

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment



**DES PLAINES PLANNING AND ZONING BOARD MEETING
September 27, 2022
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, September 27, 2022, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

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

PRESENT: Szabo, Hofherr, Saletnik, Veremis

ABSENT: Catalano, Fowler, Weaver

ALSO PRESENT: Jonathan Stytz, AICP, Senior Planner
Samantha Redman, Associate Planner
Margie Mosele, CED Executive Assistant

A quorum was present.

APPROVAL OF MINUTES

A motion was made by Board Member Veremis, seconded by Board Member Hofherr to approve the meeting minutes of September 13, 2022.

AYES: Veremis, Hofherr, Saletnik, Szabo

NAYES: None

ABSTAIN: None

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

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

Pending Applications

1. Address: 1353 Lee Street

Case Number: 22-0035-FPLAT

The petitioner is requesting approval of a Tentative Plat of Subdivision under Section 13-2-2 of the Subdivision Regulations and recommended approval of a Final Plat of Subdivision under Section 13-2-7 of the Subdivision Regulations to subdivide the existing lot into two lots of record, and the approval of any other such variations, waivers, and zoning relief as may be necessary. The petitioner has chosen to file the Tentative and Final Plats concurrently.

Address: 1353 Lee Street

Owner: Hall Property Group, LLC c/o Andrea Ragona, 200 W. Madison Street, Suite 4200, Chicago, IL 60606

Petitioner: Hall Property Group, LLC c/o Andrea Ragona, 200 W. Madison Street, Suite 4200, Chicago, IL 60606

Case Number: 22-035-FPLAT

Real Estate Index Number: 09-20-400-047-0000

Ward: #5, Alderman Carla Brookman

Existing Zoning: C-3, General Commercial District

Existing Land Use: Vacant Lot (Outlot)

Surrounding Zoning: North: M-1, Limited Manufacturing District
South: C-3, General Commercial District
East: C-3, General Commercial District
West: C-3, General Commercial District

Surrounding Land Use: North: Manufacturing (Single-tenant industrial building)
South: Shopping Center (Commercial)
East: Grocery Store (Commercial)
West: Car Wash (Commercial) / Auto Service Repair Shop (Commercial)

Street Classification: Lee Street is classified as an Other Principal Arterial.

Comprehensive Plan: The Comprehensive Plan illustrates the site as commercial.

Property/Zoning History: Based on City records, the subject property was originally developed with a large industrial building. Around 2015, the

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

industrial building was demolished for future redevelopment. Since then the subject property has been vacant.

Final Plat of Subdivision Report

Project Description:

The petitioner, Hall Property Group, LLC, is requesting a Tentative and Final Plat of Subdivision, named Des Plaines Plaza II, for the property located at 1353 Lee Street. The subject property is 66,714 square feet (1.53 acres) and is comprised of one lot, which is currently vacant and unimproved as shown in the attached ALTA/NSPS Land Title Survey.

The petitioner is proposing to subdivide the existing lot into two lots of record to construct two separate commercial buildings, one on each proposed lot, as shown on the attached Final Plat of Subdivision. The first building is proposed on the northern lot, Lot 1, and would have imminent construction. It is envisioned as a single-tenant commercial retail building. The second building would not be constructed now but instead reserved for construction at a later date, with a development-ready pad installed. The two lots would share a collective parking lot, although the lot boundaries would not divide any parking stalls or create substandard drive aisles. The length and width dimensions vary for the proposed lots due to their slightly irregular shape:

- Lot 1, the smallest of the two proposed lots, measures 77 feet in width at the street and totals 21,492 square feet in size; and
- Lot 2 measures 158 feet in width at the street and totals 42,957 square feet in size.

There are no lot width or lot area minimums for properties located within a commercial district. However, both lots front Lee Street and meet the minimum lot depth requirements in Section 13-2-5 of the Subdivision Regulations. It is important to note that while both of the proposed lots front Lee Street, they will both be accessed from a service driveway located directly south of the subject property, which is shared by the shopping center directly south and the grocery store directly east of the subject property. Specifically, the proposed Lot 1 will require access through the proposed Lot 2 to connect it to the service drive.

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

The petitioner proposes to construct a stand-alone single-tenant commercial building on Lot 1 initially with appropriate off-street parking areas as shown on the attached Site Plan. The proposal includes the eventual development of Lot 2 with a multi-tenant building. However, for now, the petitioner intends to provide additional off-street parking areas along the perimeter of Lot 2, leaving an undeveloped turf area in the middle of the lot. See the attached Project Narrative for additional information.

The petitioner's Final Plat of Des Plaines Plaza II Subdivision shows the subdivision of the existing lot into two lots with the following easements: (i) an existing ten-foot drainage easement between the subject property's east property line and the Aldi property's west property line; (ii) an existing 15.5-foot ingress, egress, and public utility easement along the south property line of the subject property (south line of proposed Lot 2); and (iii) a temporary construction easement along the west property line of the subject property. There is also an 80-foot-wide no build area as measured from the northern edge of the service drive into the subject property, which is identified on the attached Final Plat of Subdivision for reference. This area is designed to comply with a private restrictive covenant intended to ensure the Aldi building is visible from Lee Street. Per the C-3 Zoning District bulk requirements (Section 12-7-3.L of the Zoning Ordinance), a five-foot building setback line is required for the front yard (along Lee Street), the rear yard (abutting Aldi), and the south property line (along the service drive). Note that the attached Final Engineering Plans have been approved as noted by staff, pending the approval of the Metropolitan Water Reclamation District (MWRD) permit.

PZB Procedure and Recommended Conditions: Given the two requests of the petitioner, the PZB should consider the Tentative Plat of Subdivision and Final Plat of Subdivision requests with two separate motions. Under Section 13-2-2 of the Subdivision Regulations, the PZB has the authority to approve, approve with conditions, or deny the Tentative Plat of Subdivision request. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 13-2-2 as outlined in the Subdivision Regulations. Staff does not suggest any conditions regarding the tentative approval.

Upon approval or approval with conditions of the Tentative Plat of Subdivision, a separate motion should be taken by the PZB regarding the Final Plat of Subdivision. Under Section 13-2-7 of the Subdivision Regulations, the PZB has the authority to *recommend* approval, approval subject to conditions, or denial of the request. The decision should be based on review of the information

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

presented by the applicant and the standards and conditions met by Section 13-2-7 as outlined in the Subdivision Regulations. If the PZB votes to recommend approval, staff recommends the following condition: That the applicant work to address Final Engineering Plan comments as expressed in the attachments before Final Plat approval.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Plat of Survey
- Attachment 4: Project Narrative
- Attachment 5: Final Plat of Subdivision
- Attachment 6: Select Final Engineering Plansⁱ
- Attachment 7: Engineering Memo
- Attachment 8: Site Plan
- Attachment 9: Landscape Plan

Chair Szabo swore in Lawrence Freeman, Attorney from Ash Anos Freedman and Logan, and David Mangurten, principal Architect for Hall Properties. Mr. Freedman stated Hall Properties Group LLC is looking to subdivide the property at 1353 Lee Street into two commercial sites. Mr. Freeman explained that Lot 1 is being developed with a 5,000-square foot building for an immediate retail use. They are actively seeing tenants for the second property but are planning to add parking areas on Lot 2. Today they are looking for approval for the tentative and final subdivision for the property.

Mr. Mangurten explained that the proposed 5,000-square foot, single tenant masonry building with the majority of the storefront facing Lee Street and a portion of storefront facing south. The tenant is a national paint store.

Chairman Szabo asked how many parking spaces are on the subject property.

Mr. Mangurten explained the site plan and that the property will be single tenant. He stated he believes there are 40 parking spaces over the entire lot and that they would have adequate parking to develop a retail building in the second lot.

Member Vermis asked if the petitioner has any idea when the second lot would be developed.

Mr. Freeman and Mr. Mangurten answered that they are not sure at this time as it is dependent on finding additional tenants. They do not intend to build a speculative building. Mr. Mangurten added that the shopping center directly south of the subject property is owned and was developed by the petitioner.

Member Saletnik asked if the owner is looking for a buyer or specific type of tenant for the property.

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

Mr. Freedman stated that his client is not looking to sell the property and is looking for a tenant that would fit into the zoning category.

Member Saletnik asked if the owner is looking for someone to enter into a long-term lease.

Mr. Freeman confirmed that this is what the petitioner wants.

Chair Szabo asked about parking and the vehicular circulation and number of curb-cuts.

Mr. Mangurten stated that there is only one curb-cut that provides access to both sites and patrons can come around the Lot 2 development pad to get to the paint retail store. He added that a lot of the patrons for this use would be mom and pop businesses and for patrons buying in bulk, there is a man-door on the east side of the building that can be used for loading.

Chairman Szabo asked if there is a roll-up door.

Mr. Mangurten confirmed that there is a roll-up door on the east side of the building for contractors and receiving.

Member Veremis asked if you can go from the Aldi lot into the subject property.

Mr. Mangurten explained that the two parking areas separated by a landscape buffer between this property and Aldi.

Chairman Szabo asked for an explanation regarding the two monument signs proposed.

Mr. Mangurten stated that it is monument/pylon sign which is similar to other monument signs in the city. He added that the proposed signs would be 12 feet in height.

Jonathan Stytz, Senior Planner, reviewed the staff report and discussed the site maps and area photos for 1353 Lee Street. Mr. Stytz discussed the Tentative and Final Plat of Subdivision to split the lots into Lot One (21,492 sq ft) and Lot Two (42,957 sq ft). He also explained the 80 foot No Build Area restricts development on Lot 2 to allow Aldi to be seen from Lee Street. The City Engineering department took a look at the final engineering plans and did approve them pending outcome of Metropolitan Water Reclamation District (MWRD) permit.

Chair Szabo swore in resident Brent Burval, P.O. Box 1238, Barrington, Illinois. Mr. Burval is representing his father and aunt who own the property at 1325 Lee Street which is north to the proposal. Mr. Burval stated that his family does not have any problem with the subdivisions. They would ask that traffic flow be considered. He stated that traffic on Lee street is busy and there is a lack of directions for delivery trucks. He was asking to consider the removal of the curb cut for their property and the subject property to help with traffic flow.

Chair Szabo swore in resident Steve Burval of 1653 East Forest Ave, Des Plaines IL. Mr. Burval wanted to explain that they are not adversarial to the division of the property. He is in favor of the theory of the subdivision, but they are concerned about traffic flow. Wants to work together with the petitioner for the benefit of both parties.

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

Mr. Freeman said his client would be consulting with the engineering department. He also stated that they want to be a good neighbor and work to make the outcome beneficial to all parties. Mr. Freeman reminded the board that he is there for the Plat of Subdivision. His client does not want delays and is asking that the board take action to make a recommendation for the subdivision.

Mr. Stytz reiterated that this meeting is for the Plat of Subdivision and all additional plans would have to go through a site plan review. Mr. Stytz also stated that if there is a condition it would go on the Final Plat of Subdivision.

Member Saletnik suggested that a condition to be added to the Final Plat of Subdivision that the petitioner and their neighbor meet to discuss utilizing the curb cuts for the mutual benefit of both parties.

A motion was made by Member Saletnik and seconded by Member Hofherr to approve the Tentative Plat of Subdivision under Section 13-2-2 of the Subdivision Regulations.

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

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

A motion was made by Board Member Saletnik, seconded by Board Member Veremis recommended approval of a Final Plat of Subdivision under Section 13-2-7 of the Subdivision Regulations with the condition in the staff report and with the added condition that the petitioner explores to see if there are mutually beneficial opportunities to utilize the curb cut from the neighbor to help or change the circulation pattern within their space.

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

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

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

2. Address: Citywide

Case Number: 22-0041-TA

The PZB is holding a public hearing to consider zoning text amendments to Section 12-7-1.A of the Zoning Ordinance to allow more than one principal structure on a single zoning lot for specific institutional uses and for lots in the C-2 Limited Office and C-3 General Commercial Districts of at least one-half acre.

PIN: Citywide

Petitioner: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Case Number: #22-041-TA

Request Description: The City of Des Plaines is proposing amending the Zoning Ordinance to add an allowance for more than one principal building or structure on a zoning lot in the following instances: (i) a C-2 or C-3-zoned property of at least one-half acre in size; and (ii) for institutional uses (e.g., parks and recreation centers; elementary, middle, and high schools; colleges and universities; and residentially zoned assembly uses).

Background

Land development is diverse and can take on many forms depending on different factors such as the site's location, size, proposed use, zoning district, and local regulations. While many sites consist of a singular use, this is not necessarily the trend for development or a goal of the Comprehensive Plan. An overarching principle of the Comprehensive Plan is to expand mixed-use developments, especially along major thoroughfares throughout the City, to "encourage development within compact areas of land, reduce traffic and pollution, and contribute to the creation of a pedestrian-friendly environment." Based on the land use, the type and design of a proposed development could be multi-faceted by function, aesthetics, and purpose. Sites intended for multiple uses—especially sites delineated to provide separate spaces for individual uses—may require multiple buildings or structures to meet the anticipated needs of the use. Where developers intend to create separate spaces for different uses or design the site in mind for future subdivision, a more flexible Zoning Ordinance can foster opportunities with developers and users than ordinances with restrictive regulations. When too restrictive, zoning may prohibit or reduce development opportunities, especially on sites where additional development or redevelopment are more attainable.

Currently, the Zoning Ordinance allows for only one principal building located on a zoning lot with the exception of the following cases: (i) planned developments; (ii) regional shopping centers in the C-4 Regional Shopping District; (iii) commercial mobile radio service facilities (i.e., cell towers); (iv) lots of more than four acres in size in the I-1 Institutional District provided that each principal building has a minimum lot of two acres; and (v) lots of five or more acres located in

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

the M-1 Limited Manufacturing District, and the M-2 General Manufacturing District, and M-3 Special Manufacturing District. Properties or proposed developments that are not one of the aforementioned cases are limited to one principal building or are required to apply for entitlements—variation, subdivision, planned development, etc.—in order to get approval for more than one principal structure. Any of these processes can result in a lengthy, and sometimes expensive, process with an uncertain approval outcome, in particular for planned developments and variations. The Ordinance defines a zoning lot as “a single tract of land located within a single block, which is developed or built upon as a unit, under single ownership or control,” and many different developments or redevelopments can be impacted by this regulation.

There have been instances where the current regulations allowing only one building on a zoning lot has created additional steps for developers and investors in Des Plaines. In Fall 2021, there was a request for a second principal building on a single zoning lot for a restaurant and retail complex at Mannheim Road and Pratt Avenue. While the individual properties are expected to be under different ownership in the long term, and thus eventually will not be the same zoning lot, the request to construct two principal buildings as a unit under single ownership (e.g. a zoning lot) required a major variation. Developer GW Properties has expressed interest in redeveloping other Des Plaines sites in the same mold, and has written support (attached) for a change to this rule. More recent, the Lee Commons Shopping Center at the northeast corner of Lee Street and Algonquin Road has shared plans to construct a stand-alone building for a coffee shop chain in a portion of the existing parking area. The shopping center is also limited to one principal building since it is zoned C-3, and therefore would need to seek entitlements to allow the second building, even if the development can comply with all other relevant provisions, such as minimum parking. Ownership of Lee Commons has also provided a letter of support for the amendments (attached).

Furthermore, this regulation does not account for uses such as parks, schools, religious institutions, and similar institutional uses in residential zones. Even in “R” districts, these uses may be on large lots and require additional buildings and structures for their operation (e.g., a separate rectory building for a religious institution). In the instance of a park with public facilities (e.g., Arndt Park), separate buildings may be necessary to appropriately provide programming. The attached Institutional Use Research table identifies the property size of various institutional uses throughout Des Plaines varying from less than one acre to over 100 acres in size. With some exceptions, the listed institutional uses are located within neighborhoods in the R-1 Single Family Residential District and are limited to one principal building under current rules.

The current intent of the principal building restriction appears to favor singular uses on a zoning lot, or, in the event of a multi-use proposal, intends to steer projects into a planned development or other mechanism including a more intense staff, PZB, and Council review. While this may be a necessary avenue for larger, more comprehensive developments with a mixture of residential and commercial uses, this does not make sense for moderately-sized properties with the potential for additional development on a smaller scale. In fact, staff argues that it impedes development opportunities for these types of properties, which make up a large portion of Des Plaines.

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

Consequently, staff proposes to amend this portion of the Zoning Ordinance to expand the allowance of multiple principal buildings for specific types of uses and districts in Des Plaines not only to reduce the barrier of entry for new developments but also to foster opportunities for the redevelopment or expansion of existing developments to better utilize available space. All principal buildings would still need to comply with all applicable zoning regulations of the district in which it is located as these amendments are not intended to abridge any existing zoning regulations.

Proposed Amendments

The full proposed amendments are attached and are summarized below:

Section 12-7-1, General District Regulations: Modify Section 12-7-1.A, “Number of Buildings On A Zoning Lot,” to:

- extend the existing allowance for multiple buildings on a zoning lot to sites of four acres or more in any district where specific institutional uses are the principal use and there are at least two acres for each principal building; and
- add an allowance for additional buildings for properties of one-half acre or more in the C-2 Limited Office Commercial District and C-3 General Commercial District.

Extend Allowance for Institutional Uses in All Districts

- removes the zoning district qualifier allowing institutional uses in any zoning district provided they are located on properties four or more acres in size;
- rewords the acreage per building language to clarify that a minimum lot area of two acres is required for each principal building in order to control the number of principal buildings on a single zoning lot; and
- restricts the allowance to specific institutional uses, including (i) public or private elementary, middle, and high schools; (ii) parks, community and recreation centers; (iii) residentially-zoned assembly uses; and (iv) colleges and universities.

Add Allowance for All Uses in C-2 and C-3 Districts

- adds new allowance for multiple principal buildings on sites of one-half acre or more in the C-2 and C-3 districts without any restriction on the type of use.

Standards for Zoning Text Amendment:

The following is a discussion of standards for zoning amendments from Section 12-3-7.E of the Zoning Ordinance. The PZB may recommend the City Council approve, approve with modifications, or deny the amendments. The PZB *may* adopt the following rationale for how the proposed amendments would satisfy the standards, and or the Board may use 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;**

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

These amendments help fulfill an overarching principle in the Comprehensive Plan, which seeks to encourage mixed-use development by extending the allowance of additional principal buildings permitted in the Zoning Ordinance and fostering opportunities for development. These amendments provide more flexibility in the code to allow for different development designs and uses that can greatly benefit the community as a whole and make Des Plaines more development-friendly. As the City is mostly built-out, these amendments also provide more opportunities for the redevelopment or extension of existing sites throughout the City that can ultimately encourage reinvestment in properties overall. In particular, underused parking lots that contain an excess of code-required spaces serve as an opportunity for a second principal building. In the C-2 and C-3 districts especially, adding such building will typically generate more land value and thus property tax revenue, as well as possibly sales or food and beverage tax revenue.

PZB Modifications (if any): _____

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

The proposed amendments allow for further development of properties with commercial and institutional uses in a way that is compatible with the design, layout, and operation of these types of uses today, as it strives to extend the allowance for multiple uses on a single property with separate spaces. The amendments consider the type, purpose, and design of these uses where separate buildings are not only practical but also functional aspects of the development. Examples of this are: (i) community centers, aquatic centers, outdoor entertainment, private events, etc. for park areas; (ii) religious services, rectories, classrooms, and event spaces for religious institutions; and (iii) quick service uses, such as a coffee shop or convenience mart for larger office and commercial uses. The proposed text amendments complement the character of the existing development while also allowing for new development to occur in a more stream-lined way.

PZB Modifications (if any): _____

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

The proposed amendments would allow for additional buildings on a property that may require additional public facilities and services for an individual site based on its use and design. However, these amendments would still require site plan review and adherence to applicable municipal codes to ensure that any proposed buildings are compliant and are adequately serviced.

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

PZB Modifications (if any): _____

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

The proposed amendments will allow multiple buildings on a single property for select sites, which can actually help increase the property value of the subject property and the surrounding properties. The flexibility provided with these amendments encourages reinvestment in properties and can lead to new uses or improvements to existing uses that benefits the City and its residents.

PZB Modifications (if any): _____

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

The proposed text amendments facilitate a path towards responsible standards for development and growth for eligible institutional uses and commercial properties by establishing a clear and streamlined permitting path for additional principal buildings.

PZB Modifications (if any): _____

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.

Attachment

Attachment 1: Proposed Amendments

Attachment 2: Institutional Uses Research Table

Attachment 3: Letter of Support from GW Properties

Attachment 4: Letter of Support from MPT Holdings LLC, owner of Lee Commons
(1143-1175 Lee Street)

Jonathan Stytz, Senior Planner, reviewed the staff report. Mr. Stytz explained the text amendment, noting that the focus of the text amendment is to look at the institutional districts as well as commercial districts and see what portions of the sites can be utilized for increased development or redevelopment opportunities for mixed uses or multiple uses. Mr. Stytz explained that there has been a shift in development to increase demand for multi-use properties. The comprehensive plan looks to promote mixed use development especially near major

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

throughfare areas of the city to “encourage development within compact areas of land, reduce traffic and pollution, and contribute to the creation of a pedestrian-friendly environment.” Mr. Stytz gave examples on a power point which included large office building, parks, schools and churches. Mr. Stytz stated that passing this amendment would help with proposed development and not force them to go through a planning and zoning process. Mr. Stytz reminded the board that all zoning regulations will still apply, and the petitioner will still need to meet all regulations. Mr. Stytz stated that this text amendment would not take decisions away from the board, but it will make it easier for redevelopment in Des Plaines.

A motion was made by Board Member Veremis, seconded by Board Member Hofherr to recommend approval of zoning text amendments to Section 12-7-1.A of the Zoning Ordinance to allow more than one principal structure on a single zoning lot for: (i) specific institutional uses on lots of four acres or more with a minimum of two acres available for each principal building; and (ii) for lots in the C-2 Limited Office and C-3 General Commercial Districts of at least one-half acre.

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

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

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

3. Address: Citywide

Case Number: 22-0043-TA

The PZB is holding a public hearing to consider zoning ordinance amendments to: (i) revise the sign standards to allow for two menu board signs that collectively total up to 60 square feet in area within the drive-through menu board sign type pursuant to Section 12-11-6.B; and (ii) amend electronic message board sign type to include reference to drive-through menu board signs, also pursuant to Section 12-11-6.B.

PIN: Citywide

Petitioner: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Case Number: #22-043-TA

Project Summary: The City of Des Plaines is applying for zoning text amendments to address trends in signs for drive-through facilities.

Revising Menu Board Sign Regulations

Digital signage for drive-through restaurant establishments is increasingly popular, as they provide the option to quickly change menu options and provide additional avenues to advertise promotions to customers. Recently, the COVID-19 pandemic required many restaurants to adapt their restaurants to better accommodate a growth in drive-through patronage and quickly adapt menus to meet the challenges of lower staffing and supply chain issues.¹ Digital signs (defined as “electronic message boards” in the zoning ordinance) provide the flexibility needed for restaurants.

Pre-sell menu boards are an increasingly common type of signage that is located prior to the full pricing board, typically located a car length or two away from the full menu board. The purpose of these pre-sell boards is to advertise specials, limited time offers, or entertain guests in line. Offering additional menu information to waiting guests has been shown to have positive effects for restaurants, including reducing perceived waiting time for customers.² Nationwide labor shortages have increased customer wait times at many restaurants, including drive-through facilities.³ Presently, the Zoning Ordinance allows for only one sign, and staff regularly requires revisions to submitted sign permits to remove any menu signs exceeding the maximum number. Staff proposes to allow for up to two signs and to increase the maximum total sign area from 42 square feet (current) to 60 square feet (proposed). Further, staff proposes slight adjustments to the electronic message board (EMB) rules to clearly allow electronic drive-through menu board signs

¹ Damask, K. (2021, 07 23). “Restaurants hungry for digital signage.” *Digital Signage Today*

<https://www.digitalsignagetoday.com/articles/covid-19-pushes-restaurants-to-dive-into-digital-signage/>

² Bae, G., & Kim, D.-Y. (2014). The Effects of Offering Menu Information on Perceived Waiting Time. *Journal of Hospitality Marketing & Management*, 37-41. <https://doi.org/10.1080/19368623.2014.879547>

³ SeeLevel HX. (September 23, 2021). *PR News Wire*. “SeeLevel HX 21st Annual Drive-Thru Study Uncovers Delays and Inaccuracy as QSRs Struggle with Labor Shortage.” <https://www.prnewswire.com/news-releases/seelevel-hx-21st-annual-drive-thru-study-uncovers-delays-and-inaccuracy-as-qsr-struggle-with-labor-shortage-301383881.html>

and to allow a drive-through to have up to two of them.

Through the amendments restaurants would have the ability to promote their business, alleviate issues associated with longer wait times, and follow trends in marketing and advertising for these types of facilities. Because of existing zoning rules such as limitations on light trespass (Section 12-12-10: Performance Standards), requirements for landscaping at the sign base, a requirement for a conditional use permit when drive-through facilities border residential properties, a minimum distance for EMB signs from certain residential zones, and landscape buffer/screening requirements that lead to solid fences along lot lines, staff is not concerned the additional sign allowance would have a neighbor impact.

Drive-Through Sign Regulations Signs are regulated by sign type and zoning district. Definitions for the sign types discussed in this amendment are included in Section 12-13-3 and the table below. Drive-through signs are only permitted within commercial districts, and thus are controlled by Section 12-11-6.B. The table in this section provides the below restrictions for drive-through menu board signs and electronic message board signs. Sections hindering the construction of secondary menu boards are italicized for emphasis. Note the electronic message boards (EMBs) section does not explicitly state drive-through menu boards are permitted to embed a digital display in the sign.

	Definition (12-13-3)	Regulation (12-11-6.B)
Sign, Drive-through Menu Board	A freestanding or wall sign displaying items or services available at a drive-through facility and located on the same zoning lot of the subject business.	<i>One drive-through menu board sign is permitted adjacent to each ordering point for any lawfully established drive-through facility. The drive through menu board shall not exceed 42 square feet in area and six feet in height. A two-foot radius of landscaping shall be provided around the base of a drive-through menu board sign.</i>
Electronic message boards (EMBs)	A sign whose informational content can be changed or altered by manual or electric, electromechanical or electronic means.	<p>Electronic message boards shall not exceed 50% of the total sign area. When embedded within an electric vehicle charging port, an electronic message board may not exceed six square feet.</p> <p><i>Only 1 electronic message board will be permitted per lot. In the event that a single business exists on multiple lots or in the case of a business park or retail center, only 1 electronic message board will be permitted overall.</i></p> <p>Location: The animated face of an electronic message board sign shall be a minimum of 250' away from a residence in the R-1, R-2, and R-3 Residential</p>

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

		<p>Districts and shall be arranged to prevent direct glare onto any adjacent properties. Institutional district exempt from this standard. LED illumination of the numerical pricing component of gasoline station signs are exempt from this location standard.</p> <p>Video display signs are permitted.</p> <p>The changeable copy shall be specific to the business in which the sign was intended.</p> <p>No sounds will be permitted.</p> <p>Automatic dimming: Electronic message board signs shall be equipped with 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.</p>
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Proposed Changes

All proposed amendments are contained in Attachment 1. Additions are **bold, double-underline**. Deletions are ~~struck through~~. Amended sections are provided with some surrounding, unamended text for context.

Standards for Zoning Ordinance 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 the statements below as its rationale or adopt its own.

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

Although the Comprehensive Plan does not specifically discuss signs or restaurants, the plan overall encourages economic development in Des Plaines. This amendment creates conditions to support successful businesses in the city.

PZB Modifications (if any): _____

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

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

The amendments allow for one additional sign, in a scale similar to the size of other signs in the city and the average size and number of signs permitted in drive-throughs in other municipalities.

PZB Modifications (if any): _____

3. Whether the proposed amendments are appropriate considering the adequacy of public facilities and services available;

The amendments will have no significant effect on public facilities and services.

PZB Modifications (if any): _____

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

The proposed amendments, if they have any impact, are likely to improve sales at drive-through establishments and encourage the prosperity of restaurants in the city.

PZB Modifications (if any): _____

5. Whether the proposed amendments reflect responsible standards for development and growth.

Many other municipalities allow for additional menu board signs and this amendment follows the evolving trends of advertising and marketing for this type of establishment. The amendments are based on thoughtful considerations of development trends and existing conditions throughout the City.

PZB Modifications (if any): _____

PZB Procedure and Recommended Conditions: 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. City Council has final authority on the proposal.

Attachments:

Attachment 1: Proposed Text Amendments

Attachment 2: Photos of Drive-Through Menu board Signs: Main Pricing Boards and Pre-Browse Boards

Samantha Redman, Associate Planner, reviewed the staff report. Ms. Redman explained the text amendment with a PowerPoint and provided photo examples. Secondary menu board signs can

Case 22—35-FPLAT
Case 22-041-TA
Case 22-043-TA

1353 Lee Street
Citywide
Citywide

Final Plat of Subdivision
Text Amendment
Text Amendment

display special and other types of things to help customers waiting in line. They are a little further away from the actual drive through menu board. Many restaurants during the pandemic expanded their drive through options. Also in the discussion is the use of digital displays allow businesses to rapidly update and change their menus. Marketing research support the benefit of secondary boards which benefit restaurant sales and help elevates customer discomfort during the long waits. There will still be regulations preventing light trespassing into residential areas.

Board members discussed the importance of keeping up with trends and supporting businesses and discussed examples of businesses with these types of signs.

A motion was made by Board Member Saletnik, seconded by Board Member Veremis to recommend approval of the text amendment to: (i) revise the sign standards to allow for two menu board signs that collectively total up to 60 square feet in area within the drive-through menu board sign type pursuant to Section 12-11-6.B; and (ii) amend electronic message board sign type to include reference to drive-through menu board signs, also pursuant to Section 12-11-6.B.

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

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

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, October 25, 2022. October 11, 2022 PZB will be cancelled.

Chairman Szabo adjourned the meeting by voice vote at 8:14 p.m.

Sincerely,

Margie Mosele, Executive Assistant/Recording Secretary

cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners
