Service 07/06-08/04/2022	29.11
340	7140	Electricity	1033 ComEd	6331089024-08/22	Electricity Service 07/01-08/02/2022	221.73
341	7320	Equipment < \$5,000	1057 Menard Incorporated	101	Drum Fan	99.99
342	8015	Equipment	1564 EJ Equipment Inc	P07613	Sewer Cleaning Nozzle	3,635.00
Total 560 - Sewer Systems					17,010.45	

Division: 580 - CIP - Water/Sewer						
343	8100	Improvements	3099 Schroeder Asphalt Services Inc	2021-CIP-MFT-P6F	R-88-21 2021 CIP Street/Utility Improvements 12/7-4/29/22 -FINAL	34,048.55
344	8100	Improvements	1328 John Neri Construction Company Inc	2022-CIP-MFT-P3	R-92-22 2022 CIP Street & Utility Improvements 07/26-08/29/2022	430,030.11
Total 580 - CIP - Water/Sewer					464,078.66	

Total 00 - Non Departmental	533,774.13
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Department: 30 - Finance						
345	6015	Communication Services	1552 Verizon Wireless	9913414148	Communication Service 07/14-08/13/2022	66.12
Total 30 - Finance					66.12	

Total 500 - Water/Sewer Fund	533,840.25
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Fund: 510 - City Owned Parking Fund						
346	6320	R&M Parking Lots	8364 Super Electric Construction Company	41862R	Troubleshoot Call Stations @ Metro Parking Lot-9/27/21	2,485.00
347	6320	R&M Parking Lots	8364 Super Electric Construction Company	42330	Device Inspection @ Metro Parking-11/11/21-11/12/21	745.50
348	6320	R&M Parking Lots	8364 Super Electric Construction Company	42331	Device Inspection @ Metro Parking-11/22/21-11/24/21	1,118.25
349	7140	Electricity	1033 ComEd	0354464001-08/22	Electricity Service 07/06-08/04/2022	1,588.65
350	7140	Electricity	1033 ComEd	2239082030-08/22	Electricity Service 07/06-08/04/2022	1,025.29
351	7140	Electricity	1033 ComEd	4722388001-08/22	Electricity Service 07/06-08/04/2022	18.96
352	7140	Electricity	1033 ComEd	4791127023-08/22	Electricity Service 07/06-08/04/2022	1,299.36
353	7140	Electricity	1033 ComEd	5310303000-08/22	Electricity Service 07/06-08/04/2022	159.59
Total 510 - City Owned Parking Fund					8,440.60	

City of Des Plaines

Warrant Register 09/19/2022

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 520 - Metra Leased Parking Fund					
354	7140	Electricity	1033 ComEd	5222730006-08/22 Electricity Service 07/01-08/02/2022	87.14
355	7540	Land Lease	1165 Union Pacific Railroad Company	July 2022 Parking Fees for July 2022	2,010.67
Total 520 - Metra Leased Parking Fund					2,097.81
Fund: 700 - Escrow Fund					
356	2226	Special Events - July 4th	8663 Hardy, Diane Ardemis	07/01/2022 Face Painting at July 1 Fireworks	250.00
357	2226	Special Events - July 4th	7706 Lakeshore Recycling Systems LLC	PS473456 Portable Toilets for Fireworks 7/1/22 and Parade 7/4/22	1,770.00
358	2226	Special Events - July 4th	7706 Lakeshore Recycling Systems LLC	PS473456 Portable Toilets for Fireworks 7/1/22 and Parade 7/4/22	1,770.00
Total 700 - Escrow Fund					3,790.00
Grand Total					1,059,424.58

City of Des Plaines

Warrant Register 09/19/2022

Manual Payments

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 100 - General Fund					
Public Works & Engineering					
Division: 540 - Vehicle Maintenance					
359	7120	Gasoline	7349 Wex Inc	82755182	Fuel Purchases 07/29/2022 498.65
360	7130	Diesel	7349 Wex Inc	82755182	Fuel Purchases 07/29/2022 238.59
Total 540 - Vehicle Maintenance					737.24
Total 50 - Public Works & Engineering					737.24
Police Department					
Division: 610 - Uniformed Patrol					
361	6015	Communication Services	1032 Comcast	08/18/2022 x6724	Internet/Cable Service Sept 2022 105.10
Total 610 - Uniformed Patrol					105.10
Total 60 - Police Department					105.10
Fire Department					
Division: 730 - Emergency Management Agency					
362	6015	Communication Services	1032 Comcast	08/22/2022 x6716	Internet/Cable Service Sept 2022 63.06
Total 730 - Emergency Management Agency					63.06
Total 70 - Fire Department					63.06
Department: 90 - Overhead					
363	6015	Communication Services	1032 Comcast	08/20/2022 x6732	Internet/Cable Service Sept 2022 63.06
364	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 661.37
365	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 396.36
366	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 98.00
367	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 370.00
368	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 370.00
369	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 591.00
370	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 795.00
371	6015	Communication Services	8622 RCN Telecom Services LLC	41208850100157 40	Internet/Cable Service 08/21-09/20/2022 500.00
Total 90 - Overhead					3,844.79
Total 100 - General Fund					4,750.19

City of Des Plaines

Warrant Register 09/19/2022

Manual Payments

Line #	Account	Vendor	Invoice	Invoice Description	Amount
Fund: 500 - Water/Sewer Fund					
Division: 550 - Water Systems					
372	6015	Communication Services	8622 RCN Telecom Services LLC	4120885010015740 Internet/Cable Service 08/21-09/20/2022	280.00
373	6015	Communication Services	8622 RCN Telecom Services LLC	4120885010015740 Internet/Cable Service 08/21-09/20/2022	320.00
Total 550 - Water Systems					600.00
Division: 560 - Sewer Systems					
374	6510	Subsidy - Flood Assistance	8457 Swanson, Lawrence C	FRP21-017R-2 Flood Rebate 08/12/2021-Replaces Check 145081	1,380.00
Total 560 - Sewer Systems					1,380.00
Total 500 - Water/Sewer Fund					1,980.00
Grand Total					6,730.19

City of Des Plaines

Warrant Register 09/19/2022

Summary

	<u>Amount</u>	<u>Transfer Date</u>
Automated Accounts Payable	\$ 1,059,424.58 **	9/19/2022
Manual Checks	\$ 6,730.19 **	8/26/2022
Payroll	\$ 1,346,894.99	9/9/2022
RHS Payout	\$ -	
Electronic Transfer Activity:		
JPMorgan Chase Credit Card	\$ -	
Chicago Water Bill ACH	\$ -	
Postage Meter Direct Debits	\$ -	
Postage - Pitney Bowes Annual	\$ -	
Utility Billing Refunds	\$ 17,680.10	8/24/2022
Debt Interest Payment	\$ -	
IMRF Payments	\$ -	
Employee Medical Trust	\$ 701,339.25	9/1/2022
Total Cash Disbursements:	<u>\$ 3,132,069.11</u>	

* Multiple transfers processed on and/or before date shown

** See attached report

Adopted by the City Council of Des Plaines
This Nineteenth Day of September 2022
Ayes _____ Nays _____ Absent _____

Jessica M. Mastalski, City Clerk

Andrew Goczkowski, Mayor


**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT**

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: September 7, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community & Economic Development Department *JTC*
Jonathan Stytz, AICP, Senior Planner *JS*

Subject: **Commercial Mobile Radio Service Facility Extension in the M-2 district – Case #22-026-V**
Approval of Extension to existing Commercial Mobile Radio Service Facility at 2064-2074 Mannheim Road

Issue: The petitioner is requesting the following variations from the Zoning Ordinance: (i) a Major Variation from Section 12-8-5.B.1 to allow a commercial mobile radio service facility to be located in a required rear yard in the M-2 General Manufacturing district and set back less than 50 feet away from a property line; and (ii) Major Variation from Section 12-8-5.B.2 to allow a commercial mobile radio service facility height to be greater than its set back distance from a residential district.

Addresses: 2064-2074 Mannheim Road

Owner: Extra Space Storage, c/o Thomas Morin, 2795 E. Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121

Petitioner: New Cingular Wireless PCS, LLC by Crown Castle USA INC, c/o Michael Gasser, 9045 River Road, Suite 425, Indianapolis, IN 46240

Case Number: 22-026-V

Real Estate Index Number: 09-29-402-041-0000

Ward: #5, Alderman Carla Brookman

Existing Zoning: M-2, General Manufacturing District

Existing Land Use: Commercial Storage Facility and Commercial Mobile Radio Service Facility

Surrounding Zoning: North: M-2, General Manufacturing District
South: M-2, General Manufacturing District

East: M-2, General Manufacturing District
West: R-3, Townhouse Residential District

Surrounding Land Use: North: Commercial Storage Facility (Industrial)
South: Distribution Center (Industrial)
East: Warehouse (Industrial) / Leasing/Rental Agent, Equipment (Industrial)
West: Townhouses (Residential) / Park (Recreational)

Street Classification: Mannheim Road is classified as an Other Principal Arterial.

Comprehensive Plan: The Comprehensive Plan illustrates this site as Industrial.

Zoning/Property History: The existing 60-foot-tall commercial mobile radio service facility was approved through a building permit in 1998 to be installed on the subject property 42 feet from the west property line. Later in 1998, Ordinance Z-8-98 was approved, which repealed existing regulations and enacted new land use and zoning regulations city-wide. The new 1998 Zoning Ordinance added the definition, allowance, and bulk regulations for commercial mobile service facilities (i.e., cell towers), including height, setback, and location restrictions based on the zoning district. Specifically, the regulations restricting commercial mobile service facilities from being located in any required yard and requiring them to be a minimum of 50 feet away from all property lines made the existing commercial mobile service facility non-conforming. Since its construction, the commercial mobile service facility equipment was upgraded in 2011 and antennas were added in 2014. This was permitted under the nonconforming structures rules because the height and location of the facility did not change. However, the desired scope of work at this time requires variation.

Project Description: The petitioner, Michael Gasser on behalf of New Cingular Wireless PCS, LLC, has requested Major Variations to add a 30-foot tall expansion onto an existing 60-foot-tall commercial mobile radio service facility located in the rear of the Extra Space Storage property at 2064-2074 Mannheim Road. The subject property is located within the M-2 General Manufacturing district and consists of one lot with a multi-level building, small storage pods with paved access, and surface parking area as shown in the attached ALTA/ACSM Land Title Survey. The subject property is located along Mannheim Road and is currently accessed by two curb cuts. Access to the existing commercial mobile radio service facility is limited to the gated area located directly north of the commercial storage facility building. The existing commercial mobile radio service facility on site is classified as a freestanding (secondary principal use) as it does not relate to the commercial storage facility use (i.e., Extra Space Storage). A commercial mobile service facility is a permitted use in the M-2 district and is governed by Section 12-8-5 of the Zoning Ordinance.

The petitioner wishes to modify the existing commercial mobile radio service facility by adding a 30-foot-tall tower extension with twelve new antennae and related equipment to address coverage and equipment requirements without the addition of a new monopole. The proposed extension would result in a monopole height of 90 feet with an overall equipment height of 93.5 feet as noted in the attached Architectural Plans and Project Narrative. All regulations in Section 12-8-5 apply for commercial mobile radio service facilities.

However, the two regulations in conflict with the petitioner’s proposal are noted below pursuant to Section 12-8-5.B:

- No commercial mobile radio service facility shall be located in any required yard, nor shall a freestanding commercial mobile radio service facility be located within fifty feet (50') of any property boundary line.
- A freestanding commercial mobile radio service facility shall be set back from any residential zoning district a distance equivalent to its height; provided however, that in no case shall a freestanding commercial mobile radio service facility be located closer than one hundred feet (100') from any residential district.

Since the proposal does not align with the aforementioned regulations above, major variation requests are required.

PZB Recommendation and Conditions: The Planning and Zoning Board (PZB) held a public hearing on August 23, 2022 to consider major variations under Section 12-8-5 to allow a 30-foot extension onto an existing Commercial Mobile Radio Service Facility in the M-2 General Manufacturing district at 2064-2074 Mannheim Road. The Board made findings of fact, the rationale statements for which are captured in the excerpt to the draft minutes of the August 23, 2022 meeting. The PZB *recommended* (7-0) that the City Council *approve* the Major Variation requests without any conditions. The PZB review is also summarized in the attached Chairman Szabo memo.

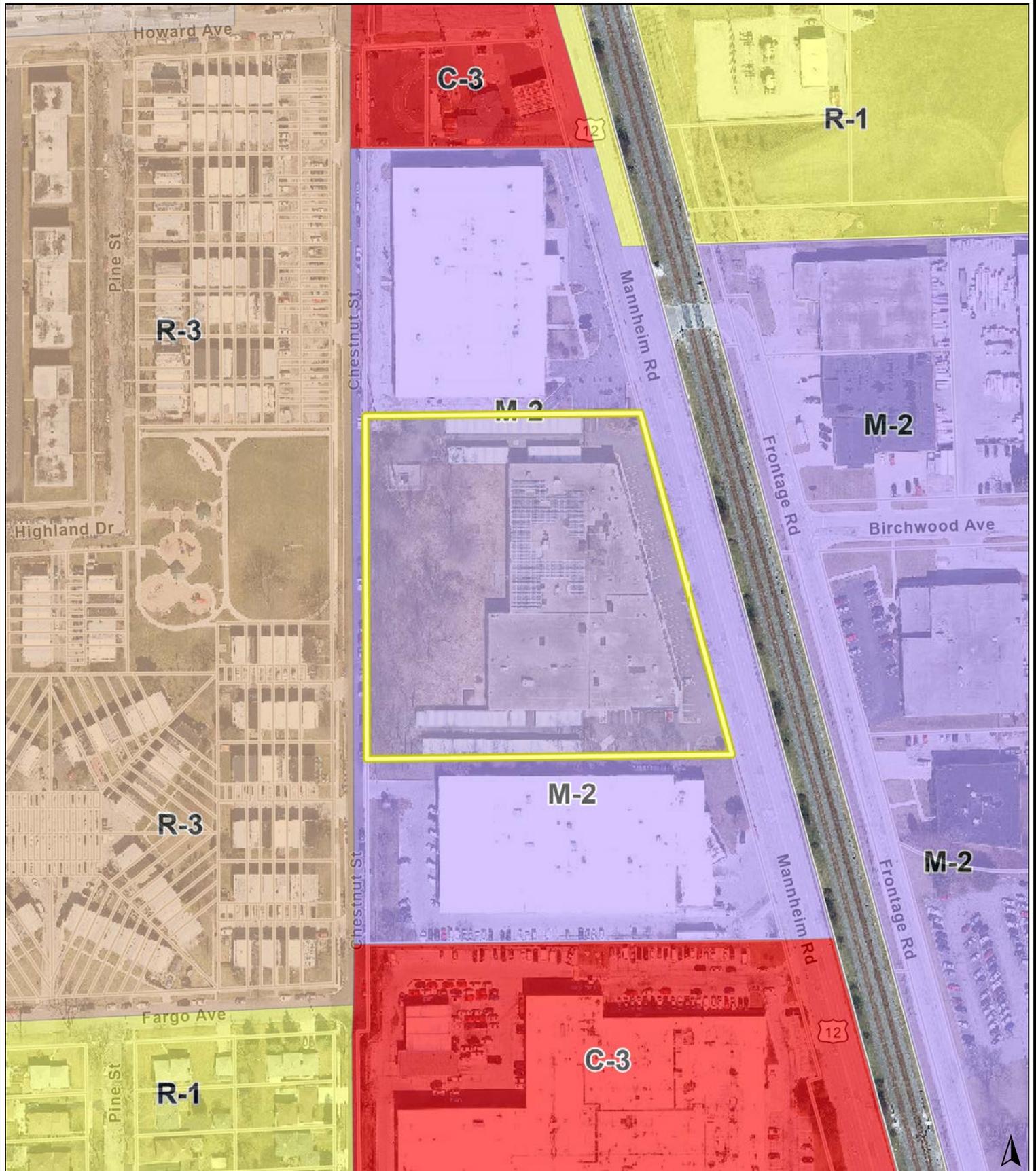
Pursuant to Sections 12-3-4.D.4 of the Zoning Ordinance, the City Council may vote to approve, approve with modifications, or deny the request. The Council has final authority over the Major Variation requests, which would be granted by Ordinance Z-28-22.

Attachments:

- Attachment 1: Location/Zoning Map
- Attachment 2: ALTA/ACSM Land Title Survey
- Attachment 3: Photos of Existing Conditions
- Attachment 4: Site and Context Photos
- Attachment 5: Chairman Szabo Memo to Mayor and City Council
- Attachment 6: Excerpt of Draft Minutes From the August 23, 2022 Planning and Zoning Board Meeting

Ordinance Z-28-22

- Exhibit A: Project Narrative
- Exhibit B: Architectural Plans
- Exhibit C: Unconditional Agreement and Consent



Print Date: 8/10/2022

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. 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 base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Tower from West



Tower from North



Facility from Southwest



Tower from East



Compound

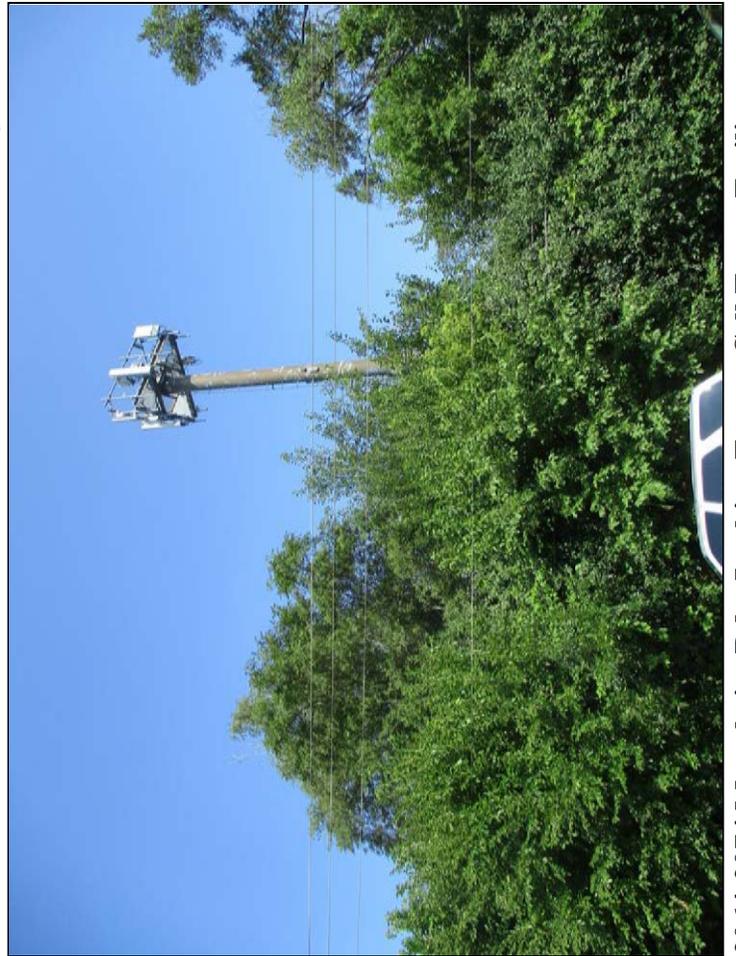




2064-2074 Mannheim Rd – Public Notice & Front of Building



2064-2074 Mannheim Rd – Looking Southwest at Cell Tower Facility



2064-2074 Mannheim Rd – Looking East at Cell Tower Facility



2064-2074 Mannheim Rd – Looking Southeast at Cell Tower Facility



August 30, 2022

Mayor Goczkowski and Des Plaines City Council
CITY OF DES PLAINES

Subject: Planning and Zoning Board, 2064-2074 Mannheim Road, 22-026-V, 5th Ward
RE: Consideration of Major Variations for a Commercial Mobile Radio Service Facility Extension

Honorable Mayor and Members of the Des Plaines City Council:

The Planning and Zoning Board (PZB) held a public hearing on August 23, 2022 to consider major variations under Section 12-8-5 to allow a 30-foot extension onto an existing Commercial Mobile Radio Service Facility in the M-2 General Manufacturing district at 2064-2074 Mannheim Road.

1. Michael Gasser, representing Crown Castle, introduced the request to construct a 30-foot extension onto the existing Commercial Mobile Radio Service Facility on the subject property. He explained that Crown Castle owns the Commercial Mobile Radio Service Facility and AT&T is one of the providers who is looking to collocate on the existing cell tower, but would need the 30-foot tower extension in order to do so. He mentioned that the existing tower was constructed under previous code and is not compliant with the current regulations. Mr. Gasser added that the purpose of this request is to allow AT&T to collocate on the existing Commercial Mobile Radio Service Facility in order to improve services for residents and increase the tax base. He confirmed that no changes would be made to the location of the tower and that there is ample space within the existing enclosure area for the additional equipment required.
2. PZB members asked what the benefits are to this project and if this project is necessary due to AT&T's move to 5G communication. The petitioner responded that the project would allow AT&T improve its network as well as accommodate 5G communication better overall and that this project is a result of AT&T's move to 5G communication.
3. CED staff summarized the staff report with slides noting that the existing Commercial Mobile Radio Service Facility located on the subject property was established prior to the adoption of the 1998 Zoning Ordinance and, for that reason, does not meet some of the location regulations for Commercial Mobile Radio Service Facilities in Section 12-8-5 of the Zoning Ordinance. Staff did not recommend any conditions with this request.
4. Two members of the public spoke on this request with questions regarding the origin for these reasons, if services and products would improve with this request, if multiple providers could locate on the same tower, if competitors have a say on what can be done on a tower, and if there are any health concerns with the wiring of homes. The petitioner explained that the requests are from AT&T in order to improve its network and that collocating onto an existing tower saves them money. He added that sometimes tower modifications are necessary in order to collocate, which is the reason for the proposed tower extension, but that this would not impact customer services. Mr. Gasser clarified that cell providers can work together to an extent when it comes to collocating on existing towers and multiple providers can be located on a single network due to their network that is established by all of their towers working together. He added that cell providers do need to update their equipment regularly to keep up with the constantly changing demand.

5. The PZB recommended (7-0) that the City Council *approve* the requested major variations without any conditions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James S. Szabo". The signature is fluid and cursive, with a long horizontal stroke at the end.

James Szabo,
Des Plaines Planning and Zoning Board, Chairman

Cc: City Officials/Aldermen



**DES PLAINES PLANNING AND ZONING BOARD MEETING
August 23, 2022
DRAFT MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, August 23, 2022, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chair Szabo called the meeting to order at 7:00 p.m. and roll call was established.

PRESENT: Weaver, Veremis, Saletnik, Hofherr, Szabo, Fowler, Catalano

ABSENT: None

ALSO PRESENT: John Carlisle, AICP, Director of Community & Economic Development
Jonathan Stytz, AICP, Senior Planner
Laura Fast/Deputy Clerk, Recording Secretary
Margie Mosele, CED Executive Assistant

A quorum was present.

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to approve the meeting minutes of July 26, 2022, as amended on page 14 to remove the word unanimous.

AYES: Weaver, Veremis, Saletnik, Hofherr, Szabo, Fowler, Catalano

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY ****

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

Pending Applications

1. Address: 2064-2074 Mannheim Road

Case Number: 22-026-V

The petitioner is requesting the following variations from the Zoning Ordinance: (i) a Major Variation from Section 12-8-5.B.1 to allow a commercial mobile radio service facility to be located in a required rear yard in the M-2 General Manufacturing district and set back less than 50 feet away from a property line; and (ii) Major Variation from Section 12-8-5.B.2 to allow a commercial mobile radio service facility height to be greater than its set back distance from a residential district.

Addresses: 2064-2074 Mannheim Road

Owner: Extra Space Storage, c/o Thomas Morin, 2795 E. Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121

Petitioner: New Cingular Wireless PCS, LLC by Crown Castle USA INC, c/o Michael Gasser, 9045 River Road, Suite 425, Indianapolis, IN 46240

Case Number: 22-026-V

Real Estate Index Number: 09-29-402-041-0000

Ward: #5, Alderman Carla Brookman

Existing Zoning: Existing Land Use: M-2, General Manufacturing District

Surrounding Zoning: Commercial Storage Facility

Existing Zoning: North: M-2, General Manufacturing District
South: M-2, General Manufacturing District

Existing Land Use: Commercial Storage Facility

Surrounding Zoning: North: M-2, General Manufacturing District
South: M-2, General Manufacturing District
East: M-2, General Manufacturing District
West: R-3, Townhouse Residential District

Surrounding Land Uses: North: Commercial Storage Facility (Industrial)

Street Classification: Mannheim Road is classified as an Other Principal Arterial.

Comprehensive Plan: The Comprehensive Plan illustrates this site as Industrial.

Zoning/Property History: The existing 60-foot-tall commercial mobile radio service facility was approved through a building permit in 1998 to be installed on the subject property 42 feet from the west property line. Later in 1998, Ordinance Z-8-98 was approved, which repealed existing regulations and enacted new land use and zoning regulations city-wide. The new 1998 Zoning Ordinance added the definition, allowance, and bulk regulations for commercial mobile service facilities (i.e., cell towers), including height, setback, and location restrictions based on the zoning district. Specifically, the regulations restricting commercial mobile service facilities from being located in any required yard and requiring them to be a minimum of 50 feet away from all property lines made the existing commercial mobile service facility non-conforming. Since its construction, the commercial mobile service facility equipment was upgraded in 2011 and antennas were added in 2014. This was permitted under the

nonconforming structures rules because the height and location of the facility did not change. However, the desired scope of work at this time requires variation.

Project Description: The petitioner, Michael Gasser on behalf of New Cingular Wireless PCS, LLC, has requested Major Variations to add a 30-foot tall expansion onto an existing 60-foot-tall commercial mobile radio service facility located in the rear of the Extra Space Storage property at 2064-2074 Mannheim Road. The subject property is located within the M-2 General Manufacturing district and consists of one lot with a multi-level building, small storage pods with paved access, and surface parking area as shown in the attached ALTA/ACSM Land Title Survey. The subject property is located along Mannheim Road and is currently accessed by two curb cuts. Access to the existing commercial mobile radio service facility is limited to the gated area located directly north of the commercial storage facility building. The existing commercial mobile radio service facility on site is classified as a freestanding (secondary principal use) as it does not relate the commercial storage facility use (i.e., Extra Space Storage). A commercial mobile service facility is a permitted use in the M-2 district and is governed by Section 12-8-5 of the Zoning Ordinance.

The petitioner wishes to modify the existing commercial mobile radio service facility by adding a 30-foot-tall tower extension with twelve new antennae and related equipment to address coverage and equipment requirements without the addition of a new monopole. The proposed extension would result in a monopole height of 90 feet with an overall equipment height of 93.5 feet as noted in the attached Architectural Plans and Project Narrative. All regulations in Section 12-8-5 apply for commercial mobile radio service facilities.

However, the two regulations in conflict with the petitioner's proposal are noted below pursuant to Section 12-8-5.B:

- No commercial mobile radio service facility shall be located in any required yard, nor shall a freestanding commercial mobile radio service facility be located within fifty feet (50') of any property boundary line.
- A freestanding commercial mobile radio service facility shall be set back from any residential zoning district a distance equivalent to its height; provided however, that in no case shall a freestanding commercial mobile radio service facility be located closer than one hundred feet (100') from any residential district.

Since the proposal does not align with the aforementioned regulations above, major variation requests are required.

Variation Standards

Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. The petitioner's rationale for how the proposal would satisfy each of the standards is attached. The PZB may use this rationale as its findings, or the Board may create its own. The standards that should serve as the basis of findings are the following:

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.

PZB Additions or Modifications (if necessary): _____.

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

PZB Additions or Modifications (if necessary): _____.

3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

PZB Additions or Modifications (if necessary): _____.

4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

PZB Additions or Modifications (if necessary): _____.

5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.

PZB Additions or Modifications (if necessary): _____.

6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.

PZB Additions or Modifications (if necessary): _____.

7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

PZB Additions or Modifications (if necessary): _____.

8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate

the alleged hardship or difficulty presented by the strict application of this title.

PZB Additions or Modifications (if necessary): _____.

PZB Procedure and Recommended Conditions: Under Section 12-3-6.G of the Zoning Ordinance (Major Variations), the PZB has the authority to recommend approval, approval subject to conditions, or denial of the requests. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6.H of the Zoning Ordinance (Standards for Variations) as outlined in the Zoning Ordinance. The City Council has the final authority.

Chair Szabo swore in Michael Gasser. Mr. Gasser is the petitioner who represents Crown Castle. Crown Castle owns and manages an existing monopole communication tower facility at 2064 Mannheim Road. The existing 60-foot tower facility was originally approved for installation in May 1998. The existing tower was constructed under the previous code and is not compliant with current setback and location regulations. In order to address coverage and equipment requirements in its network, AT&T Mobility desires to collocate a new antenna on the tower which will include a 30' tower extension. The proposed extension would result in a monopole height of 90 feet with an overall equipment height of 93.5 feet.

Residents Heidi Marshall, 1371 Fargo, and Naomi Freeman, 2210 S. Chestnut, asked if product cost or service will be impacted and if there any negative health effects associated with the proposed tower.

Mr. Gasser responded that AT&T's network will improve with 5G communication and increase competition. A lightning rod is installed on top of the tower and there are no concerns regarding health issues.

Jonathan Stytz, Senior Planner reviewed the staff report.

A motion was made by Board Member Saletnik, seconded by Board Member Catalano to approve a variation to allow a commercial mobile radio service facility to: (i) be located in a required rear yard in the M-2 General Manufacturing district and be set back 42 feet from the property line; (ii) be located 60 feet away from a residential district; and (iii) allow the proposed commercial mobile radio service facility height of 93.5 feet to be greater than its set back distance from a residential district, where the facility setback distance from a residential district must be equivalent to its height.

AYES: Weaver, Veremis, Saletnik, Hofherr, Szabo, Catalano, Fowler
NAYES: None
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY****

CITY OF DES PLAINES

ORDINANCE Z - 28 - 22

AN ORDINANCE APPROVING MAJOR VARIATIONS TO ALLOW AN EXTENSION OF AN EXISTING COMMERCIAL MOBILE RADIO SERVICE FACILITY AT 2064-2074 MANNHEIM ROAD, DES PLAINES, ILLINOIS (Case #22-026-V).

WHEREAS, the property commonly known as 2064-2074 Mannheim Road, Des Plaines, Illinois (“*Subject Property*”) is located in the M-2 General Manufacturing District (“*M-2 District*”) and is currently improved with a 67,144-square-foot, one-story single-tenant commercial storage building with surface parking area, exterior storage units with access drives, and a fenced enclosure with a 60-foot-tall Commercial Mobile Radio Service Facility (“*Existing Cell Tower*”); and

WHEREAS, the “Des Plaines Zoning Ordinance of 1998,” as amended (“*Zoning Ordinance*”), is codified as Title 12 of the City Code of the City of Des Plaines (“*City Code*”); and

WHEREAS, pursuant to Section 12-8-5 of the Zoning Ordinance, Commercial Mobile Radio Service Facilities: (i) cannot be located within any required yard and shall be a minimum of 100 feet from any residential district; and (ii) must be set back a minimum of 50 feet from all property lines; and

WHEREAS, the Existing Cell Tower is legal, non-conforming because it is located 42 feet from the west lot line of the Subject Property and 60 feet from a residential district; and

WHEREAS, New Cingular Wireless PCS, LLC by Crown Castle USA, Inc. (“*Petitioner*”) desires to install a 30-foot extension (“*Proposed Cell Tower Extension*”) onto the Existing Cell Tower on the Subject Property; and

WHEREAS, in order to construct the Proposed Cell Tower Extension on the Subject Property, and pursuant to Section 12-3-6 of the Zoning Ordinance, Michael Gasser, on behalf of Petitioner, filed an application with the City for the approval of the major variations from Section 12-8-5 of the Zoning Ordinance (“*Major Variations*”) to: (i) reduce the required setback from any residential district from 100 feet to 60 feet; and (ii) reduce the required property line setback from 50 feet to 42 feet along the west lot line of the Property; and

WHEREAS, Extra Space Storage (“*Owner*”) is the owner of the Subject Property and has consented to the Petitioner’s application; and

WHEREAS, within fifteen 15 days after the receipt thereof, the Petitioner’s application was referred by the Department of Community and Economic Development to the Planning and Zoning Board of the City of Des Plaines (“*PZB*”); and

WHEREAS, within 90 days after the date of the Petitioner’s application, a public hearing to consider the Requested Relief was held by the PZB on August 23, 2022, pursuant to publication in the *Des Plaines Journal* on August 3, 2022; and

WHEREAS, notice of the public hearing was mailed to all property owners within 500 feet of the Subject Property; and

WHEREAS, during the public hearing the PZB heard testimony and received evidence with respect to how the Petitioner intended to satisfy and comply with the provisions of the Zoning Ordinance; and

WHEREAS, pursuant to Section 12-3-4 of the Zoning Ordinance, the PZB filed a written report with the City Council on August 30, 2022, summarizing the testimony and evidence received by the PZB and stating its recommendation, by a vote of 7-0, to approve the Requested Relief subject to certain conditions; and

WHEREAS, the Petitioner made representations to the PZB with respect to the Requested Relief which representations are hereby found by the City Council to be material and upon which the City Council relies in approving the Requested Relief; and

WHEREAS, the City Council has considered the written report of the PZB, the applicable standards for Major Variations set forth in the Zoning Ordinance, and the Community and Economic Development Staff Memorandum dated August 19, 2022, and has determined that it is in the best interest of the City and the public to approve the Requested Relief in accordance with the provisions of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting the factual basis for the approval of the Requested Relief.

SECTION 2. LEGAL DESCRIPTION OF SUBJECT PROPERTY. Subject Property is legally described as:

THAT PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 29, AFORESAID, 533.13 FEET SOUTH OF THE NORTH LINE

OF THE SOUTHEAST ¼ OF SECTION 29 AFORESAID (AS MEASURED ALONG SAID WEST LINE); THENCE SOUTH ALONG SAID WEST LINE, 460.00 FEET; THENCE EAST ALONG A LINE PERPENDICULAR TO SAID WEST LINE 505.78 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF MANNHEIM ROAD, PER DOCUMENT NUMBER 11690544; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE, 475.79 FEET TO A POINT ON A LINE DRAWN PERPENDICULARLY TO THE WEST LINE OF THE NORTHWEEST ¼ OF THE SOUTHWEST ¼ OF SECTION 29 THROUGH THE PLACE OF BEGINNING (EXCEPTING FROM THE ABOVE DESCRIBED PREMISES THE WEST 17.00 FEET THEREOF), ALL IN COOK COUNTY, ILLINOIS.

P.I.N.: 09-29-402-041-0000

Commonly known as 2064-2074 Mannheim Road

SECTION 3. APPROVAL OF MAJOR VARIATIONS. The City Council finds that the Major Variations satisfy the standards set forth in Section 12-3-6.H of the Zoning Ordinance and, pursuant to the City's home rule powers, finds that the Major Variations are otherwise necessary and appropriate. Subject to and contingent upon the conditions, restrictions, limitations and provisions set forth in Section 4 of this Ordinance, the City Council hereby grants the Major Variations to the Petitioner to allow the construction of the Proposed Cell Tower Extension on the Subject Property.

SECTION 4. CONDITIONS. The approval granted in Section 3 of this Ordinance shall be, and is hereby, expressly subject to and contingent upon the following conditions, restrictions, limitations, and provisions of this Section 4:

A. **Compliance with Law and Regulations.** The development, use, operation, and maintenance of the Proposed Cell Tower Extension and the Subject Property by the Petitioner must comply with all applicable City codes and ordinances, as the same have been or may be amended from time to time, except to the extent specifically provided otherwise in this Ordinance.

B. **Compliance with Plans.** The development, use, and maintenance of the Existing Cell Tower with the Proposed Cell Tower Extension and the Subject Property shall be in substantial compliance with the following plans below, except for minor changes and site work

approved by the Director of the Department of Community and Economic Development in accordance with applicable City codes, ordinances, and standards:

1. The “Project Narrative” consisting of four pages, prepared by Petitioner, and undated, a copy of which is attached to and, by this reference, made a part of this Ordinance as **Exhibit A**; and

2. The “Architectural Plans” consisting of eight sheets, prepared by Power of Design, with a latest revision date of April 25, 2022, a copy of which is attached to and, by this reference, made a part of this Ordinance as **Exhibit B**.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS.

A. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of, any of the provisions of this Ordinance shall be fined not less than seventy-five dollars (\$75.00) or more than seven hundred and fifty dollars (\$750.00) for each offense. Each and every day that a violation of this Ordinance is allowed to remain in effect shall constitute a complete and separate offense. In addition, the appropriate authorities of the City may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person, firm or corporation violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys’ fees.

B. In the event that the Petitioner fails to develop or maintain the Subject Property in accordance with the requirements of the Zoning Ordinance, or the conditions set forth in Section 4 of this Ordinance, the Major Variations granted in Section 3 of this Ordinance may be revoked after notice and hearing before the Zoning Administrator of the City, all in accordance with the procedures set forth in Section 12-4-7 of the Zoning Ordinance. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the M-

2 District. Further, in the event of such revocation of the Major Variations, the City Manager and City's General Counsel are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances. The Petitioner acknowledges that public notices and hearings have been held with respect to the adoption of this Ordinance, has considered the possibility of the revocation provided for in this Section, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice and hearing required by Section 12-4-7 of the Zoning Ordinance is provided to the Petitioner.

SECTION 6. BINDING EFFECT; NON-TRANSFERABILITY. The privileges, obligations, and provisions of each and every section and requirement of this Ordinance are for and shall inure solely to the benefit of Petitioner. Nothing in this Ordinance shall be deemed to allow the Petitioner to transfer any of the rights or interests granted herein to any other person or entity without the prior approval of the City Council by a duly adopted amendment to this Ordinance.

SECTION 7. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after the occurrence of the following:

- A. its passage, approval and publication in pamphlet form as provided by law;
- B. the filing with the City Clerk by the Petitioner and Owner, not less than 60 days after the passage and approval of this Ordinance, of an unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance.

Said unconditional agreement and consent shall be in substantially the form attached to, and by this reference made a part of, this Ordinance as *Exhibit C*; and

C. at the Petitioner's sole cost and expense, the recordation of this Ordinance together with such exhibits as the City Clerk deems appropriate, with the Office of the Cook County Recorder.

D. In the event that the Petitioner and Owner do not file with the City Clerk a fully executed copy of the unconditional agreement and consent referenced in Section 8.B of this Ordinance, within 60 days after the date of passage of this Ordinance by the City Council, the City Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

SECTION 9. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

[SIGNATURE PAGE FOLLOWS]

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: AYES _____ NAYS _____ ABSENT _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022.

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

DP-Ordinance Approving Major Variations for Extension to Existing Commercial Mobile Radio Service Facility at 2064-2074 Mannheim Road



9045 River Rd,
Indianapolis, IN 46240

Phone: (317) 249-2028
www.crowncastle.com

Written Narrative in Support of Variance

Crown Castle USA, Inc. (“Crown Castle”) on Behalf of New Cingular Wireless PCS (“AT&T Mobility”, “AT&T”, or “Petitioner”) appreciates the opportunity to provide this Written Narrative in Support of a Variations Request (the “Narrative Statement”) explaining why the requested exceptions are appropriate for the wireless communication facility (WCF). With the facts surrounding the request and a clear understanding of the federal definition of an “eligible facilities request” we strongly believe the City of Des Plaines, Department of Community and Economic Development (the “City”) will agree the request merits approval. With this Narrative Statement, Crown Castle will also provide information about how the subject application constitutes an “eligible facilities request” under applicable federal law and detail certain communications with city staff regarding the subject application.

Crown Castle owns and manages an existing monopole communication tower facility at 2064 Mannheim Road, a parcel that is zoned M-2 General Manufacturing. This parcel is located in between Chestnut Street and Mannheim Road and within the complex of a large self-storage operation. The existing wireless facility is surrounded by commercial buildings and dense trees on all sides and the ground equipment is buffered from view of residential properties to the west by heavy foliage. The ground equipment at the base of the tower facility is also enclosed by a mesh fence with a secure lock. The tower is capable and remains available for collocation in order to meet the communication demands of Des Plaines community.

The tower facility was originally approved for installation by a City of Des Plaines building permit in May 1998 and has remained at 60’ tower height since construction with an antenna height permitted up to 66’ by subsequent permits for the collocation of equipment. Section 12-8-5, F. allows for 100’ tower height in a manufacturing zoning district.

In order to address coverage and equipment requirements in its network, our customer AT&T Mobility (“AT&T”) desires to collocate a new antenna array on the tower which will include a 30’ tower extension bringing the overall equipment height with equipment to 93.5’. Rather than erect a new monopole, we are proposing to only add to the existing pole. This seems like a better arrangement for all concerned in that it allows AT&T to achieve the elevation AT&T seeks without adding another vertical element to the neighborhood. This also aligns with City Zoning Ordinance 12-8-5, C. which “encourages collocation of commercial mobile radio service facilities on existing or planned [facilities]”.

The peculiar circumstances in connection with the land is that the tower facility was previously approved for construction and was built according to the aforementioned approval without limit to the tower height, setbacks, or any development standards. However, the zoning regulations were revised in September of 1998 to include the current standards for Commercial Mobile Radio Service Facilities. Since that time the tower facility setback has remained legally established and non-conforming. The City has since continued to issue appropriate building permits as needed for the collocation of equipment a proposed collocation in of itself would not require a hearing or petition at this time.

However, since the proposed collocation by AT&T also requires a tower height extension, staff has asked that a variance of setback review should be conducted by the City Planning and Zoning Board. Please note that the tower is not being moved and the setbacks are not being revised from those approved in 1998. The proposal is to simply increase the tower height to accommodate the proposed collocation.



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www.crowncastle.com

The existing tower and compound area on the subject property can accommodate the AT&T antenna array with an increase of only thirty (30') feet in height and would maintain structural capacity for additional collocation without the need of building of an entirely new structure or expanding the prepared ground space. This particular tower allows AT&T to address both coverage and equipment upgrade requirements and is the least obtrusive way in which the coverage can be filled. AT&T anticipates that once this minor tower extension has been completed, its ability to provide your constituents with better coverage and connectivity will be vastly improved. We have all learned over the past couple of years that society is transitioning and increasing the importance of coverage and connectivity during these unprecedented times. We are spending more time at home, students are learning from home, professionals are working from home, and first responders must be able to quickly obtain the information they need to help their neighbors in need.

Crown Castle very much appreciates the opportunity to discuss the subject application with City representatives on multiple occasions and welcomed the collaborative nature of those conversations. Among other things, Crown Castle and staff talked about how this modification request is an “eligible facilities request” subject to streamlined review under federal law, specifically Section 6409(a) of the Spectrum Act and the Federal Communications Commission’s rules implementing that federal statute.¹ Section 6409(a) requires that the City shall approve, and may not deny, “eligible facilities requests,” like the modification proposed in the subject application, when they do not result in a “substantial change” to the physical dimensions of the existing structure. The intent behind this federal law is to promote deployment to help our country meet the ongoing technological revolution and connect our citizens with each other, with their schools, with their jobs, and with life-saving technologies.

With regard to tower height extensions, according to the FCC, a proposed modification does not constitute a “substantial change” if the modification would not increase the height of the tower by the greater of (a) 10% or (b) the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet.” The subject application falls into the second bucket of allowable tower height extensions under Section 6409(a) – AT&T proposes adding one additional antenna array on the tower with a separation of approximately nineteen (19') feet between the bottom of the new array and the top of the existing array. The separation of nineteen feet (measured from bottom of new array and top of existing array) is significant to note because, as the FCC clarified in its 5G Upgrade Order issued last June, “an increase in the height of the tower of up to twenty (20) feet between antennas, as measured from the top of an existing antenna to the bottom of a proposed new antenna on the top of a tower” does not constitute a “substantial change” under Section 6409(a). See FCC 5G Upgrade Order at para. 2. Because the proposed tower height increase is not a “substantial change” as defined by the FCC, the subject application constitutes an “eligible facilities request” that shall be approved by the City pursuant to federal law.

Upon the request by staff, Crown Castle will now review the criteria set forth in Section 12-3-6 the “Findings of Fact For Variations” of the City Code and demonstrate why the required variances are warranted in this case.

12-3-6, H. – Findings of Fact For Variations:

Petitioner’s response to 12-3-6, H: Petitioner is confident that the board will approve the variations with consideration of Section 6409(a) and the facts at hand.

12-3-6(H) - Criteria 1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.



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Petitioner's response to 12-3-6(H) - Criteria 1. Hardship: The use and placement of the monopole structure was legally established via permit 98040120 in 1998 and has remained in use and otherwise lawful since that time. The regulations have changed which established the nonconformity. The strict application of these setback regulations will prevent the applicant from complying with the collocation standards of Section 12-8-5, C. Collocation for a facility that is otherwise capable.

12-3-6(H) - Criteria 2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

Petitioner's response to 12-3-6(H) - Criteria 2. Unique Physical Condition: The monopole structure and ground space are existing. Extending the height of the existing facility is encouraged by the zoning regulations and thought to be preferred to constructing a new tower facility which would add to the existing development and require removal of large trees.

12-3-6(H) - Criteria 3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

Petitioner's response to 12-3-6(H) - Criteria 3. Not Self-Created: The owner and/or predecessors have not created a unique physical condition but are desirous of collocating an existing wireless tower facility as opposed to constructing a new tower facility. Collocation does not create a new nonconformity.

12-3-6(H) - Criteria 4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Petitioner's response to 12-3-6(H) - Criteria 4. Denied Substantial Rights: Other legally established tower facilities located in the manufacturing district are permitted to collocate additional carriers on the tower facility up to 100' in height. However, due to the creation of the setback requirements after the subject tower was constructed strict application of the provisions prevents applicant from collocation.

12-3-6(H) - Criteria 5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.

Petitioner's response to 12-3-6(H) - Criteria 5. Not Merely Special Privilege: Again, we believe it is in the best interest all involved that the existing tower facility be collocated as opposed to the construction of another tower facility. While it is the applicant's preference to comply with the collocation requirements of the zoning regulations which allow the extension of the tower to 100' the ordinance revisions post construction have necessitated the variations.



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12-3-6(H) - Criteria 6. Title and Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.

Petitioner's response to 12-3-6(H) - Criteria 6. Title and Plan Purposes: Petitioner's request will serve the public at the location with an existing tower facility that has been thrice reviewed, approved, and has served the public since 1998. In compliance with Section 12-8-5, F. of the City Code, Petitioner is now attempting to make the facility available including variations to collocate additional personal wireless service facilities on the free-standing tower since the collocation is feasible and in lieu of constructing a new free-standing tower facility within the same community. Upon approval of the petition, the Board will be assisting Petitioner in meeting this ordinance requirement.

12-3-6(H) - Criteria 7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

Petitioner's response to 12-3-6(H) - Criteria 7. No Other Remedy: The available remedy to the variance request would be to construct another tower facility on the property which does not comply with the collocation provisions of the zoning ordinance. However, the approval to allow the continued use of the existing facility will provide for additional communications for the community without the need for an additional tower.

Petitioner's response to 12-3-6(H) - Criteria 8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.

Petitioner's response to 12-3-6(H) - Criteria 8. Minimum Required: Simply approving the existing tower facility to remain as it was legally established is all petitioner requests. The tower extension is not creating a non-conformity as the proposed height remains below the allowable height in the M-2 zoning district. As clarified above approval of this Eligible Facility Request is required under Section 6409(a) and aside from the existing setbacks, the existing facility conforms to all other provisions of the City Code and petitioner requests that the tower facility be permitted for collocation as it was originally intended.

Petitioner is open to discuss the Findings of fact or Standards and their compliance with the aforementioned Section 6409(a) and the FCC Infrastructure Orders. Given that the Application proposes an EFR as such term is defined in federal law, the Application is entitled to streamlined review pursuant to federal law. Again, petitioner's response to 12-3-6, H: Petitioner is confident that the board will approve the variations with consideration of Section 6409(a) and the facts at hand.



AT&T SITE NUMBER: IL0684
AT&T SITE NAME: IL0684
AT&T FA CODE: 10153891
AT&T PACE NUMBER: MRCHI001840
AT&T PROJECT: NSB

BUSINESS UNIT #: 875582
SITE ADDRESS: 2064 MANNHEIM RD
 DES PLAINES, IL 60018
COUNTY: COOK
SITE TYPE: MONOPOLE
TOWER HEIGHT: 60'-0"



575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300



20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173



POWER OF DESIGN
 11490 BLUEGRASS PKWY
 LOUISVILLE, KY 40299
 502-437-5252

SITE INFORMATION

CROWN CASTLE USA INC. KLANCNIK BROS.
 SITE NAME:
 SITE ADDRESS: 2064 MANNHEIM RD
 DES PLAINES, IL 60018
 COUNTY: COOK
 MAP/PARCEL #: 09-29-402-041-0000
 AREA OF CONSTRUCTION: EXISTING
 LATITUDE: 42° 0' 54.43"
 LONGITUDE: -87° 53' 21.07"
 LAT/LONG TYPE: NAD83
 GROUND ELEVATION: 644 FT
 CURRENT ZONING: NOT REQUIRED
 JURISDICTION: CITY OF DES PLAINES
 OCCUPANCY CLASSIFICATION: U
 TYPE OF CONSTRUCTION: IIB
 A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
 PROPERTY OWNER: PARADIGM TAX ESS 8699
 PO BOX 800729
 DALLAS, TX 75380
 TOWER OWNER: CROWN CASTLE USA INC.
 2000 CORPORATE DRIVE
 CANONSBURG, PA 15317
 CARRIER/APPLICANT: AT&T TOWER ASSET GROUP
 575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300
 ELECTRIC PROVIDER: COM ED
 (800) 344-7661
 TELCO PROVIDER: AT&T
 (866) 620-6900

DRAWING INDEX

SHEET #	SHEET DESCRIPTION
T-1	TITLE SHEET
T-2	GENERAL NOTES
C-1.1	OVERALL SITE PLAN
C-1.2	SITE PLAN
C-1.3	ENLARGED SITE PLAN
C-2	ELEVATION & ANTENNA PLANS
C-3.1	EQUIPMENT SPECS
C-3.2	EQUIPMENT SPECS
C-4	EQUIPMENT SPECS
C-5	WUC DETAILS
C-6	GENERATOR SPECIFICATIONS
C-7	SITE SIGNAGE
C-8	ELEVATED PLATFORM DETAILS
E-1	UTILITY ROUTING PLAN
E-2	ONE LINE DIAGRAM
G-1	GROUNDING SCHEMATIC
G-2	GROUNDING DETAILS
G-3	GROUNDING DETAILS
ATTACHED	PLUMBING DIAGRAM
ATTACHED	MOUNT SPECIFICATIONS

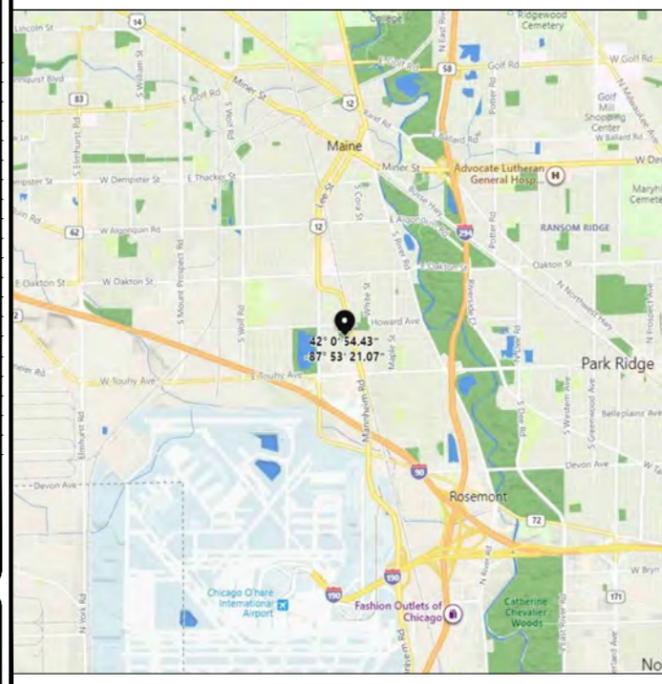
ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR 11X17. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



CALL ILLINOIS ONE CALL
 (800) 892-0123
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!



LOCATION MAP



NO SCALE

SITE PHOTO



AT&T SITE NUMBER: IL0684

BU #: 875582
 KLANCNIK BROS.

2064 MANNHEIM RD
 DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	10/28/21	ADE	CONSTRUCTION	MEP
1	02/10/22	WAM	CONSTRUCTION	MEP
2	02/16/22	WAM	CONSTRUCTION	MEP
3	04/25/22	WAM	CONSTRUCTION	MEP

PROJECT TEAM

A&E FIRM: POD
 11490 BLUEGRASS PARKWAY
 LOUISVILLE, KY 40299
 (502) 437-5252
 CROWN CASTLE USA INC. DISTRICT CONTACTS:
 20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173
 BRAD BELL - PROJECT MANAGER
 BRAD.BELL@CROWNCastle.COM
 ADAM BRAVER - A&E SPECIALIST
 ADAM.BRAVER@CROWNCastle.COM

PROJECT DESCRIPTION

THE PURPOSE OF THIS PROJECT IS TO ENHANCE BROADBAND CONNECTIVITY AND CAPACITY TO THE EXISTING ELIGIBLE WIRELESS FACILITY.

- TOWER SCOPE OF WORK:**
- INSTALL (1) SABRE - C10855721C PLATFORM MOUNT
 - INSTALL (6) COMMSCOPE - NNH4-65B-R6H4_CCIV2 ANTENNAS
 - INSTALL (3) CCI - C-BAND ANTENNA E ANTENNAS
 - INSTALL (3) ERICSSON - AIR 6449 B77D ANTENNAS
 - INSTALL (3) ERICSSON - RRUS 4415 B25_CCIV2 RRU's
 - INSTALL (3) ERICSSON - RRUS 4415 B30 RRU's
 - INSTALL (3) ERICSSON - RRUS 4478 B14_CCIV2 RRU's
 - INSTALL (3) ERICSSON - RRUS 4449 B5/B12 RRU's
 - INSTALL (3) ERICSSON - RRUS 8843 B2/B66A_CCIV2 RRU's
 - INSTALL (6) VALMONT - RRUDSM BACK TO BACK MOUNTS
 - INSTALL (3) 6'-0" MOUNTING PIPES
 - INSTALL (3) RAYCAP - DC9-48-60-24-8C-EV_CCIV2 SQUIDS
 - INSTALL (9) COMMSCOPE - PWRT-606-S DC CABLES
 - INSTALL (2) COMMSCOPE - RFFT-48SM-001-XXX FIBER CABLES

- GROUND SCOPE OF WORK:**
- INSTALL (1) WUC CABINET ON AN ELEVATED PLATFORM IN A 12'-0"x20'-0" LEASE AREA
 - INSTALL (1) KOHLER 20KW DIESEL GENERATOR
 - INSTALL (1) VERTIV 5100 DC POWER PLANT W/ (2) STRINGS OF SBS190F BATTERIES
 - INSTALL (3) DC12-48-60-0-25E SURGE SUPPRESSORS
 - INSTALL (1) 36'-0" ± ICE BRIDGE
 - INSTALL (1) GPS ANTENNA
 - INSTALL (1) D2 SIAD
 - INSTALL (2) 6630 W/ MIXED MODE, (1) 6601, (1) XMU, (1) 6648 (HUB)
 - INSTALL POWER AND TELCO ROUTING
 - INSTALL 200A SERVICE INTO EXISTING METER/DISCONNECT

APPLICABLE CODES/REFERENCE DOCUMENTS

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING	2015 IBC W/ AMENDMENTS
MECHANICAL	2015 IMC W/ AMENDMENTS
ELECTRICAL	2014 NEC W/ AMENDMENTS

REFERENCE DOCUMENTS:

STRUCTURAL ANALYSIS:	TOWER ENGINEERING PROFESSIONALS
DATED:	MARCH 31, 2022
MOUNT ANALYSIS:	POWER OF DESIGN GROUP
DATED:	OCTOBER 22, 2021
RFDS REVISION:	V1.0
DATED:	9/20/2021
ORDER ID:	591265
REVISION:	1

NOTE:
 PRIOR TO ACCESSING/ENTERING THE SITE YOU MUST CONTACT THE CROWN NOC AT (800) 788-7011 & CROWN CONSTRUCTION MANAGER.



EXPIRES: 11/30/2021

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER: REVISION:

T-1 3



S CHESTNUT ST

MANNHEIM RD

FRONTAGE RD

BIRCHWOOD AVE

APN: 09-29-402-041-0000

APPROXIMATE LOCATION OF PROPERTY LINE

APPROXIMATE LOCATION OF PROPERTY LINE

APPROXIMATE LOCATION OF PROPERTY LINE

1 OVERALL SITE PLAN
 SCALE: 1"=40'-0" (FULL SIZE)
 1"=80'-0" (11x17)



575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300

20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173

11490 BLUEGRASS PKWY
 LOUISVILLE, KY 40299
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AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNIK BROS.

2064 MANNHEIM RD
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EXISTING 60'-0" MONOPOLE

ISSUED FOR:

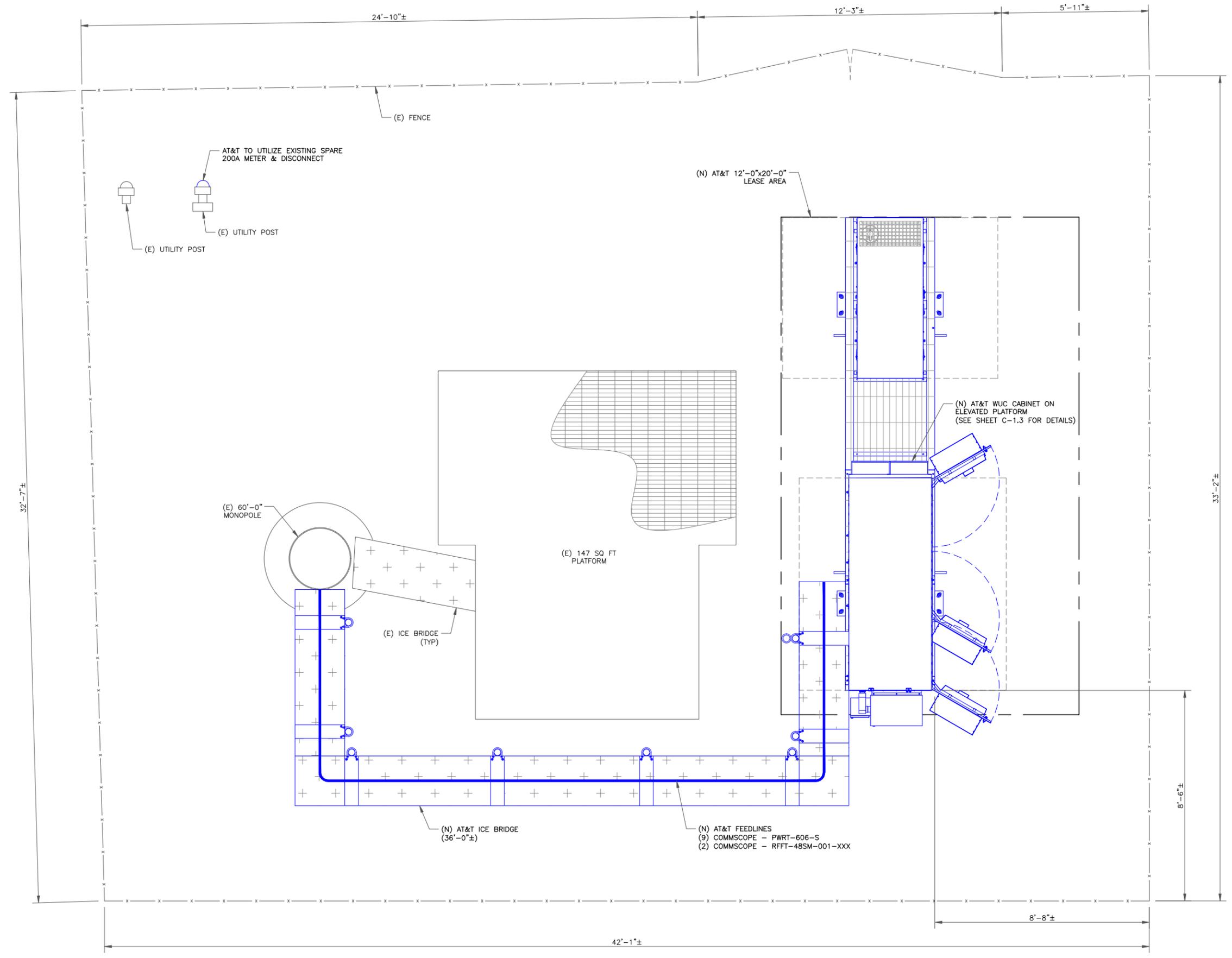
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1	02/10/22	WVN	CONSTRUCTION	MEP
2	02/16/22	WVN	CONSTRUCTION	MEP
3	04/25/22	WVN	CONSTRUCTION	MEP

062-067337
 LICENSED PROFESSIONAL ENGINEER
 STATE OF ILLINOIS

04/25/2022
 EXPIRES: 11/30/2021

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SHEET NUMBER: **C-1.1** REVISION: **3**



AT&T
575 MOROSGO DRIVE
ATLANTA, GA 30324-3300

CROWN CASTLE
20 N. MARTINGALE DRIVE, SUITE 440
SCHAUMBURG, IL 60173

POD
POWER OF DESIGN
11490 BLUEGRASS PKWY
LOUISVILLE, KY 40299
502-437-5252

AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNIK BROS.
2064 MANNHEIM RD
DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

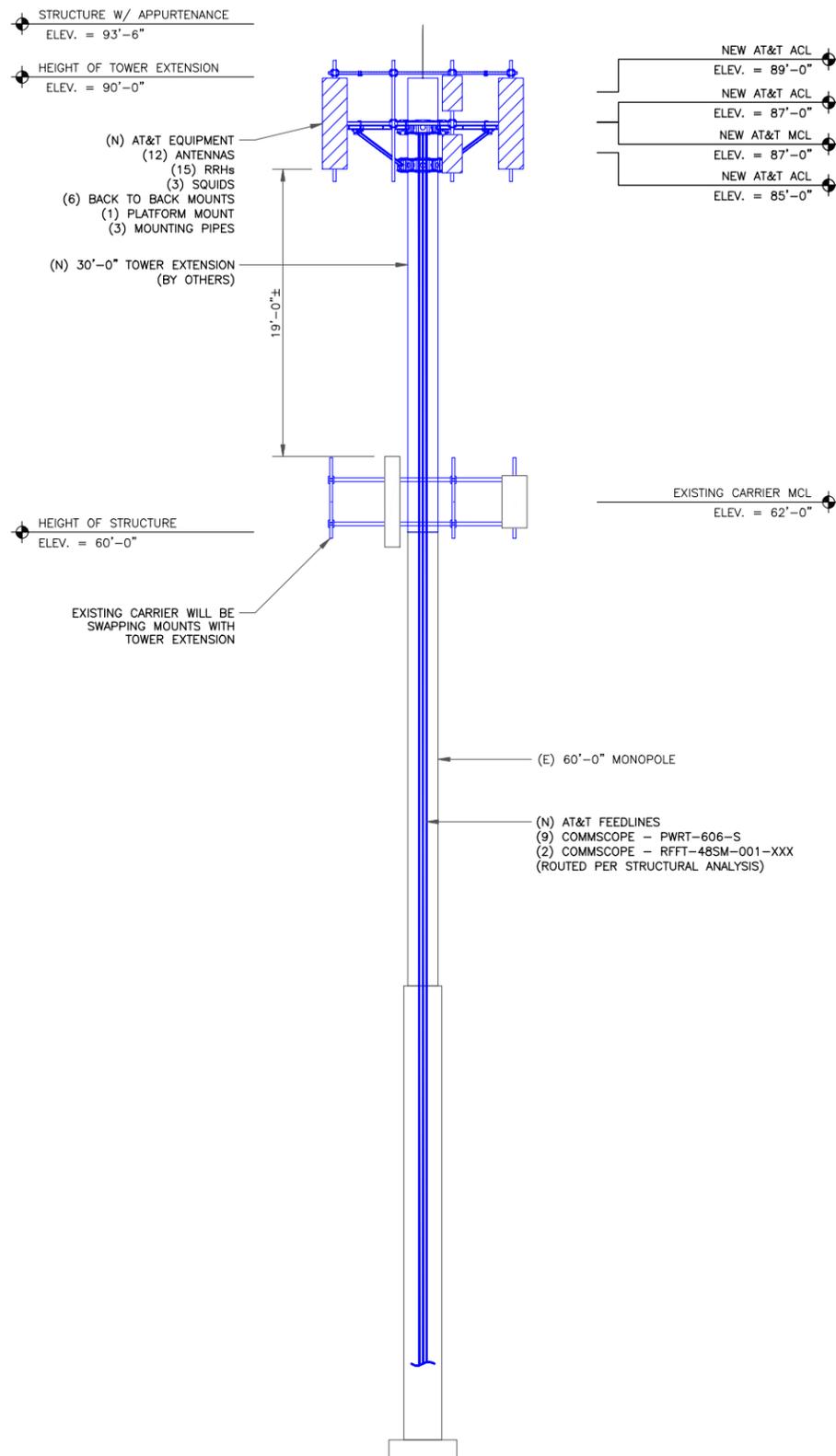
REV	DATE	DRWN	DESCRIPTION	DES/QA
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3	04/25/22	WVN	CONSTRUCTION	MEP

MARK L. PATTERSON
062-067337
LICENSED PROFESSIONAL ENGINEER
STATE OF ILLINOIS
04/25/2021

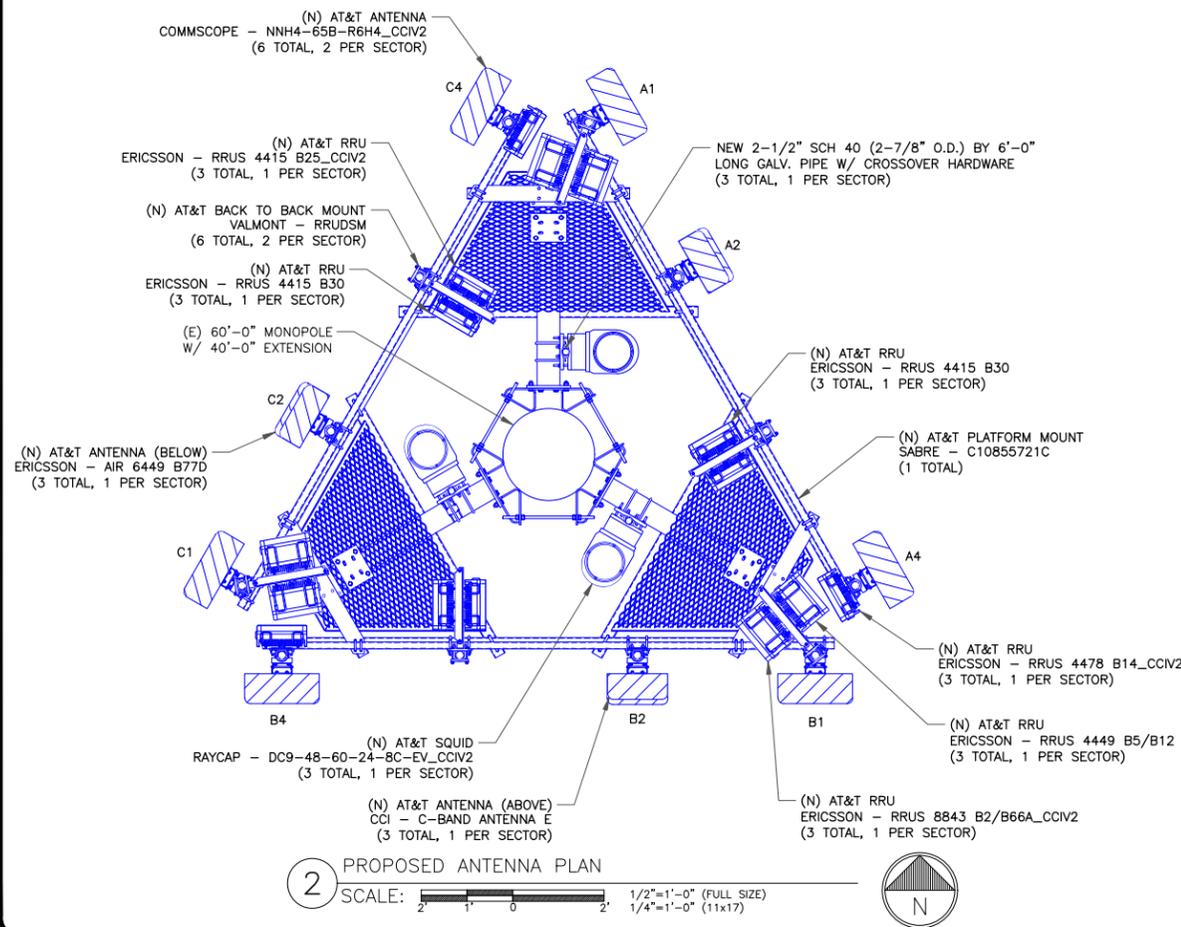
EXPIRES: 11/30/2021

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1 SITE PLAN
SCALE: 1/2"=1'-0" (FULL SIZE)
1/4"=1'-0" (11x17)



1 FINAL ELEVATION
SCALE: NOT TO SCALE



3 ANTENNA & EQUIPMENT SCHEDULE
SCALE: NOT TO SCALE

	LOCATION	AZIMUTH IN DEGREES	RAD. CENTER	ANTENNA MAKE/MODEL	TMA/RRU/ DIPLEXER	RAYCAP	CABLE TYPE & LENGTH
ALPHA	A-1	60°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4449 B5/B12 (1) RRUS 8843 B2/B66A_CCIV2	(3) DC9-48-60-24-8C-EV	(9) COMMSCOPE - PWRT-606-S DC CABLES (2) COMMSCOPE - RFFT-48SM-001-XXX FIBER CABLES APPROX LENGTH = ±147'
	A-2	60°	89'-0" 85'-0"	CCI - C-BAND ANTENNA E (ABOVE) ERICSSON - AIR6449 N77D (BELOW)	---		
	A-3	---	---	---	---		
	A-4	60°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4415 B25_CCIV2 (1) RRUS 4415 B30 (1) RRUS 4478 B14_CCIV2		
BETA	B-1	180°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4449 B5/B12 (1) RRUS 8843 B2/B66A_CCIV2		
	B-2	180°	89'-0" 85'-0"	CCI - C-BAND ANTENNA E (ABOVE) ERICSSON - AIR6449 N77D (BELOW)	---		
	B-3	---	---	---	---		
	B-4	180°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4415 B25_CCIV2 (1) RRUS 4415 B30 (1) RRUS 4478 B14_CCIV2		
GAMMA	C-1	300°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4449 B5/B12 (1) RRUS 8843 B2/B66A_CCIV2		
	C-2	300°	89'-0" 85'-0"	CCI - C-BAND ANTENNA E (ABOVE) ERICSSON - AIR6449 N77D (BELOW)	---		
	C-3	---	---	---	---		
	C-4	300°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4415 B25_CCIV2 (1) RRUS 4415 B30 (1) RRUS 4478 B14_CCIV2		

"LOOK UP" - CROWN CASTLE USA INC.
SAFETY CLIMB REQUIREMENT:

THE INTEGRITY OF THE SAFETY CLIMB AND ALL COMPONENTS OF THE CLIMBING FACILITY SHALL BE CONSIDERED DURING ALL STAGES OF DESIGN, INSTALLATION, AND INSPECTION. TOWER MODIFICATION, MOUNT REINFORCEMENTS, AND/OR EQUIPMENT INSTALLATIONS SHALL NOT COMPROMISE THE INTEGRITY OR FUNCTIONAL USE OF THE SAFETY CLIMB OR ANY COMPONENTS OF THE CLIMBING FACILITY ON THE STRUCTURE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: PINCHING OF THE WIRE ROPE, BENDING OF THE WIRE ROPE FROM ITS SUPPORTS, DIRECT CONTACT OR CLOSE PROXIMITY TO THE WIRE ROPE WHICH MAY CAUSE FRICTIONAL WEAR, IMPACT TO THE ANCHORAGE POINTS IN ANY WAY, OR TO IMPEDE/BLOCK ITS INTENDED USE. ANY COMPROMISED SAFETY CLIMB, INCLUDING EXISTING CONDITIONS MUST BE TAGGED OUT AND REPORTED TO YOUR CROWN CASTLE USA INC. POC OR CALL THE NOC TO GENERATE A SAFETY CLIMB MAINTENANCE AND CONTRACTOR NOTICE TICKET.

- INSTALLER NOTES:
- REFERENCE C-3 FOR FINAL EQUIPMENT SCHEDULE.
 - REFERENCE C-4 FOR NEW EQUIPMENT SPECIFICATIONS.
 - CONTRACTOR TO VERIFY ALL ANTENNA TIP HEIGHTS DO NOT EXCEED BEACON BASE HEIGHT.
 - 3'-0" MINIMUM DISTANCE REQUIRED BETWEEN LTE ANTENNAS ON SAME SECTOR.
 - 6'-0" MINIMUM DISTANCE REQUIRED BETWEEN 700BC & 700DE ANTENNAS ON SAME SECTOR.
 - 4'-0" MINIMUM DISTANCE REQUIRED BETWEEN LTE 700 ANTENNAS ON OPPOSING SECTORS.
 - ALL ANTENNA MEASUREMENT DISTANCES MUST BE EDGE TO EDGE (RELOCATE ANTENNAS AS NEEDED).
 - 8" MINIMUM DISTANCE REQUIRED BETWEEN ANTENNA & RADIO. SEE GENERIC EXAMPLE DETAIL ON SHEET C-4.

575 MOROSGO DRIVE
ATLANTA, GA 30324-3300

20 N. MARTINGALE DRIVE, SUITE 440
SCHAUMBURG, IL 60173

POWER OF DESIGN
11490 BLUEGRASS PKWY
LOUISVILLE, KY 40299
502-437-5252

AT&T SITE NUMBER: IL0684

BU #: 875582
KLANCNIK BROS.

2064 MANNHEIM RD
DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

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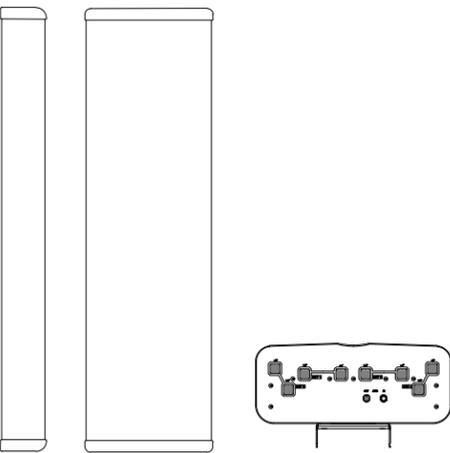
04/25/2022

EXPIRES: 11/30/2021

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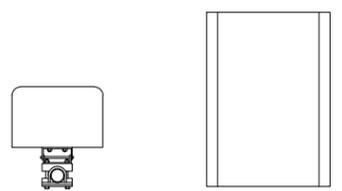
SHEET NUMBER: **C-2** REVISION: **3**

Page 31 of 37



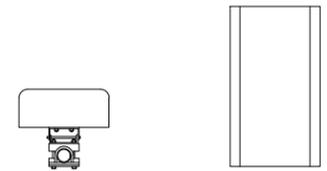
COMMSCOPE - NNH4-65B-R6H4_CCIV2
 WEIGHT (FULLY EQUIPPED): 83.3 LBS
 SIZE (HxWxD): 72x19.6x7.8 IN.

1 COMMSCOPE - NNH4-65B-R6H4_CCIV2
 SCALE: NOT TO SCALE



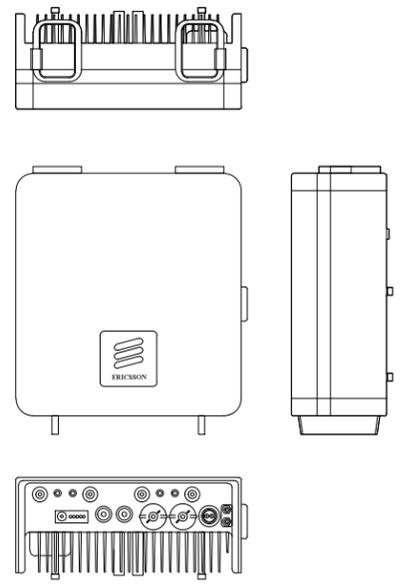
ERICSSON - AIR 6449 B77D
 WEIGHT (WITHOUT MOUNTING HARDWARE): 81.6 LBS
 SIZE (HxWxD): 30.39x15.87x8.07 IN.

2 ERICSSON - AIR 6449 B77D
 SCALE: NOT TO SCALE



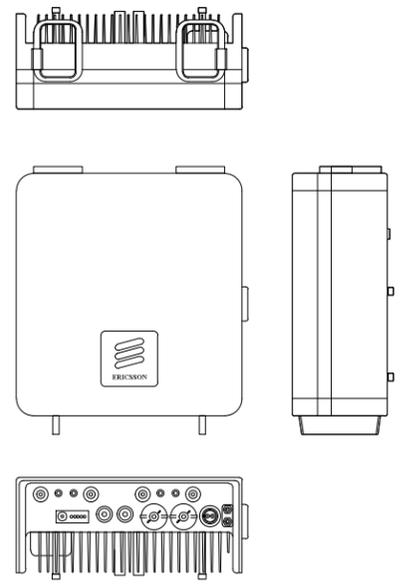
CCI - C-BAND ANTENNA E
 WEIGHT (WITHOUT MOUNTING HARDWARE): 66.2 LBS
 SIZE (HxWxD): 27.95x15.75x6.68 IN.

3 CCI - C-BAND ANTENNA E
 SCALE: NOT TO SCALE



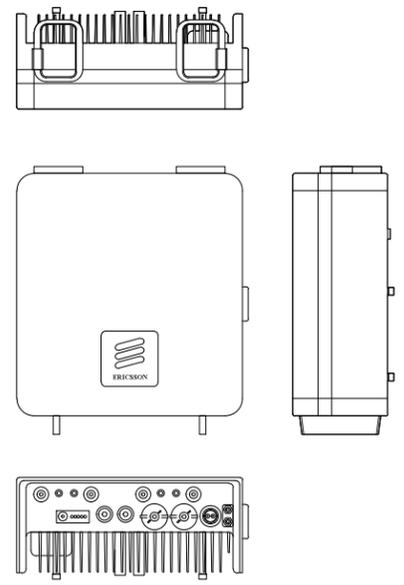
ERICSSON - RRUS 4415 B25_CCIV2
 WEIGHT: 46.0 LBS
 SIZE (HxWxD): 16.5x13.4x5.9 IN.

4 ERICSSON - RRUS 4415 B25_CCIV2
 SCALE: NOT TO SCALE



ERICSSON - RRUS 4415 B30
 WEIGHT: 46.0 LBS
 SIZE (HxWxD): 16.5x13.4x5.9 IN.

5 ERICSSON - RRUS 4415 B30
 SCALE: NOT TO SCALE



ERICSSON - RRUS 4478 B14_CCIV2
 WEIGHT: 59.4 LBS
 SIZE (HxWxD): 18.1x13.2x8.26 IN.

6 ERICSSON - RRUS 4478 B14_CCIV2
 SCALE: NOT TO SCALE

575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300

20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173

POWER OF DESIGN
 11490 BLUEGRASS PKWY
 LOUISVILLE, KY 40299
 502-437-5252

AT&T SITE NUMBER: **IL0684**

BU #: **875582**

KLANCNIK BROS.

2064 MANNHEIM RD
 DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	10/28/21	ADE	CONSTRUCTION	MEP
1	02/10/22	WAM	CONSTRUCTION	MEP
2	02/16/22	WAM	CONSTRUCTION	MEP
3	04/25/22	WAM	CONSTRUCTION	MEP

MARK L. PATTERSON
 062-067337
 LICENSED PROFESSIONAL ENGINEER
 STATE OF ILLINOIS
 04/25/2022
 EXPIRES: 11/30/2021

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SHEET NUMBER: **C-3.1** REVISION: **3**

INFORMATION

AT&T Mobility operates telecommunications antennas at this location. Remain at least 3 feet away from any antenna and obey all posted signs.

Contact the owners(s) of the antenna(s) before working closer than 3 feet from the antenna(s).

Contact AT&T Mobility at 800-638-2822 prior to performing any maintenance or repairs near AT&T Mobility antennas.

This is site # _____
Contact the management office if this door/hatch/gate is found unlocked.

INFORMACION

en esta propiedad se ubican antenas de telecomunicaciones operadas por AT&T Mobility. Favor mantener una distancia de no menos de 3 pies y obedecer todos los avisos

comuníquese con el propietario o los propietarios de las antenas de trabajar o caminar de menos de 3 pies de la antena

comuníquese con AT&T Mobility 800-638-2822 antes de realizar cualquier mantenimiento o reparaciones cerca de las antenas de AT&T Mobility.

Esta es la estación base número _____
Favor comunicarse con la oficina de la administración del edificio si esta puerta o compuerta se encuentra sin candado

WARNING



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

Failure to obey all posted signs and site guidelines for working in radio frequency environments could result in serious injury.

In accordance with federal communication commission rules on radio frequency emission 47 CFR 1.1307(b)

CAUTION



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with federal communication commission rules on radio frequency emission 47 CFR 1.1307(b)

RFE NOTICE (GREEN) SIGN
8" WIDE x 12" HIGH

RFE NOTICE (BLUE) SIGN
12" WIDE x 18" HIGH

RFE NOTICE (YELLOW) SIGN
12" WIDE x 18" HIGH

RF CAUTION SIGNS:
RF CAUTION SIGNS TO BE INSTALLED AS DETERMINED BY SITE RF EXPOSURE SURVEY

1 RF SIGNAGE
SCALE: NOT TO SCALE

property of **at&t**

AUTHORIZED PERSONNEL ONLY!

In case of emergency, or prior to performing maintenance on this site, call 800-638-2822 and reference site number: _____
FA# _____

AT&T IDENTIFICATION SIGN
8" X 12"
NOT TO SCALE



AT&T IDENTIFICATION SIGN
3" X 6.5"
NOT TO SCALE

2 IDENTIFICATION SIGNAGE
SCALE: NOT TO SCALE



575 MOROSGO DRIVE
ATLANTA, GA 30324-3300



20 N. MARTINGALE DRIVE, SUITE 440
SCHAUMBURG, IL 60173



POWER OF DESIGN
11490 BLUEGRASS PKWY
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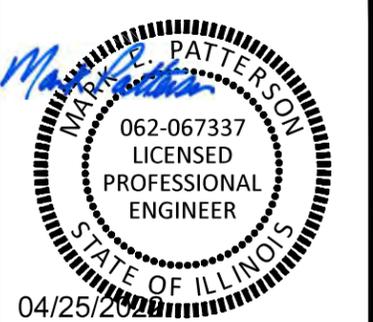
BU #: **875582**
KLANCNIK BROS.

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EXISTING 60'-0" MONOPOLE

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04/25/2022
EXPIRES: 11/30/2021

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15"
12"

DIESEL FUEL COMBUSTIBLE
NO SMOKING
NO OPEN FLAMES
FUEL TANK CAPACITY ___ GALS

FUEL TANK SIGN
NOT TO SCALE

FOR FUEL & OTHER ENVIRONMENTAL EMERGENCIES
CALL EH&S
1-800-566-9347
(1-800-KNOW-EHS)

YELLOW EH&S SIGN
NOT TO SCALE



HAZARD DIAMOND SIGN
15" x 15" W/ 6" LETTERS
NOT TO SCALE

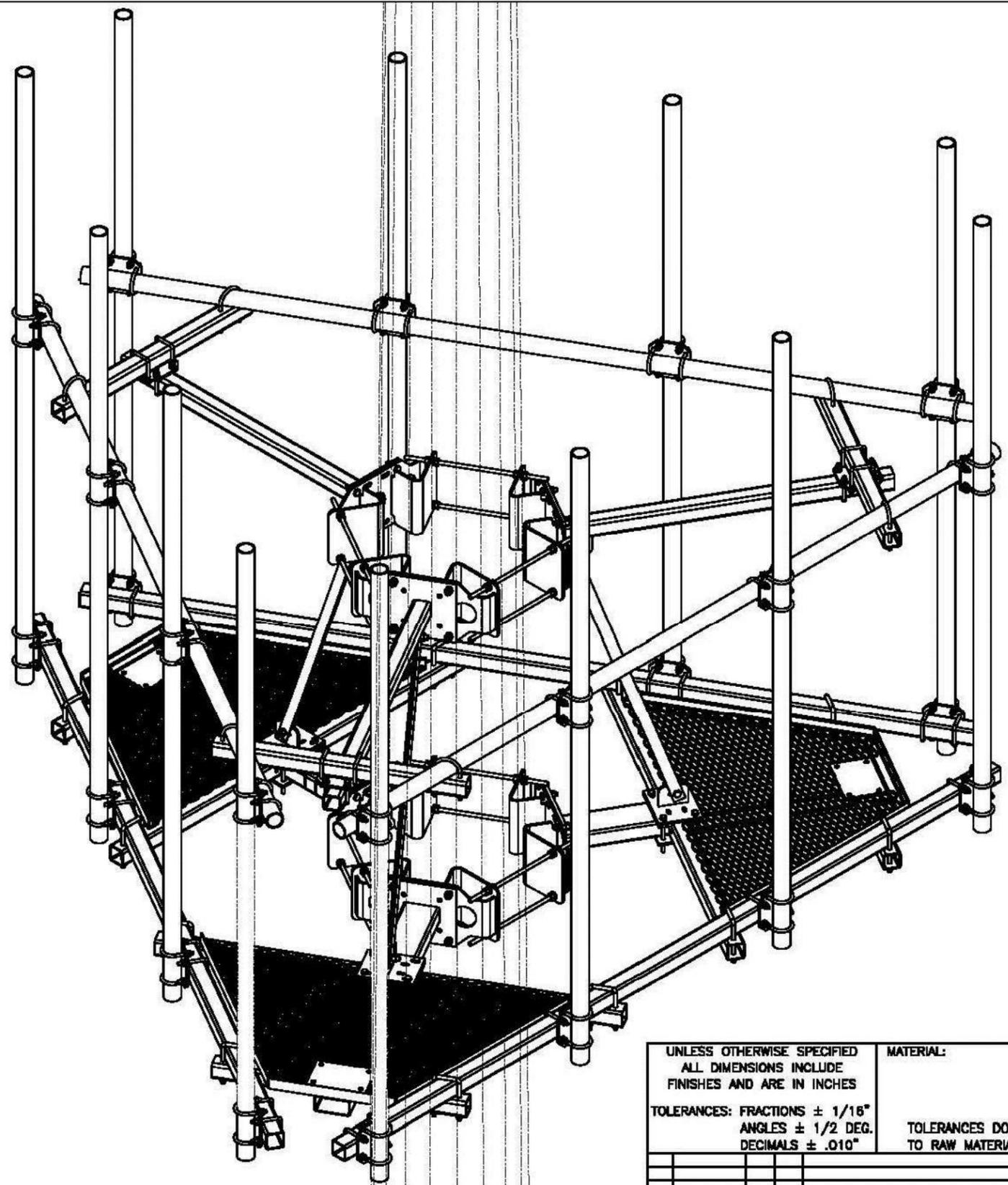
3 GENERATOR SIGNAGE
SCALE: NOT TO SCALE

4 NOT USED
SCALE: NOT TO SCALE



C10855721C SABRE 12' HD TENSION PLATFORM W/(12) 2 7/8" O.D. X 10' MTG PIPES

ITEM	QTY.	PART NO.	DESCRIPTION	WEIGHT
1.	1	C10855111C	12' HC PLATFORM ASSEMBLY	913
2.	1	C10112377	TRI-COLLAR BRACKET ASSEMBLY	208
3.	1	C10851301	SUPPORT RAIL/TENSION BRACKET 12'	900
4.	12	C10902025	CROSSOVER PLATE KIT 2 7/8"φ TO 2 7/8"φ PIPES	108
5.	12	C10902502	CROSSOVER PLATE KIT 3" SQ. TUBE TO 2 7/8"φ PIPES	108
6.	12	C10901329	PIPE, 2 7/8" O.D. X .203 X 10'-0	722
TOTAL WEIGHT				2959



ISOMETRIC VIEW
SEE PAGES 2 & 3
FOR ADDITIONAL DETAILS

Patent Pending

UNLESS OTHERWISE SPECIFIED
ALL DIMENSIONS INCLUDE
FINISHES AND ARE IN INCHES
TOLERANCES: FRACTIONS ± 1/16"
ANGLES ± 1/2 DEG.
DECIMALS ± .010"

MATERIAL:
TOLERANCES DO NOT APPLY
TO RAW MATERIAL

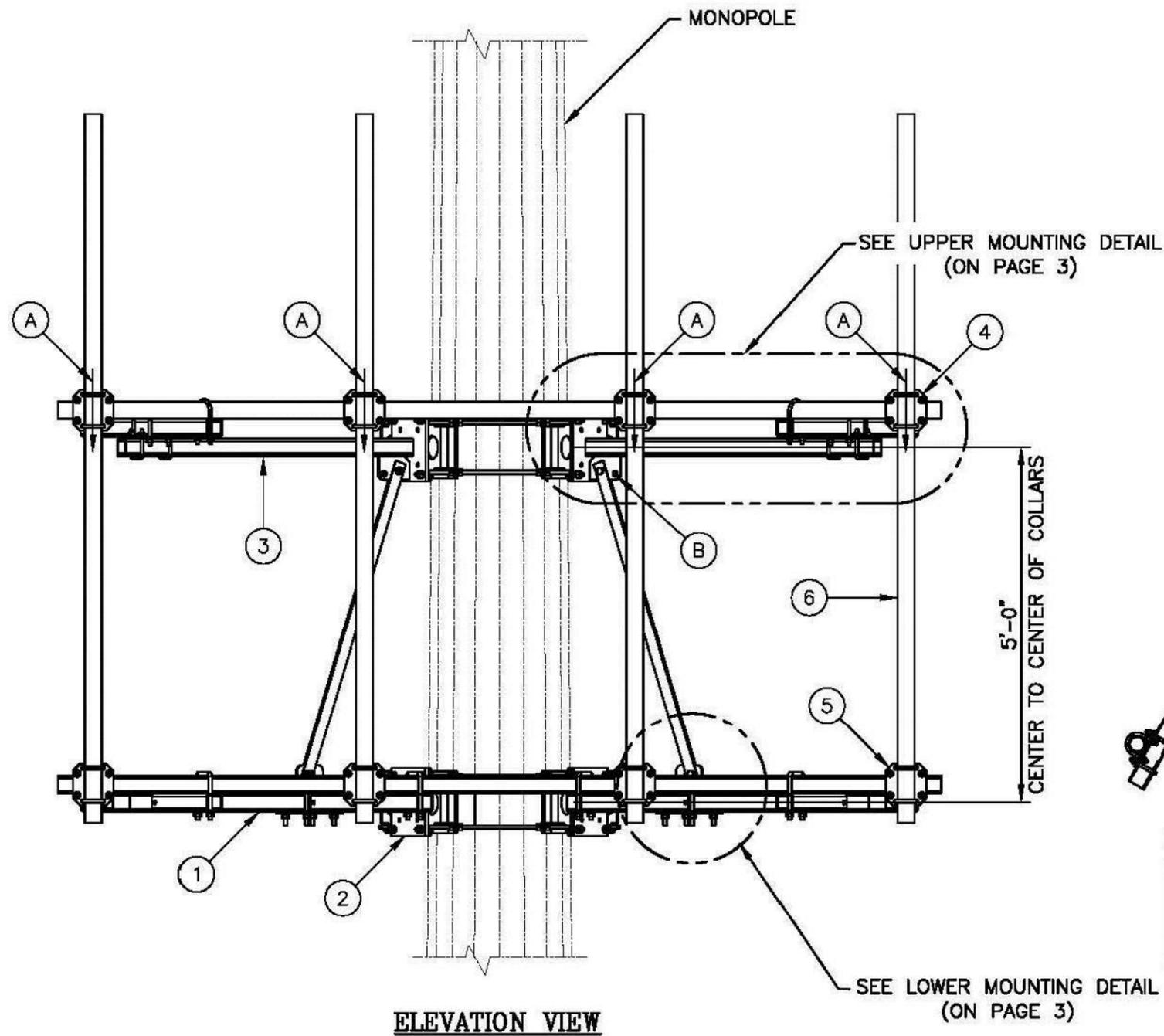


**12' HD M.O.V.E. PLATFORM
W/(12) 2 7/8" O.D. X 10' MOUNTING PIPES**

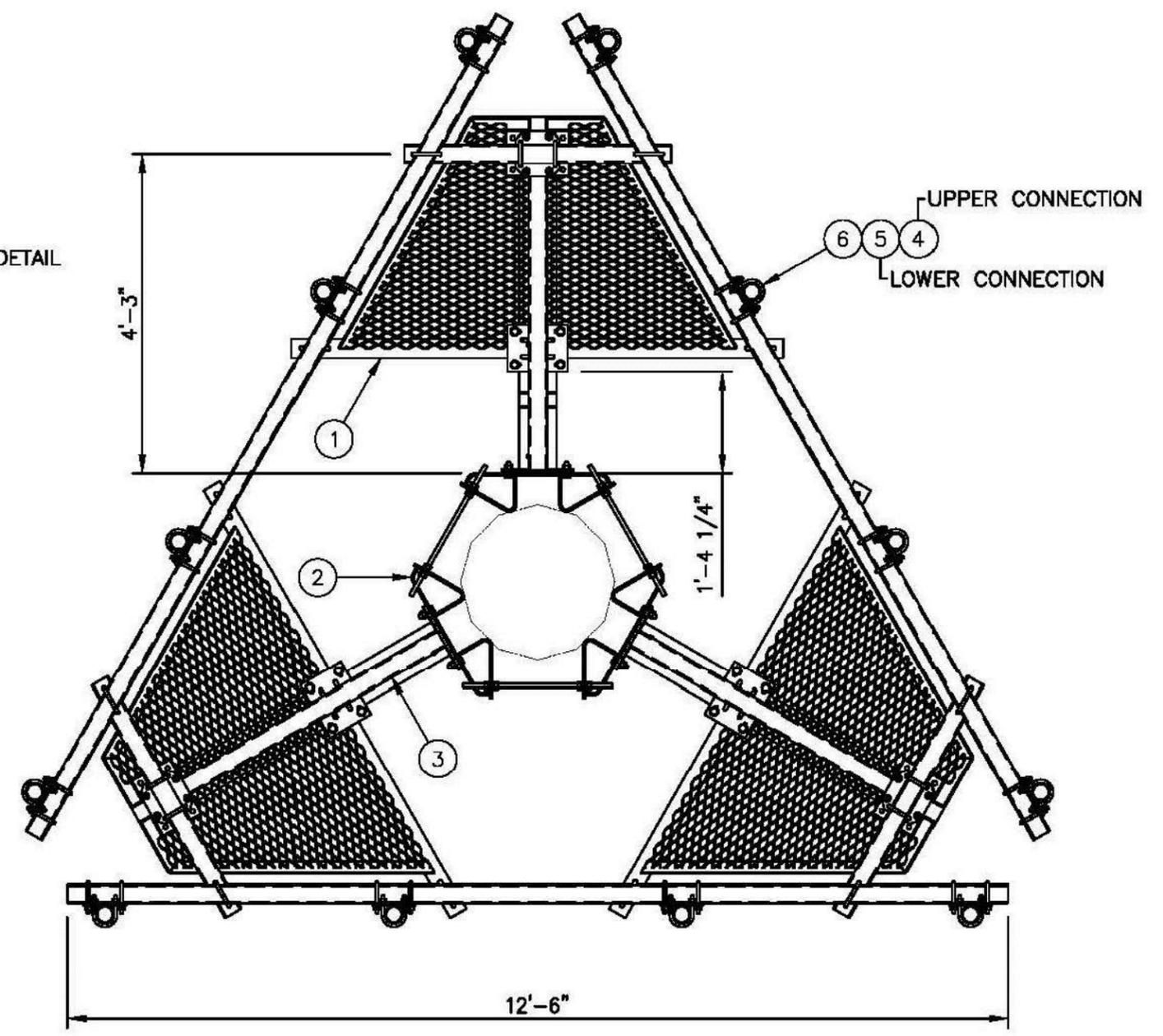
REV	DATE	DRWCHK	DESCRIPTION

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DATE	10/18/17	SIZE	B	DRAWING NO.	C10855721C	REV	0
DRAWN BY	WRF	SCALE	None	PAGE	1 OF 3		
CHECKED BY	WMN						



ELEVATION VIEW



PLAN VIEW

NOTES:

1. SABRE INDUSTRIES RECOMMENDS A FALL PROTECTION PLAN BE COMPLETED AND FOLLOWED BY A COMPETENT PERSON FOR EACH CLIMB.
2. ANY CONSTRUCTION OR MAINTENANCE MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF ANSI/TIA-222, ANSI/TIA-322 AND ANSI/TIA-1019A.
3. LOCATIONS LABELED "A" HAVE BEEN DESIGNED FOR A 500 LB. VERTICAL LIVE LOAD CONSIDERED WITH A 30 MPH 3-SECOND GUST WIND SPEED. THIS LOAD CAN ONLY BE APPLIED AT ONE LOCATION AT A TIME. ARROW SHOWN REPRESENTS THE VERTICAL LOAD. CONNECTION AND RIGGING TO BE DETERMINED BY A COMPETENT RIGGER IN ACCORDANCE WITH ANSI/TIA-1019A.
4. LOCATIONS LABELED "B" HAVE BEEN DESIGNED FOR A 3600 LB. VERTICAL FACTORED LOAD IN ACCORDANCE WITH TIA-222 SECTION 12.

UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS INCLUDE FINISHES AND ARE IN INCHES	MATERIAL:
TOLERANCES: FRACTIONS ± 1/16" ANGLES ± 1/2 DEG. DECIMALS ± .010"	TOLERANCES DO NOT APPLY TO RAW MATERIAL

Sabre Industries
Towers and Poles

**12' HD M.O.V.E. PLATFORM
W/(12) 2 7/8" O.D. X 10' MOUNTING PIPES**

REV	DATE	DRW/CHK	DESCRIPTION

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DATE	10/18/17	SIZE	B	DRAWING NO.	C10855721C	REV	0
DRAWN BY	WRF	SCALE	None	PAGE	2 OF 3		
CHECKED BY	WMN						

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The City of Des Plaines, Illinois ("**City**");

WHEREAS, New Cingular Wireless PCS, LLC by Crown Castle USA, INC ("**Petitioner**") desires to install a 30-foot extension ("**Proposed Cell Tower Extension**") onto an existing Commercial Mobile Radio Service Facility ("**Existing Cell Tower**") on the subject property consisting of 197,240 square feet and commonly known as 2064-2074 Mannheim Road, Des Plaines, Illinois ("**Subject Property**"); and

WHEREAS, Extra Space Storage ("**Owner**") is the owner of the Subject Property and has consented to the Petitioner's application; and

WHEREAS, Ordinance No. Z-28-22 adopted by the City Council of the City of Des Plaines on _____, 2022 ("**Ordinance**"), grants approval of Major Variations to allow the Proposed Cell Tower Extension on the Subject Property, subject to certain conditions; and

WHEREAS, Petitioner and Owner desire to evidence to the City their unconditional agreement and consent to accept and abide by each of the terms, conditions, and limitations set forth in said Ordinance, and its consent to recording the Ordinance and this Unconditional Agreement and Consent against the Subject Property;

NOW, THEREFORE, Petitioner and Owner do hereby agree and covenant as follows:

1. Petitioner and Owner hereby unconditionally agree to accept, consent to and abide by all of the terms, conditions, restrictions, and provisions of that certain Ordinance No. Z-28-22, adopted by the City Council on _____, 2022.
2. Petitioner and Owner acknowledge and agree that the City is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the City's review and approval of any plans for the Subject Property, or the issuance of any permits for the use and development of the Subject Property, and that the City's review and approval of any such plans and issuance of any such permits does not, and shall not, in any way, be deemed to insure Petitioner or Owner against damage or injury of any kind and at any time.
3. Petitioner and Owner acknowledge that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or

any denial of any procedural right, provided that the procedures required by Section 12-4-7 of the City's Zoning Ordinance are followed.

- 4. Petitioner agrees to and does hereby hold harmless and indemnify the City, the City's corporate authorities, and all City elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with (a) the City's review and approval of any plans and issuance of any permits, (b) the procedures followed in connection with the adoption of the Ordinance, (c) the development, construction, maintenance, and use of the Subject Property, and (d) the performance by Petitioner of its obligations under this Unconditional Agreement and Consent.

NEW CINGULAR WIRELESS PCS, LLC BY CROWN CASTLE USA, INC

By: _____

Its: _____

SUBSCRIBED and **SWORN** to
before me this _____ day of
_____, 2022.

Notary Public

EXTRA SPACE STORAGE

By: _____

Its: _____

SUBSCRIBED and **SWORN** to
before me this _____ day of
_____, 2022.

Notary Public



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: September 8, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community & Economic Development *JTC*
Jonathan Stytz, AICP, Senior Planner

Subject: Zoning Text Amendments to Reclassify Currently Established Conditional Uses as Permitted Uses in the C-3 District: Convenience Mart Fueling Station and Motor Vehicle Sales

Issue: Consideration of amendments to the Zoning Ordinance to reclassify two uses that currently require a conditional use in the C-3 General Commercial District as *permitted* uses subject to standard regulations: (i) convenience mart fueling stations and (ii) motor vehicle sales.

PIN: Citywide

Petitioner: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Case Number: #22-030-TA

Project Summary: Petitioner City of Des Plaines is requesting text amendments to the Zoning Ordinance regarding permitted and conditional uses in various zoning districts, as well as corresponding footnotes and specific use regulations of Chapter 8. This is envisioned as a multi-part project that will address two-to-three uses at a time. The first part identifies the two uses discussed in this report, with amendments proposed through the attached ordinance.

Background

The City Council through the City Manager has assigned staff to identify and propose amendments for various uses that currently require a conditional use permit but could be entitled “by right,” or as a permitted use instead. As part of an ongoing goal to increase business friendliness, the Council realizes that when a conditional use is required, it adds a minimum 90 days to the start-up process of any use. Some businesses that currently require a conditional use are those that may activate vacant properties, generate tax revenue, or otherwise benefit the City, and the conditional use process can discourage them from locating or investing here, or at minimum can delay their start.

Nonetheless, conditional uses do serve an important purpose, as stated in Section 12-3-4.A of the Zoning Ordinance: “...uses which, because of their **unique** character, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon the public need for the particular use of the particular location.” For this reason, it is unlikely – and

not suggested – that all conditional uses be removed. But the assignment of the Council and Manager begs two key questions in determining where there is opportunity to convert conditional uses to permitted:

- Which types of conditional uses are routinely approved with similar conditions across various sites?
- Which types of conditional uses are associated with the type of business and investment the City is especially looking to attract?

The C-3 General Commercial District is the most common business district in Des Plaines and is the source of most conditional uses. To begin the process of amending the Ordinance, staff has looked first at C-3 and identified two uses for which to consider amendments: convenience mart fueling station and motor vehicle sales.

Attachment 1 shows conditional uses since 2017. To summarize:

- There have been eight approvals for motor vehicle sales uses.
- There have been two approvals for convenience mart fueling stations.
 - However, note that a convenience mart fueling station is typically a more robust and desirable business than an “auto filling station,” where a gas station has only a small building instead of a larger convenience store building with typically more customers and commercial activity.
 - The business model in consumer motor fuel is moving toward generating more revenue from convenience retail sales than from sales of motor fuel (the movement toward electric vehicles is likely to accelerate this trend).
 - Generally, cities find convenience mart fueling preferable to a barebones, gas-only (or gas plus limited other items) operations. Convenience marts can provide a neighborhood-scale resource for food staples to augment grocery stores; they also generate more revenue – namely sales tax – than a fuel-focused business, and when an auto filling station is proposed to be converted to have a larger retail component, this is usually embraced.
 - Des Plaines has existing auto filling stations that are either a.) vacant or b.) active, but with a conversion to convenience mart foreseeable.

Staff respects the historical purpose of the Ordinance to place an added level of scrutiny on certain uses, but there is an alternative approach: Instead of requiring a conditional use, establish across-the-board, reasonable regulations that are enforceable on *permitted* uses and designed to mitigate neighbor impact. The Zoning Ordinance already contains notes that follow the use matrices as well as Specific Use Regulations in Chapter 8, which currently cover antennae, radio towers, cell/mobile towers, bed-and-breakfast establishments, childcare and adult daycare centers, home occupations, residential care homes, consumer lenders, and cannabis business establishments. Using a combination of the notes at the bottom of use matrices and Chapter 8, it is possible to establish regulations that address the use sensitivity and potential neighbor impact without requiring the conditional use process.

If the amendments in attached Ordinance Z-29-22 are approved and future business applicant encounters a hardship or unique circumstance with the newly proposed standards, they could seek a variation. However, major variations are akin to conditional uses in start-to-finish time (average 90 days), so staff’s intent at this time is to create across-the-board rules that would hopefully not steer a use into a needed variation and instead promote compliance. Note that when building permits are required for either motor vehicle sales or convenience mart fueling, the building permit will require a zoning approval based on the Site Plan Review factors of Section 12-3-2. These factors cover a range of issues and allow staff to require changes and when, for example, the use on the specific property creates an unsafe or illogical circulation pattern.

Proposed Amendments: Convenience Mart Fueling

All proposed amendments are contained in Ordinance Z-29-22. The following is a summary of the amendments related to convenience mart fueling:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), convenience mart fueling becomes a permitted use in C-3 on sites 15,000 square feet or more. The minimum lot area is reduced from the previous 20,000 square feet staff is aware of vacant, nonconforming gas station properties, and obtaining a new user and investment will be easier if the threshold is lowered. Under these amendments, a convenience mart fueling station would nonetheless be required to provide the minimum parking and employ a reasonable circulation pattern, but it eliminates the automatic disqualification for sites smaller than 20,000 square feet.
- Previously granted conditional use permit ordinances are in full force in effect—in other words, the business- and property-specific deliberations in the past are still relevant. The process change applies to new uses after October 3, 2022.
- A new Section 12-8-14 is created, titled “Convenience Mart Fueling Stations.”
 - Parking and Loading:
 - Except for spaces adjacent to fuel pumps, requires appropriate identification and marking of the various types of required spaces (e.g., through signs or striping).
 - Requires that spaces serving the retail portion be located close to the retail entrance.
 - Landscaping:
 - Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Proposed Amendments: Motor Vehicle Sales

All proposed amendments are contained in Ordinance Z-29-22. The following is a summary of the proposed amendments related to motor vehicle sales:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), motor vehicle sales would become a permitted use in C-3 on sites of 22,000 square feet or more, which is roughly .5 acres. The minimum lot area is an existing requirement that staff proposes simplifying.
- A new Section 12-8-15 is created, titled “Motor Vehicle Sales Establishments.”
 - Parking and Loading:
 - Requires clear identification and marking of the various types of parking spaces (sales/display area, employee parking, customer parking) with signs or striping.
 - Vehicle display cannot block entrances, drive aisles, etc.
 - Vehicles displayed for sale must be parked inside the property boundaries.
 - Except for vehicles displayed for sale, must always have valid license plate and registration.
 - Landscaping:

- Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
- Must install landscape buffer, which is usually a combination of plantings and a fence, when required by the landscape chapter.
- Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
- Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.
- Vehicle Parts and Full Assembly (*added by Planning and Zoning Board*):
 - These regulations require all service and repair activities to occur indoors, require vehicles displayed for sale to be fully assembled, and prohibit the outdoor storage or display of any vehicle parts.

Planning and Zoning Board (PZB) Recommendation and Consideration of Standards: The PZB held a public hearing and heard the presentation of staff. The Board was receptive to the amendments regarding convenience mart fueling as drafted. However, the Board expressed a concern with the lack of mention of outdoor storage or display of vehicle parts, particularly where auto repair is accessory to a principal motor vehicle sales use. They suggested adding a provision to the newly proposed specific use regulations that would cover this circumstance and, in general, require any vehicles displayed for sale to be fully assembled. This modification was incorporated into the motion, and the Board *recommended* (7-0) that the Council approve the amendments as modified, based on their consideration of the Standards for Amendments in Section 12-3-7.E. The Board’s rationale for the standards is contained within the excerpt of the draft meeting minutes.

City Council Action: Under Section 12-3-7 of the Zoning Ordinance, the City Council may approve, approve with modifications, or deny the proposed amendments.

Attachments:

Attachment 1: Summary Table of Conditional Uses Granted 2017-2022

Attachment 2: PZB Recommendation Letter from Chairman Jim Szabo

Attachment 3: Excerpt from PZB Draft Minutes from the Meeting of August 23, 2022

Ordinance

Z-29-22

CONDITIONAL USE REQUESTS 2017-2022

Type	2017	2018	2019	2020	2021	2022*	Totals
Adult Day Service Center	0	0	0	0	0	1	1
Assisted Living Facility	0	1	0	0	0	0	1
Auto Body Repair	0	0	1	1	0	0	2
Auto Service Repair	1	2	1	1	1	0	6
Cannabis Infuser	0	0	0	0	0	1	1
Car Wash	0	0	0	0	0	1	1
Child Care	1	1	1	0	0	0	3
Commercial Indoor Recreation Establishment	1	0	0	0	0	0	1
Commercial Radio Service Facility	0	0	0	0	1	0	1
Commercial Truck Parking Lot	0	0	1	0	0	0	1
Commercially Zoned Assembly	0	1	2	0	1	1	5
Congregate Housing Center	0	0	1	0	0	0	1
Convenience Mart Fueling Station	0	0	0	0	2	0	2
Domestic Pet Service	1	0	1	1	0	0	3
Drive-Through Facility	0	1	0	0	0	0	1
Electronic Message Board (EMB) sign	1	1	0	0	0	0	2
Food Processing Establishment	0	1	0	0	0	0	1
Livery Service	0	0	1	0	0	0	1
Localized Alternative Sign Regulation (LASR)	3	3	4	2	1	0	13
Massage Establishment	1	0	0	0	0	0	1
Motor Vehicle Sales	1	1	3	0	0	3	8
Office	0	0	0	0	0	1	1
Outdoor Bulk Material Facility	0	1	0	0	0	0	1
Outdoor Storage & Display of Finished Products	0	0	0	0	0	1	1
Planned Unit Development	7	3	7	3	3	1	24
Private School	0	0	1	0	0	0	1
Recycling Center	0	0	1	0	0	0	1
Trade Contractor	2	0	0	1	3	0	6
TOTAL	19	16	25	9	12	10	91

*Through August 2022



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

August 30, 2022

Mayor Goczkowski and Des Plaines City Council, CITY OF DES PLAINES

Subject: Planning and Zoning Board (PZB), Zoning Text Amendments, Case #22-030-TA
RE: Consideration of Zoning Text Amendments Related to Conditional and Permitted Uses, Specific Use Standards for Motor Vehicle Sales and Convenience Mart Fueling Station Uses.

Honorable Mayor and Members of the City Council:

The PZB held a public hearing on August 23, 2022 to consider Zoning Ordinance amendments to establish two uses that currently require a conditional use permit in the C-3 District as *permitted* uses, subject to standard regulations: (i) motor vehicle sales and (ii) convenience mart fueling stations.

1. Staff, on behalf of the City, presented the background and rationale of the amendments, noting the City Council's and Manager's assignment to study and devise amendments that would simplify and shorten business start-up time for certain uses currently classified as conditional. Staff presented research of approved conditional uses over the past five years and explained this is likely to be a multi-part amendment series, as future uses are likely to be identified and put forward as amendments. Staff specifically addressed why motor vehicle sales and convenience mart fueling had been chosen for the first part of the amendment project.
2. The PZB asked various questions about the regulatory control the City would maintain on these two uses. Staff answered the new Specific Use Standards (Sections 12-8-14 and 12-8-15) are designed to provide that control with specific issues such as parking, lighting, and signs covered. Members expressed support for the convenience mart fueling standards as written but suggested there was not enough control on vehicle parts being displayed or stored outside, particularly where auto service is accessory to sales. The PZB and staff discussed and collaborated in the meeting on additional language to put forward in their recommendation to address the Board's concern.
3. No members of the public spoke on this request.
4. The Board *recommended* (7-0) that the Council *approve* the requested text amendments with modifications to add to the newly proposed Section 12-8-15 – Motor Vehicle Sales. The modifications require that any accessory service and repair would have to be conducted indoors and that vehicle parts may not be outside.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James Szabo', written in a cursive style.

James Szabo,
Des Plaines Planning and Zoning Board, Chairman
Cc: City Officials/Aldermen

2. Address: Citywide

Case Number: 22-030-TA

Consideration of Zoning Ordinance amendments to establish two uses that currently require a conditional use permit in the C-3 District to become permitted uses, subject to standard regulations: (i) motor vehicle sales and (ii) convenience mart fueling stations.

Director Carlisle presented the petition via reviewing the staff report below.

PIN: Citywide
Petitioner: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016
Case Number: #22-030-TA

Project Summary: Petitioner City of Des Plaines is requesting text amendments to the Zoning Ordinance regarding permitted and conditional uses in various zoning districts, as well as corresponding footnotes and specific use regulations of Chapter 8, as well as any other zoning relief as may be necessary. This is envisioned as a multi-part project that will address two-to-three uses at a time. The first part identifies the two uses discussed in this report.

Background

The City Council and City Manager have assigned staff to identify and propose amendments for various uses that currently require a conditional use permit because may be possible to entitle “by right,” or as a permitted use instead. As part of an ongoing goal to increase business friendliness, the Council realizes that when a conditional use is required, it adds a minimum 90 days to the start-up process of any use. Some businesses that currently require a conditional use are those that may activate vacant properties, generate tax revenue, or otherwise benefit the City, and the conditional use process can discourage them from locating or investing here.

However, conditional uses do serve a purpose, as stated in Section 12-3-4.A of the Zoning Ordinance: “...uses which, because of their **unique** character, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon the public need for the particular use of the particular location.” For this reason, it is unlikely – and not suggested – that all conditional uses be removed. But the assignment of the Council and Manager begs two key questions:

- Which types of conditional uses are routinely approved with similar conditions across various sites?
- Which types of conditional uses are associated with the type of business or investment the City is especially looking to attract?

The C-3 General Commercial District is the most common business district in Des Plaines and is the source of most conditional uses. To begin the process of amending the Ordinance, staff has looked first

at C-3 and identified two uses for which to consider amendments: (i) motor vehicle sales and (ii) convenience mart fueling station.

To summarize the conditional use requests through 2017.

- There have been eight approvals for motor vehicle sales uses.
- There have been two approvals for convenience mart fueling stations.
 - o However, note that a convenience mart fueling station is typically a more robust and desirable business than an “auto filling station,” where a gas station has only a small building instead of a larger convenience store building with typically more customers and commercial activity.
 - o The business model in consumer motor fuel is moving toward generating more revenue from convenience retail sales than from sales of motor fuel (the movement toward electric vehicles is likely to accelerate this trend).
 - o Generally, cities find convenience mart fueling preferable to a barebones, gas-only (or gas plus limited other items) operations. Convenience marts can provide a neighborhood-scale resource for food staples to augment grocery stores, they generate more revenue – namely sales tax – than a fuel-focused business, and when an auto filling station is proposed to be converted to have a larger retail component, this is usually celebrated.
 - o Des Plaines has existing auto filling stations that are either a.) vacant or b.) active, but with a conversion to convenience mart foreseeable.

Nonetheless, in considering amendments staff respects the historical purpose of the Ordinance to place an added level of scrutiny on certain uses. However, there is an alternative approach: Instead of requiring a conditional use, establish across-the-board, reasonable regulations that are enforceable on permitted uses and designed to mitigate neighbor impact. The Zoning Ordinance already contains notes that follow the use matrices as well as Specific Use Regulations in Chapter 8, which currently cover antennae, radio towers, cell/mobile towers, bed-and-breakfast establishments, childcare and adult daycare centers, home occupations, residential care homes, consumer lenders, and cannabis business establishments. Using a combination of these two portions of the Ordinance, it is possible to establish regulations that address the use sensitivity and potential neighbor impact without requiring the conditional use process.

If the amendments are approved but a business encounters a hardship or unique circumstance with the newly proposed standards, they could seek a variation. Major variations are akin to conditional uses in start-to-finish time (average 90 days because of the required City Council approval), but standard and minor variations can be finalized faster. Further, staff’s intent at this time is to draft the kind of across-the-board rules that would generally not force a use into variation and instead promote compliance. Note that when building permits are required for either motor vehicle sales or convenience mart fueling, the building permit will require a zoning approval based on the Site Plan Review factors of Section 12-3-2. These are fairly comprehensive and allow staff to require changes and improvements when, for

example, the use on the specific property creates an unsafe or illogical circulation pattern. The applicant's avenue for relief would be to pursue a variation.

Proposed Amendments: Motor Vehicle Sales

All proposed amendments are contained in Attachment 2. Additions are **bold, double-underline**. Deletions are ~~struck through~~. The following is a summary of the proposed zoning amendments relating to motor vehicle sales:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), motor vehicle sales becomes a permitted use in C-3 on sites 22,000 square feet or more, which is roughly .5 acres. The minimum lot area is an existing requirement that staff proposes simplifying.
- A new Section 12-8-14 is created, titled "Motor Vehicle Sales Establishments."
 - Parking and Loading:
 - Requires clear identification and marking of the various types of parking spaces (sales/display area, employee parking, customer parking) with signs or striping.
 - Vehicle display cannot block entrances, drive aisles, etc.
 - Vehicles displayed for sale must be parked inside the property boundaries.
 - Except for vehicles displayed for sale, must always have valid license plate and registration.
 - Landscaping:
 - Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Must install landscape buffer, which is usually a combination of plantings and a fence, when required by the landscape chapter.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Proposed Amendments: Convenience Mart Fueling

All proposed amendments are contained in Attachment 3. Additions are **bold, double-underline**. Deletions are ~~struck through~~. The following is a summary of the proposed zoning amendments relating to convenience mart fueling:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), convenience mart fueling becomes a permitted use in C-3 on sites 15,000 square feet or more. The minimum lot area is reduced from the previous 20,000 square feet because staff is aware of vacant, nonconforming gas station properties, and obtaining a new user and investment will be easier if the threshold is lowered. Note that this amendment would not exempt a user from having to provide the required parking or a reasonable circulation pattern, but it will not automatically disqualify them (or require a variation) to invest in a site that is smaller than 20,000 square feet.
- A new Section 12-8-15 is created, titled “Convenience Mart Fueling Stations.”
 - Parking and Loading:
 - Except for spaces adjacent to fuel pumps, requires appropriate identification and marking of the various types of required spaces (e.g., through signs or striping).
 - Requires that spaces serving the retail portion be located close to the retail entrance.
 - Landscaping:
 - Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Standards for Text Amendments:

The following is a discussion of standards for zoning amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided. The Board may use the comments as written as its findings, modify, or adopt its own.

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the City Council;

Comments: The Comprehensive Plan calls for strengthening commercial corridors and industrial areas (Chapter 3: Economic Development). C-3 is the most common commercial district, and enabling start-up ease for businesses is likely to help with addressing vacant properties or allowing upgrades to existing properties in these corridors.

PZB Additions or Modifications (if necessary): _____.

2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development;

Comments: In its C-3 commercial corridors, Des Plaines has several existing motor vehicle sales and convenience mart fueling stations, or auto filling stations that may be eventually converting into convenience mart fueling. Allowing this use to sustain broadly throughout Des Plaines is consistent with the character of the City overall.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available;

Comments: The amendments should not have an effect on public facilities and services.

PZB Additions or Modifications (if necessary): _____.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and

Comments: By balancing business and private property needs through reasonable restrictions that address aesthetics and character, the amendments should not have an adverse effect on property values. In particular, the newly proposed specific use regulations for both motor vehicle sales and convenience mart fueling intend to allow the reasonable use of property without inhibiting the enjoyment of property by adjacent owners and users.

PZB Additions or Modifications (if necessary): _____.

5. Whether the proposed amendment reflects responsible standards for development and growth.

Comments: The amendments are part of an intentional effort to improve continually the business-friendly climate of Des Plaines, while balancing the need to ensure well-designed properties and developments that mitigate effects on neighbors and can fit in to a neighborhood or corridor context.

PZB Additions or Modifications (if necessary): _____.

PZB Procedure and Recommendation: Under Section 12-3-7 of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve with modifications, or deny the above-mentioned amendments. The Board should clearly state any modifications so that its recommended language can be incorporated in the approving ordinance passed on to the Council, which has final authority on the proposal.

John Carlisle, Director of Community & Economic Development, explained staff was directed by the City Council and City Manager to identify and propose amendments for various uses that currently require a conditional use permit but may be possible to entitle as a permitted use instead. This change is

proposed as part of an ongoing goal to increase business friendliness, when a conditional use is required, it adds a minimum 90 days to the start-up process of any use.

The C-3 General Commercial District is the most common business district in Des Plaines and is the source of most conditional uses. Staff determined two uses in the C-3 district to consider amendments, motor vehicle sales and convenience mart fueling stations. A map containing properties within the C-3 district was reviewed.

The proposed amendments for Convenience Mart Fueling were summarized. The minimum lot area was reduced from 20,000 to 15,000 square feet. A new section 12-8-15 is proposed that addresses parking and loading, landscaping, environmental performance standards, and signs.

“Site plan” will be added to Section 12-8-15.A.1. A site plan review would still be required. The fire and building department are still consulted during the building permit process.

The proposed amendments for Motor Vehicle Sales were reviewed. Motor vehicles sales becomes a permitted use in C-3 on sites 22,000 square feet or more. A new section 12-8-14 is proposed that addresses parking and loading, landscaping, environmental performance standards and signs. A conditional use will still be required if the business differs than the principal use. Members agreed that additional language should be added to this section that addresses no vehicle repairs outside.

Director Carlisle proposed adding a Subsection (E): “When automotive repairs are accessory to motor sales, all service and repairs must be conducted indoors, and no vehicle parts shall be stored or displayed outdoors.”

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve the text amendments to the Zoning Ordinance, with modifications, regarding permitted and conditional uses in various zoning districts, as well as corresponding footnotes and specific use regulations of Chapter 8.

AYES: Weaver, Veremis, Saletnik, Hofherr, Szabo, Catalano, Fowler
NAYES: None
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY****

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, September 13, 2022.

Chairman Szabo adjourned the meeting by voice vote at 8:15 p.m.

Sincerely,

Laura Fast, Deputy Clerk/Recording Secretary

cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners

CITY OF DES PLAINES

ORDINANCE Z - 29 - 22

AN ORDINANCE AMENDING THE TEXT OF THE ZONING ORDINANCE OF THE CITY OF DES PLAINES REGARDING CONVENIENCE MART FUELING STATION AND MOTOR VEHICLE SALES USES (CASE# 22-030-TA).

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the "Des Plaines Zoning Ordinance of 1998," as amended ("**Zoning Ordinance**"), is codified as Title 12 of the City Code; and

WHEREAS, after a review of the Zoning Ordinance, City staff proposes to amend the Zoning Ordinance to establish convenience mart fueling stations as a permitted use in the C-3 General Commercial District on zoning lots of at least 15,000 square feet; provide specific use standards for convenience mart fueling stations; establish motor vehicle sales as a permitted use in the C-3 General Commercial District on zoning lots of at least 22,000 square feet; provide specific use standards for motor vehicles sales establishments (collectively, the "**Proposed Amendments**"); and

WHEREAS, a public hearing by the Planning and Zoning Board ("**PZB**") to consider the Proposed Amendments was duly advertised in the *Des Plaines Journal* on August 3, 2022, and held on August 23, 2022; and

WHEREAS, the PZB voted 7-0 to recommend approval of the Proposed Amendments; and

WHEREAS, the PZB forwarded its recommendations in writing to the City Council on August 30, 2022; and

WHEREAS, the City Council has considered the factors set forth in Section 12-3-7.E, titled "Standards for Amendments," of the Zoning Ordinance; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Proposed Amendments and amend the Zoning Ordinance as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. FINDING OF COMPLIANCE. The City Council finds that consideration of the Text Amendments has complied with the provisions of Section 12-3-7 of the Zoning Ordinance.

SECTION 3. COMMERCIAL DISTRICTS USE MATRIX. Subsection 12-7-3.K, Table 3, titled “Commercial Districts Use Matrix,” of Section 12-7-3, titled “Commercial Districts Regulations,” of Chapter 7, titled “Districts,” of the Zoning Ordinance is hereby amended to read as follows:

“12-7-3: COMMERCIAL DISTRICTS REGULATIONS:

* * *

K. Commercial Use Matrix:
 TABLE 3
 COMMERCIAL DISTRICTS USE MATRIX
 P = Permitted use
 C = Conditional use permit required

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
*	*	*					
Convenience Mart Fueling Station			<u>CP</u> ⁴	<u>CP</u> ⁴			
*	*	*					
Motor Vehicle Sales			<u>CP</u> ⁵	P			
*	*	*"					

Notes:

* * *

4. **For uses established on or after October 3, 2022 and on** ~~On sites of 20,000~~ **15,000** square feet or more, **Conditional use permits for convenience mart fueling stations granted before October 3, 2022 remain in full force and effect; provided, however, that uses established prior to October 3, 2022 must comply with the Specific Use Standards established in Chapter 8 of this title.**

5. **For uses established on or after October 3, 2022 and on** ~~On sites of 25,000~~ square feet or more. ~~For proposed sites of less than 25,000 square feet but more than 22,000 square feet, the City Council may consider additional factors, including, but not limited to, traffic, economic and other conditions of the area, or proposed business and site plan issues in considering whether to grant a conditional~~

{00128144.2}

use for a used car business of less than 25,000 square feet but 22,000 square feet or more. Conditional use permits for motor vehicle sales establishments granted before October 3, 2022 remain in full force and effect; provided, however, that uses established prior to October 3, 2022 must comply with the Specific Use Standards established in Chapter 8 of this title.

SECTION 4. CONVENIENCE MART FUELING STATIONS. Chapter 8, titled “Accessory, Temporary, and Specific Use Regulations” of the Zoning Ordinance is hereby amended to add a new Section 12-8-14 as follows:

“12-8-14: CONVENIENCE MART FUELING STATIONS

- A. Parking and Loading:
 - 1. Except for required spaces adjacent to fuel pumps, spaces shall be identified on the site plan with appropriate striping or signage.
 - 2. Required off-street parking to accommodate the retail portion shall be positioned near the main entrance.
- B. Landscaping: Convenience Mart Fueling Stations shall comply with all applicable landscape requirements set forth in Chapter 10 of Title 12 of this Code.
- C. Environmental Performance Standards: Convenience Mart Fueling stations shall comply with all performance standards set forth in Chapter 12 of Title 12 of this Code, unless any Federal, State, County, or local ordinance, law, or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply, including, without limitation, that all exterior lighting shall comply with Section 12-12-10 of this title. The Zoning Administrator may require the specifications for existing light fixtures and a Photometric Plan for any new exterior lighting to demonstrate compliance with the foot-candle limitations. If required the plan shall include the full property boundaries identified with a thick black line, all foot-candle measurements in and around the property boundaries, and the specifications for all light fixtures.
- D. Signs: All signs proposed for a Convenience Mart Fueling Station shall follow the sign regulations in Section set forth in Chapter 11 of Title 12 of this Code and be designed, positioned, and shielded to minimize adverse effects on adjacent properties. No signs shall be installed on fences, light poles, or any other structure, surface, or object that is not part of a permitted sign type listed in this title.”

SECTION 5. MOTOR VEHICLE SALES ESTABLISHMENTS. Chapter 8, titled

“Accessory, Temporary, and Specific Use Regulations” of the Zoning Ordinance is hereby amended to add a new Section 12-8-15 as follows:

“12-8-15: MOTOR VEHICLE SALES ESTABLISHMENTS

- A. Parking and Loading:
 - 1. Parking and loading spaces shall be clearly identified as either customer, employee, vehicle display, or loading spaces on the property with appropriate striping or signage.
 - 2. No vehicle display spaces may block or interfere with required drive aisles, entrances, or required off-street parking spaces at any time.
 - 3. Vehicles displayed for sale must be located fully on the property at all times. Vehicles may not be displayed off-site or on the public right-of-way.
 - 4. Except for vehicles displayed for sale, all vehicles parked outdoors must have valid license plates and registration at all times.
- B. Landscaping: Motor vehicle sales establishments shall comply with all applicable landscape requirements set forth in Chapter 10 of Title 12 of this Code.
 - 1. When required by this title, a landscape plan shall be submitted to identify the type, name, quantity, and location of plantings proposed on subject property, with an emphasis on street-facing elevations.
 - 2. Motor vehicle sale establishments abutting residential districts or uses shall provide landscape buffers to appropriately screen their property from neighboring properties as required by Section 12-10-9 or by site plan review approval conditions.
- C. Environmental Performance Standards: Motor vehicle sale establishments shall comply with all performance standards set forth in Chapter 12 of Title 12 of this Code, unless any Federal, State, County, or local ordinance, law, or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply, including, without limitation, all exterior lighting shall comply with Section 12-12-10 of this title. The Zoning Administrator may require the specifications for existing light fixtures and a Photometric Plan for any new exterior lighting proposed to demonstrate compliance with the foot-candle limitations. If required the plan shall include the full property boundaries identified with a thick black line, all foot-candle measurements in and around the property boundaries, and the specifications for all light fixtures.
- D. Signs: All signs proposed for a motor vehicle sales establishment shall follow the sign regulations set forth in Chapter 11 of Title 12 of this Code and be designed, positioned, and shielded to minimize adverse effects on adjacent properties. No signs shall be installed on fences, light poles, or any

other structure, surface, or object that is not part of a permitted sign type listed in this title.

- E. Accessory Auto Service Repair: When auto services repair is accessory to motor vehicle sales, all auto service or repair must be conducted indoors.
- F. Vehicles Fully Assembled: No vehicle parts may be stored or displayed outdoors. Vehicles displayed for sale must be fully assembled.”

SECTION 6. SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law;

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2022

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: September 8, 2022

To: Michael G. Bartholomew, City Manager

From: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*

Cc: Tim Oakley, Director of Public Works and Engineering
Jon Duddles, Assistant Director of Public Works/City Engineer
Dorothy Wisniewski, Assistant City Manager/Director of Finance
Brooke Lenneman, Attorney, Elrod Friedman, General Counsel

Subject: Amendments to Title 13 of the City Code (Subdivision Regulations) Regarding Processes for Applying for and Receiving Plat Approval, as well as Receiving Reductions of Performance Security Regarding Required Public Improvements

Issue: Consider amendments to Title 13 of the City Code (Subdivision Regulations). The proposed amendments are designed to clarify and streamline both plat application and approval processes, as well as the ongoing and periodic reductions of performance securities that secure public improvements.

Analysis: The Subdivision Regulations work hand in hand with the Zoning Ordinance (Title 12) to regulate land use and development in the City. Subdivisions occur frequently in development projects, not only to split land into smaller pieces but also to consolidate it when the boundaries and ownership of properties – often contiguous – change through a redevelopment process.

The Regulations set up Tentative and Final Plat steps. The Tentative Plat comes first and does not require as much detail as a Final Plat, which is ultimately the approval upon which a subdivider can use toward building permitting and construction. The Planning and Zoning Board (PZB) has final authority on a Tentative Plat but has only recommending authority on a Final Plat, which requires the final approval of the City Council. Some applicants take advantage of the two-step process, as the Tentative Plat can give a signal that a project design is on the right track per the Regulations before an applicant invests in final engineering design. However, sometimes an applicant will choose to submit these concurrently to save time. Historically, the City has allowed this, but the code is currently not clear on this process. The amendments are intended to add language to provide for applicants to utilize this option—provided that their submittal complies with the *Final* Plat requirements and has undergone a staff review, including Public Works and Engineering.

In addition, the City accepts written owner consent to fulfill the application requirement of Section 13-2-1.B, but this is not explicitly enumerated in the text. The proposed amendments would clarify this current

practice. Further, at the Tentative Plat phase, the current language under “Utility Easements” refers to a requirement of private utility companies to provide approvals “in writing,” but it is unclear whether that should be printed directly on the plat. Historically, written correspondence has been accepted to augment a plat application submittal. Under the amendments, the PZB would have the ability in its Tentative Plat review to allow utility approvals to be provided at the Final instead of the Tentative Plat stage.

Finally, the Subdivision Regulations are the mechanism through which the City can require applicants (“subdividers”) to pay for public improvements (generally infrastructure) that either run through a site or border it in adjacent rights-of-way. These improvements could lie directly on public property or on private property that is for public use and benefit. Chapter 3 of the Regulations lays out the standard requirements and gives the PWE the ability to determine which public improvements are necessary given the location and scope of a proposed subdivision project, as well as the current conditions of adjacent and connecting infrastructure (e.g., street width, sewer capacity, etc.)

While the City and a developer/applicant always intend for public improvements to be constructed in full as designed and required, in rare circumstances a project may not be finished in the manner approved by the City Council. The Regulations provide a mechanism to protect against this instance by requiring a subdivider to file a performance security – generally in the form of either a cash deposit or a letter of credit. These securities, in an amount approved by PWE and the Council, are designed to cover the full scope of required public improvement if the City must pay to complete the improvements.

However, recognizing that holding either liquid funds or credit in a large amount for a long time period can be burdensome to a subdivider/developer, the Code provides for periodic reductions in the performance security once certain benchmarks are completed in construction. These are approved by PWE after inspections. Current practice allows these reductions to be approved only by Council resolution. The proposed amendments allow for an administrative/City Manager approval of reductions, still based on inspection approval by PWE, up to 75 percent of the performance security amount. Council resolutions would be required on the final 25 percent of the amount and to accept the public improvements, as well as to release the maintenance warranty, which is 10 percent of the full security amount and is held 18 months after the improvements are accepted by the Council.

Recommendation: Staff recommends the City Council approve Ordinance M-28-22, which amends the Subdivision Regulations regarding processes for subdivision plat application, review, and approval, as well as reductions in performance securities.

Ordinance
M-28-22

CITY OF DES PLAINES

ORDINANCE M – 28 – 22

AN ORDINANCE AMENDING TITLE 13 OF THE DES PLAINES CITY CODE REGARDING SUBDIVISION PROCEDURES AND PLATS, _____

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Title 13 of the Des Plaines City Code (“City Code”) titled, “Subdivision Regulations,” provides for the change, resubdivision or rearrangement in the boundary or division lines of a parcel of property or public thoroughfare (“Subdivision Regulations”); and

WHEREAS, the City has identified the need to update and clarify various provisions of the Subdivision Regulations regarding the subdivision plat submittal process and the financial guarantees security the completion of public improvements (collectively, “Amendments”); and

WHEREAS, the City Council has determined that it is in the best interest of the City to approve the Amendments and amend the City Code as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof.

SECTION 2. DEFINITIONS. Section 13-1-1, titled “Definitions,” of Chapter 1, titled “General Subdivision Provisions,” of Title 13, titled “Subdivision Regulations,” of the City Code is hereby amended to read as follows:

“13-1-1: DEFINITIONS:

* * *

IMPROVEMENTS, PUBLIC: Any facility or infrastructure (i) for which the city or other governmental body may ultimately assume ownership or the responsibility for maintenance and operation, or (ii) which is privately owned but constructed for general public use or benefit, including, without limitation, stormwater detention facilities, water and sewer mains, and roads.

* * *

SECTION 3. SUBDIVISION APPLICATION PROCEDURE. Section 13-2-1, titled “Subdivision Application Procedure,” of Chapter 2, titled “Procedures and Plats,” of Title 13, titled “Subdivision Regulations,” of the City Code is hereby amended to read as follows:

“13-2-1: SUBDIVISION APPLICATION PROCEDURE:

A. Submission: Any owner of land within the city, or within one and one-half (1½) miles of the corporate limits, wishing to divide the land into two (2) or more tracts, sites or lots for the purpose of building, improvement, sale or assessment, either immediate or future, or a resubdivision for any such purpose shall submit the following to the planning and zoning board through the department of community development: (Ord. M-21-78, 7-3-1978; amd. Ord. M-23-91, 6-17-1991; Ord. Z-29-15, 10-5-2015)

1. One copy of a completed subdivision application form.
2. The required filing fee as established by resolution of the city council.
3. Eight (8) copies, **or in a volume and format determined by the Director of Community and Economic Development**, of a tentative plat meeting those specifications as set forth in section 13-2-2 of this chapter **and/or a final plat meeting those specification set forth in section 13-2-4 and 13-2-5 of this chapter, if the applicant is choosing to file tentative and final plat applications concurrently.**

B. Application: The application form provided by the Department of Community and Economic Development shall be completed and signed by the owner of the property at the time of application, **or the property owner shall provide written consent.** Proof of ownership in the form of a copy of a torrens certificate, deed or title and trust company policy shall be provided at the time of application.

Whenever the owner or applicant of any real estate for which a subdivision is requested is a land trust, the application form shall be signed by the trust officer of the institution holding the trust. The application shall be accompanied by a full disclosure in writing of the names of the beneficiaries under said trust at the time of such application and within twelve (12) months immediately preceding the filing of such application. Any such application shall be accompanied by a certified copy of the trust agreement and a certificate of the trustee that the beneficiaries are as stated by the owner or applicant. (Ord. M-21-78, 7-3-1978; amd. Ord. M-23-91, 6-17-1991)

C. Timing: An application for subdivision must be received no later than thirty (30) working days prior to the next scheduled planning and zoning board meeting to be placed on the agenda for that meeting. Persons wishing to review a project informally may do so with the director of community development during normal

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Additions are bold and double-underlined; deletions are struck through.

working hours or with the planning and zoning board at any meeting. Information review of projects at regular planning and zoning board meetings will be accomplished as time permits. (Ord. M-21-78, 7-3-1978; amd. Ord. M-23-91, 6-17-1991; 2002 Code; Ord. Z-29-15, 10-5-2015)

D. Review: The director of community development shall refer a copy of the proposed tentative and/or final plat submittals to the heads of appropriate city departments for their review and written comments. These reviews will be included in the file of the proposed subdivision for consideration by the planning and zoning board.

E. Notification: A conspicuous sign shall be posted on the subject property at least seven (7) days prior to the planning and zoning board meeting at which the plat will be considered for tentative approval. Such sign shall indicate that the property is subject to being subdivided and refer all inquiries to the department of community development. (Ord. M-21-78, 7-3-1978; amd. Ord. M-23-91, 6-17-1991; Ord. Z-29-15, 10-5-2015)”

SECTION 4. TENTATIVE PLAT. Section 13-2-2, titled “Tentative Plat,” of Chapter 2, titled “Procedures and Plats,” of Title 13, titled “Subdivision Regulations,” of the City Code is hereby amended to read as follows:

“13-2-2: TENTATIVE PLAT:

Each tentative plat submittal will include the following specifications:

A. Scale: Each tentative plat shall be drawn to the scale of not less than one hundred feet to one inch (1" = 100'). The tentative plat shall show the boundaries of the property to be subdivided, section and half section lines, existing permanent buildings, watercourses and other existing features pertinent to proper subdivision.

B. Municipal Boundaries: All corporate boundary lines within or adjacent to the proposed subdivision shall be so designated.

C. Streets: The widths of roads, streets, with their names and alleys; dimensions of lots and blocks and building lines shall be shown. The full widths of streets bounding the proposed subdivision, with their names and the widths and names of intersecting streets in the property immediately adjacent shall be shown. All streets shall be carried to the boundaries of the proposed subdivision.

D. Names: The name of the proposed subdivision with the name of the owner, sponsor or trustees shall be shown.

E. Utility Easements: Tentative approval of utility easements by all privately owned utility companies shall be indicated via written correspondence. ~~in writing.~~
The Planning and Zoning Board may waive this requirement, conditioned upon the subdivider obtaining approval through the Final Plat process.

F. Dedication Of Land: Proposed dedications of land for public use shall be shown. (Ord. M-21-78, 7-3-1978)

G. Utility Poles, Cables And Structures: All existing and proposed utility poles, cables and structures to include sanitary and storm sewers, water and gas mains and other underground lines and cables shall be shown. The size of sewer and water mains shall be shown. This requirement may be waived by the planning and zoning board with the recommendation of the city engineer. (Ord. M-21-78, 7-3-1978; amd. Ord. Z-29-15, 10-5-2015)”

SECTION 5. PLANNING AND ZONING BOARD’S PROCEDURE. Section 13-2-3, titled “Planning and Zoning Board’s Procedure,” of Chapter 2, titled “Procedures and Plats,” of Title 13, titled “Subdivision Regulations,” of the City Code is hereby amended to read as follows:

“13-2-3: PLANNING AND ZONING BOARD'S PROCEDURE:

The planning and zoning board shall approve or disapprove the tentative plat; provided however, that if the tentative plat is not satisfactory as originally presented, the board may cause the subdivider to make such changes as may be required by the board and thereupon approve the same. **If the applicant submits the tentative and final plat applications separately,** upon approval of the tentative plat, the applicant will receive a tentative plat checklist granting approval of the tentative plat. If the applicant has submitted both applications concurrently, pursuant to all Final Plat requirements of this title, the board may proceed to considering the final plat.

A. The applicant will be instructed by the planning and zoning board to collaborate with the city engineer in the preparation of applicable cost estimates, plans, specifications and contracts for required public improvements.

B. One copy of the approved plat shall thereupon be returned to the subdivider and one copy shall be retained by the department of community development. Such approval shall be effective for no more than twelve (12) months from the date approval was granted. If a final plat has not been submitted for approval within such twelve (12) month period, the tentative plat must be resubmitted to the planning and zoning board as if such plat had never been approved. (Ord. M-21-78, 7-3-1978; amd. 2002 Code; Ord. Z-29-15, 10-5-2015)”

SECTION 6. FINAL PLAT AND SUPPORTING DOCUMENTS. Section 13-2-4, titled “Final Plat and Supporting Documents,” of Chapter 2, titled “Procedures and Plats,” of Title 13, titled “Subdivision Regulations,” of the City Code is hereby amended to read as follows:

“13-2-4: FINAL PLAT AND SUPPORTING DOCUMENTS:

After the planning and zoning board has approved the tentative plat, the subdivider shall submit to the planning and zoning board a final plat as described in section 13-2-5 of this chapter, together with the following supporting documents: (Ord. M-21-78, 7-3-1978; amd. Ord. Z-29-15, 10-5-2015)

A. Engineering plans and profiles approved by the Director of Public Works and Engineering in accordance with the standards for subdivision engineering plans on file in the office of the Director of Public Works and Engineering.

The following statement, signed by a professional engineer properly registered in Illinois and the owner, or the owner's duly authorized agent, shall be included on the grading plan:

To the best of our knowledge and belief, the drainage of surface waters will not be changed by the construction of this subdivision or any part thereof, or, that if drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains approved for use by the Director of Public Works and Engineering, and that such surface waters are planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to adjoining properties because of the construction of this subdivision.

B. A statement signed by the Director of Public Works and Engineering approving an estimate of the cost of the **public** improvements including cost of engineering and inspection. (Ord. M-21-78, 7-3-1978; amd. 2002 Code)

C. **The required financial guarantees securing completion of public improvements pursuant to Section 13-2-8 of this Code.**~~Public improvement bonds may be reduced only upon approval of the city council. No expiration date should be placed on the bonds. The terms of the bond will be for a two (2) year period. If at the end of two (2) years the public improvements are not completed to the City's satisfaction the bond will be forfeited to the City. The amount of the bond remaining at the end of each year from the date of the bond, is to be increased by an amount not less than twenty five percent (25%) over the total amount of monies remaining in the bond. (Ord. M-74-94, 11-21-1994)~~

D. Any transfer of subdivision ownership by a developer to another developer for completion of the subdivision shall require:

1. That the new owner/developer shall comply with all requirements of an original subdivision letter of credit.

2. That the original letter of credit by the prior owner/developer shall not be released until the subsequent letter complies with subsection D1 of this section, and that the proper transfer tax certification has been applied to the proper documents. (Ord. M-53-79, 12-3-1979)”

* * *

SECTION 7. REPEAL AND REPLACEMENT OF 13-2-8. Section 13-2-8, titled “Final Approval by City Council,” of Chapter 2, titled “Procedures and Plats,” of Title 13, titled

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Additions are bold and double-underlined; deletions are struck through.

“Subdivision Regulations,” of the City Code is hereby repealed and replaced in its entirety to read as follows:

“13-2-8: FINAL PLAT APPROVAL BY CITY COUNCIL; COMPLETION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS:

A. City Council Approval: When the city council is satisfied with the final plat and with all improvements, conditions, variations, public ways and recorded easements and documents pertaining to the subdivision platted thereon, the city council shall, by resolution, approve said plat and authorize and direct the mayor to affix the name of the city. The approval shall be attested by the city clerk and sealed with the corporate seal of the city. (Ord. M-43-80, 10-6-1980; amd. Ord. M-23-91, 6-17-1991)

B. Financial Guarantees Securing Completion of Public Improvements:

1. Financial Guarantees Required. Prior to the execution of, and as a condition precedent to the recording of, any final plat of subdivision, the subdivider must deposit the following financial guarantees in the form of a letter of credit or a subdivision bond (each in a form to be approved by the City Attorney), or cash:

a. Guarantee of Completion: the subdivider must deposit a financial guarantee with the City to guaranty completion of all public improvements as determined by the Director of Public Works and Engineering in an amount equal to 125% of the approved engineer’s estimate of cost for the public improvements, with the following terms as follows:

1. An expiration date not less than three years from the date of issuance or an express provision that such guarantee will not expire prior to completion and acceptance of the public improvements by the City Council; provided, however, the amount of a letter of credit must be increased by an amount not less than 25% over the original issue amount each time the letter of credit is renewed, except when renewed for the purpose of satisfying the maintenance warranty requirement pursuant to Subsection B.1.c of this Section;

2. That the financial or insurance company issuing the surety shall give written notice by certified or registered mail to the City Clerk not less than 30 days before the expiration of the surety, which surety shall not expire absent such notice;

3. That failure of the subdivider to complete the required subdivision public improvements secured by such guarantee of completion prior to the scheduled completion date

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Additions are bold and double-underlined; deletions are struck through.

shall be considered a default by the subdivider and the issuing institution and the guarantee will be forfeited to the City;

4. That the financial guarantee shall be irrevocable;

5. That (in the case of payout instrument) the principal amount of the instrument will not be discharged or reduced by the issuer except upon written certificate of the City Manager or the City Council, as applicable, that such surety may be discharged or reduced in a specified amount in accordance with subsection b below; and

6. That the issuer will pay all attorney's fees and other costs incurred by the City in enforcing collection of such guarantee of completion in the event that the issuer fails to honor the City's demand for payment under the terms of such guarantee.

b. Guarantee of Completion Reduction Requests. Prior to the completion and acceptance of all of the public improvements, the guarantee of completion submitted in accordance with this Subsection may be reduced or partially discharged as follows:

1. The subdivider must have submitted a written request to the City with supporting documentation for the reduction;

2. The Director of Public Works and Engineering, or their designee, must have inspected and approved the completed public improvements and the usual and customary waivers of lien for the applicable public improvements, and recommend that the surety be reduced accordingly;

3. Upon the receipt of the recommendation of the Director of Public Works and Engineering, the City Manager may authorize the reduction of said guarantee of completion; provided, however, that the guarantee may not be reduced by the City Manager, either through a single reduction request or cumulatively, by more than 75% of the total guarantee of completion without prior City Council approval;

4. One reduction request will be processed by the City every eight months, up to the 75% of the total guarantee of completion as set forth in Subsection 3 above, beginning with the date the guarantee was first deposited with the City with no additional fees due from the subdivider. A \$400.00 administrative

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Additions are bold and double-underlined; deletions are struck through.

processing fee will be charged by the City for each additional surety reduction request during any eight-month period.”

SECTION 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect 10 days after its passage, approval and publication in pamphlet form according to law.

PASSED this _____ day of _____, 2022.

APPROVED this _____ day of _____, 2022.

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
____ day of _____, 2022

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel