

Case 22-040-CU

780 Lee Street

Conditional Use

Case 22-044-CU

2064 S. River Road

Conditional Use

Case 22-046-TA-MAP-FPUD-FPLAT 2500 Devon & 2980-3000 River

Text Amendment, MAP
Amendment, Final Planned
Unit Development, Final Plat
of Subdivision



**DES PLAINES PLANNING AND ZONING BOARD MEETING
October 25, 2022
APPROVED MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, October 25, 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, Catalano, Fowler, Hofherr, Saletnik,

ABSENT: Veremis, Weaver

ALSO PRESENT: John Carlisle, Director of Community & Economic Development
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 Hofherr, seconded by Board Member Saletnik to approve the meeting minutes of September 27, 2022.

AYES: Hofherr, Saletnik, Catalano, Fowler, Szabo

NAYES: None

ABSTAIN: None

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

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

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Pending Applications

1. Address: 780 Lee Street **Case Number:** 22-040-CU

The petitioner is requesting a conditional use from Section 12-11-5.G of the Zoning Ordinance, to allow an EMB sign on a property in the C-5 Central Business District at 780 Lee Street.

Address: 780 Lee Street

Petitioner: Dr Victor Grandinetti, 780 Lee Street, Des Plaines, IL 60016

Owner: Lee St 780 LLC, 780 Lee Street, Des Plaines, IL 60016

Case Number: 22-040-CU

PIN: 09-17-425-026-0000

Ward: #2, Alderman Colt Moylan

Existing Zoning: C-5, Central Business District

Existing Land Use: Office Building

Surrounding Zoning: North: C-5, Central Business District
 South: C-5, Central Business District
 East: R-4, Central Core Residential District
 West: C-5, Central Business / R-4, Central Core Residential Districts

Surrounding Land Use: North: Office Building (Commercial)
 South: Office Building (Commercial)
 East: Townhouses (Residential)
 West: Apartments (Residential) / Funeral Home (Commercial)

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

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Comprehensive Plan: The Comprehensive Plan illustrates the property as Higher Density Urban Mix with Residential.

Zoning/Property History: Based on City records, the subject property has been utilized as a multi-tenant office building.

Project Description: The petitioner, Dr Victor Grandinetti, is requesting a conditional use to allow for an EMB sign on a property in the C-5 Central Business District at 780 Lee Street. This property contains a two-story, 6,643-square-foot brick building set back roughly 11 feet from Lee Street with a surface parking lot as shown in the attached ALTA/NSPS Land Title Survey. The subject property is accessed by two one-way drive aisles off Lee Street and an alley located directly west of the subject property. There is currently a wall sign on the building's east elevation facing Lee Street. However, no freestanding signs exist on the subject property at this time.

The petitioner is requesting a new pole sign with an EMB component to be positioned in the south landscape area located directly east of the building and facing south as noted on the attached Site Plan. Please see the attached Project Narrative for additional information. The proposed EMB pole sign contains an approximate 18.31-square-foot circular portion, 26 inches tall by 63 inches wide static rectangular portion, and 69.3 inches tall by 63 inches wide EMB portion as shown in the attached Sign Plan. The Zoning Ordinance allows for pole and monument signs to include one EMB sign component so long as this component does not exceed 50 percent of the total sign area. As the EMB component yields 30.32 square feet and the total proposed sign area is 68.16 square feet, this code requirement is met. The petitioner is also proposing to install a 3-foot-wide landscape bed around the base of the new pole sign as required by the zoning ordinance and illustrated in the attached Landscape Plan. However, pursuant to Section 12-11-5.G of the Zoning Ordinance, any proposed EMB sign must obtain a conditional use permit. The EMB component of the proposed pole sign requires the petitioner to request the conditional use.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance. The PZB may use the staff comments below or the attached petitioner responses as its findings, or the Board may adopt its own:

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1. The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:

Comment: The proposed pole sign includes an EMB component, which is only permitted in the C-5 Central Business district through a conditional use permit as specified in Section 12-11-5.G of the Zoning Ordinance.

2. The proposed Conditional Use is in accordance with the objectives of the City’s Comprehensive Plan:

Comment: There is not an objective in the Des Plaines Comprehensive Plan related to the EMB signs in the C-5 district or the City as a whole. While the Comprehensive Plan looks to increase wayfinding signage in the Downtown area for pedestrian and bike trails, the proposal would not fall into this category.

3. The proposed Conditional Use is designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity:

Comment: The proposed EMB pole sign would not match the character of general vicinity as freestanding signs are few and far in between in this area. While there are a couple of examples of freestanding signs in this area—a static pole sign for Old National Bank at 749 Lee Street and static monument sign at the United Methodist Church at 668 Graceland Avenue—they are smaller in size and do not contain an EMB component. It is staff’s opinion that the design elements of the proposed sign—large overall height, large size, positioning, and EMB component—are not necessarily harmonious or appropriate for the existing character of the area. In addition, the proposed positioning of the sign would block a portion of the building’s east (front) elevation which arguably could detract from the appearance of the subject property itself. While the eleven-foot-wide landscape area can conceivably accommodate the proposed 63-inch-wide sign and proposed five-and-a-half-foot sign setback, it would require the sign to be less than a foot away from the building.

On the other hand, the Zoning Ordinance requires that all EMBs have automatic dimming via either “...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.” Automatic dimming in compliance with the Ordinance would contribute to harmonious operation, although ultimately decision-makers should decide through the conditional use if the dimming is sufficient.

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4. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:

Comment: By definition, signs are intended to attract the attention of passersby to advertise, inform, or direct them to something. Naturally, signs can result in or create hazardous or disturbing effects to surrounding properties based on their design and position. While only facing one direction and positioned five and a half feet off the east property line, the proposed EMB pole sign would be in close proximity to motorists, pedestrians, and individuals working or living in this area presenting the potential for negative side effects for the mixture of commercial and residential uses that comprise this portion of Lee Street. An example is the townhouse development located directly across the street from the subject property where residents could experience glare, light pollution, or other effects from the proposed EMB pole sign—although automatic dimming could mitigate this effect. The Zoning Ordinance does restrict the brightness and display of EMB signs. However, it is conceivable that the proposed EMB pole sign could be hazardous or disturbing to existing neighboring uses. The petitioner proposes to have the EMB sign turned off between 11 pm and 6 am to help address potential concerns.

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, agencies responsible for establishing the Conditional Use shall provide adequately any such services:

Comment: The subject property is an interior lot with direct access to essential public facilities and services. Staff has no concerns that this will change with the addition of the proposed EMB pole sign.

6. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic well-being of the entire community:

Comment: The proposed EMB pole sign is not expected to create a burden on public facilities or be a detriment to the economic well-being of the community. However, it would not improve the economic well-being of the City as it is directly benefitting a single property.

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:

Comment: While the proposed EMB pole sign would not create traffic, smoke fumes, or odors, it could create glare that could impact surrounding properties. The light and glare generated by the proposed sign may be minimal but could still create adverse effects on surrounding properties.

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8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:

Comment: The proposed EMB pole sign will not create an interference with the northbound only traffic on Lee Street as its position will not impact the existing curb-cuts on Lee Street. The proposed sign would also not block the view of any curb cuts.

9. The proposed Conditional Use does not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance:

Comment: The subject property is already developed so the proposed EMB pole sign would not result in the loss or damage of natural, scenic, or historic features. However, it would reduce a portion of the existing landscape area and block a portion of the east (front) elevation of the building from view.

10. The proposed Conditional Use complies with all additional regulations in the Zoning Ordinance specific to the Conditional Use requested:

Comment: The petitioner has acknowledged that the proposed EMB pole sign will be designed to meet all applicable requirements as stated in the Zoning Ordinance.

PZB Procedure and Recommended Conditions: Under Section 12-3-4.D.3 (Procedure for Review and Decision for Conditional use) of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use at 780 Lee Street. The City Council has final authority on the proposal.

Consideration of the request should be based on a review of the information presented by the applicant and findings of fact, as specified in Section 12-3-4.E (Standards for Conditional Uses) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions:

1. That all appropriate building permit documents and details are submitted as necessary for the proposed pole sign. All permit documents shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.
2. The pole sign is designed, positioned, and utilized to meet all applicable City of Des Plaines codes.

Attachments:

- Attachment 1: Location/Zoning Map
- Attachment 2: ALTA/NSPS Land Title Survey
- Attachment 3: Photos of Existing Conditions
- Attachment 4: Site and Context Photos
- Attachment 5: Project Narrative

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Attachment 6: Petitioner’s Responses to Standards for Conditional Uses
Attachment 7: Site Plan
Attachment 8: Sign Plan

Chair Szabo swore in Victor Grandinetti, petitioner for 780 Lee Street and Ken Richmond, 443 W. US Highway 6, Valparaiso from Attractive Sign & Awning. Mr. Richmond explained the logo and ID sign and the electronic message board. Mr. Richmond explained the scope of the project along with calculations for square footage.

Member Fowler asked if there would be any border around the sign, mentioning that the sign did not appear to match the building appearance. Mr. Richmond stated the sign will help identify the business on the second floor. He added that the sign is unique and goes well with the building.

Member Fowler asked if the sign would be lit all night and if the City has regulations for timing since there are townhouses across the street.

Member Hofherr suggested since there are residential properties across the street that the sign shuts off at 10 pm instead of 11 pm.

Jonathan Stytz, Senior Planner explained that the sign has an automatic light dimming feature, which is required by code, but there is no requirement for the sign to be completely turned off.

Petitioner Grandinetti stated that he would turn the sign completely off at 10 p.m.

Chair Szabo asked what types of messages will be displayed on the sign. The petitioner said the electronic message board is stationary and not scrolling. The sign would be used to help announce the doctors in the practice, with specials that are being offered and remind of the second-floor location of the office.

Jonathan Stytz reviewed the staff report. Mr. Stytz explained that this property is located in the C-5 business district. This is a conditional use and needs to come before the board for a recommendation prior to going to City Council for approval. Mr. Stytz explained the PowerPoint including site plans showing the sign location, the city code regulations and requirements including a 3-foot landscape bed. The petitioner is required to comply with the requirements 24/7. He also noted the recommended conditions of approval for the request.

A motion was made by Board Member Catalano, seconded by Board Member Hofherr to recommend approval of a conditional use to allow an EMB sign on a property in the C-5 Central Business District at 780 Lee Street with the conditions in the staff report.

AYES: Catalano, Hofherr, Saletnik, Szabo
NAYES: Fowler
ABSTAIN: None

*****MOTION CARRIES ****

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2. Address: 2064 S. River Road **Case Number:** 22-0044-CU

The petitioner is requesting a conditional use permit to operate a Commercially Zoned Assembly Use to be located in the C-3, General Commercial, zoning district.

PIN: 09-28-302-024-0000 & 09-28-302-025-0000

Petitioner: Binu Simon, Social Club of Chicago, 2064 S. River Rd., Des Plaines, IL, 60018

Owner: Social Club of Chicago, 2064 S. River Rd., Des Plaines, IL 60018

Case Number: #22-044-CUP

Ward Number: #6, Alderman Malcolm Chester

Existing Zoning: C-3, General Commercial

Surrounding Zoning:
 North: R-1, Single Family
 South: R-1, Single Family
 East: R-1, Single Family
 West: R-1, Single Family

Surrounding Land Uses:
 North: Open Space (detention basin)
 South: Single Family Residences
 East: Forest Preserve
 West: Single Family Residences

Street Classification: River Road is classified as an arterial street.

Comprehensive Plan : Commercial is the recommended use of the property

Property/Zoning History: The subject property was constructed in 1955 according to the Cook County Assessor’s Office and has operated as a commercial space throughout the known history of the building. The property is technically three parcels; a portion of the property, previously Esser Court, was vacated in 2004 and consolidated with PIN 09-28-302-025-0000 (Refer to Plat of Survey). This site is located within the hundred-year floodplain, requiring adherence to Federal Emergency Management Agency (FEMA) regulations for any construction in this location.

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The site is zoned C-3, allowing for a variety of permitted business uses. In 2019, a conditional use permit was approved (Ord. Z-7-19) to allow for a commercially zoned assembly use, specifically the Social Club of Chicago. Included in this approval were several conditions, including the requirement to expand the parking lot within two years to include fifteen (15) additional parking spaces (for a proposed total of 30 spaces) and a restriction limiting the uses in the building to specific activities related to the Social Club of Chicago.

Project Description:

The petitioner and property owner, Binu Simon of the Social Club of Chicago, is proposing a conditional use to allow a commercially zoned assembly use at 2064 South River Road. The property is one zoning lot but consists of three parcels and contains a two-story, 2,355-square foot building and a surface parking lot with 15 off-street parking spaces.

The previously approved conditional use permit allowed for the use of the entire building/property for an assembly use—and, in fact, necessitated that “Any expansion for any other proposed use or Activities shall require the Owner or Applicant to obtain an amendment to the Conditional Use Permit.” The petitioner has stated rental of space on the first floor is necessary to financially support the Social Club of Chicago organization. The intent of this new proposed conditional use permit is to clarify what uses are permitted at this property and expand the allowable uses to include office space on the first floor. Note the site is currently unable to operate as the previously approved conditional use because the parking lot was not expanded in the time frame specified in the conditions of approval.

Proposed Uses

The proposed floor plan of the building includes meeting areas and offices for the assembly use on the second floor and a proposed area for two tenants unassociated with the Social Club of Chicago on the first floor. (Refer to attached floor plan). The club activities are unchanged from the previous Conditional Use Permit, including monthly meetings to go over upcoming charitable events; to discuss official club business; and to play cards, board games, and other recreational games.

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A prospective tenant for half of the first floor is Level Motors. The company describes itself as an online motor vehicle sales company that sells used cars directly from owners to dealerships; however, this property will not be directly

used to sell or display vehicles but will be used as an office space. Most vehicles are picked up directly from the seller and taken to a dealership; however, some vehicles will be dropped off and taken to the dealership by an employee within 24 hours. According to the petitioner, no tow trucks or car carrier trailers will be used to transport vehicles in and out of this location. Due to the lack of motor vehicle display/sales on site, this use is classified as an office use and on its own would not require a conditional use permit, pursuant to Section 12-7-3. However, to co-occupy the property with a commercially zoned assembly, conditional use approval is required.

The petitioner and the proposed tenant do not have any plans to alter the interior or exterior of the building. The table below provides hours and proposed uses for the building. A second tenant for the first floor would be determined at a later date, and whether the use is possible – permitted use, conditional use, or not allowed at all – in the C-3 zoning district would be determined at that time. All uses would have their own off-street parking requirements, and the parking lot on site would need to suffice for the sum of all the required numbers, unless a variation were approved.

Social Club of Chicago	
Assembly Use	<p>Proposed Hours of Operation:</p> <ul style="list-style-type: none"> - Meetings: 6 p.m. to 9 p.m. once a month - Office Use: 6 p.m. to 9 p.m. occasional weekdays and weekends <p>Types of Activities: Club meetings and office use</p> <p>Maximum number of people:</p>

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	<ul style="list-style-type: none"> - Assembly use: 15-20 people* (participants are able to attend meetings either virtually or in person) - Office use: 2-3 members <p>Parking: Parking demand anticipated to be a maximum of 20 spaces for club attendees.</p>
<p>*Note: Previous CUP stated 30 people were anticipated to attend events; however, the petitioner states membership has been reduced due to the pandemic and no more than 20 attendees are anticipated. The virtual meeting option is also a new addition.</p>	
<p>Level Motors (Proposed Tenant in ½ of First Floor)</p>	
Office Use	<p>Proposed Hours of Operation: 8 a.m. - 5 pm M-F, 9 a.m. - 2 p.m. Saturday</p> <p>Types of Activities: Office use</p> <p>Employees: 5, varying days in the office/work from home.</p> <p>Parking: Parking demand will be 3-4 spaces for employees, meeting the zoning requirements for office spaces of this size. Occasional parking of vehicles (less than 24 hours) on site, awaiting pickup and delivery to other locations.</p>
<p>Vacant Office Area (1/2 of First Floor)</p>	
Office use or other uses allowed by C-3 Zoning	<p>Proposed Hours of Operation: To be determined (TBD)</p> <p>Types of Activities: TBD, likely office use</p> <p>Employees: TBD</p> <p>Parking: Parking demand will meet zoning code requirements, to be confirmed by the property owner and the Community and Economic Development department prior to approval of business license.</p>

Off-Street Parking

Pursuant to Section 12-9-7, commercially zoned assembly uses for membership organizations are required to provide one space for every 200 square feet of gross activity area. The proposed office use for Level Motors would require one space for every 250 square

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feet gross floor area. The definition of “floor area” in Section 12-13-3 allows certain spaces such as restrooms, mechanical rooms, hallways, and up to 10 percent of storage areas to be excluded. The table below reflects the floor area of the building.

Use	Floor Area	Required parking
Assembly uses community centers, banquet halls and membership organizations	1,365 square feet	6.85 spaces*
Office	1,095 square feet	4.38 spaces*
	Total	12 spaces
*Spaces rounded up to next whole number		

A total of 12 spaces are for this use with one (1) accessible space, per code requirements. During the previous conditional use process in 2019, 30 spaces were required to meet the anticipated parking demand. The justification for this additional parking was based off a parking study completed for the previous location of the Social Club of Chicago at 9660 Golf Road (Refer to Parking Study). The study indicated the club generated greater demand than code requirements, with up to twenty-two spaces occupied by club attendees.

However, since the COVID-19 pandemic, the petitioner states in the project narrative that in-person membership has been drastically reduced, with 15-20 members attending in person and other members attending virtually. However, the PZB and City Council may wish to ask the petitioner to clarify if there is virtual participation for *all* activities or if business meetings are different than truly social functions in the format of participation. Hours of operation are not anticipated to overlap for the assembly use and the office uses. Level Motors intends to operate M-F from 8 a.m. to 5 p.m. and Saturday 9 a.m. to 2 p.m. The Social Club of Chicago

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will meet monthly from 5 p.m. to 9 p.m. and any other activities occur after business hours for the office spaces. With the anticipated five (5) employees during business hours for Level Motors and the maximum anticipated attendance of 20 people for the Social Club of Chicago, parking demand should be satisfied with this location, provided the parking lot is expanded.

The parking lot is proposed to be expanded and includes 30 total spaces, including two accessible spaces (Refer to Parking Lot Expansion Plans). A condition of approval for the previous conditional use was to expand the parking lot to provide fifteen (15) additional spaces within two years of the approval of Ord. Z-7-19, which set a deadline of May 20, 2021. The petitioner did not expand the parking lot by this deadline. However, they have submitted a building permit for construction of the parking lot. Due to the location of the property in the floodplain, additional engineering requirements and approvals have been necessary to meet local and federal regulations. Final issuance of city building permits for the parking area is dependent on the approval of plans by the Metropolitan Water Reclamation District; the petitioner is currently awaiting this approval.

The parking lot will be required to meet specific standards since this property abuts a residential zoning district. Any lighting included with the parking lot may not exceed 0.1 foot-candles, pursuant to Section 12-12-10 and lighting fixtures are required to be shaded to avoid casting direct light to any abutting residential districts pursuant to Section 12-7-3.F.5.b. Landscaping is to be provided along and within the new parking lot perimeter to meet Section 12-10-8.

Standards for Conditional Use

The following is a discussion of standards for zoning amendments from Section 12-3-4(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided below and in the petitioner’s response to standards. The PZB may use this rationale toward its recommendation, or the Board may make up its own.

- 1. The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:**

Comment: Commercially zoned assembly use requires a conditional use permit in the C-3 Zoning District.

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PZB Additions or Modifications (if necessary):

2. The proposed Conditional Use is in accordance with the objectives of the City’s Comprehensive Plan:

Comment: The 2019 Comprehensive Plan illustrates this area to be used for commercial activities. This request, compared with the previously approved conditional use permit in 2019, better supports the use of this area for commercial uses by proposing additional office/other commercial uses permitted in C-3 zoning districts at this property.

PZB Additions or Modifications (if necessary):

3. The proposed Conditional Use is designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity:

Comment: Refer to petitioner’s response to standards. The parking lot is proposed to be expanded to accommodate parking demand for all uses, but otherwise the site will remain unchanged. Of note is the presence of this location in a floodplain, which presents limitations in terms of construction due to FEMA regulations.

PZB Additions or Modifications (if necessary):

4. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:

Comment: The petitioner met with neighbors during the first conditional use permit process and addressed concerns about insufficient parking on site and agreed to a condition of approval to expand the parking lot. This parking lot expansion has not occurred, but permits are currently awaiting MWRD and city approval in order to begin construction. The proposed use would not be hazardous or disturbing to the existing neighboring uses. Landscaping, as required in Section 12-10-8, will be required to be provided along the perimeter of the new parking lot and any lighting must follow requirements of Section 12-12-10 and Section 12-7-3.F.5.b.

PZB Additions or Modifications (if necessary):

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- 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, agencies responsible for establishing the Conditional Use shall provide adequately any such services:**

Comment: The existing building has been adequately served by essential public facilities and services. Staff has no concerns that the proposed use will not be adequately served with essential public facilities and 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 will not be detrimental to the economic well-being of the entire community:**

Comment: The proposed use would neither create a burden on public facilities, nor would it be a detriment to the economic well-being of the community. The proposed use may improve the economic well-being of the community by providing additional economic development and employment opportunities to residents by including additional office spaces for businesses in a commercial district.

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:**

Comment: If the condition is met to expand the parking lot, all uses will meet the parking demands of this request. Traffic will be limited to employees and the occasional drop off of a customer's vehicle during business hours for the proposed Level Motors tenant. Traffic for the Social Club of Chicago will occur after business hours. No larger truck traffic will be generated by any uses. All proposed activities would take place inside the building reducing any noise, smoke fumes, light, glare, odors, or other concerns.

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8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:

Comment: Vehicular access will continue to be provided through one access point on River Road. The attached Traffic Study conducted by KLOA in 2019 indicated the traffic for the assembly use will be dispersed throughout the week and most of the traffic generated will occur during non-rush hours. As discussed in the parking section of this report, the club anticipates a reduced parking demand due to the flexibility of providing virtual meetings in addition to in-person meetings. The proposed office uses will be during business hours, with five estimated employees and the proposed Level Motors business does not have a retail/public-facing component to their business. Therefore, the proposed use is not likely to interfere with traffic and the surrounding road network.

PZB Additions or Modifications (if necessary):

9. The proposed Conditional Use does not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance:

Comment: The subject property is within an existing building and thus would not result in the loss or damage of natural, scenic, or historic features. No new development is proposed for this site with the exception of the parking lot expansion on an existing turf area of the property. The engineering and proposed development plans of this parking area are subject to approval by the Metropolitan Water Reclamation District (MWRD) and must follow all FEMA regulations for properties inside floodplains.

PZB Additions or Modifications (if necessary):

10. The proposed Conditional Use complies with all additional regulations in the Zoning Ordinance specific to the Conditional Use requested:

Comment: The proposed uses comply with all applicable requirements as stated in the Zoning Ordinance.

PZB Additions or Modifications (if necessary):

PZB Procedure and Recommended Conditions: Pursuant to Sections 12-3-4(E) and 12-3-7(E) of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or disapproval of the conditional use. The City Council has final authority over both requests.

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However, should the PZB recommend approval of the conditional use, staff suggest the following conditions for the conditional use request.

Conditions from the previously approved Ordinance Z-7-19 are included in the conditions below, with modifications, as well as several conditions added related to the proposed Level Motors use. Additions are **bold, double underline**. Deletions are ~~struck through~~.

Conditions of Approval:

1. The **second story of the Subject Property** shall only be used as a Commercially Zoned Assembly Use for the following activities:
 - a. Community services.
 - b. Recreational activities and social activities that comply with all applicable codes.
 - c. Charitable events; and
 - d. Office uses directly related to the Chicago Social Club (collectively, "*Activities*").
2. **The first story of the Subject Property shall only be used for uses approved for C-3 Zoning Districts and any new uses must not exceed the collective parking requirement of all uses.**
3. Any expansion for any other proposed use or Activities shall require the Owner or Applicant to obtain an amendment to the Conditional Use Permit.
4. The Subject Property shall only be used for the Activities during the following times:
 - a. 6 pm to 9 pm **for assembly uses;**
 - b. 8 am to 5 pm for hours of the office use; and
 - c. Any other hours of operation that are approved by the Director of Community and Economic Development.
5. The Petitioner must add a minimum of 15 parking spaces to the Property to accommodate peak parking demand periods **before a certificate of occupancy or business registration would be issued for either the social club or office use.**
6. All non-accessory uses (trailers or other stored items) on the Subject Property must be removed within 90 days of the approval date of this Ordinance.
7. The Activities and the Subject Property must comply at all times with the maximum occupancy load prescribed by the Fire Protection Department.
8. All food service preparation for any participant in the Activities must come from a commercial grade kitchen.
9. **No motor vehicles in the process of being sold may be located on the subject site in excess of twenty-four hours. No towing vehicles or car carriers may be parked on site or used to complete regular business practices of Level Motors.**

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Project Narrative and Responses to Standards

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Attachment 4: Previous Ordinance Z-7-19 for Conditional Use

Attachment 5: Parking Demand Study

Attachment 6: Plat of Survey/Site Plan

Attachment 7: Floor Plan

Attachment 8: Parking Lot Expansion Plans

Chair Szabo swore in Binu Simon and C. Simon, petitioners, and Jimmy Vachachira, Attorney, for 2064 S River Road. Mr. Vachachira explained that the Chicago Social Club is a non-profit organization which raises money off-site through Blood and Food Drives along with other fundraising. The club would like to use the second floor for meetings once a month from about 6-9 pm. The meeting would be attended by around 15-20 people and there is a virtual option as well. The first floor would be rented to a business focused on online motor vehicle sales. There will be not vehicles on the property for sale associated with this business. There are currently 15 parking spaces which will be increased to 30. They hired a civil engineer and have been working with the City of Des Plaines on their parking lot permit; revisions to MWRD were submitted recently.

Samantha Redman, Associate Planner, reviewed the staff report. Ms. Redman explained that in 2019, a conditional use for a commercially zoned assembly use, the Chicago Social Club, at 2064 S. River Road was recommended for approval by the PZB and City Council approved under ordinance Z-7-19. The current case is to amend this conditional use. In the previous conditions, the parking lot needed to be expanded and striped which has not occurred yet. Staff recommends adding several conditions, including all of the conditions from the previous ordinance with a few additions. The petitioner will still need to expand the parking lot by 15 spaces to provide a minimum of 30 spaces. The assembly use is proposed for the second floor with proposed hours of operation of 6-9 pm. Also, the office space on the first floor will be a company which uses an online portal for car sales, with condition #9 added to prevent the site from becoming a typical car sales company. There will not be cars for sale onsite, and no car carriers will be onsite. Staff recommends the nine conditions of approval.

Chair Szabo asked staff who would monitor to make sure the conditions are met for the 9th condition so it doesn't become a parking lot: the Police Department or Community Development. Samantha Redman said the City Code Enforcement Department would do the monitoring and the neighbors have also been closely monitoring this site. Member Hofherr asked about the estimated tax revenue of the online vehicle sales; staff stated this would be taxed like a typical business but did not have additional information.

Chair Szabo asked the petitioner if they are ok with the fourth condition regarding hours of operation for the once-a-month meeting. The petitioner said their intention is to be finished with the meetings by 9 pm but it would be better to have it increased to 10 pm.

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Member Fowler read a text she was sent from another member, originally from a neighbor. She asked the petitioner about trucks parked in the lot, starting at early hours, and rocks in the parking lot.

The petitioner stated that they had a tenant that has since left that put stickers on trucks. Trucks would come into the parking lot to get stickers and then leave. However, the tenant is no longer operating in this building. The rocks were brought in because they were going to start on the parking lot, but COVID and permitting slowed that down.

Chair Szabo stated the motion should include changing the hours of operations for the assembly use to 6-10 pm on weekends including Friday and Member Saletnik included in the motion to remove “Level Motors” from condition #9 and say “any auto-sales-related entity”.

A motion was made by Board Member Saletnik, seconded by Board Member Catalano to recommend approval of a conditional use permit to operate a Commercially Zoned Assembly Use to be located in the C-3, General Commercial, zoning district with modifications to condition #4 A. to increase the time to 6-10 pm on weekends including Friday and modifications to condition #9 to apply to any “auto-sales-related entity” instead of “Level Motors.”

AYES: Saletnik, Catalano, Fowler, Hofherr, Szabo
 NAYES: None
 ABSTAIN: None

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

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3. Address: 2500 Devon and 2980-3000 S River Road **Case Number:** 22-046-TA-MAP-FPUD- FLAT

The petitioner is requesting the following text amendments to the Zoning Ordinance: (i) modify Section 12-11-5.H to allow the installation of new electronic message board billboards pursuant to all existing billboard regulations; (ii) modify Section 12-11-6.B to allow a single billboard in the C-6 Casino District separate from the city-wide billboard limit; (iii) modify Section 12-11-6.B to allow a three-sided billboard only in the C-6 Casino District pursuant to specific regulations; and (iv) modify Section 12-11-6.B to exempt static and electronic message board billboards from the total sign area restriction for properties under five acres in size.

The petitioner is also requesting the following items: (i) a map amendment under Section 12-3-7 to rezone the property at 2500 Devon Avenue from C-2 Limited Office Commercial district to C-6 Casino district; (ii) a Major Change to a Conditional Use for a Final PUD under Section 12-3-5 of the Zoning Ordinance to make various site improvements regarding parking and access drives on 2500 Devon Avenue, landscaping, pedestrian access, and billboard sign location; (iii) a Final Plat of Subdivision under Section 13-2-7 of the Subdivision Regulations to consolidate four lots of record into two lots of record; and (iv) the approval of any other variations, waivers, and zoning relief as may be necessary.

Petitioner: Michael Tobin, Midwest Gaming and Entertainment, LLC, 900 N. Michigan Avenue, Suite 1600, Chicago, IL 60611

Owners: (i) Tim Drehkoff, Midwest Gaming and Entertainment, LLC, 900 N. Michigan Avenue, Suite 1600, Chicago, IL 60611; (ii) Tim Drehkoff, Devon Parcel, LLC, 400 Continental Boulevard, El Segundo, CA 90245; (iii) Josef Bobek, LD Acquisition Company 7, LLC, 400 Continental Boulevard, El Segundo, CA 90245

Case Number: 22-046-TA-MAP-FPUD-FPLAT

PINs: 09-34-300-043-0000; -044; -047; -048

Ward: #6, Alderman Malcolm Chester

Existing Zoning: C-6, Casino District (2980-3000 S. River Road) / C-2, Limited Office Commercial District (2500 Devon Avenue)

Existing Land Uses: Casino, Office Buildings, and Parking Garage and Surface Parking

Surrounding Zoning:
North: C-2, Limited Office Commercial District
South: Commercial (Rosemont)
East: Cook County Forest Preserve (Unincorporated Cook

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County)

West: C-7, High Density Campus District

Surrounding Land Use:

North: Hotel

South: Office Space and Rosemont Village Hall

East: Open Space/Park

West: O’Hare Lakes Business Park

Street Classification:

Devon Avenue and River Road are classified as arterial roads.

Comprehensive Plan:

The Comprehensive Plan illustrates the subject properties as commercial.

Zoning/Property History:

Based on City records, 3000 S. River Road has been utilized for a casino building with surface and covered parking areas, and the properties at 2980 S. River Road and 2500 Devon Avenue have each been utilized for separate office buildings with surface parking for casino personnel. The 2980 and 3000 S. River properties are currently part of the Casino PUD, which was first amended to add the 2980 property and expand the existing parking garage (approved December 2, 2019, through Ordinance Z-33-19) and then to expand the existing casino building (approved March 15, 2021 through Ordinance Z-31-21) to accommodate necessary floor area and parking for the expansion. There is also an existing Localized Alternative Sign Regulation (LASR) awarded to the casino campus pursuant to Ordinance Z-33-19, which was amended to add 20 new static signs, replace 15 existing static signs, add eight new LED signs, and replace one existing LED sign (last approved November 1, 2021, through Ordinance Z-54-21).

There are two parcels assigned to the address 2500 Devon. The larger of the two is for the existing office building and parking lot, which are proposed through this petition to be formally brought into the C-6 District and the casino campus. The smaller parcel contains an existing billboard sign structure with two static panels. The billboard was permitted in 1998 and is legally nonconforming.

Project Overview:

All the requests are intended to work in concert to accomplish the following key actions:

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- Remove the existing billboard at 2500 Devon Avenue and build and install a new billboard on a newly created lot approximately 127 feet to the south. While the change would not result in a net increase in the number of billboards, the new billboard is proposed to have three panels instead of two.
- Formally bring the office building at 2500 Devon into the casino campus. The building is already owned by an entity controlled by the casino and used to support casino operations.
- Modify the parking lot design in the southwest corner of the casino campus, surrounding the 2500 Devon office building. The location of access points and drive aisles will change, notably with the removal of an existing curb cut to Devon. The proposal does not result in any net change of the number of parking spaces but does create a more cohesive parking area.

Text Amendments

Request Summary:

The existing two-sided static billboard located northwest of the office building at 2500 Devon Avenue is proposed to be removed, and a new three-sided billboard would be erected directly in between the office building and the west drive aisle off Devon Avenue (south of the existing billboard location), as shown in the attached Billboard Existing and Proposed Aerial. The proposed billboard and new location will be located on its own parcel and lot as discussed in further detail in the Final Plat of Subdivision request summary. The proposed three-sided billboard will have up to two, 1,200-square-foot digital faces (one facing north and the other facing south) and one, 600-square-foot static face directed to the east as illustrated in the attached Billboard Structural Plans. The proposed billboard does require multiple text amendments to approve its installation on the subject property, which are discussed further in the Text Amendments request summary.

Several text amendments to various sections of the Zoning Ordinance related to billboard signage are necessary. Currently, billboard signs are permitted only in certain districts within a certain proximity to the I-90 and I-294 toll roads and are limited in number to 12¹ citywide. As of 2005, Ordinance Z-24-05

¹ A 13th citywide billboard permit was made possible by Ordinance Z-52-21 (Dec. 6, 2021), to be constructed as depicted in Ordinance Z-53-21. The 13th billboard permit is part of the Mannheim-Pratt subdivision and is affiliated with a commercial development at the southeast corner of that intersection. However, the zoning text

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allocated the final billboard permit for the city, preventing new billboard permits from being approved. The existing billboard structure located on the subject properties is not one of the billboards with a citywide permit—its existence predates the current billboard-permit framework—and is therefore non-conforming pursuant to Section 12-11-10 of the Zoning Ordinance. The petitioner intends to remove this existing billboard in its entirety and construct a new billboard in a different location than the existing. However, to do so, text amendments are required, which are described in more detail below and found in the attached Proposed Text Amendments.

Allowing Billboards in C-6 District

The Zoning Ordinance currently permits billboards in the C-1, C-2, C-3, M-1, M-2, and I-1 districts but does not have an allowance for billboards in the C-6 district. As such, the petitioner is proposing to amend the table in Section 12-11-6.B under Billboards to add the C-6 district as one which can allow a billboard sign. As noted above, all citywide billboard permits have been issued for the city as a whole. Consequently, for purposes of this project, the petitioner is also looking to amend the table in Section 12-11-6.B under Billboards to add a special allowance for the C-6 district for one billboard sign—pursuant to Section 12-11-3.C.3—separate from the existing allowance of billboards for the rest of the city.

Allowing New Billboards with EMB Panels

The above amendments would create the necessary allowance to permit the construction of a static billboard sign in the C-6 district for the proposed Lot 2. However, the petitioner is requesting a new billboard sign with electronic message board (EMB) panels as an initial installation. While Section 12-11-5.H of the Zoning Ordinance allows for the conversion of an existing static billboard to an electronic message board (EMB) billboard, there is currently no allowance for a new billboard with EMB panels². As such, the petitioner is requesting to

amendments have not yet been made effective but are expected to be made effective in the near future.

² This allowance was created by Ordinance Z-52-21, but the ordinance is not yet effective as of the writing of this report.

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modify Section 12-11-5.H to allow a new EMB billboard pursuant to standards and regulations for billboards generally and the EMB billboard standards in Section 12-11-6.B under Billboards.

Allowing a Three-Sided Billboard

The Zoning Ordinance currently allows no more than a double-faced billboard sign with each face not exceeding 1,200 square feet and the total sign area not exceeding 2,400 square feet. However, the petitioner is proposing a three-sided billboard as part of this project. As a result, the petitioner is proposing to amend the table in Section 12-11-6.B under Billboards to allow a three-sided billboard only in the C-6 District provided that two of the three faces cannot exceed 1,200 square feet in area, the third face cannot exceed 600 square feet in area, and the total billboard sign area cannot exceed 3,000 square feet.

Exempting Billboards from Sign Area Restrictions Due to Lot Size

There is a current 600-square-foot total sign area restriction for parcels that are less than five acres in size that directly conflicts with the new billboard on the proposed Lot 2. Since the proposed Lot 2 will be less than five acres in size, the petitioner is also looking to amend footnote 2 of the table in Section 12-11-6.B to exempt static or EMB billboards from this restriction³.

Map Amendment (2500 Devon)

Request Summary:

The subject properties at 2980-3000 S. River Road are zoned C-6 Casino. However, the subject property at 2500 Devon Avenue, containing the second stand-alone office building, is currently zoned C-2 Limited Office Commercial. As a result, the petitioner is requesting a map amendment for this property from the C-2 to C-6 district so that it will be consistent with the rest of the casino properties. The proposed map amendment requires the existing Parcel 3 office building (to be consolidated with the proposed Lot

³ This allowance was created by Ordinance Z-52-21, but the ordinance is not yet effective as of the writing of this report.

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1) to be in conformance with the bulk regulations of the C-6 Casino district.

The table below compares the bulk regulations between the C-2 Limited Office Commercial and C-6 Casino districts. As this is a corner lot, the Zoning Ordinance designates the shortest property line abutting a street—Devon Avenue—as the front yard, the north property line as the rear yard, and the east and west property lines as the side yards. Aside from the differing rear yard setback and height requirements, the C-2 and C-6 bulk requirements are similar. However, there is a special consideration for developments in the C-6 Casino district as identified in Section 12-7-3.L of the Zoning Ordinance:

“In the C-6 Casino District, more than 1 structure may be allowed per lot, thus, setbacks shall be maintained for each lot, and not to individual structures....”

As a result, the required setbacks identified in the bulk regulation table for the C-6 district apply to all collective structures that makeup the development on a single lot as a whole—not as a required setback from individual structures. That said, the existing development on the proposed Lot 1—casino building, office buildings, and parking garages—all meet the required bulk regulations for the C-6 district as excerpted in the table and will not be altered by this request.

Bulk Regulations for C-2 Limited Commercial and C-6 Casino Districts

Yard	C-2	C-6
Front Yard (South)	Min.: 5 Feet	Min. 5 Feet
Rear Yard (North)	Min.: 5 Feet	<i>Not applicable*</i>
Side Yards (East & West)	Min: 5 Feet	Min.: 5 Feet
Building Height	Max: 45 Feet	Max: 160 Feet

**No minimum required rear yard setback is required in the C-6 district.*

Major Change to Final PUD

Request Summary: *Overview*

The casino campus contains a roughly 224,363-square-foot casino building, a four-story parking garage, and a two-story office

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building with a surface parking lot. With all lots combined, the property encompasses 20.78 acres in land area. The applicant is requesting a Major Change to the Planned Unit Development to make various site improvements regarding parking and access drives on 2500 Devon Avenue, landscaping, pedestrian access, and billboard sign location as detailed below. A complete list of the proposed PUD amendments is found in the attached Project Narrative.

Parking and Access Improvements

As part of this request and with the removal of the existing billboard, the current separate parking area for the office building at 2500 Devon Avenue will be reconfigured so that it is open and cohesive to the rest of the southwestern casino surface parking area. In addition, the existing south drive aisle providing access from Devon Avenue to the current office building parking lot will be removed and replaced with new parking spaces and new turf/curb work in the parkway. Both of the proposed changes are intended to increase available parking and allow for better connectivity and access throughout the subject properties. The proposal also includes improvements for pedestrian access to the office building at 2500 Devon Avenue. The improvements consist of modifications to the existing landing and stairs accessing the south elevation of the building from the public walkway along Devon Avenue and the addition of a separate paved walkway area to provide direct ADA accessibility from the accessible spaces in the southwestern corner of the reconfigured parking area and the building.

Landscape Improvements

The proposal seeks to make some adjustments and improvements to the existing landscape areas throughout the entire site including all three subject properties. The proposed improvements are focused around the parking lot redesign at the southwestern portion of the site, along River Road, and the main casino entrance off

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River Road but also include improvements interspersed throughout the subject properties as illustrated in the attached Landscape Plan.

Final Plat of Subdivision

Request Summary: *Overview*

The existing casino property consists of four separate parcels as shown on the attached Plat of Survey and described below:

- Parcel 1 includes the Casino building and surface and covered parking areas on 3000 S. River Road and the office building and surface parking area on 2980 S. River Road.
- Parcel 2 includes the open space situated in between the office building at 2500 Devon Avenue and the west access drive aisle off Devon Avenue.
- Parcel 3 includes the office building and surface parking lot at 2500 Devon Avenue; and
- Parcel 4 includes the existing billboard and surface parking area portion.

The petitioner proposes to consolidate the existing four parcels into two lots of record as part of the Final Plat of Subdivision for the Des Plaines Casino Second Amended Resubdivision. Parcels 1, 2, and 3 will be consolidated into a proposed Lot 1 and the new billboard will be located on a proposed Lot 2, which will be positioned on a portion of the existing Lot 3 of the Des Plaines Casino Resubdivision as illustrated on the attached Final Plat of Subdivision and in the following table. The Final Engineering Plans were approved by the Engineering department on October 12, 2022.

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Lot #	Acreage	Areas Included
1	20.78	Casino building (existing Parcel 1) Surface/covered parking areas (existing Parcel 1) 2980 S. River Road office building (existing Parcel 1), Existing Parcel 2 2500 Devon Avenue office building (existing Parcel 3)
2	0.05	New billboard (existing Parcel 4)
Total	20.83 acres	

The new billboard is provided on a separate lot and will be owned by a separate entity (not the casino) but will retain 2500 Devon Avenue as its property address. The casino-owned parcels are proposed to be consolidated in an effort to provide more flexibility on future site projects and each property will retain its current property address.

Easements and Building Lines

The Final Plat shows the following existing easements and building lines: (i) a five-foot building setback line around the entire property boundary; (ii) a 15-foot Public Utility Easement along the south and east property boundaries; (iii) a 25-foot public utility easement along the west property boundary; (iv) various public utility easement and municipal watermain easements through site; (v) various municipal easements for storm sewer throughout site; (vi) a 10-foot water main easement at the northwest corner of the site; (vii) a 25-foot roadway ingress and egress easement along the west property boundary; (viii) a 33-foot Northern Illinois Gas Co. easement; (ix) a 38-foot City of Des Plaines easement; (x) a 38-foot utility roadway easement along the west property boundary; (xi) a public utility easement along the west property boundary; (xii) an aerial easement at the southwest corner of the site; (xiii) a roadway easement and separate access easement at the southwest

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corner of the site; and (xiv) a traffic signal easement at the southwest corner of the site.

As part of the resubdivision, the existing five-foot building setback line surrounding the current office building at 2500 Devon Avenue will be abrogated. However, the other existing easements are proposed to remain.

Subdivision Variations

The proposed Lot 2, which will contain the new billboard, is a new lot and is subject to the Subdivision Regulations. Pursuant to Section 13-2-5.R, all new lots must be a minimum of 125-feet in depth. Since the proposed Lot 2 is 62 feet deep, it does not meet the minimum depth requirements resulting in a need for a subdivision variation as part of this request. Further, pursuant to Section 13-2-5.V, all lots must front on a public street. The proposed lot borders a private drive, but not a public street, thus requiring a subdivision variation.

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 rationale, 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: There is no specific goal, objective, or policy in the Comprehensive Plan related to billboard signage. However, the proposed amendments would provide appropriate billboard advertising for development located along a toll road in the C-6 district and result in the removal of an existing non-conforming billboard.

PZB Additions or Modifications (if necessary):

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

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Comments: The C-6 Casino district in which the project area is located in is unique compared with all other zoning districts in Des Plaines due its uses and sole concentration in the southeastern portion of the city. As such, additional considerations for advertising may be assessed for this property similar to the convention and shopping center located in Rosemont directly south of the subject properties. As this area is already built up with larger-scale developments and increased advertising allowances, the proposed amendments would generally be compatible with current conditions and character of existing development.

PZB Additions or Modifications (if necessary):

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. The proposed amendments solely focus on special allowances for new billboard signs in the C-6 district to replace an existing non-conforming billboard sign.

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: As the new billboard would be replacing an existing billboard, there is no concern that the proposed amendments would result in an adverse effect on surrounding property values. Instead, it can be argued that the existing casino use on the subject properties has improved the value of properties in its general vicinity. The proposed amendments seek to create unique sign regulations for a unique use which are inherently associated with a casino operation 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 focused on a specific property with a unique development in Des Plaines and are tailored to include responsible standards for development and growth. While the new billboard is not a true one-to-one replacement of the existing billboard on site, the construction of the proposed billboard, as made possible by approval of the proposed

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amendments, does not result in an incompatible development trend, but rather provides the appropriate allowances for billboard signs in the C-6 district with customized regulations for its unique uses.

PZB Additions or Modifications (if necessary):

Standards for Map Amendments

The following is a discussion of standards for zoning amendments from Section 12-3-7.E of the Zoning Ordinance. The Board should review the petitioner’s responses. The Board may use the petitioner’s responses as written as its rationale, 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.

PZB Additions or Modifications (if necessary):

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

PZB Additions or Modifications (if necessary):

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available.

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

PZB Additions or Modifications (if necessary):

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

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PZB Additions or Modifications (if necessary):

PUD Findings of Fact

The proposed development is reviewed below in terms of the Findings of Fact contained in Section 12-3-5 of the Zoning Ordinance. The Board should review the petitioner’s responses. In review of the standards, the Board may use the petitioner’s responses as written as its recommended findings, modify the responses to use as findings, or adopt its own.\

- 1. The extent to which the Proposed Plan is or is not consistent with the stated purpose of the PUD regulations in Section 12-3.5-1 and is a stated Conditional Use in the subject zoning district:**

PZB Additions or Modifications (if necessary):

- 2. The extent to which the proposed plan meets the prerequisites and standards of the planned unit development regulations:**

PZB Additions or Modifications (if necessary):

- 3. The extent to which the proposed plan departs from the applicable zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to the density, dimension, area, bulk, and use and the reasons why such departures are or are not deemed to be in the public interest:**

PZB Additions or Modifications (if necessary):

- 4. The extent to which the physical design of the proposed development does or does not make adequate provision for public services, provide adequate control of vehicular traffic, provide for, protect open space, and further the amenities of light and air, recreation and visual enjoyment:**

PZB Additions or Modifications (if necessary):

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5. The extent to which the relationship and compatibility of the proposed development is beneficial or adverse to adjacent properties and neighborhood:

PZB Additions or Modifications (if necessary):

6. The extent to which the proposed plan is not desirable to physical development, tax base, and economic well-being of the entire community:

PZB Additions or Modifications (if necessary):

7. The extent to which the proposed plan is in conformity with the recommendations of the 2019 Comprehensive Plan:

PZB Additions or Modifications (if necessary):

PZB Findings for Subdivision Variation

Pursuant to Section 13-2-6 of the Subdivision Regulations, the PZB may recommend subdivision variations (distinct from zoning variations) when, in its opinion, undue hardship may result from strict compliance. In recommending any variation, the PZB should prescribe only conditions that it deems necessary to or desirable for the public interest. In making its findings, as listed below, the PZB shall consider the nature of the proposed subdivision and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. Staff has the following comments, which the PZB may adopt or create its own.

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.

Comment: The property’s close proximity with the tollway and insufficient room for the addition of a public street to the proposed lot makes the variation requests logical. On development sites such as this, billboard land is reasonably expected to exist under separate ownership from the rest of the development, and the land required for a billboard is substantially less than land (i.e. lot area) required for most structures. It will be impractical and unnecessary to extend a public street to the lot for the new billboard (Lot 2).

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2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

Comment: The petitioner’s proposed subdivision aims to reorganize the casino campus in an effort to improve circulation, pedestrian access, and casino operations. Granting the proposed subdivision variations will allow these improvements to be implemented on the site.

3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

Comment: The proposed subdivision’s intended site improvements address existing site constraints and access point deficiencies which can have positive public-welfare implications for the surrounding area. The approval of the requested subdivision variations allows these improvements to be recognized.

Recommendation and Conditions: Given the variety of requests associated with this application, the PZB should take separate motions:

- A motion pursuant to Section 12-3-7.E of the Zoning Ordinance to *recommend* to City Council to approve, approve with modifications, or deny the proposed text amendments;
- A motion pursuant to Section 12-3-7.E. of the Zoning Ordinance to *recommend* to City Council to approve, approve with modifications, or deny the proposed map amendment for 2500 Devon Avenue;
- A motion pursuant to Section 12-3-5.E of the Zoning Ordinance to *recommend* to City Council to approve, approve with modifications, or deny the requests for a Major Change to Conditional Use for a Final PUD;
- A motion pursuant to Section 13-2-2 of the Subdivision Regulations, to approve, approve with conditions, or deny the Tentative Plat of Subdivision; and
- A motion pursuant to Section 13-2-7 of the Subdivision Regulations to *recommend* to the City Council approval of a Final Plat of Subdivision with lot variations for depth and frontage.

On the requests, staff recommends approval be subject to the following conditions:

1. The existing billboard structure at 2500 Devon shall be removed in its entirety through a demolition permit prior to the submittal of a billboard permit and construction of the new billboard structure.
2. All governing documents for the proposed development including covenants, conditions, and restrictions, or operating reciprocal easement agreements must be submitted to and approved by the City’s General Counsel prior to the recording of the Final Plat of PUD or Final Plat of Subdivision.

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Attachments

Attachment 1: Location Map

Attachment 2: Site and Context Photos

Attachment 3: Plat of Survey

Attachment 4: Project Narrative

Attachment 5: Petitioner's Responses to Standards

Attachment 6: Final Planned Unit Development (PUD) (including Site Plan)

Attachment 7: Final Plat of Subdivision

Attachment 8: Public Works and Engineering Memo

Attachment 9: Select Final Engineering Plans⁴

Attachment 10: Proposed Text Amendments

Attachment 11: Select Sign Plans⁵

Attachment 12: Landscape Plans

Chair Szabo swore in Todd Schaffer from Haeger Engineering who is a substitute for the petitioner, Rivers Casino. Mr. Schaffer explained that this is one case with four components. In 2019 the City approved a similar request for a northern expansion. The exterior is complete, and they are still working on the interior and consolidating the main property to include the 2980 River Road building, which is utilized for administrative offices.

After that action took place, the casino acquired a building at 2500 Devon and used it as an office. Rivers Casino is looking to increase the customer experience by incorporating a few changes: (i) incorporation of the 2500 Devon parking lot into the casino property; (ii) closing the existing access to Devon Avenue and increase the connector to the parking lots to look like one parking lot; and (iii) removal of an existing billboard and construction of a new billboard to the south of the old billboard, which will give the casino a blank canvas to land plan. Also, the relocation gives the billboard the opportunity to upgrade to LED and becoming a three-sided display.

The petitioner would need four zoning actions to take place: (i) proposed resubdivision to consolidate four existing parcels to 2 lots of record, one for the billboard and the other for the casino, parking areas, and office buildings. One PIN would be for the consolidated Casino property and one PIN for the billboard.

The billboard will conform to the city code of 99 feet in height and a standard V design which will be the LED sides. The third side of the billboard would allow the petitioner to enclose the billboard and utilize the space for additional advertising.

The first request is to change the zoning of the office building property at 2500 Devon Avenue from C-2 to C-6 so that all casino properties are the same zoning designation.

The second request is for text amendments to Section 12-11 of the code to: (i) allow billboards in the C-6 district; (ii) allow a three-sided billboard only for the C-6 district; and (iii) allow a

⁴ Summary excerpt pages. Full submittal available upon request to City staff.

⁵ Summary excerpt pages. Full submittal available upon request to City staff.

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new billboard to be LED. They would like to upgrade to LED, upgrade to a three-sided sign and add new structure support. They would use the billboard to advertise the casino.

The third request is for the subdivision of the casino and the structural part of the billboard. They would like to make the casino properties a single lot of record except for the billboard which would be its own separate C-6 Commercial lot.

The final request is for a PUD amendment. There are engineering and landscape plans included. The proposed Planned Unit Development amendments are focused around site improvements for the southern portion of the subject property.

Chair Szabo asked staff if there was just a side and not a sign on the third side of the billboard, would the sign be allowed.

John Carlisle discussed the definition of a sign and stated if the third panel was blank then would it be considered a panel.

The petitioner stated that if they were not able to utilize the third side for a sign it would be open because of the billboard cost.

Jonathan Stytz gave the staff report which includes the information and explanation of the Text Amendments, Map Amendment, Final PUD, Final Plat of Subdivision, and approval of variations. Jonathan explained that the casino is the only C-6 zoned property in Des Plaines.

Overall, there are five separate motions that will be need to be considered tonight. Four of the five the PZB has the ability to recommend. The fifth motion – the tentative plat of subdivision – the PZB can approve, approve with conditions, or deny. If the PZB chooses to amend any of the text amendment language, it was requested that the change in language be included in the motion.

- 1. A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to recommend approval of text amendments to the Zoning Ordinance: (i) modify Section 12-11-5.H to allow the installation of new electronic message board billboards pursuant to all existing billboard regulations; (ii) modify Section 12-11-6.B to allow a single billboard in the C-6 Casino District separate from the city-wide billboard limit; (iii) modify Section 12-11-6.B to allow a three-sided billboard only in the C-6 Casino District pursuant to specific regulations; and (iv) modify Section 12-11-6.B to exempt static and electronic message board billboards from the total sign area restriction for properties under five acres in size with the conditions presented.**

AYES: Saletnik, Hofherr, Catalano, Fowler, Szabo
 NAYES: None
 ABSTAIN: None

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

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- 2. A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to recommend approval of the map amendment under Section 12-3-7 to rezone the property at 2500 Devon Avenue from C-2 Limited Office Commercial district to C-6 Casino district with the conditions presented.**

AYES: Saletnik, Hofherr, Catalano, Fowler ,Szabo,
NAYES: None
ABSTAIN: None

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

- 3. A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to recommend approval of the Major Change to a Conditional Use for a Final PUD under Section 12-3-5 of the Zoning Ordinance to make various site improvements regarding parking and access drives on 2500 Devon Avenue, landscaping, pedestrian access, and billboard sign location with the conditions presented.**

AYES: Saletnik, Hofherr, Catalano, Fowler ,Szabo,
NAYES: None
ABSTAIN: None

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

- 4. A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to approve the Tentative Plat of Subdivision under Section 13-2-7 of the Subdivision Regulations to consolidate four lots of record into two lots of record with the conditions presented.**

AYES: Saletnik, Hofherr, Catalano, Fowler, Szabo,
NAYES: None
ABSTAIN: None

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

- 5. A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to recommend approval of a Final Plat of Subdivision under Section 13-2-7 of the Subdivision Regulations to consolidate four lots of record into two lots of record with the conditions presented.**

AYES: Saletnik, Hofherr, Catalano, Fowler, Szabo,
NAYES: None
ABSTAIN: None

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

Case 22-040-CU	780 Lee Street	Conditional Use
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ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday November 22, 2022.
The November 8, 2022 PZB will be cancelled.

Chairman Szabo adjourned the meeting by voice vote at 8:30 p.m.

Sincerely,

Margie Mosele, Executive Assistant/Recording Secretary

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