



Planning and Zoning Board Agenda

August 8, 2023

Room 102 – 7:00 P.M.

Call to Order and Roll Call

Approval of Minutes, July 25, 2023

Public Comment: For matters that are not on the agenda

Pending Applications:

1. **Address:** 2777 Mannheim Road

Case Number: 23-045-FPLAT-CU-LASR

The petitioner is requesting the following: (i) a Final Plat of Subdivision to create three lots of record on the subject property; (ii) a Conditional Use for a Localized Alternative Sign Regulation (LASR); and (iii) any other variations, waivers, and relief as may be necessary.

PINs: 09-33-108-012-0000, 09-33-108-013-0000, 09-33-108-014-0000, 09-33-108-022-0000, and 09-33-108-023-0000

Petitioner: GW Property Group, LLC, 2211 N. Elston Avenue, Suite 400, Chicago, IL, 60614

Owner: 2777 North Mannheim Property, LLC, 2777 Mannheim Road, Des Plaines, IL, 60018

2. **Address:** 180 N. East River Road

Case Number: 23-042-AX-TA-MAP-TSUB-PUD

The petitioner is requesting the following: (i) a zoning text amendment related to prerequisites for a Planned Unit Development (PUD); (ii) a zoning map amendment to designate the subject property in the R-3 Townhouse Residential District upon annexation to the City of Des Plaines (if approved); (iii) a preliminary PUD to allow a proposed residential development with various exceptions; (iv) a Tentative Plat of Subdivision; and (v) any other variations, waivers, and relief as may be necessary. The petitioner is expected to seek annexation to the City of Des Plaines at a future public hearing of the Des Plaines City Council.

PIN: 09-09-402-007-0000

Petitioner: MAS Land Investments 2 LLC (Todd Polcyn, 837 N. Maple Avenue, Palatine, IL 60067)

Owner: Ed Del Castillo, 711 Middleton Court, Palatine, IL 60067

3. **Address:** 1378 Margret Street

Case Number: 23-044-V

The petitioner is requesting variation from the maximum height (6 feet) and maximum width (8 feet) for a proposed trellis in the required side yard, and any other variations, waivers and relief as may be necessary.

PIN: 09-20-314-012-0000

Petitioner: Patrick Howe, 1378 Margret Street, Des Plaines, IL 60018

Owner: Patrick Howe, 1378 Margret Street, Des Plaines, IL 60018

City of Des Plaines, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the accessibility of the meeting(s) or facilities, contact the ADA Coordinator at 847-391-5486 to allow the City to make reasonable accommodations for these persons. The public hearing may be continued to a further date, time and place without publication of a further published notice such as this notice.



DES PLAINES PLANNING AND ZONING BOARD MEETING
July 25, 2023
MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, July 25, 2023, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chair Szabo called the meeting to order at 7:00 p.m. and roll call was established.

PRESENT: Weaver, Fowler, Hofherr, Saletnik, Veremis, Szabo

ABSENT: Catalano

ALSO PRESENT: Brooke Lenneman, Attorney, Elrod Friedman
Ryan Johnson, Assistant CED Director
Jonathan Stytz, AICP, Senior Planner
Samantha Redman, Planner
Margie Mosele, Executive Assistant

A quorum was present.

Call to Order and Roll Call

APPROVAL OF MINUTES FROM July 11, 2023

A motion was made by Board Member Weaver, seconded by Board Member Hofherr to approve the meeting minutes of July 11, 2023.

AYES: Weaver, Hofherr, Saletnik, Szabo

NAYES: None

ABSTAIN: Fowler, Veremis

*****MOTION CARRIES ****

PUBLIC COMMENT ON NON-AGENDA ITEM - None

Pending Applications:

1. **Address:** Approximately 919-921 Graceland Avenue
(parking lot for 1217 Thacker Street)

Case Number: 23-40-MAP

The petitioner has requested a zoning map amendment to rezone the subject property from C-3 General Commercial to R-4 Central Core Residential, and any other variations, waivers, and zoning relief as may be necessary.

PIN: 09-20-203-006-0000

Petitioner: Luz and Associates #1, LLC, 2030 West Wabansia Ave., Chicago, IL 60611

Owner/Property

Control: Contour Saws, Inc., 100 Lakeview Parkway, Ste. 100, Vernon Hills, IL 60061

Ward Number: #2, Alderman Colt Moylan

Existing Zoning: C-3, General Commercial

Surrounding Zoning: North: R-4, Central Core Residential
South: Railroad and C-3, General Commercial
East: C-3, General Commercial
West: M-2, General Manufacturing

Surrounding Land Uses: North: Multi-family residential building
South: Railroad and commercial office buildings
East: Commercial buildings
West: Former Contour Saws manufacturing building

Street Classification: Graceland Avenue is classified as a minor arterial road.

Comprehensive Plan: Industrial is the recommended use for this property.

Property/Zoning History: The property was formerly the parking lot associated with the Contour Saws manufacturing facility located to the northwest. The Contour Saws building was built in the 1960s and operated in this location until 2020. Historic aerials indicate the site has been developed as a parking lot since the early 1960s, and the use has never changed.¹ Between 1938 and 1960, zoning for the property

¹ Historic Aerials, 1961 Aerial, historicaerials.com

changed from commercial to light industrial and back to the current commercial zoning. However, no commercial use has ever been associated with this property. The property is currently owned by Contour Saws and is vacant.

Project Description:

The petitioner is Luz and Associates, which is the contract purchaser of the subject property, along with the main Contour Saws building property on the other side of Graceland. They are proposing a zoning map amendment from C-3, General Commercial to R-4, Central Core Residential. The amendment would allow for a contemplated multifamily residential building at this site, one of two that are proposed for the former Contour Saws facility.

Zoning Map Amendment Overview

The purpose of a zoning map amendment is to determine whether an existing zoning district is suitable for a location and, if not, which zoning district would be more suitable, given the context of the neighborhood, city goals, and local, state, and national development trends.

Although a specific project can be considered alongside any zoning application, zoning change deliberation often looks at a property at a larger scale within the neighborhood and city. However, a Site Plan Review, as required by Section 12-3-2, was performed for the conceptual project at this site. The Site Plan Review contributes to the overall assessment of a zoning map amendment, demonstrating the feasibility of a specific project with this zoning. Refer to the Site Plan Review section of this report and associated attachments.

C-3 Zoning and Suitability of the Site for Proposed R-4 Zoning

The C-3, General Commercial zoning district is intended to accommodate a diversity of businesses. Out of all of the commercial districts, C-3 permits the largest number of different uses, allowing for 37 uses permitted by right (meaning no zoning entitlement process) and 28 conditional uses. A broad variety of uses are allowed, including retail, office, restaurants, and other commercial services.

However, this site has never been developed with a commercial use, despite having the most permissive commercial zoning for decades. Even with the closure of Contour Saws in 2020, the site remains an unoccupied, surface parking lot. The Comprehensive Plan envisions this area for manufacturing uses; however, the plan was written in 2019 prior to the unanticipated closure of Contour Saws in 2020.

Considering this site has never successfully been developed into a commercial use, the zoning map amendment process allows the City to determine if another type of use would be more suitable. This site is uniquely situated near many amenities and services necessary to support residential development. Few available properties exist in Des Plaines with the transit, recreational, and commercial opportunities available within walking distance, making this site an ideal location for additional residential versus commercial or manufacturing development. Within a half-mile of the property (an approximate 8-15-

minute walk for the average person²), the following services are available. Refer to Amenities and Services Map attachment for further details.

| Service | |
|------------------------------|---|
| Transit | Des Plaines Metra Station platform; Pace Bus Stops for Lines 226, 230, and 250, and PULSE |
| Downtown Commercial Area | Restaurants, retail/personal services including dentist, optometrist, urgent care, private gym, and salons |
| Schools (private and public) | Central Elementary School, Willows Academy, Little Bulgarian School, Islamic City Center of Des Plaines Academy |
| Parks | Centennial Park, Central Park, Paroubeck Park, Potowatomie Park |
| Public Buildings | Library, City Hall |

A change to the zoning would be necessary to allow residential uses on this property. No new residential uses are permitted within the C-3 zoning district in this location. An analysis of the various options for residential zoning districts is necessary to determine what is best suited for this site. Below is a table of residential zoning districts and the residential uses permitted within them.

| Residential Districts Use Matrix | | | | |
|---|---------------|---------------|---------------|---------------|
| <i>Use</i> | <i>R-1</i> | <i>R-2</i> | <i>R-3</i> | <i>R-4</i> |
| Single Family Detached | P | C* | C* | C* |
| Townhouse | Not permitted | Not permitted | P | P |
| Two-family (duplex) | Not permitted | P | Not permitted | Not permitted |
| Multi-Family | Not permitted | Not permitted | P | P |

*Note: Only applies to single-family detached dwellings that were lawfully constructed prior to August 17, 2020 and are located in a zoning district other than R-1.

The R-1 and R-2 zoning districts would restrict the density of residential units at the property, limiting the development potential. As the name suggests, the R-1, Single Family Residential district limits the number of dwelling units to one dwelling unit per parcel. The R-2, Two-Family Residential district similarly limits the number of dwellings to two units per parcel. To allow for more than one or two residences on this 1.23-acre property, the property would need to be subdivided. If the property were subdivided to meet the R-1 or R-2 bulk standards, it is unlikely the property could produce more than five residential units.

² Bohannon, R. W. (1997). Comfortable and maximum walking speeds of adults aged 20-79 years: reference values and determinants. *Age and Ageing*, page 17.

The property is also too small to allow for a Planned Unit Development (PUD), which would allow for smaller lots but requires a minimum parcel size of 2 acres (Section 12-3-5.B.3).

The R-3, Townhouse Residential and R-4, Central Core Residential districts provide the option to increase the number of units on this parcel without requiring subdivision. Comparatively, a townhouse or multi-family development would supply a greater number of units in the same amount of space, creating a more efficient and economical option for this location. The main difference between the R-3 and R-4 districts are the bulk standards. The table below provides a comparison.

| R-3 Versus R-4 Bulk Standards | | |
|--------------------------------------|--|---|
| <i>Bulk Controls</i> | <i>R-3</i> | <i>R-4</i> |
| Maximum height | 45 ft | 80 ft |
| Minimum front yard | 25 ft | 12 ft |
| Minimum side yard | Buildings 35 ft. and under: 5 ft. Over 35 ft.: 10 ft. | Buildings 35 ft. and under: 5 ft. Over 35 ft.: 10 ft. |
| Minimum rear yard | Buildings 35 ft. and under: 25 ft. or 20% of lot depth, whichever is less Buildings over 35 ft.: 30 ft. | Buildings 40 ft. and under: 25 ft. or 20% of lot depth, whichever is less Buildings over 40 ft.: 25 ft., plus 2 ft. for every 10 ft. over 40 ft. |
| Minimum lot width | 45 ft. | 45 ft. |
| Minimum lot area | 2800 sq. ft. per dwelling unit | 40,700 sq. ft (.93 acres). ¹ |

1. The minimum lot area for a zoning lot in the “R-4 Central Core Residential District” shall be either 10,000 square feet or shall be determined by the total sum of the required minimum lot area of each dwelling unit on the zoning lot in accordance with the table in Section 12-7-2.J.

R-3 and R-4 zoning districts both allow for multifamily residential development. However, R-3 requires 2,800 square feet of space per dwelling unit, allowing a maximum of 19 units on this 53,731-square-foot (1.23-acre) property. Compared to R-3, the R-4 district allows for a significantly larger number of residential units, requiring smaller lot areas per unit and allowing for a taller building.

Demographic Trends and Accommodating an Aging Population

The existing housing stock throughout the city is predominantly single-family residential and the Comprehensive Plan states it is a goal to maintain this stock of high-quality single family residential property within the city. However, the detached single family housing type is an increasingly unaffordable product for many existing and future residents. In comparison, townhouses and multi-family provide additional housing stock at a more financially attainable scale due to the smaller size and reduced maintenance cost.

An important goal of 2019 Comprehensive Plan is providing avenues to allow residents to age-in-place and improve accessibility. As of 2015, the percentage of Des Plaines residents 50 or older was 40.2%, compared to the regional average of 31.4%.³ According to the U.S. Census Bureau, this percentage is likely to grow, with one in five Americans at retirement age by 2030.⁴ Households approaching retirement are frequently interested in downsizing to limit maintenance costs and reduce monthly housing costs to meet limitations of fixed incomes. Supplying a diverse housing stock in this area provides the option for seniors to continue living within the city. A residential development in this location would be close enough to facilities and services for an aging population to independently complete activities of daily living, with many amenities available within walking or transit distance.

In terms of accessibility, it is relevant to note that multifamily housing developments, either private or public, with four or more units are required to meet accessibility requirements outlined in the Fair Housing Act.⁵ This includes provisions requiring certain units to have accessible access, routes, and usable private and common spaces for individuals with disabilities. Note buildings separated by a firewall, such as townhouses, are not subject to these accessibility requirements.⁶ Additionally, the International Building Code (IBC) requires buildings of a certain size to have at least one elevator and it must be able to accommodate an ambulance stretcher (IBC 2015 Section 3002.4). Overall, multi-family residential developments over a certain size versus single-family detached or attached residences provide a greater likelihood of providing the accessibility needs of an aging population and provide additional housing opportunities for individuals with disabilities regardless of age.

³ Des Plaines 2019 Comprehensive Plan, Page 32

<https://www.desplaines.org/home/showpublisheddocument/162/637612522934400000>

⁴ U.S. Census Bureau (2018) *Older People Projected to Outnumber Children for First Time in U.S. History*,

<https://www.census.gov/newsroom/press-releases/2018/cb18-41-population-projections.html>

⁵ U.S. Department of Housing and Urban Development, *Accessibility Requirements for Buildings*

https://www.hud.gov/program_offices/fair_housing_equal_opp/disabilities/accessibilityR

⁶ U.S. Department of Housing and Urban Development, *Fair Housing Act Design Manual*, Page 10

<https://www.huduser.gov/portal//Publications/PDF/FAIRHOUSING/fairfull.pdf>

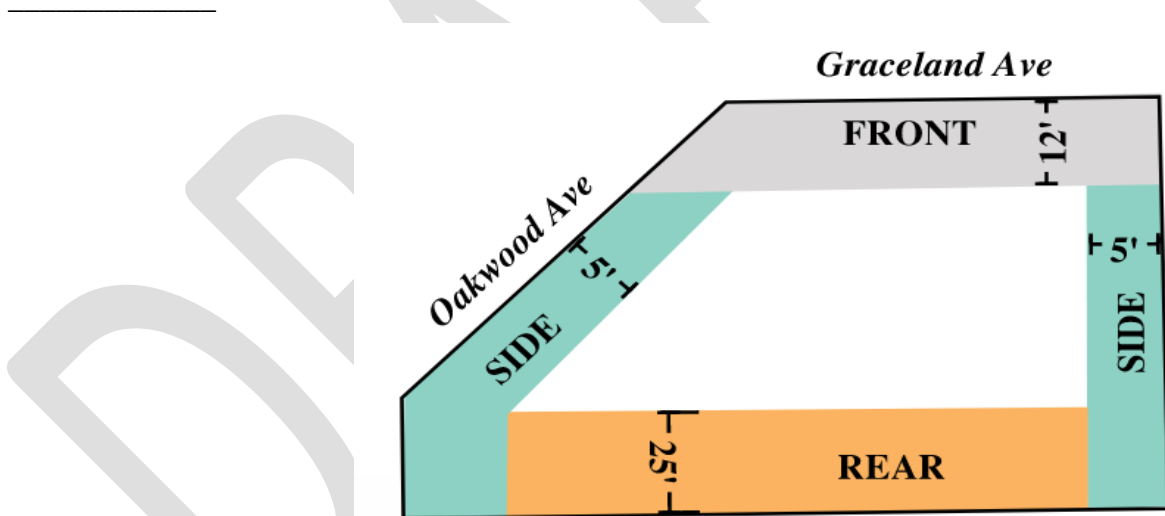
With these considerations regarding the location of the property near other R-4 zoned, multi-family properties, the proximity to numerous private and public services, and the goals of the Comprehensive Plan focused on providing diversity of housing stock and providing accessible options for residents, senior or otherwise, the R-4 zoning district is a suitable fit for this property.

Site Plan Review

Proposed Project Overview

The petitioner proposes a four story, 56-unit multi-family residential development and associated parking lot and private park space. Note the proposed development is one of two for the former Contour Saws properties; the site to the north will be reviewed and considered as a separate application.

This type of development is a permitted use in the proposed R-4 Central Core Residential district if it follows all bulk regulations and other standards. The below diagram illustrates staff's interpretation of where the required yards are located for this property, as noted in Section 12-7-2 and defined in Section 12-13-3.



The table on the following page compares the R-4 district regulations with the proposed development on the subject property.

| R-4 -Central Core Residential District Bulk Standards | | |
|--|---|------------------------|
| <i>Bulk Controls</i> | <i>Required</i> | <i>Proposed</i> |
| Maximum height | 80 ft. ¹ | 48 ft. |
| Minimum front yard | 12 ft. | 15 ft. |
| Minimum side yard | 5 ft. | 5 ft. |
| Minimum rear yard | 25 ft. | 25 ft. ¹ |
| Minimum lot width | 50 ft. | 193.86 ft. |
| Minimum lot area | 40,700 sq. ft. ² (refer to Footnote 2 and associated table below) | 53,731.42 sq. ft. |

Note:

1. Off-street parking spaces are permitted to be located in any required yard, including the rear yard, per Section 12-9-6.C.

2. The minimum lot area for a zoning lot in the “R-4 Central Core Residential District” shall be either 10,000 square feet or shall be determined by the total sum of the required minimum lot area of each dwelling unit on the zoning lot in accordance with the following table, whichever is greater:

| Number Of Bedrooms | Minimum Lot Area (Square Feet) |
|---------------------------------|---|
| Efficiency dwelling unit | 600 |
| 1 bedroom | 700 sq. ft. minimum required lot area * 41 units proposed = 28,700 sq. ft. of lot area required |
| 2 bedrooms | 800 sq. ft. minimum required lot area * 15 units = 12,000 sq. ft. of lot area required |
| Total Required Lot Area: | 40,700 sq ft |

Site Plan Review Standards

Pursuant to Section 12-3-7.D.2 of the Zoning Ordinance, a Site Plan Review is required for all map amendment requests to assess how the request meets the characteristics identified in Section 12-3-2, which are listed below along with staff’s assessment of each in relation to the current Site Plan provided by the petitioner, located in the Site Plan attachment.

Note many of the provided plans include an entrance/exit from the alley. However, the developer has chosen to remove this proposed driveway in favor of one entrance entering and exiting. The Site Plan attachment provides the most up to date plan; this plan was used to complete the Site Plan Review below. All other updated plans, including an updated traffic study, will be provided with any future Planning and Zoning Board and City Council packets and will be uploaded onto the desplaines.org/contourplace when available.

| Site Plan Review | |
|--|---|
| <i>Item</i> | <i>Analysis (based on Proposal)</i> |
| The arrangement of structures on the site | <ul style="list-style-type: none"> • Places the building along the street frontage rather than the parking lot. By placing a building along a street rather than the parking lot, the design presents better cohesion with the buildings surrounding it by placing the building at approximately the same distance from the property line as adjacent multi-family buildings. • A more efficient design would involve the placement of parking in a parking garage underneath the building, rather than surface parking. However, it is unknown the expense and the impact on economic viability for this project if this site design change were required. Taking into consideration the current use (vacant surface parking lot), the proposed development provides a substantially more efficient use of the property. |
| The arrangement of open space and landscape improvements | <ul style="list-style-type: none"> • Landscaping is provided around the building in excess of requirements along the front yard and perimeter parking lot landscaping meets zoning requirements. In addition, a private park space is proposed, as noted on the plans. Refer to Landscape Plan attachment. • Staff advises the movement of the shade tree shown on the landscape plan from the corner between Oakwood Avenue and the alley to improve visibility for vehicles and pedestrians entering and exiting the driveway. The tree will need to be located elsewhere on the property and staff will confirm the landscape plan includes the required amount of parking lot landscaping at time of building permit. |

| | |
|---|--|
| <p>The adequacy of the proposed circulation system on the site</p> | <ul style="list-style-type: none"> • Curb cut closed onto Graceland, pushing traffic to Oakwood Ave. and the alley. The traffic study provided with this application demonstrates that proposed traffic will not have a significant impact on the area roadways. It is important to note the existing parking lot includes over one hundred parking spaces and the Contour Saws facility likely generated a greater amount of traffic for employees and deliveries than proposed with this residential development. <i>The Board may seek to ask the petitioner if they anticipate any significant changes to traffic with the updated site plan (eliminating the entrance/exit of the parking lot into the alley) not reflected in the traffic impact study.</i> • The closure of a curb cut along Graceland Ave and replacing with a parkway and walkway improves safety and comfort of pedestrians along this side of Graceland. The proximity of the building to the street also provides better surveillance within the neighborhood, with windows facing the residential neighborhood and providing additional “eyes on the street.” • A loading/unloading zone within the development eliminates traffic on the adjacent streets and alley for deliveries, dumpster pickup, and ride sharing for proposed future residents and visitors. • Parking meets the off-street parking requirements of Section 12-9-7, providing sixty-five spaces which is the minimum required amount. It is anticipated, as discussed in the petitioner’s response to standards and the provided traffic study, that the proximity of the site to numerous transit options and a bike route along Thacker St, will reduce dependence on automobiles for this project. |
| <p>The location, design, and screening of proposed off-street parking areas</p> | <ul style="list-style-type: none"> • Perimeter landscaping, including required shrubs and shade trees, are provided around the proposed parking lot. A private park blocks some view of the parking lot from Oakwood Ave. • Site is situated in such a way that the parking lot has minimum visibility from Graceland Avenue and Oakwood Avenue and minimal conflict with pedestrians along public walkways. |
| <p>The adequacy of the proposed landscaping design on the site</p> | <ul style="list-style-type: none"> • All required landscaping in terms of perimeter and interior parking lot landscaping and landscaping of required yards is fulfilled. |

| | |
|--|--|
| | <ul style="list-style-type: none"> • Private park space provided in the southwestern area of the property with accessible walking path to the building and from Oakwood Ave. |
| <p>The design, location, and installation of proposed site illumination</p> | <ul style="list-style-type: none"> • Photometric plan demonstrates conformance with Section 12-12-10, with no more than 0.2-foot candles spilling over the property line in any location, well within the limits of the zoning ordinance. • The parking lot is properly illuminated, with at least 0.1 footcandles in any parking area, meeting requirements of Section 12-9-6.G. |
| <p>The correlation of the proposed site plan with adopted land use policies, goals, and objectives of the comp. plan</p> | <ul style="list-style-type: none"> • Does not fit the manufacturing use illustrated by the Comprehensive Plan; however, the 2019 plan was written on the assumption that the Contour Saw facility will continue operating. • The proposed plan supports the following goals (refer to “Demographic Trends and Accommodating an Aging Population” and “C-3 Zoning and Suitability of the Site for Proposed R-4 Zoning” sections of this report for further details): <ul style="list-style-type: none"> ○ Goal 4.1. Ensure the City has several housing options to fit diverse needs. ○ Goal 4.3 Provide new housing at different price points ○ Goal 4.5 – Plan for and identify policies and tools that ensure accessibility • In addition to housing goals, the proposed development meets economic goals of the city by providing additional property tax revenue compared to the existing use of the site. Refer to the Tax Projections attachment. |

Summary of Public Outreach

In an effort to improve community engagement and transparency surrounding new, large developments within Des Plaines, the City provided numerous opportunities for residents to review the proposal and provide input. To provide regular project updates, a webpage on the city website was created: desplaines.org/contourplace. On June 6, 2023, the Planning and Zoning Board hosted a public workshop to provide the developer, board, and the public an opportunity to review plans and provide input into the proposed development at this location and the former Contour Saws facility to the north of this property. After this meeting, the project webpage was updated to include a public input form to continue gathering community comments on the plans. Refer to Public Comment attachment for all public comments.

Standards for Zoning Map Amendment:

The following is a discussion of standards for zoning map amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided 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;

The Comprehensive Plan was written in 2019 when the Contour Saws facility was still operating. Due to the manufacturing facility's longstanding operations in Des Plaines, the Comprehensive Plan did not envision this area to be used for anything else. However, the proposed amendment and development would meet several goals from the Housing chapter of the Comprehensive Plan, including: Goal 4.1. Ensure the City has several housing options to fit diverse needs; Goal 4.3 Provide new housing at different price points; and Goal 4.5 Plan for and identify policies and tools that ensure accessibility. Refer to "Demographic Trends and Accommodating an Aging Population" and "C-3 Zoning and Suitability of the Site for Proposed R-4 Zoning" sections of this report for further details. In addition to housing goals, the proposed development meets economic goals of the city by providing additional property tax revenue compared to the existing use of the site. Refer to the Tax Projections attachment.

PZB Modifications (if any): _____

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

The subject property is adjacent to R-4 zoning to the north and is close to several similar multifamily developments. The area is in close proximity to numerous services within walking, biking or transit distance, Refer to Amenities and Services Map attachment. Any proposed development would need to meet all building material and design requirements outlined in Section 12-3-11 – Building Design Review, including requirements for face brick which will be similar in design to the adjacent multi-family residential buildings in this neighborhood.

PZB Modifications (if any): _____

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

An engineering and utility plan was prepared with this application. Based on the provided site plan, City engineering staff did not indicate any concerns with the adequacy of public facilities or services being available to meet the needs of this proposed development.

A traffic impact study was provided with this application to assess impacts of the proposed development (Refer to Traffic Study attachment). The study indicated the traffic generated by this use would not create a significant impact on the surrounding street network. *The Board may seek to ask the petitioner if they anticipate any significant changes to traffic with the updated site plan (eliminating the entrance/exit of the parking lot into the alley) not reflected in the traffic impact study.*

It is important to note the previous use of this property was an employee parking lot with over one hundred parking spaces, while the proposed residential development provides 65 parking spaces as well as a loading and unloading zone. At minimum, this development brings less potential for vehicles to be travelling in and out of the site at peak hours versus one hundred employees of a manufacturing facility. Parking meets the off-street parking requirements of Section 12-9-7, providing 65 spaces which is in excess of the minimum required amount.

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 map amendment would allow for residential uses on a property that has been zoned commercial for decades and, throughout its history, existed as a surface parking lot for employees of a now closed manufacturing facility. A building that provides additional residential options for the area and required to follow the Building Design Standards outlined in the Zoning Ordinance creates a more appealing urban design for the neighborhood versus an unoccupied surface parking lot.

PZB Modifications (if any): _____

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

The current use of this property is a surface parking lot for a manufacturing use that is unlikely to be filled with another similar manufacturing business. Despite the commercial zoning, the property has remained unimproved for several years, and remains vacant and in disrepair. Providing a residential use for the property, particularly a use that capitalizes on the close proximity to downtown Des Plaines and the various amenities associated with the area, would present a more efficient and useful way to use this property. As discussed in the Demographic Trends and Accommodating an Aging Population section, the City needs to promote opportunities that increase housing stock for a diversity of populations in the area, both in the short term and long term. Amending the zoning district for this property, regardless of the proposed project, provides an additional opportunity to construct a multifamily development in an area with similar residences and with the necessary services to support this type of use.

PZB Modifications (if any): _____

PZB Procedure and Recommended Conditions: Under Section 12-3-7.D (Procedure for Review and Decision for Amendments) 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 zoning map amendment. 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 the findings made above, as specified in Section 12-3-7.E (Standards for Amendments) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Project Narrative and Responses to Standards
- Attachment 4: Amenities and Services Map
- Attachment 5: Plat of Survey
- Attachment 6: Site Plan
- Attachment 7: Architectural Plans and Site Plan
- Attachment 8: Landscape Plans
- Attachment 9: Engineering Plans
- Attachment 10: Photometric Plan
- Attachment 11: Traffic Impact Study
- Attachment 12: Property Tax Projections
- Attachment 13: Public Comments

Chair Szabo swore in Rolando Acosta, Attorney, Keith Lee, Architect and Javier Millan Traffic Consultant, representative for the petition.

Rolando Acosta described the scope of the project. He explained Site B – Contour Place, located approximately at 919 & 921 Graceland Ave. He stated that they are looking for a Zoning Map Amendment to change zoning from C-3 to R-4. He explained the Graceland and Oakwood site map. Mr. Acosta displayed a map showing services within a ½ mile of the subject site. He stated that multifamily developments add to the population of Des Plaines. He displayed a zoning map including the zones in the site area. He displayed an aerial of the project side including the existing heights of the neighboring properties. Mr. Acosta displayed the ground level plan which includes 56 residential dwelling units in a four-story building and 65 parking spaces.

Keith Lee through a power point presentation, displayed a view of the project on Graceland and Oakwood. He stated there will be 56 units with amenities on the first floor. He showed the proposed Building Elevations from all views. He explained the locations for the two entrances. He displayed the types of material would be used. He stated that the building design would be comparable to others in the area. He stated the building would have an elegant look with the long balconies. Mr. Lee described the Landscape Plan which includes a park. He stated that they will be adding a 7-foot-wide sidewalk on Oakwood. He stated there would be a 15-minute walk to downtown and the Metra station. He stated there will be a surface parking lot with 65 spaces including 3 accessible spaces and 2 EV spaces.

Javier Millan explained the traffic study. Full movement to the site will be provided by an access drive on Oakwood Avenue. KLOA did two traffic studies on a weekday morning and two in the evening. The conclusions from the study are:

- Generated traffic volume will be reduced due to proximity to Metra Train Station
- Capacity analysis indicates that proposed development traffic will not have a significant impact on area roadways.
- Full access drive from Oakwood Avenue is well located and provides suitable access for inbound and outbound traffic, with outbound traffic under stop sign control.
- The proposed parking supply of 65 spaces will meet the Des Plaines and ITE requirements.

Mr. Acosta concluded the presentation by stating that they are looking for a Map Amendment to go from C-3 to R-4. He stated that the petitioner's goals are similar to the Des Plaines Comprehensive Plan in providing alternative modes of housing in the area. He stated that they will be improving property values because this is an improved condition from the current vacant parking lot. He believes that the project is meeting responsible development and growth standards by providing housing near transportation.

Member Hofherr asked if they are able to add additional EV charging if there is demand for it.

Mr. Acosta stated that they can add more charging stations if there is a demand.

Member Weaver asked about the difference in the drawings with the two access points on some plans, versus one access point on others. He also asked about the decision to face the entrance of the building towards the parking lot. He wanted to know if the visitors had to walk into the parking lot to enter.

Mr. Acosta stated that when the process was started, they had two access points. One of the access points was to the alley and the other was to Oakwood. However, City staff stated it would be required to reconstruct the alley if the development uses it as an access point and that was too high of a cost burden. They realized they could use accommodate need for access from one point using Oakwood. He also stated that they have two entrances one off of Oakwood and one off of the parking lot. Residents and visitors could use either entrance.

Member Weaver asked if the decision for tonight's board is for the zoning change and not an endorsing of the plan as it currently stands.

Mr. Acosta stated that is correct.

Samantha Redman, Planner, gave the staff report. She gave a PowerPoint presentation explaining the petitioner's request. She explained the Location Map and Description. The subject property is zoned C-3, General Commercial and has been commercial for decades, but the Comprehensive Plan illustrates it as "manufacturing" because it was associated with a manufacturing use. One parcel included this surface parking lot, previously used for employees of Contour Saws. Ms. Redman presented the Site Photos giving a current view of the project. She explained the background of the former Contour Saws site. She discussed the PZB Special Workshop on June 6, 2023, where the project concepts were given, comments were received and a webpage was provided for additional information and comment.

Ms. Redman explained the request for the zoning map amendment to go from C-3 to R-4. She explained a chart for the uses for the R-4 Central Core Residential District. She presented a chart with information on Condominiums versus Apartments. She explained the Residential Purpose and Goals including general purpose statement for residential zoning districts and Housing Chapter of the 2019 Comprehensive Plan. She presented the Site Plan Review which explains the connection between the proposed site plan with adopted land use policies, goals and objectives of the comprehensive plan which includes the Housing Objectives and the Economic Objectives of the Comprehensive Plan, including supporting increasing tax revenue. Ms. Redman explained the Existing Conditions, Surrounding Area and Site Plan slides. Ms. Redman stated the PZB considerations which includes one action to recommend approval, approval with conditions, continuance, or denial of zoning map amendment from C-3 to R-4, noting that Zoning Map Amendments do not have conditions of approval.

Chair Szabo asked if any audience members have any questions or concerns about the petition.

Chair Szabo swore in Marian Cosmides, neighbor to the property. She asked if any other projects were considered for this site. She wanted to know if any external resources were used to attract businesses to the site. She asked about following the Comprehensive Plan to attract a business or manufacturer to the site. She stated that she feels that Des Plaines is becoming a bedroom

community. She would like an independent traffic study. She asked about the occupancy at the Welkin. She also asked how close the property would be to the train tracks.

Ms. Redman responded to the questions. She stated that no other petitioner has submitted an application for this property. She stated that the City maintains an available properties map. Ms. Redman reminded the board that this is a private property. Ms. Redman stated that the current plans state the property would have at least a 25-foot setback and Oakwood Avenue is 20 to 22 foot wide.

Chair Szabo swore in Myrna Simes, neighbor to the property. She stated that she has lived across from the property for 16 years. She was not happy with the manufacturing, smoke emissions and smokestacks that went along with the prior owner. She stated that she is happy about the proposed development. She stated she would rather see apartments or condos than more factories. She stated she would rather look at a residential property than a factory.

Chair Szabo swore in Tom Loveland, neighbor to the property. He stated he was happy to hear about the townhouses for the other property site. He stated he feels like we have a recurring business model which includes Developer, Builder Financier and an end owner. He stated that the end owner is not in for the long run and does not care about the area or the community. He would like to see ownership that is more long term.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to recommend approval of the proposed Zoning Map Amendment to go from C-3 to R-4 at the approximate address of 919-921 Graceland. He noted that this is a zoning change and not a design approval.

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

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

New Business

1. Update from Luz & Associates on Plan and Application for 900 Graceland/1217 Thacker (“Site A”) of the Contour Place Redevelopment
 - a. Petitioner provided a conceptual site plan, different from the public workshop, for discussion only. No votes or actions to be taken on this site.
 - b. Once an application is submitted, public hearing will be scheduled and noticed at a later date

Rolando Acosta gave a presentation to describe the scope of the project. He explained that the new concept for Site A would be 45, three-story townhouses with green space and a club house. There would be an one access point from Graceland and one access point from Thacker. There will be 2 parking spaces per townhouse and 16 guest spaces. He displayed the Site Plan. He displayed the Building Rendering and explained that the design, elevation, and materials would be similar color palette and design to the other multifamily building.

Chair Szabo asked if they will be looking for a zoning change from R-3 to R-4 and how many units they plan to build.

Samantha Redman stated that townhomes are allowed in both R-3 and R-4. She stated that the proposed plan has 45 units.

Member Fowler asked if these would be rental and if there will be elevators.

Mr. Acosta stated that they changed their plans from 122 apartment to 45 townhouses for rent. He stated that the townhouses would be 2 and 3 bedrooms, so likely no elevators. He expects to charge \$3,800 per month rent. He said they will have to make some of the units adaptable for accessibility purposes.

Member Weaver asked about the garages and the asphalt. He asked if city code requires two spaces per unit. Samantha Redman stated that city code requires two parking spaces per dwelling and one guest space per four units.

Marion Cosmides asked the rationale for rentals versus purchase. She is concerned about the excessive demand on city resources by transient residents. She asked if the rentals will be converted into ownership.

Mr. Acosta stated that the rationale is for diversity of product, lessening the burden of ownership, and ease of financing. He stated that in the future, if there is demand, the rental could be converted into individual purchase units.

Chair Szabo asked when they think they will bring the petition to the Planning and Zoning Board.

Mr. Acosta plans to bring it to the board in September.

Pending Applications

2. **Address:** Citywide

Case Number: 23-043-TA

The petitioner is proposing the following text amendments to the Zoning Ordinance: (i) modify Sections 12-3-11 and 12-8-1.C to create separate allowances for *detached* parking structures based on use, provided that certain larger garages would be subject to building design requirements; (ii) modify Section 12-8-1.C to increase the maximum size for accessory structures that are not detached garages and carports (e.g., sheds, gazebos, pergolas); and (iii) modify Section 12-13-3 to revise the Accessory Structure definition to clarify the types and characteristics of the structures that are included in this definition.

PIN: Citywide

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

Request Description: The City of Des Plaines is proposing amending the Zoning Ordinance to clarify regulations for detached parking structures based on use, to increase the maximum area for accessory structures except detached garages and carports, and to amend the accessory structure definition.

Background

Chapter 8 of the Zoning Ordinance, “Accessory, Temporary, and Specific Use Regulations,” was created to identify and differentiate regulations for both uses and structures that are either: (i) incidental and subordinate to a principal use or structure in the same zoning lot (e.g., detached garages and sheds); (ii) temporary in duration and construction (e.g., tents and yard sales); or (iii) are sensitive uses requiring tailored regulations (e.g., cannabis business establishments and residential care homes). The scope of the proposed amendments focus on the first of these—accessory structures—which are currently defined in Section 12-13-3 as follows:

ACCESSORY STRUCTURE: A structure which is detached from a principal structure and is located on the same zoning lot and incidental and subordinate to the principal structure. Accessory structures are characterized by having a solid roof, and include, but are not limited to, detached garages, sheds, greenhouses, and gazebos. Accessory structures may not exceed the height of the principal structure.

As identified in the definition, an accessory use is intended to be incidental to the principal use or structure served (i.e., accompanying but not a major part of the property). For example, a detached garage is incidental to a single-family residence (e.g., provides covered parking for the residents) but a garage is smaller in area and height than the residence and not occupied as much. Due to the incidental nature of accessory structures, the Zoning Ordinance does not permit the construction of an accessory structure without the prior construction of a principal use or structure. Zoning also requires that accessory structures are (i) operated and maintained under the same ownership and

on the same lot, or adjoining lots, as the principal use or structure and (ii) subordinate in height, area, bulk, and location to the principal use served.

Section 12-8-1.C also identifies the general bulk regulations for accessory structures in all zoning districts with specific height, setback, location, size, and quantity restrictions. There are two main categories of accessory structures identified: (i) detached garages and carports; and (ii) other accessory structures (e.g., sheds, pergolas, gazebos, etc.). These categories share regulations related to height, setbacks/minimum distance from lot lines (with some exceptions), and location, but differ in regard to *quantity of structures* and *size permitted*. In regard to quantity, the Zoning Ordinance allows for up to two accessory structures on any property; however, only one garage (attached or detached) is permitted. In the case of a property with a detached garage or carport, one other accessory structure is permitted. In regard to size, a detached garage or carport can be up to 720 square feet in area—on all residentially zoned lots, regardless of their use—while other accessory structures are limited to 150 square feet in size.

Accessory Structure Definition

The current accessory structure definition describes an accessory structure's incidental and subordinate relation to a principal use, how these uses are characterized (e.g., having a solid roof), and provides a non-exhaustive list of types of accessory structures (e.g., detached garages, sheds, greenhouses, and gazebos). However, the definition does not list many of the most common types of accessory structures—such as pergolas or carports—and does not fully encompass all of the characteristics of accessory structures—especially structures such as pergolas which can have semi-open roofs—even though it is intended. As such, staff is proposing to amend the definition to clarify that both flat and semi-open roofed-structures are all classified as accessory structures. The proposed amendments also add *pergolas* and *carports* to the list of accessory structures specifically identified in the definition. While the list is still non-exhaustive and is intended to remain so, the addition of these two accessory structures helps to further clarify what is classified as an accessory structure, especially commonly-installed accessory structures such as a pergola.

Accessory Structure Bulk Regulations

The current bulk regulations in Section 12-8-1.C appear to contemplate only (i) a single- or two-family dwelling or (ii) a non-residential lot. They do not consider the possibility for detached garages serving townhouses or multifamily. As such, staff is proposing to differentiate regulations for accessory structures based on the principal use of the property. The proposed amendments split subsection C of Section 12-8-1 into three separate portions: (i) Single-Family Residential and Two-Family Residential uses; (ii) Townhouse Residential and Multifamily Residential uses; and (iii) Non-Residential uses. In addition, some regulations are reorganized into table format.

- ***Single-Family Residential and Two-Family Residential Uses:*** Aside from one proposed change, staff intends to retain the existing bulk accessory structure regulations in Section 12-8-1.C for these types of uses given that these regulations are appropriate for lower density residential developments. The proposed change intends to increase the size allowance for accessory structures—excluding detached garages and carports—to 200 square feet. Staff's observance and attached Accessory Structure Research indicates that

many pre-fabricated accessory structures like sheds, gazebos, and pergolas are greater than 150 square feet (the current size restriction) but are below 200 square feet (proposed size restriction). As such, the proposed amendments adjust the size allowance for these types of structures.

- ***Townhouse (Single-Family Attached) Residential and Multi-Family Residential Uses:*** Staff proposes to create a new subpoint and table to regulate accessory structures for higher density residential uses. The table splits accessory structures into three separate categories: (i) single-story detached garages and carports; (ii) multiple-story detached parking garages; and (iii) other accessory structures (e.g., sheds). The allowance for both single-story and multi-story garage structures provides flexibility for both existing and proposed residential developments. They also could encourage denser off-street parking designs with a smaller overall footprint than a surface lot.
 - **Single-Story Detached Garage or Carport Structures:** The proposed height and setback regulations for a single-story detached garage or carport would mirror the existing height and setback regulations for accessory structures in Section 12-8-1.C. However, the amendments would not restrict the number of single-story detached garage and carport structures permitted on a single lot. Instead, it would restrict the collective area of all garage and carport structures on site to 25 percent of the total lot area or less. For detached garage and carport structures that exceed 720 square feet in area, the Building Design Review standards in Section 12-3-11 of the Zoning Ordinance would apply.
 - **Multiple-Story Detached Parking Garage Structures:** Similar to single-story detached garages and carports, multiple-story detached parking garages would (i) be limited by the collective area of all multiple-story detached parking garage structures—not to exceed 25 percent of the total lot area—instead of by a specific number of structures and (ii) would also be subject to the Building Design Review standards in Section 12-3-11 of the Zoning Ordinance if in excess of 720 square feet in size. However, multiple-story detached parking garage structures would have higher minimum setback requirements than other accessory structures given their greater height allowance of 45 feet (compared to the maximum height of 15 feet for all other accessory structures including single-story detached garages and carports). The greater height allowance is necessary to allow a parking garage structure with multiple stories but also appropriate given that the maximum height allowance for principal structures in the R-3 Townhouse Residential district is also 45 feet. Given this height allowance, the proposed amendments would require multiple-story detached parking garages to be located behind the front building line of the principal structure and a minimum of ten feet from all other property lines in order to provide a greater separation between this structure and property lines. The amendments also set a requirement that any such garage would have to be shorter than any principal structures served to retain the spirit of an “accessory” structure.
 - **Other Accessory Structures:** All other accessory structures—excluding detached garages and carports, so for example, sheds, pergolas, and gazebos—would follow the existing height, setback, and quantity standards in Section 12-8-1.C; the rules would be unchanged except to allow a maximum area of 200 square feet in size.

- ***Non-Residential Uses:*** Staff proposes to create a second new subpoint and table to regulate accessory structures for non-residential uses. The table setup is identical to the proposed table for the townhouse residential and multifamily residential uses with the three separate accessory structure categories—single-story detached garages and carports; multiple-story detached parking garages; and other accessory structures—but with two main differences. Section 12-8-1.C of the Zoning Ordinance currently has a separate section devoted to bulk regulations for detached garages and carports on lots in non-residential zoning districts, which allows for a larger detached garage or carport area based on whether the subject lot is less than 20,000 square feet in size or more. In addition, it requires said detached garage or carport structures to be setback a minimum of ten feet from all side and rear property lines. Staff intends to keep these distinctions given the varying sizes of non-residential lots throughout Des Plaines and the varying uses that operate or could operate at these locations.
 - Single-Story Detached Garage or Carport Structures: The proposed bulk regulations for a single-story detached garage or carport would match the existing standards in Section 12-8-1.C regarding height (maximum of 15 feet), setbacks (minimum of 10 feet), and size (maximum of 920 square feet on lots 20,000 square feet or more in size and a maximum of 720 square feet on lots less than 20,000 square feet). A maximum of one single-story detached garage or carport structure would be permitted on a lot with a non-residential use to match the existing standards.
 - Multiple-Story Detached Parking Garage Structures: The standards for multiple-story detached parking garage structures would match the height (maximum 45 feet), setbacks (minimum 10 feet), and size (25 percent of the total lot area, regardless of the specific lot size)—as proposed for townhouse residential and multi-family residential uses—but with three distinctions. The first distinction deals directly with the location of the subject lot. When located on a lot that abuts a residential zoning lot, the height of multiple-story detached parking garage cannot exceed the maximum height of the abutting residential district. For example, this type of structure located on a lot next to a R-1 Single Family Residential district would be limited to 2½ stories or 35 feet in height, which is the maximum height allowance in that residential district. The second distinction relates to Building Design Review Standards in Section 12-3-11 of the Zoning Ordinance. While the proposed amendments require that all single-story detached garages or carports and multiple-story detached parking garages in excess of 720 square feet must comply with the Building Design Review Standards, this is not a requirement for these types of structures on lots with non-residential uses. The final distinction relates to the maximum quantity allowed. A maximum of one multiple-story detached parking garage structure would be permitted on a lot with a non-residential use to match the existing standards.
 - Other Accessory Structures: All other accessory structures—excluding detached garages and carports—would follow the existing height, setback, and quantity standards in Section 12-8-1.C, but would be allowed to be up to 200 square feet in size.

Proposed Amendments

The full proposed amendments are attached and are summarized below:

Section 12-3-11, Building Design Review: Revise the list of activities that trigger the adherence to the Building Design standards to include certain accessory structures mentioned in Section 12-8-1.C.

Section 12-8-1, Accessory Uses and Structures: Split subsection C of this section into three portions with specific regulations in each:

- (i) Single-family Residential and Two-family Residential uses
 - Indent existing bulk regulation standards; and
 - Amend the maximum size allowance for accessory structures—excluding detached garages and carports—to 200 square feet.
- (ii) Townhouse Residential and Multifamily Residential
 - Create new table and specific bulk regulations for three different accessory structure types: (i) single-story detached garages and carports; (ii) multiple-story detached parking garages; and (iii) other accessory structures (e.g., sheds).
- (iii) Non-residential uses
 - Create new table and specific bulk regulations for three different accessory structure types: (i) single-story detached garages and carports; (ii) multiple-story detached parking garages; and (iii) other accessory structures (e.g., sheds).

Section 12-13-3, Definition of Terms: Amend the *Accessory Structure* definition to include structures with semi-open roofs (such as pergolas) and add additional items to the non-exhaustive list of accessory structure examples.

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, 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;

These amendments help clarify and expand on the bulk regulations for accessory structures throughout the City by creating separate regulations for all use categories that are tailored to the scale and intention of those uses. They also provide additional options for existing and proposed developments in regard to storage, off-street parking, and overall site design—especially in denser areas of the City—which the Comprehensive Plan intends to capitalize on to achieve better and more sustainable developments.

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 flexibility for various accessory structures regardless of the lot size, use, and location. The amendments focus on promoting denser parking structures to reduce impervious coverage on lots with either residential or non-residential uses. However, they also provide additional clarification on the specific standards for accessory structures based on their type and use, which is something that the current zoning ordinance does not fully identify. The amendments are tailored to minimize impacts of storage and parking structures on neighboring properties regardless of their location.

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 options for both storage and parking on properties throughout the City that may require additional public facilities and services for an individual site based on their use and design. However, these amendments would still require site plan review and adherence to applicable municipal codes to ensure that any improvements are compliant and are adequately serviced.

PZB Modifications (if any): _____

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

It is not anticipated that the proposed amendments will have any adverse effect on surrounding properties. Instead, 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 all uses and properties by establishing a clear and streamlined permitting path for additional parking and storage options that promote better design of both residential and non-residential developments.

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.

Attachments:

Attachment 1: Accessory Structure Research⁷

Attachment 2: Photos of Detached Garages Serving Multifamily Development (The Parker, Park Ridge, IL)⁸

Attachment 3: Proposed Amendments

Jonathan Stytz, Senior Planner, gave the staff report. He explained the reason for amending the existing accessory structure definition is because it does not fully describe and account for all types of accessory structures. Updating the definition provides additional clarification as to how accessory structures are classified. He gave background on accessory structures. All accessory structures are governed under the same regulations regardless of type of use or zoning classification (Section 12-8-1.C). He stated that the city plans to update the definition to avoid confusion. The definition would be ACCESSORY STRUCTURE: A structure which is detached from a principal structure and is located on the same zoning lot and incidental and subordinate to the principal structure. Accessory structures are characterized by having a solid or semi-open roof, and include, but are not limited to, detached garages, carports, pergolas, sheds, greenhouses, and gazebos. Accessory structures may not exceed the height of the principal structure.

Mr. Stytz explained the Proposed Addition and Proposed Amendments to 12-8-1.C. He explained the accessory structure for Single and Two Family Residential, Townhouse and Multifamily Residential and Non-Residential uses on Non-Residential zoning lots. He presented the Proposed Amendments to Section 12-3-11. Mr. Stytz explained a chart of the analysis of average dimensions of sheds, pergolas, and gazebos. And displayed an example of existing accessory structures serving multi-family developments: (The Parker, Park Ridge, IL).

Mr. Stytz stated that PZB can recommend approval, approval with modifications, or denial of the proposed amendments.

Member Weaver states that he appreciates staff looking at how the proposed regulations fit. He asked what happens if a problem with the guidelines comes before the city in the future. Where are we most likely to find the most problems with the regulations? And asked who would benefit from the proposed changes and who would not be happy with the changes? Also do you think the proposed changes would make or break a business from coming to Des Plaines?

⁷ Source: Home Depot and Lowes websites, obtained July 18, 2023.

⁸ Source: Google Streetview, obtained July 21, 2023.

Mr. Stytz said that a petitioner could still come before the board for a variation. He stated multifamily petitioners would benefit because it gives more flexibility. Examples of the new rules not working out as well could be manufacturing or small commercial lots if they would want a larger accessory structure. However, Mr. Stytz does not think the proposed changes would stop someone from wanting to do business in Des Plaines. They could still ask for a variation. The changes are only looking at accessory, detached structures.

Member Fowler asked about the height of the structure and how staff came up with allowing two accessory structures.

Mr. Stytz stated that height cannot be taller than the residential building and it would have to follow the allowed percentage area. Two accessory structures is what is currently allowed across the board and does not specify the type of uses. Most of the changes are for multifamily and non-residential uses.

Member Weaver has questions in the other accessory structures in the non-residential section since he does not see a maximum of 200 square feet to be viable with a lot of businesses. Are we able to make things more flexible in this area?

Chair Szabo stated that in larger business with large areas like the proposed Des Plaines Material business on Golf, two accessory structures of 200 square feet each would not be enough. They could come to the board but why put them through that.

Mr. Stytz stated that the current allowance is two structures at 150 square feet each. That would allow for 300 square feet total. We do not have a lot of requests that come in for these types of non-residential accessory structures. Mr. Stytz stated that we can look into adding additional square footage allowance based on the size of the lot. Also, the business on Golf Road is an outdoor bulk material facility, which is a separate use with additional allowance for structures.

Brooke Lenneman discussed when a structure is considered an accessory structure and when it is considered a secondary principal use or a Planned Unit Development. She also stated that there are uses that have outdoor components or a storage use. Some of the examples referenced are not accessory structures.

Mr. Stytz stated that the City does allow more than one principal structure on a commercial site of half acre or more which most of the discussed properties fit that description. He gave definitions of principal structure and accessory structure. He stated that if a business required several structures for a multiple building development, they would go in front of the PZB for a PUD.

Member Weaver has questions on the commercial and manufacturing in the non-residential use.

Member Fowler asked if staff did a comparison from neighboring communities for best practices. She thinks that would help the board make an educated decision, especially for the non-residential structures.

Mr. Stytz stated that staff did not research the individual size allowances for accessory structures for surrounding communities but researched the common sizes for accessory structures as found on Menards and Lowe's websites instead to determine an appropriate size restriction.

Chair Szabo stated that we could continue the whole amendment, or we can continue just the non-residential accessory area. He asked if they decided to break up the amendment if it will be a problem, legally.

Ms. Lenneman stated that as long as you continue the non-residential portion to a specific date you would be able to continue the public hearing and the board could vote on the residential portion tonight and non-residential portion on the continued date. If they do break it up, staff will redraft the amendments.

Mr. Stytz stated that they can continue the whole case, or they can vote on the residential and continue the non-residential if they have concerns and would like more information.

Member Weaver stated he believes the City Council would like to hear the entire amendment at one time. He asked if they could vote on it at the next meeting.

Ms. Redman stated that staff would need more time to do research and contemplation. Staff would not be able to turn the research around this quickly.

Member Saletnik stated that he thinks the staff should get a comparison to make sure the City is doing the right thing. He stated for residential a 15 x 15 pergola is 225 ft. He stated that is a common dimension and would be over the proposed allowable amount.

Member Weaver stated that if the proposed amendment goes as high as 5%, he does not believe people would build larger just because they could. But if it's a 1% or less we might have to give them a variation or kill a future deal. He stated he is comfortable putting in the 5% and revisiting if necessary.

Member Fowler would like more information and to see what is happening in the surrounding suburbs.

Member Saletnik asked how the City came up with the 200 square feet measurement and what the other municipalities are doing.

Mr. Stytz stated that the City based the numbers on the data that they collected and provided in attachment 1 where the average was less than 200. These are the prebuilt items that you can purchase. Most of the sheds on the sites were between 150 and 200. This is attempting to satisfy the majority of the requests that we get for these types of structures and one that can be purchased. The variation process is in place if a larger accessory structure is requested.

Ms. Redman stated that typically when someone asks for a pergola over the allowance, they attach it to their principal structure. Then its no longer an accessory structure. Then the City would look at other things like building coverage.

Member Weaver stated that he doesn't want to run through non-residential. If we are not comfortable with what we have then we can wait and get the analysis of what other municipalities are doing. He stated that he is not comfortable with approving in pieces. He asked how research is done.

Mr. Stytz stated that staff will need more time to research the non-residential component. They start by looking up the information online then they contact the planning departments. Staff can also send out a survey from the Northwest Municipal Conference.

A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to continue the matter to a date certain, August 22, 2023, so staff can find out what the other municipalities are doing on all aspects to be able to make an educated decision.

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

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

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday August 8, 2023.

Chairman Szabo adjourned the meeting by voice vote at 9:00 p.m.

Sincerely,
Margie Mosele, Executive Assistant/Recording Secretary
cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

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

MEMORANDUM

Date: August 4, 2023
To: Planning and Zoning Board (PZB)
From: Jonathan Stytz, AICP, Senior Planner
CC: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*
Subject: Request to Continue 23-045-FPLAT-CU LASR: 2777 Mannheim Road

Due to additional time necessary for the Public Works and Engineering (PWE) department to review the Final Engineering Plans for approval, staff has requested and the petitioner has accepted to continue the hearing to the Board's regular meeting on Tuesday, August 22, 2023. I recommend the Board grant this request, which is attached.



2211 North Elston, Suite 304
Chicago, Illinois 60614
Main: 773.382.0445
Fax: 773.796.3037

August 1, 2023

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

RE: 2777 Mannheim Road, Des Plaines – Meeting Continuance Request

Dear City of Des Plaines,

GW Properties is requesting a continuance to our Planning and Zoning Board meeting for the property referenced above. We respectfully request that this meeting be continued to the August 22, 2023 Planning and Zoning Board meeting.

Regards,

A handwritten signature in black ink that reads 'Mitch Goltz'.

Mitch Goltz
Principal
GW Properties

MEMORANDUM

Date: August 4, 2023
To: Planning and Zoning Board (PZB)
From: Jonathan Stytz, AICP, Senior Planner JS
Cc: John T. Carlisle, AICP, Director of Community & Economic Development JC
Subject: Consideration of a City-Wide Text Amendment, Map Amendment, Preliminary Planned Unit Development (PUD), and Tentative Plat of Subdivision at 180 N. East River Road, Case #23-042-AX-TA-MAP-TSUB-PUD

Issue: The petitioner is requesting a city-wide Text Amendment to amend Section 12-3-5.B.3.a of the Zoning Ordinance to remove the minimum lot size requirement for a PUD on lots in the R-1 Single Family Residential, R-2 Two-Family Residential, R-3 Townhouse Residential, and R-4 Central Core Residential zoning districts for detached single-family or attached townhouse developments that consist of multiple principal buildings.

The petitioner is also requesting the following under the Zoning Ordinance for the property at 180 N. East River Road: (i) a Map Amendment to rezone from R-1 Single Family Residential to R-3 Townhouse Residential District; (ii) a Preliminary PUD, with exceptions for minimum lot area, building design, and required rear yard, to allow a 16-unit townhouse development; and (iii) a Tentative Plat of Subdivision to subdivide the existing single lot into 17 lots of record.

While not part of the Planning and Zoning Board’s purview, annexation of the subject property to the City of Des Plaines will be a prerequisite for final approval. The City Council has sole authority for approval of annexation, and such review and approval will happen pursuant to an annexation public hearing held at a later date and time that will be duly noticed as required by law.

Petitioner: MAS Land Investments 2, LLC (Representative: Todd Polcyn, 837 N. Maple Avenue, Palatine, IL 60067)
Owner: Ed Del Castillo, 711 Middleton Court, Palatine, IL 60067
Case Number: 23-042-AX-TA-MAP-TSUB-PUD
PIN: 09-09-402-007-0000
Ward: None, unincorporated Cook County (future ward once annexed: #1, Alderman Mark A. Lysakowski)

Existing Zoning: Single Family Residential District (R4 in *Unincorporated Cook County*)

Existing Land Use: Single Family Residence

Surrounding Zoning: North: Single Family Residential District (R4) (Unincorporated Cook County)
 South: R-3, Townhouse Residential District (City of Des Plaines)
 East: R-3, Townhouse Residential District (City of Des Plaines)
 West: Single Family Residential District (R4) (Unincorporated Cook County)

Surrounding Land Use: North: Single Family Residence (Residential)
 South: Townhouse Residences (Residential)
 East: Townhouse Residences (Residential)
 West: Single Family Residence (Residential)

Street Classification: North East River Road is classified as a major collector street and is under Cook County jurisdiction.

Comprehensive Plan: The subject property is in unincorporated Cook County and is not illustrated on the Future Land Use map in the 2019 Comprehensive Plan. However, the neighboring property abutting the subject property to the south is illustrated as multifamily residential. The Comprehensive Plan is generally supportive of exploring annexation opportunities.

Project Description: *Overview*
 Petitioner MAS Land Investments, LLC, owner of the subject property, intends to annex land to the City of Des Plaines and build a townhouse development. The subject property is located in unincorporated Cook County along North East River Road and is comprised of one 40,245-square-foot (0.92-acre) parcel.

The subject property is improved with a one-story, 1,665-square-foot residence, a 1,194-square-foot detached garage (including two additions), two frame sheds approximately 82 and 90 square feet in size, and a combination of concrete and gravel driveway and parking areas as shown on the attached Plat of Survey.

Proposed Improvements
 The proposal includes the removal of all existing site improvements to redevelop the subject property into a 16-unit PUD similar to the Insignia Glen PUD located directly south of the subject property at 172 N. East River Road, which is already incorporated within Des Plaines (in other words, the property subject of this request is immediately north of and contiguous to Des Plaines' corporate boundary).

The proposed development consists of four separate three-story principal buildings—each with four units—as shown on the attached PUD Plat. The anticipated unit mix will be predominately two-bedrooms, but the floor plan is adaptable to create a third bedroom; the developer has not finalized the unit mix. Each unit will have a two-car attached garage on the lower level, living space with a balcony on the middle level, and bedrooms on the top level.

The proposal intends to mirror the general building and driveway design of the existing Insignia Glen development, built via PUD in the early 2000s, and will utilize the same private drive for access to East River Road via an existing access easement that was granted and recorded via the early 2000s PUD. For this reason, the existing gravel curb cut onto the subject property will be removed and replaced with turf and landscaping areas. New walkways are proposed along the private drive (south property line)—with walkway connections to each unit—and along North East River Road (east property line) of the subject property for pedestrian access throughout the site and connections to the existing Insignia Glen PUD. The development also proposes common green spaces for residences opposite the driveway entrances where separate front door, porch area, and walkway connections are provided.

TEXT AMENDMENT

Request Description:

Overview

As noted above, the subject property is less than an acre in size, which does not meet the minimum two-acre requirement for a PUD pursuant to Section 12-3-5.B.3.a of the Zoning Ordinance and therefore requires a text amendment to allow the subject property to be eligible for a PUD.

Proposed Text Amendment

The petitioner has provided the attached Proposed Text Amendments to identify the requested language in Section 12-3-5.B.3.a. Based on the proposal, there would be no minimum PUD size for detached single family and attached townhouse residence developments that consist of multiple principal buildings. The proposed amendments would allow the proposed townhouse (single-family attached) PUD on the subject property, which includes multiple residential buildings (i.e., dwellings) and represents four principal structures.

The proposed amendments would not, however, remove the existing minimum two-acre requirement for PUDs that do not meet the criteria above. For example, a single-family detached or townhouse development that consists of a single principal building would still need to be a minimum two-acres in area in order to be eligible to establish a PUD as currently required in the Ordinance. Similarly, a proposed two-family residence (i.e., duplex) or multi-family (i.e., apartment) development would also need to meet the minimum two-acre requirement in order to be eligible for a PUD. The petitioner’s rationale for the proposed amendments is found in the attached Petitioner’s Responses to Standards for Text Amendments.

MAP AMENDMENT

Request Description:

Overview

The subject property is currently located in unincorporated Cook County and is not classified under any zoning district classification identified in Chapter 7 of the Des Plaines Zoning Ordinance. However, upon approval of an annexation of the subject property into the municipal boundaries, absent a Map

Amendment to establish an “...appropriate district classification...” (Section 12-6-3, Annexed Land), the default zoning district classification is R-1 Single Family Residential per Section 12-6-4.B. The proposed townhouse dwelling use is not allowed in the R-1 district as a permitted or conditional use but is permitted in the R-3 Townhouse Residential district as noted below.

| Residential Districts Use Matrix | | | | |
|---|------------|------------|------------|------------|
| <i>Use</i> | <i>R-1</i> | <i>R-2</i> | <i>R-3</i> | <i>R-4</i> |
| Dwellings, townhouse* | | | P | P |
| Planned Developments | C | C | C | C |

*This use is not allowed in the R-1 and R-2 zoning districts.

As such, the petitioner is requesting a map amendment to rezone the property, once annexed, from R-1 to R-3 to construct the proposed townhouse PUD. A PUD in the R-3 district does require approval of a conditional use permit by the City Council as noted in the table, which will be discussed in more detail in the *Preliminary PUD request* section.

Bulk Regulations

A townhouse dwelling use is subject to the bulk regulations in Section 12-7-2.J of the Zoning Ordinance. The table below compares the R-3 district regulations with the proposed development on the subject property.

| R-3 Townhouse Residential District Bulk Standards | | |
|--|-----------------|-------------------------|
| <i>Bulk Controls</i> | <i>Required</i> | <i>Proposed</i> |
| Maximum height | 45 ft | 36 ft |
| Minimum front yard [east] (adjacent residential) | 25 ft | 35 ft |
| Minimum side yard <ul style="list-style-type: none"> • North (building height over 35 ft) • South (building height over 35 ft) | 10 ft 10 ft | 10 ft 13 ft |
| Minimum rear yard [west] (building height over 35 ft) | 30 ft | 24 ft* |
| Minimum lot width (interior lot) | 45 ft | 105 ft |
| Minimum lot** area (interior lot) | 2,800 SF per DU | 1,040 SF per DU* |
| Maximum building coverage (interior lot) | None | N/A |

**Indicates that the regulation is not met; staff recommends seeking PUD exceptions for the rear yard setback and density pursuant to Section 12-3-5.C of the Zoning Ordinance. See the Preliminary PUD request section for additional details.*

***For fee-simple, individually platted townhouse developments, the definition and context of “Lot” has been historically interpreted to refer to individual townhouse lots of record. Therefore, with a minimum required of 2,800 square feet, when a smaller area is proposed, an exception is required.*

Site Plan Review

Pursuant to Section 12-3-7.D.2 of the Zoning Ordinance, a Site Plan Review is required for all map amendment requests to assess how the request meets the characteristics identified in Section 12-3-2, which are listed below along with staff’s assessment of each in relation to the current Site Plan provided by the petitioner. Note that the attached PUD Site Plan may be adjusted as necessary by the petitioner to address staff/public comments and incorporate all needs of the proposed townhouse development.

| Site Plan Review | |
|---|--|
| <i>Item</i> | <i>Analysis (based on Proposal)</i> |
| The arrangement of structures on the site | <ul style="list-style-type: none"> • Positions buildings to make better use of space and create separate parking and open spaces. • Compatible with uses to the south and east in incorporated Des Plaines |
| The arrangement of open space and landscape improvements | <ul style="list-style-type: none"> • Multiple open space and landscape areas proposed throughout development. • Creates a functional and desirable environment for patrons, pedestrians, and occupants. |
| The adequacy of the proposed circulation system on the site | <ul style="list-style-type: none"> • Relies solely on existing private drive for all site access; no alternate connections throughout site. • Minimizes curb-cuts on North East River Road. |
| The location, design, and screening of proposed off-street parking areas | <ul style="list-style-type: none"> • Landscape screening of parking areas provided in between individual driveways and parking areas. • Provides a defined separation between pedestrian and vehicle circulation. |
| The adequacy of the proposed landscaping design on the site | <ul style="list-style-type: none"> • Adequate perimeter parking lot landscaping provided in front of and behind parking areas. • Intends to preserve existing trees on site. • Both foundation and site perimeter landscaping proposed all of sides of buildings to create an adequate a defined transition between uses. |
| The design, location, and installation of proposed site illumination | <ul style="list-style-type: none"> • Location of proposed exterior illumination is not clearly identified and should be shown. |
| The correlation of the proposed site plan with adopted land use policies, goals, and objectives of the comp. plan | <ul style="list-style-type: none"> • In line with the multifamily residential use designated for neighboring properties on the future land use map in the Comprehensive Plan. • Aligns with the Comprehensive Plan objective to create additional and more dense housing options. |

PLANNED UNIT DEVELOPMENT (PUD)

Request Description:

Overview

The proposed development includes four separate principal buildings. Section 12-13-3 of the Zoning Ordinance defines a principal building as “a nonaccessory building in which a principal use of the lot, on which it is located, is conducted.” In a townhouse development, the townhouse dwelling itself represents the principal use of the property, which is to provide:

“A room or group of contiguous rooms that include facilities used or intended to be used for living, sleeping, cooking and eating, and that are arranged, designed or intended for use exclusively as living quarters” (Section 12-13-3, Zoning Ordinance).

In short, the proposed PUD on the subject property includes attached townhouse residential units in four separate buildings (i.e., dwellings), which represent four principal structures. However, pursuant to Section 12-7-1.A of the Zoning Ordinance, not more than one principal building or structure can be located on a zoning lot, except in certain cases. In the list of available exceptions, a planned development, defined below, is the only case suitable for the proposal.

“A development occurring on a parcel under single ownership or unified control which is developed as a unit and includes two (2) or more principal buildings or uses, and is processed under the planned development procedure of this title” (See section 12-3-5, "Planned Unit Developments", of this title.) (Section 12-13-3, Zoning Ordinance).

The purpose of a PUD is to permit a type of development that aligns with the characteristics in Section 12-3-5.A of the Zoning Ordinance, which are listed below along with staff’s assessment of each in relation to the attached Preliminary PUD Plat provided by the petitioner.

| Preliminary PUD Plat Review | |
|--|--|
| <i>Item</i> | <i>Analysis (based on Proposal)</i> |
| A maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the other sections of this title | Provides an additional housing option with increased density and multiple principal buildings that is not permitted elsewhere in the Zoning Ordinance. |
| Permanent preservation of common open space and recreation areas and facilities | Creates common open space and/or recreation area where there is none currently. |
| A pattern of development to preserve natural vegetation, topographic and geologic features | Includes a tree prevention plan to minimize impacts to vegetation and physical site features. |
| A creative approach to the use of land and related physical facilities that results in better development and design and the construction of aesthetic amenities | Building design/layout provides a defined separation between paved areas and common space; provides adequate screening between these areas and neighboring lots. |

| Preliminary PUD Plat Review (continued) | |
|---|---|
| <i>Item</i> | <i>Analysis (based on Proposal)</i> |
| An efficient use of the land resulting in more economic networks of utilities, streets and other facilities | Utilizes existing private drive to reduce curb cuts onto the street and tie into existing utilities and facilities. |
| A land use which promotes the public health, safety, and general welfare | Transforms an under-utilized site with dilapidated/unsafe structures to a safer and beneficial use. |

Prerequisites: Location, Ownership, and Size

PUDs are authorized in all zoning districts in the City subject to the regulations in Section 12-3-5 of the Zoning Ordinance and are required to be under single ownership and/or unified control. While the subject property is currently not owned by the petitioner, the petitioner does intend to take ownership of the property upon approval of the requests in this application and the annexation of the property. While not part of the Planning and Zoning Board’s purview, staff will require the petitioner to enter into a development and annexation agreement which will need to be approved by the City Council. The establishment of a Home Owner’s Association (HOA) will also be required to manage and maintain the proposed PUD.

These regulations also specify minimum size requirements for PUDs depending on the zoning district for which it is located. Pursuant to Section 12-3-5.B.3.a of the Zoning Ordinance, the minimum size of a planned unit development must not be less than two acres for a property in the R-3 zoning district. Since the property is less than an acre, the proposed PUD does not meet this requirement and therefore requires a text amendment to the Zoning Ordinance to allow the proposed PUD on the subject property. See the *Text Amendment* request section earlier in the report for additional information.

Parking Requirement

Pursuant to Section 12-9-7, a townhouse (single-family attached) residential use requires a minimum of two off-street parking spaces per dwelling unit plus one common guest space for every four dwelling units. As such, the proposed 16-unit PUD requires a minimum of 36 off-street parking spaces: 32 for direct use of the units and four common guest spaces and two accessible spaces. The attached PUD Site Plan indicates two covered off-street garage spaces for each unit and eight standard parallel parking spaces off the private drive.

PUD Bulk Exceptions

As identified in the R-3 Bulk Regulations table above, the proposal does not meet the minimum rear yard, building design, and density (minimum lot area) regulations. As such, PUD exceptions are required through Section 12-3-5.C.1 (Necessity of Bulk Exceptions), Section 12-3-5.C.2 (Perimeter Yards), and Section 12-3-5.C.6 (General Design).

TENTATIVE PLAT OF SUBDIVISION

Request Description:

Overview

The proposal includes a subdivision of the subject property from one, 43,476-square-foot lot to 17 lots of record, including a separate lot for each of the 16 units (Lots 1-16) and one lot (Lot 17) for the common area of the PUD.

The attached Tentative Plat of Subdivision, titled Insignia Glen 2 Subdivision, shows the location, boundaries, and size of each lot, which vary from 1,040 to 1,248 square feet in size for the townhouse lots and equates to 20,986 square feet for the single common space lot proposed, totaling 39,290 square feet (0.90-acres). The remaining 4,186 square feet accounts for the portion of the property that extends into the North East River Road right-of-way, which is proposed to be dedicated to Cook County as part of this request.

Building Lines and Easements

The Insignia Glen 2 Subdivision shows the following easements and building lines: (i) a new 25-foot front building setback line along North East River Road where the proposed subdivision abuts the street; (ii) a new 10-foot side building setback line along the north and south of the proposed subdivision; (iii) a new 22-foot rear building setback line along the west boundary of the proposed subdivision; (iv) a 2.5-foot cross access easement located on 172 N. East River Road but serves the subject property; and (v) a blanket easement for ingress, egress, public and private utilities, and drainage for Lot 17.

Subdivision Process, Required Public Improvements

Although the petitioner's request is for a Tentative Plat only at this time, the Board and public may benefit from understanding the requirements of a Final Plat, which is the second step in the subdivision approval process. The steps for Final Plat are articulated in Sections 13-2-4 through 13-2-8 of the Subdivision Regulations. In summary, the Final Plat submittal requires engineering plans that must be approved by the City Engineer, in particular a grading and stormwater management plan.

Ultimately a permit from the Metropolitan Water Reclamation District (MWRD) will be required for construction. Tentative Plat approval does not require submittal of engineering plans. The Engineering review is more detailed for plans at the Final Plat stage, as those are accompanied by civil drawings, which are not required at the Tentative Plat stage.

Regardless, the Department of Public Works and Engineering (PWE) has provided brief comments (attached) based on the submittal. The memo comments that the proposed 4-foot-wide walkway/sidewalk immediately north of the parallel parking should be widened to a minimum seven feet to accommodate for door swing and ability for pedestrians to pass on the walkway.

Standards for Zoning Text Amendment:

The following is a discussion of standards for zoning text amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided in the attached petitioner responses to standards. The Board may use the provided 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;

Please see the Petitioner’s Responses to Standards for Text Amendments.

PZB Modifications (if any): _____
_____.

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

Please see the Petitioner’s Responses to Standards for Text Amendments.

PZB Modifications (if any): _____
_____.

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

Please see the Petitioner’s Responses to Standards for Text Amendments.

PZB Modifications (if any): _____
_____.

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

Please see the Petitioner’s Responses to Standards for Text Amendments.

PZB Modifications (if any): _____
_____.

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

Please see the Petitioner’s Responses to Standards for Text Amendments.

PZB Modifications (if any): _____
_____.

Standards for Zoning Map Amendment:

The following is a discussion of standards for zoning map amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided 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;

When annexed the subject property will automatically be classified R-1 Single-Family Residential pursuant to Section 12-6-4.B of the Zoning Ordinance, a district similar to the Single-Family Residential District (R4) for which it is classified in unincorporated Cook County. While a single-family residential district is practical for some properties and a new single-family residence could be built on the subject property once annexed, it is not the best and most efficient use of the property, especially when next to existing multiple-unit and townhouse residential developments; R-3 zoning is immediately next to this site in all directions within Des Plaines' corporate boundaries. In addition, the expansion of housing stock and variety is listed as an overarching principal of the 2019 Comprehensive Plan, which the proposed map amendment and future PUD would accomplish.

PZB Modifications (if any): _____
_____.

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

The subject property is adjacent to townhouse residential zoning to its south and east, but it also is adjacent to single-family residence zoning (Unincorporated Cook County) to its north and west. That said, the existing townhouse PUD at 172 N. East River Road directly abuts the subject property and 210 N. East River Road, both of which are zoned single-family residential (Unincorporated Cook County) and contain single-family residences. The access drive of the townhouse PUD at this address directly abuts the north property line with little to no transition between uses. However, with the current townhouse PUD proposal on the subject property, it can be argued that the proposed layout and design of the PUD would create a smoother and more defined transition between the townhouse PUD use and the single-family residences in unincorporated Cook County to the north and west. In addition, the proposal is consistent with the existing townhouse developments in the immediate area, all of which create additional housing stock and options.

PZB Modifications (if any): _____
_____.

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

There are no perceived concerns with the adequacy of public facilities and services for the subject property with the proposed map amendment. The anticipated use of the subject property upon approval of the map amendment would arguably improve the public facilities and services available on the site.

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 map amendment would allow for residential uses that are by nature denser in development. However, there are no perceived concerns that an allowance for denser residential uses would negatively affect surrounding properties by way of traffic, noise, fumes, dust, and odors. Staff is not aware of any issues from the existing higher density residential uses in the immediate area. In addition, it could be argued that the current state of the subject property is in disrepair, and the approval of the map amendment allows for additional residential development types, which could maximize the use of the subject property and improve its overall appearance. It is anticipated that this request could reduce any existing adverse effects on the subject property and an increase the values of neighboring properties, both of which benefit the City.

PZB Modifications (if any): _____
_____.

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

The proposed amendment allows for additional uses not currently eligible for the subject property given its default single-family residential zoning designation, and repurposes an underutilized/run-down property.

PZB Modifications (if any): _____
_____.

PUD Findings of Fact:

The following is a discussion of standards for PUDs from Section 12-3-5 of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, 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.A of this title:

The proposed townhouse PUD generally aligns with the stated purposes of PUDs as analyzed in the Preliminary PUD Plat Review table above with a proposed multiple principal building development, designated open/common space, separate vehicular and pedestrian areas, perimeter and interior landscaping areas, and tree prevention plan, all of which foster public health, safety, and general welfare for residents.

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:

The proposal is intended to meet the ownership/unified control requirements in the Zoning Ordinance. However, it does not meet the minimum size requirement, requiring a text amendment to this portion of the Zoning Ordinance to permit its construction. However, the PZB may determine that the removal of the minimum PUD size requirement for single-family and townhouse (two-family) developments with multiple principal buildings may promote more unique and multiple use developments throughout the City, which could benefit Des Plaines as a whole.

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:

The proposal departs from the bulk regulations in Section 12-7-2.J of the Zoning Ordinance as it includes a denser townhouse residential development that exceeds the 2,800-square-foot minimum lot area requirement and proposes a rear yard building setback of 22 feet, which is less than the required minimum 25-foot-setback. The proposed density is similar to the density on surrounding townhouse developments in the area and allows for additional housing stock in the City. The rear yard building setback deficiency is located on the west side of the lot, which faces a single-family residence. However, the proposed landscape screening around the perimeter of the proposed townhouse PUD is sufficient to provide a defined transition between the two uses. In the addition, the proposed development improves the current conditions of the subject property and development that is in disrepair.

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:

The proposed design of the townhouse PUD and layout of residential buildings allow for a distinct open space/pedestrian area for all units, consolidated paved vehicular areas, and a defined separation between the two. It does provide for some recreational space in between the residential buildings, which could foster a greater quality of life for its residents. In addition, it substantially improves the aesthetic appearance and reduces adverse effects on the subject property.

PZB Additions or Modifications (if necessary): _____

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

The proposal is consistent with the existing townhouse residential developments to its south and east, especially the townhouse PUD located at 172 N. East River Road, which the proposed PUD development on the subject property is intended to mirror. It also redevelops a blighted property into a multiple unit residential development that will potentially improve surrounding property values.

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:

The proposal would provide additional housing stock that helps to increase the tax base for the City and improve the economic well-being of Des Plaines. It would also provide extra economic benefit through utility and public service fees that are currently not eligible for the subject property at this time.

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:

The proposal increases housing stock and create additional housing options for residences, which aligns with the housing goals and objectives of the Comprehensive Plan. It also redevelops an underutilized property and reduces blighted areas, both of which are promoted by the Comprehensive Plan.

PZB Additions or Modifications (if necessary): _____
_____.

PZB Procedure and Recommended Conditions:

Under Section 13-2-3 (Planning and Zoning Board’s Procedure) of the Subdivision Regulations, the PZB has the final authority to approve, approve with conditions, or deny the Tentative Plat of Subdivision request at 180 N. East River Road.

Under Section 12-3-5.D.2.c (Procedure for Review and Decision for PUDS) and Section 12-3-7.D (Procedure for Review and Decision for Amendments) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve, approve with modifications, or deny the above-mentioned requests at 180 N. East River Road. The City Council has final authority on these requests.

The PZB should take the following motions. The zoning motions can be combined or taken individually:

Zoning Recommendations to City Council

- 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;
- 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 request for a Conditional Use for a Preliminary PUD, with exceptions for minimum lot area, building design, and minimum required rear yard; and

Subdivision Approval (Tentative Plat)

- A motion pursuant to Section 13-2-2 of the Subdivision Regulations to approve, approve with conditions, or deny the Tentative Plat of Subdivision.

If the PZB recommends approval, staff recommends the following conditions.

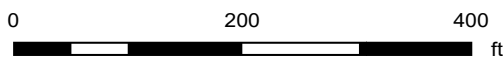
Conditions of Approval:

1. All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.
2. The Final PUD, plat, and site plan documents shall be revised to provide either (i) a minimum 7-foot-wide walkway/sidewalk adjacent to the proposed parallel parking or (ii) sufficient buffer through curb or planting strip to accommodate door swing, as well as any other revisions required of the Public Works and Engineering Department in the attached memo.
3. Improvements to the private drive for driveway curb cuts and on-street parking shall comply with the cross-access easement recorded with the approved PUD for the Insignia Glen development immediately to the south.
4. All governing documents for the construction and ongoing operation of the proposed development including but not limited to any development/annexation agreements, covenants, conditions, and restrictions, or any 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.
5. All land use and permitting approvals shall not become effective until the City finalizes approval of annexation of the subject property.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Photos of Existing Conditions
- Attachment 4: Petitioner's Responses to Standards for Map Amendments, Text Amendments, and PUDs
- Attachment 5: Plat of Survey
- Attachment 6: Project Narrative
- Attachment 7: Preliminary PUD Plat (includes Site Plan)
- Attachment 8: Architectural Plans
- Attachment 9: Landscape Plan (includes Tree Preservation Plan)
- Attachment 10: Excerpt from Preliminary Engineering Plans¹
- Attachment 11: Public Works and Engineering (PWE) Department Memo
- Attachment 12: Proposed Text Amendments
- Attachment 13: Tentative Plat of Subdivision

¹ A full copy is available by request to the Department of Community and Economic Development.



Print Date: 8/3/2023

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



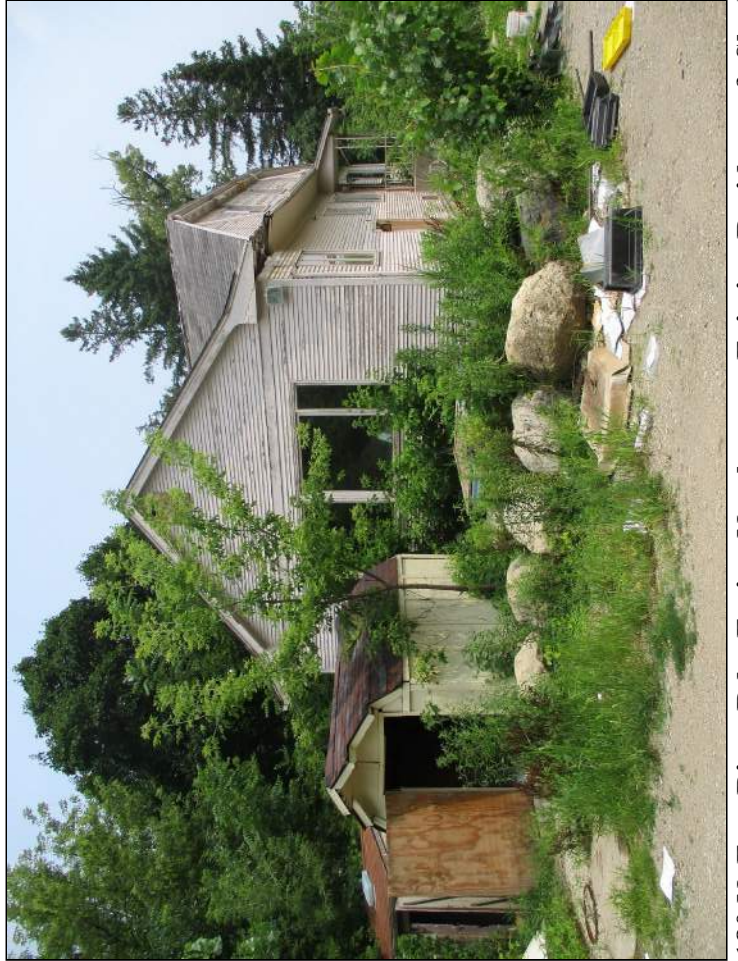
180 N. East River Rd – Public Notice & Front of Property



180 N. East River Rd – Facing West at Existing Residence & Garage



180 N. East River Rd – Facing Northwest at Existing Residence



180 N. East River Rd – Facing Northeast at Existing Residence & Shed





























MAS Land Investments 2 LLC

711 Middleton Court, Palatine, IL 60067

August 1, 2023

Insignia Glen 2, 180 N East River Road, Des Plaines, IL

Standards For Map Amendments 180 N East River Road

- 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.**

The property is proposed for 16 townhomes that will provide additional housing for families to the Des Plaines community. This proposed property will also add to the tax base of Des Plaines. We will be cleaning up a property that is in disarray and adding value to the community. It is a natural addition to the townhome community to the south. The map amendment is needed to rezone the property from R-1 to R-3 to allow for a townhome development. This proposed zoning matches the adjacent zoning. The tax base would increase from \$0 to approximately \$100,000 per year based upon \$6,312 per unit x 16 units. This figure is based upon comparable units in Des Plaines.

- 2. Whether the proposed amendment is compatible with current conditions and the overall character of the existing development in the immediate vicinity of the subject property.**

The rezoning to R-3 is a natural progression in a relatively unique part of the City. The City has previously annexed and rezoned parts within the area to R-3 PUD and parcels to the east and south are located within the City of Des Plaines and zoned R-3. There is limited developable land because the parcels are sandwiched between the Tri-State and the Cook County Forest Preserve. There is also a ComEd right of way to the north which forms a natural boundary. The request for R-3 compliments the current adjacent zoning and expected development of the area.

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

City sewer and water is adjacent to the property and will be adequate for the development.

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

The current use and condition of the property has decreased adjacent properties' home values. These new townhomes will clean up a homesite that has been in disarray and will help increase property values in the area.

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

The property will adhere to all standards for development, building codes and enhance the area. These 16 townhomes will provide more opportunities for additional residents to live in Des Plaines which will add to the existing tax base.

MAS Land Investments 2 LLC

711 Middleton Court, Palatine, IL 60067

August 1, 2023

Insignia Glen 2, 180 N East River Road, Des Plaines, IL

Standards For Text Amendments 180 N East River Road

- 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.**

The property is proposed for 16 townhomes that will provide additional housing for families to the Des Plaines community. This proposed property will also add to the tax base of Des Plaines. We will be cleaning up a property that is in disarray and adding value to the community. The property is less than 2 acres but it will appear to be an extension to the townhome community to the south. The overall development will appear to be over 2 acres including the property to the south. The tax base would increase from \$0 to approximately \$100,000 per year based upon \$6,312 per unit x 16 units. This figure is based upon comparable units in Des Plaines.

- 2. Whether the proposed amendment is compatible with current conditions and the overall character of the existing development in the immediate vicinity of the subject property.**

The text amendment is needed to allow for the annexation and PUD approval of residential parcels smaller than 2 acres. There is limited developable land available around Des Plaines and smaller residential parcels need to be developed, or re-developed and the current PUD ordinance is too limiting. This development is intended to mimic the development in the area but needs to do so as a PUD to be compatible with the neighborhood. A text amendment is needed so that this parcel can be developed as a PUD.

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

City sewer and water is adjacent to the property and will be adequate for the development.

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

The current use and condition of the property has probably decreased adjacent properties' home values. These new townhomes will clean up a homesite that has been in disarray and will help increase property values in the area.

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

The property will adhere to all standards for development, building codes and enhance the area. These 16 townhomes will provide more opportunities for additional residents to live in Des Plaines which will add to the existing tax base.

MAS Land Investments 2 LLC

711 Middleton Court, Palatine, IL 60067

August 1, 2023

Insignia Glen 2, 180 N East River Road, Des Plaines, IL

Standards for Planned Unit Developments 180 N East River Road

- 1. The extent to which the proposed plan is or is not consistent with the stated purpose of the planned unit development regulations set forth in subsection A of this section;**

The property is under 2 acres but lends itself due to the physical surroundings to treatment as a PUD. Approving this development through the PUD process will result in a superior development consistent with the guidelines and restrictions contained in the PUD section including promoting sound planning, aiding the City's development as a balanced community, and assisting the City in realizing the intent and purpose of the Comprehensive Plan of the City.

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

The development will be constructed consistent with the architectural, engineering and landscape plans submitted and approved by the City. Pursuant to a straight rezoning to R-3 the City would not have the legal authority to condition such zoning on specific plans. Thus, the City and the surrounding community are assured of exactly the type of use and product that will be developed here. The architectural, engineering and landscape plans complement the Insignia Glen development to the south acting as an extension of that townhome with a more modern current product.

- 3. The extent to which the proposed plan departs from the 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;**

Two departures are sought:

- 1. Density:** 16 dwelling units instead of the 14 units permitted under the R-3 zoning restrictions.

Rationale and Justification:

1. The site plan demonstrates that the property is physically capable of supporting the proposed 16 dwelling units.
2. The replacement of the current dilapidated structures on the property which has created a continuing eyesore for the residents of the City living in Insignia Glen supports this minor departure.
3. It would be awkward to construct one 2-unit building in the midst of predominantly 4+ unit buildings on the property and at Insignia Glen.

4. The conditions in the surrounding area which evidence the same dilapidated buildings in existence on the subject property support the City granting this developer an incentive (so to speak) in density to proceed with the development.
 5. The increased density poses no threat to the public safety and restricting the development to 14 dwelling units instead of 16 promotes no ascertainable public benefit.
- 2. Rear Yard Setback: 22' instead of the required 30' setback:**
1. Petitioner adopts and incorporates all of the rationale and justification for the density departure as and for its rationale and justification for the rear yard setback.
 2. The configuration of the lot and the contributes to the request for the departure.
 3. The residence to the south that is most impacted by the reduction in the setback has been impacted by the dilapidated conditions, noises, smells that have existed on the subject property.
 4. The reduction in the setback is being mitigated by the robust landscaping proposed to be installed on the shared property line with the property to the south.
 5. Again the reduction poses no threat to the public safety and there is no ascertainable basis in the public welfare for requiring strict adherence to the setback requirement.
- 4. The extent to which the physical design of the proposed plan does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provided for and protect designated common space, and further amenities of light and air, recreation and visual enjoyment;**

We have engaged the same civil engineer and architectural team to match the development to the south. The colors and building materials complement the property to the south.

- 5. The extent to which the relationship and compatibility of the proposed plan is beneficial or adverse to adjacent properties and neighborhood;**

Per the recorded plat, 180 N East River Road has rights for accessibility to the private road which will remain private. We have been in contact with the HOA management company to discuss the development. We have also spoken to some of the neighbors to the south and to the east of the property.

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

The property will increase the existing tax base of the City. It will replace dilapidated structures (most likely violative of the Building Code), and obsolete uses with a modern townhouse development which will complement similar developments to the south and to the east. The proposed plan is a win-win for the property owner, the neighbors who live in the area and the City itself.

7. The extent to which the proposed plan is not in conformity with the recommendations of the comprehensive plan;

Perhaps through inadvertence the property is not mapped on the City's Comprehensive Plan. Thus, the proposed development is neither consistent nor inconsistent with the Comprehensive Plan. When the City does designate this property for future use and development it appears inevitable that it will map it for a use consistent with the proposed development.

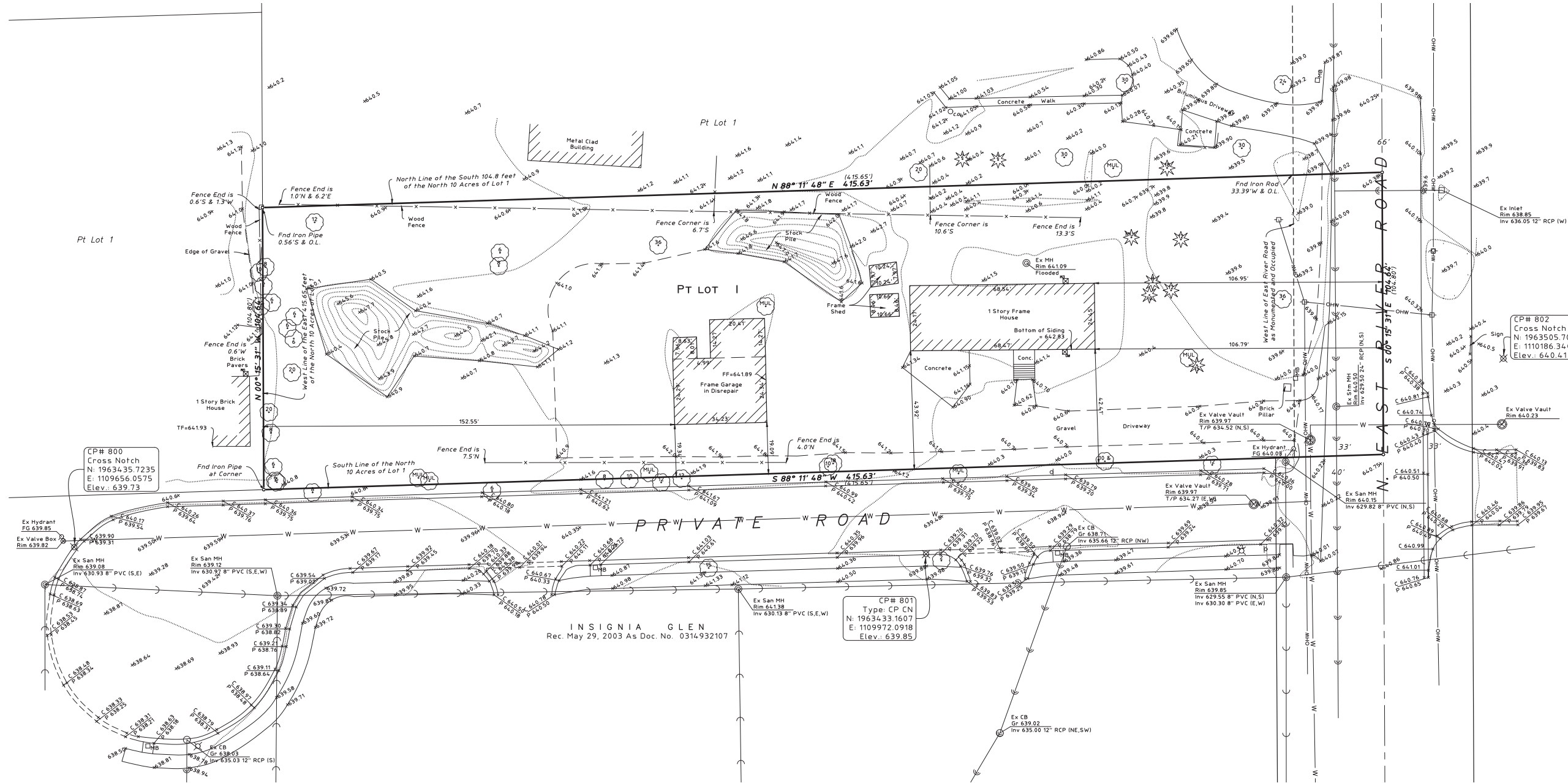
PLAT OF SURVEY

LEGAL DESCRIPTION

THE SOUTH 104.8 FEET OF THE EAST 415.65 FEET OF THE NORTH 10 ACRES IN LOT 1 IN ASSESSOR'S DIVISION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Scale: 1" = 20'



AREA SUMMARY

| | | |
|-------------|-------------|-------------|
| TOTAL AREA | 43,476 S.F. | 0.99808 AC. |
| R.O.W. AREA | 3,453 S.F. | 0.07927 AC. |
| NET AREA | 40,023 S.F. | 0.91881 AC. |

- Surveyor's Notes:**
- Field work was completed on May 3, 2023.
 - The Horizontal coordinates and basis of bearing shown hereon are based on NAD 83(2011) Illinois East Zone 1201 State Plane Coordinates as referenced from Kara Company's RTK Network.
 - The Vertical Datum referenced hereon is based on NAVD 88 (Geoid 12A) as referenced from Kara Company's RTK Network.
 - A title commitment policy was not provided for this survey. This property may be subject to easements and/or restrictions not provided to the surveyor prior to the completion of this survey.
 - Utility information shown hereon is based upon field measurements, available records, information from field data is limited to that which is visible and can be measured. This survey does not exclude the possibility of the existence of other underground utilities and/or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.I.E. (1-800-892-0123).

Benchmark

| | | | | |
|-----------------------|-----------------------|--------------------------|-------------------|---------------------|
| Site Benchmark | CP # 800 (see survey) | Description: Cross Notch | Elevation: 639.73 | NAVD 88 (Geoid 12A) |
| | CP # 801 (see survey) | Description: Cross Notch | Elevation: 639.85 | NAVD 88 (Geoid 12A) |
| | CP # 802 (see survey) | Description: Cross Notch | Elevation: 640.41 | NAVD 88 (Geoid 12A) |

LEGEND

| | | | |
|--|-----------------------|--|--|
| | Manhole | | Guy Wire |
| | Catch Basin | | Utility Pole |
| | Inlet | | Mailbox |
| | Clean Out | | Curb & Gutter |
| | Storm Sewer Atlas | | Depressed Curb |
| | Sanitary Sewer Atlas | | Retaining Wall |
| | Water Main Atlas | | Curb Elevation and Gutter/Pavement Elevation |
| | Fire Hydrant | | Pavement Elevation |
| | Valve Vault | | Sidewalk Elevation |
| | Valve Box | | Ground Elevation |
| | B-Box | | Contour Line |
| | Light Pole | | Deciduous Tree |
| | Fence | | Coniferous Tree |
| | Sign | | Bush |
| | Gas Meter | | Brushline |
| | Gas Line | | Record |
| | Electric Line | | On Line |
| | Overhead Utility Line | | |
| | Fiber Optic Line | | |
| | Electric Meter | | |



State of Illinois)
 County of Cook) SS:
 This professional service conforms to the current Illinois minimum standards for a boundary topographic survey.
 By: *[Signature]* May 10, 2023
 Illinois Professional Land Surveyor No. 3695

HAEGER ENGINEERING
 consulting engineers • land surveyors
 100 East State Parkway, Schaumburg, IL 60173 • 815-396-6600 Fax: 815-396-6606
 Illinois Professional Design Firm License No. 18-000132
 www.haegerengineering.com

BOUNDARY & TOPOGRAPHIC SURVEY
 180 NORTH EAST RIVER ROAD
 DES PLAINES, ILLINOIS
 COOK COUNTY

Project Manager: J D T
 Drafter: J C H
 Date: 2023-05-10
 Project No. 23-067
 Sheet 1

MAS Land Investments 2 LLC

711 Middleton Court, Palatine, IL 60067

August 1, 2023

Insignia Glen 2, 180 N East River Road, Des Plaines, IL

Project Narrative and Summary

The proposed development is a new 16 unit townhome development with an open space / common area outlot which is to compliment the townhome community to the south, Insignia Glen. The land design as well as the architecture was designed in a fashion to compliment Insignia Glen to appear as a second phase to the existing community. The parcel has net acreage of 0.9 acres of which 0.4 acres will be allocated to buildable lots, and the remaining 0.48 acres (53%) will be allocated for open space.

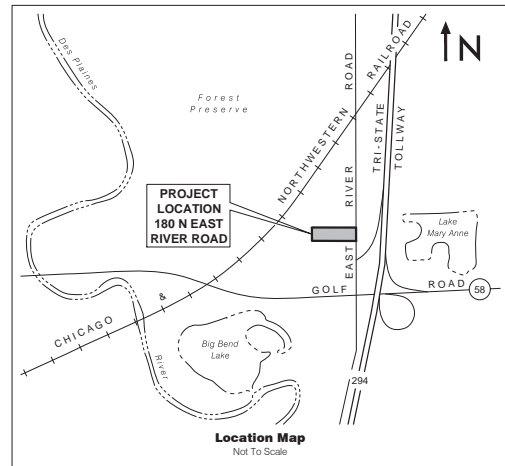
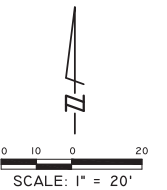
Insignia Glen 2 is a proposed development which will share the private road to the south of the parcel. Per the Insignia Glen recorded plat, there is a cross access easement to allow for us of the private road. MAS Land Investments 2 LLC is in communication with the Insignia Glen HOA to address any concerns or work out any details. It is our intention to cooperate with the HOA to the south. We will have our own HOA. Insignia Glen 2 is a one acre site and is mirroring the same layout of 4 - 4 unit 3 story townhome buildings with rear load garages that are in the existing development. MAS has engaged the same design team that designed Insignia Glen to assure consistency. The proposed development has two new drives that will service 2 buildings each. We are proposing 8 new parking spots along the private road to allow for guest parking as well as 2 parking spots per unit in driveways along with 2 car garages. We have proposed a sidewalk running east to west along the private road along with sidewalks to each individual unit.

Insignia Glen 2 has very similar color schemes for the exterior building products to blend with the units in Insignia Glen. The architecture is also very similar to blend with the existing development. There will be two floor plans with 2 or 3 bedroom options.

We are proposing permeable pavers to meet runoff reduction requirements along with city sewer and water. We will be providing a 40' public roadway dedication along the east end of the parcel for that part of East River Road that is presently part of the property. This matches the dedication to the south.

Insignia Glen 2 will be a nice addition to Des Plaines and will be seen as an extension to Insignia Glen to the public.

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT OF INSIGNIA GLEN 2

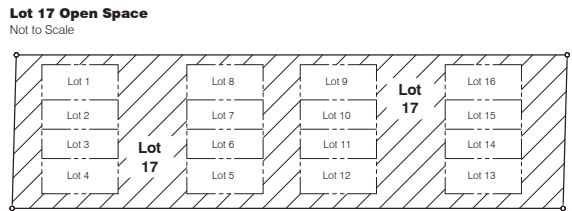
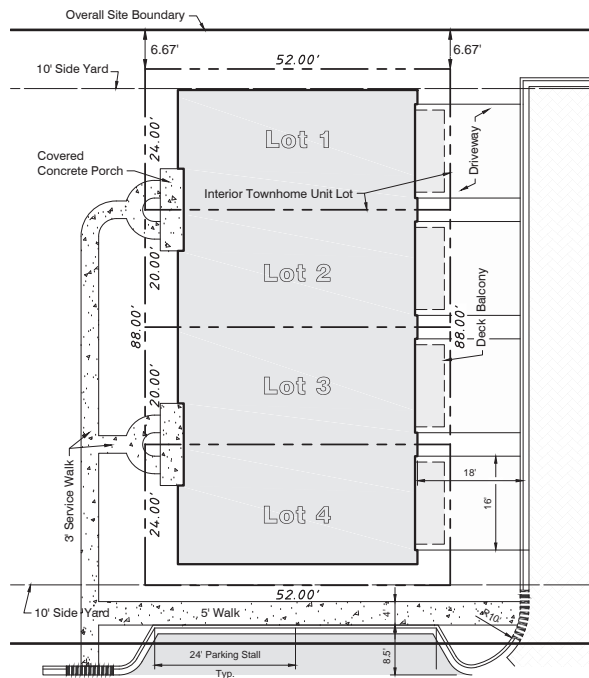
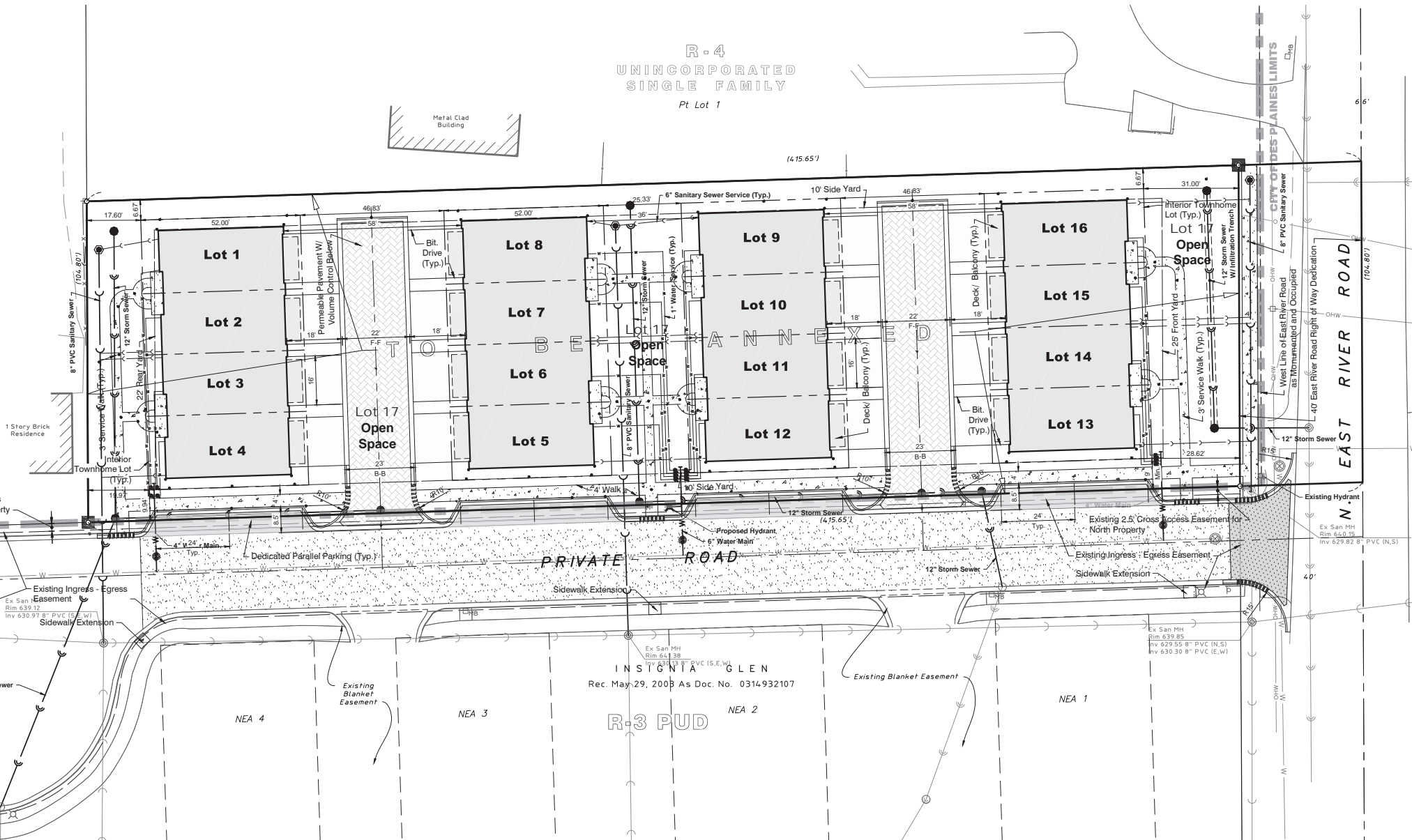


Developer/ Subdividers:
MRS Land Investments 2, LLC
711 Middleton Court
Palatine, IL 60067

Prepared By:
Haeger Engineering LLC
Illinois Prof. Design Firm #184-003152
100 E. State Parkway
Schaumburg, IL 60173
Tel: 847-394-6600 Fax: 847-394-6608
www.haegerengineering.com

City of Des Plaines
420 Miner Street
Des Plaines, IL 60016
Tel: 847-391-5300

**R-4
UNINCORPORATED
SINGLE FAMILY**



Note
Lot 17 is an "Open Space/ Common Area and Blanket Easement for Ingress / Egress, Public Utilities, Private Utilities and Drainage" benefiting Lots 1 to 16.

| Lot Area Summary | | |
|-------------------|----------------|---------------|
| | Area (ac.) | Area (sf) |
| Gross Site Area | 0.99807 | 43,476 |
| R.O.W. Dedication | -0.09609 | -4,186 |
| Net Site Area | 0.90198 | 39,290 |
| Lot Areas | | |
| Lot 1 | 0.02865 | 1,248 |
| Lot 2 | 0.02388 | 1,040 |
| Lot 3 | 0.02388 | 1,040 |
| Lot 4 | 0.02865 | 1,248 |
| Lot 5 | 0.02865 | 1,248 |
| Lot 6 | 0.02388 | 1,040 |
| Lot 7 | 0.02388 | 1,040 |
| Lot 8 | 0.02865 | 1,248 |
| Lot 9 | 0.02865 | 1,248 |
| Lot 10 | 0.02388 | 1,040 |
| Lot 11 | 0.02388 | 1,040 |
| Lot 12 | 0.02865 | 1,248 |
| Lot 13 | 0.02865 | 1,248 |
| Lot 14 | 0.02388 | 1,040 |
| Lot 15 | 0.02388 | 1,040 |
| Lot 16 | 0.02865 | 1,248 |
| Lot 17 Open Space | 0.48178 | 20,986 |
| Total | 0.90198 | 39,290 |

| Site Data | | |
|-----------------------|-----------------|--------|
| | ac. | s.f. |
| Gross Site Area | 1.00 | 43,476 |
| R.O.W. Dedication | 0.10 | 4,186 |
| Net Site Area | 0.90 | 39,290 |
| Total No. of Units | | |
| | 16 | |
| Net Density | | |
| | 17.7 d.u./ac. | |
| | 2,456 s.f./d.u. | |
| Parking Summary | | |
| Garage Stalls | 32 @ 2:0:1 | |
| Driveway Spaces | 32 @ 2:0:1 | |
| Parallel Guest Stalls | 8 @ 0.5:1 | |
| Total Parking | 72 @ 4.5:1 | |

| City Ordinance Metrics | | |
|---------------------------|----------|----------|
| | Required | Provided |
| R-3 | | |
| Building Height | 45' | 35'-8.5' |
| Yard Summary | | |
| Front | 25' | 25' |
| Rear | 30* | 22' |
| Side | 10* | 10' |
| *For buildings over 35' | | |
| Minimum Lot Area/ Unit | 2,800 | 2,456 |
| Parking Summary | | |
| Parking - 2/d.u. | 32 | 64 |
| Guest Parking - 0.25/d.u. | 4 | 8 |

| Legend | |
|-----------------|------------------------|
| Existing Symbol | Proposed Symbol |
| ⊙ | Storm Sewer Manhole |
| ○ | Catch Basin |
| □ | Inlet |
| ⊙ | Sanitary Sewer Manhole |
| ⊙ | Clean Out |
| ⊙ | Storm Sewer |
| ⊙ | Sanitary Sewer |
| — | Sanitary Sewer Service |
| — | Water Main |
| — | Water Main Service |
| ⊙ | Fire Hydrant |
| ⊙ | Valve Vault |
| ⊙ | Valve Vault |
| ⊙ | Valve Box |
| ⊙ | Curb & Gutter |
| ⊙ | Lot Line |
| ⊙ | Easement Line |
| ⊙ | Property / Lot Line |
| ⊙ | No. Parking Stalls |

- Notes:**
- The basis of bearing shown hereon is based on NAD 83(2011) Illinois East Zone 1201 State Plane Coordinates as referenced from Kara Company's RTK Network.
 - Based on information provided on the Flood Insurance Rate Map Community - Panel No. 1703(C026J) dated August 19, 2008 produced by the Federal Emergency Management Agency (FEMA) of Cook County, Illinois, the property shown and described hereon is located within Zone X, which is defined by FEMA as "Areas determined to be outside the 0.2% annual chance floodplain."

Dimension Abbreviations Used
B-B Back of Curb to Back of Curb
F-F Face of Curb to Face of Curb
R Radius Back of Curb

Originally Prepared: 06/30/2023 Project No. 23-067

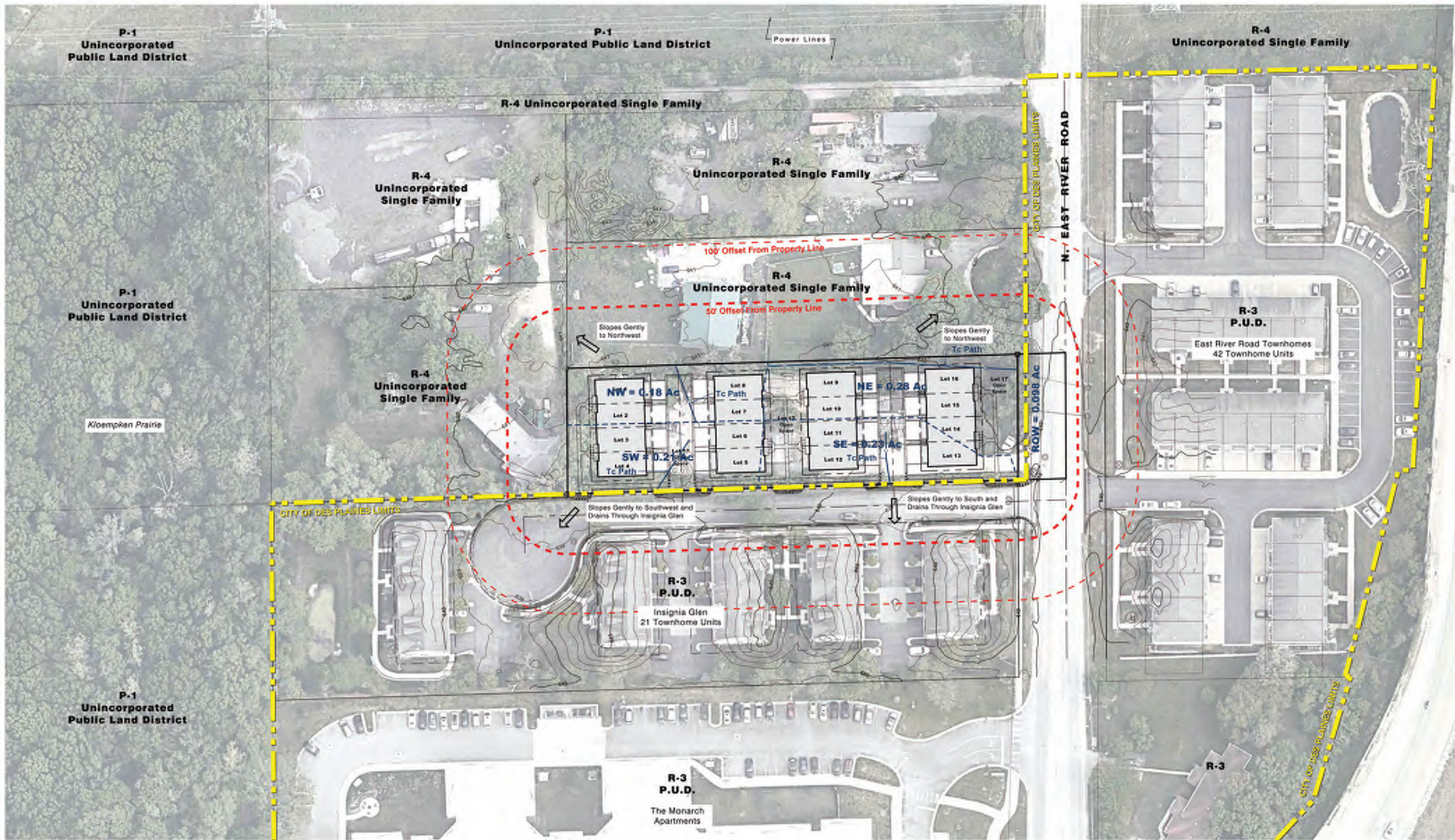


100 East State Parkway, Schaumburg, IL 60173
Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152
www.haegerengineering.com

| No. | Date | Per City Review | Revision |
|-----|----------|-----------------|----------|
| 1 | 8-1-2023 | | |

PRELIMINARY PLANNED UNIT DEVELOPMENT PLAT OF INSIGNIA GLEN 2

SHEET 2 OF 2



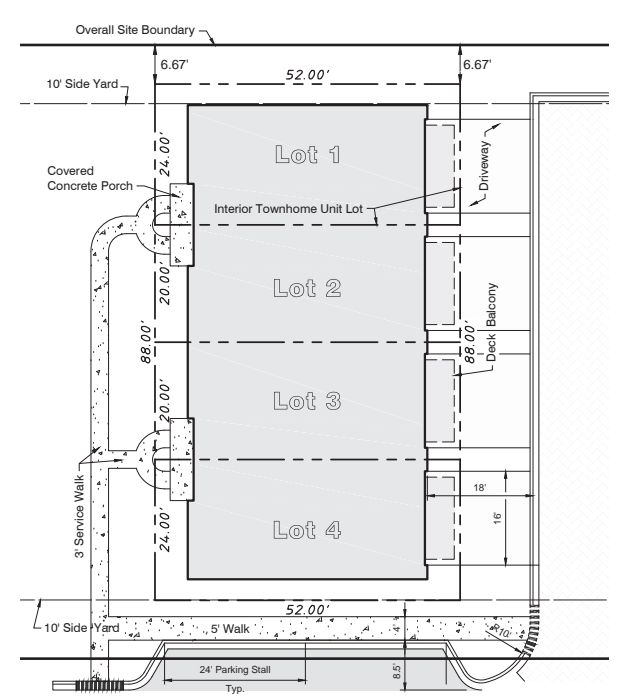
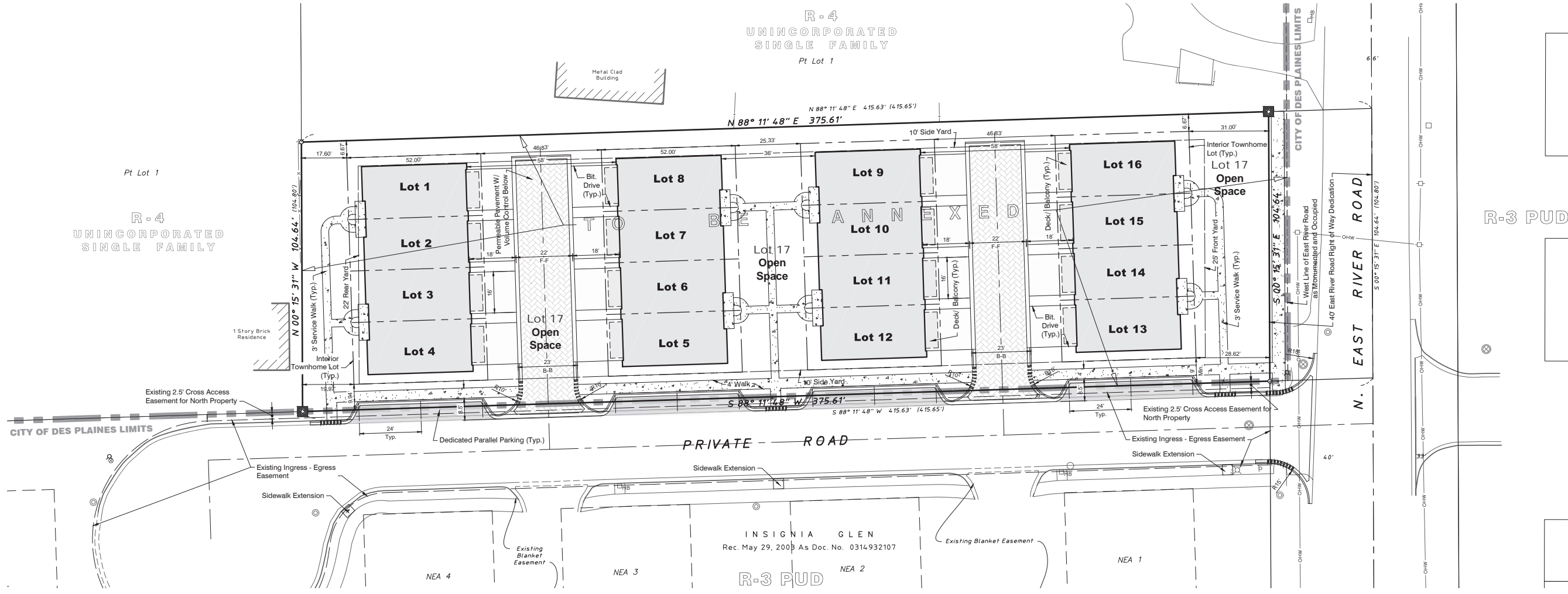
- Notes:**
1. Contours and adjacent parcels shown are courtesy of Cook County GIS. Aerial image is courtesy of Google Earth.
 2. Information on adjacent properties is from available public records and is shown for general reference purposes only.
 3. There is no flood plain on or immediately adjacent to the parcel.

Originally Prepared: 06/10/2023 Project No. 23-067

HAEGER ENGINEERING
consulting engineers land surveyors

300 East Dear Parkway, Schaumburg, IL 60173
Tel: 847.374.6600 Fax: 847.374.6608
Illinois Professional Design Firm License No. 124-000132
www.haegerengineering.com

| No. | Date | Revision |
|-----|------|----------|
| | | |



Lot Detail
Not to Scale

LEGAL DESCRIPTION

THE SOUTH 104.8 FEET OF THE EAST 415.65 FEET OF THE NORTH 10 ACRES IN LOT 1 IN ASSESSOR'S DIVISION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

| Lot Area Summary | Area (ac.) | Area (sf) |
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| Lot 17 Open Space | 0.48178 | 20,986 |
| Total | 0.90198 | 39,290 |

| Site Data | ac. | s.f. |
|-----------------------|-----------------|--------|
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| | 2,456 s.f./d.u. | |
| Parking Summary | | |
| Garage Stalls | 32 @2.0:1 | |
| Driveway Spaces | 32 @2.0:1 | |
| Parallel Guest Stalls | 8 @0.5:1 | |
| Total Parking | 72 @4.5:1 | |

| City Ordinance Metrics | Required | | Provided | |
|---------------------------|----------|----|----------|--|
| | R-3 | | | |
| Building Height | 45' | | 35'-8.5' | |
| Yard Summary | | | | |
| Front | 25' | | 25' | |
| Rear | 30* | | 22' | |
| Side | 10* | | 10' | |
| *For buildings over 35' | | | | |
| Minimum Lot Area/ Unit | 2,800 | | 2,456 | |
| Parking Summary | | | | |
| Parking - 2/d.u. | | 32 | 64 | |
| Guest Parking - 0.25/d.u. | | 4 | 8 | |

Note:
Lot 17 is an "Open Space/ Common Area and Blanket Easement for Ingress / Egress, Public Utilities, Private Utilities and Drainage" benefiting Lots 1 to 16.
The current zoning is Cook County R-4 Single Family Residence. Proposed zoning is City of Des Plaines R-3 Townhouse Residential District PUD.

HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 • 618-847-3946/6608 Fax: 847-394-6608
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P.U.D. SITE PLAN
INSIGNIA GLEN 2
180 NORTH EAST RIVER ROAD
CITY OF DES PLAINES, COOK COUNTY, ILLINOIS

Project Manager: L A K
Engineer: R F V
Date: 6-30-2023
Project No.: 23-067
Sheet: 1/1



KEY LOT ALONG N. EAST RIVER ROAD
ASSEMBLY FRONT ELEVATION
 Scale: 1/4" = 1'-0" @ 22x34 layout



INSIGNIA GLEN 2 - TOWNHOMES
 180 N. EAST RIVER ROAD
 DES PLAINES, IL

CōBŪ ARCHITECTURE STUDIO

111 North Avenue, Suite 207
 Barrington, IL 60010
 312-410-1260

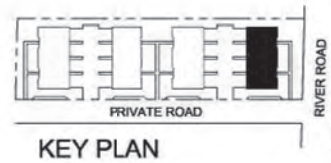
August 1, 2023





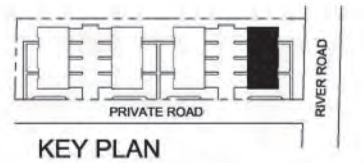
KEY LOT ALONG N. EAST RIVER ROAD
ASSEMBLY LEFT ELEVATION

Scale: 1/4" = 1'-0" @ 22x34 layout



KEY LOT ALONG N. EAST RIVER ROAD
ASSEMBLY RIGHT ELEVATION

Scale: 1/4" = 1'-0" @ 22x34 layout



INSIGNIA GLEN 2 - TOWNHOMES
 180 N. EAST RIVER ROAD
 DES PLAINES, IL

CōBū ARCHITECTURE STUDIO

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 Barrington, IL 60010
 312-410-1260

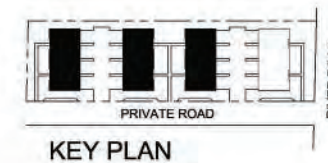
August 1, 2023





TYPICAL
ASSEMBLY FRONT ELEVATION

Scale: 1/4" = 1'-0" @ 22x34 layout



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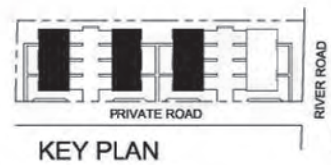
August 1, 2023





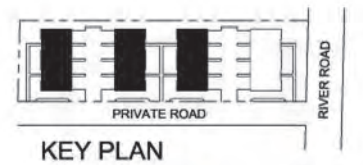
TYPICAL
ASSEMBLY LEFT ELEVATION

Scale: 1/4" = 1'-0" @ 22x34 layout



TYPICAL
ASSEMBLY RIGHT ELEVATION

Scale: 1/4" = 1'-0" @ 22x34 layout



INSIGNIA GLEN 2 - TOWNHOMES
180 N. EAST RIVER ROAD
DES PLAINES, IL

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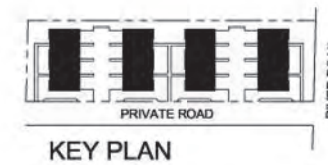
August 1, 2023





TYPICAL
ASSEMBLY REAR ELEVATION

Scale: 1/4" = 1'-0" @ 22x34 layout



INSIGNIA GLEN 2 - TOWNHOMES
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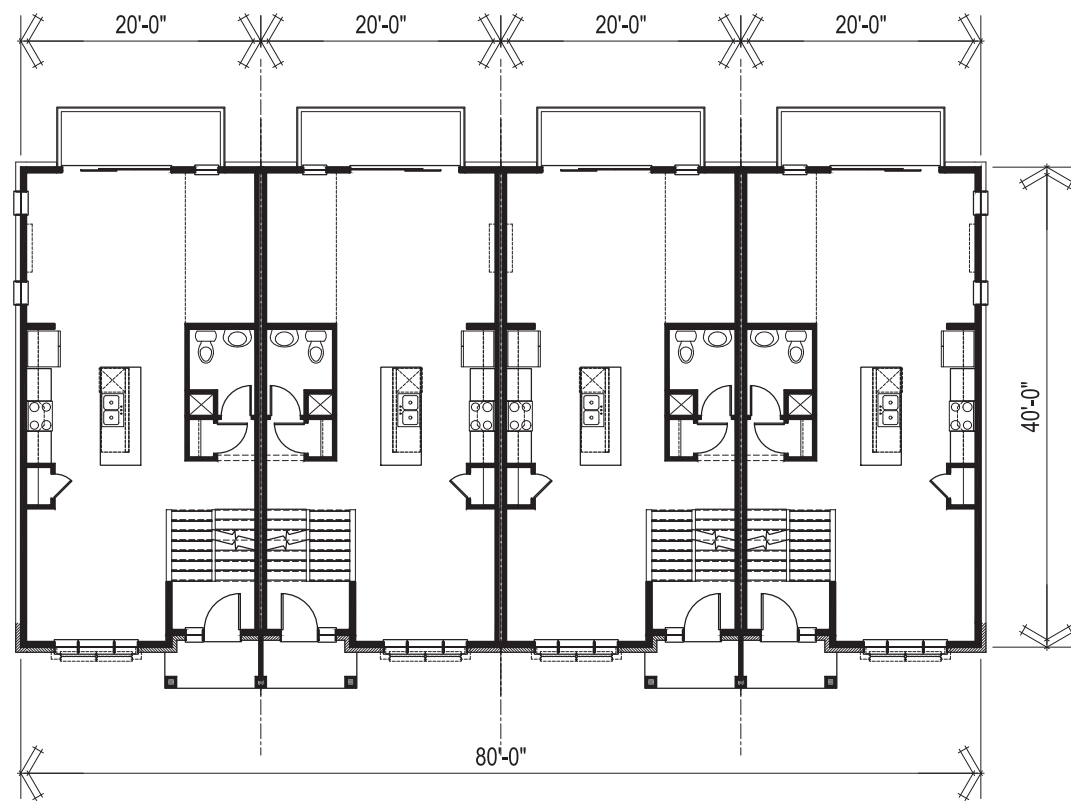


MATERIAL BOARD

INSIGNIA GLEN 2 - TOWNHOMES
 180 N. EAST RIVER ROAD
 DES PLAINES, IL

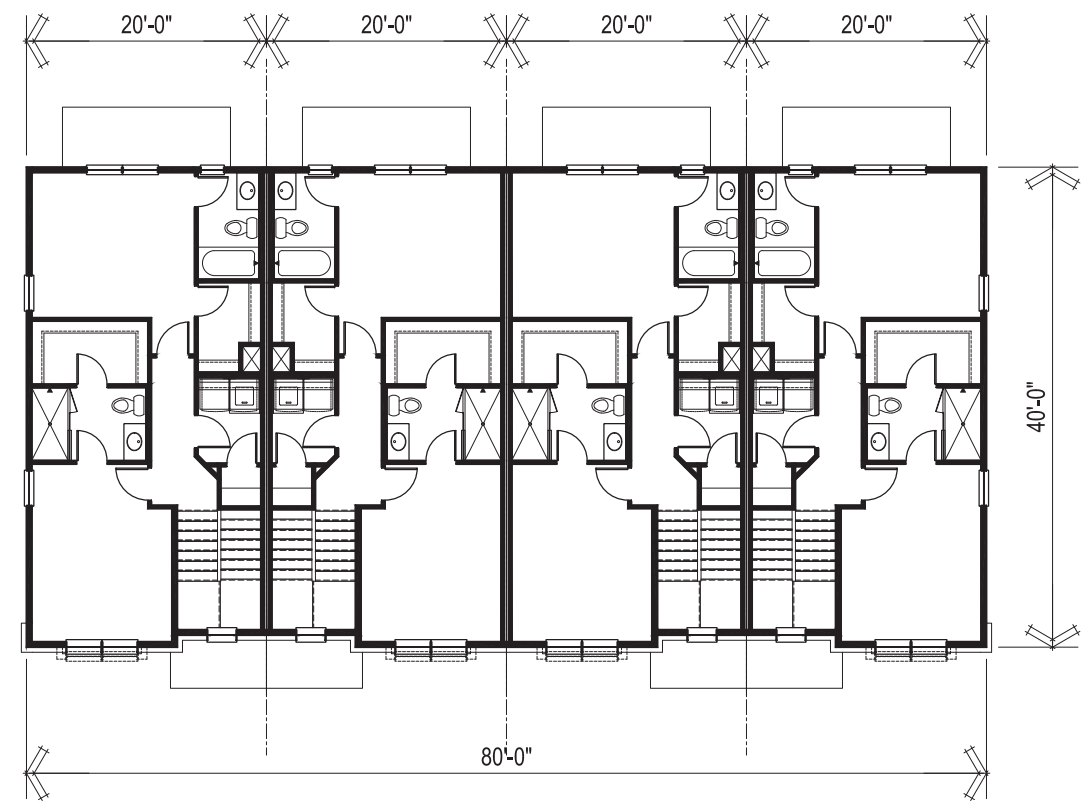
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 312-410-1260
 August 1, 2023





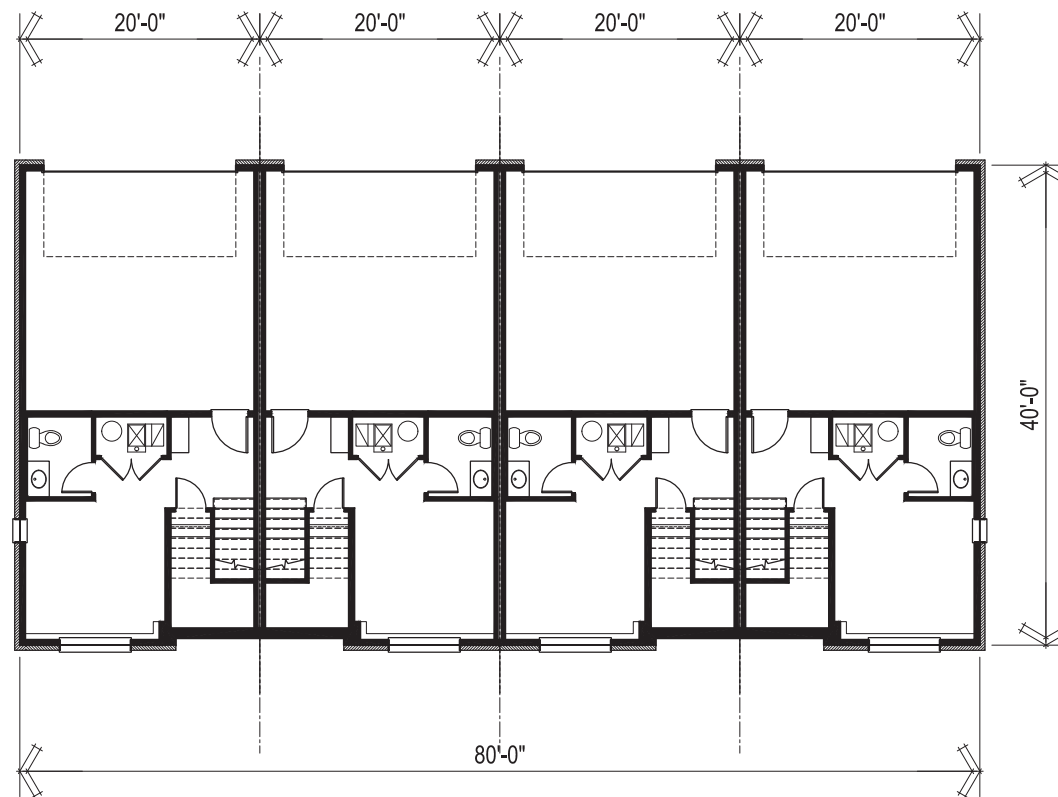
MAIN FLOOR ASSEMBLY PLAN

Scale: 1/8" = 1'-0" @ 22x34 layout



UPPER FLOOR ASSEMBLY PLAN

Scale: 1/8" = 1'-0" @ 22x34 layout



LOWER FLOOR ASSEMBLY PLAN

Scale: 1/8" = 1'-0" @ 22x34 layout

INSIGNIA GLEN 2 - TOWNHOMES
 180 N. EAST RIVER ROAD
 DES PLAINES, IL

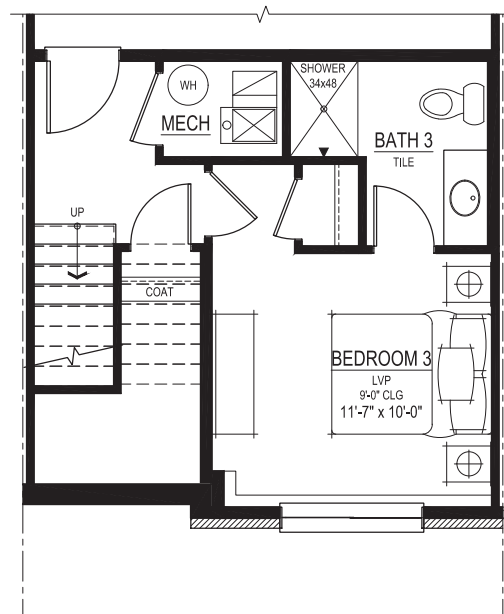
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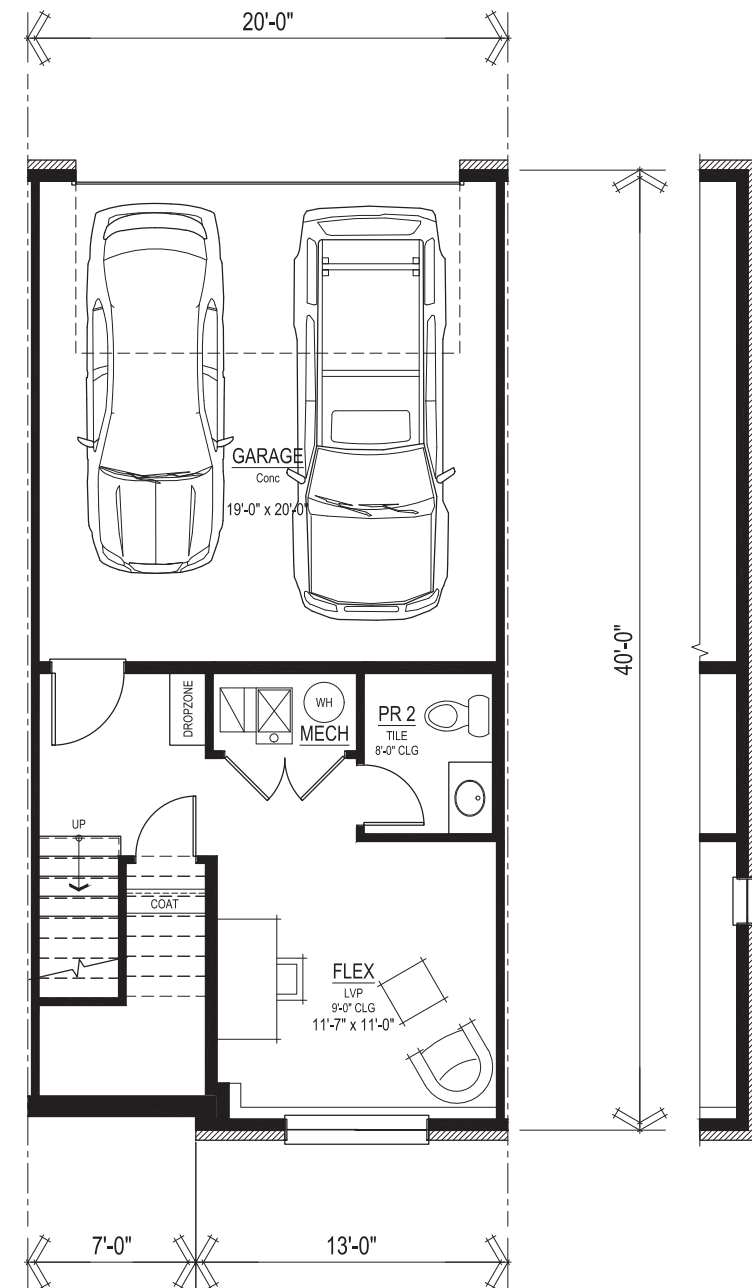


| SQUARE FOOTAGES | |
|-----------------|------|
| LOWER FLOOR | 386 |
| MAIN FLOOR | 793 |
| UPPER FLOOR | 715 |
| SUBTOTAL | 1894 |
| GARAGE | 410 |
| PORCH | 35 |
| DECK | 70 |
| TOTAL | 2409 |



OPT. BEDROOM 3 / BATH 3

Scale: 1/4" = 1'-0" @ 22x34 layout



LOWER FLOOR PLAN

Scale: 1/4" = 1'-0" @ 22x34 layout

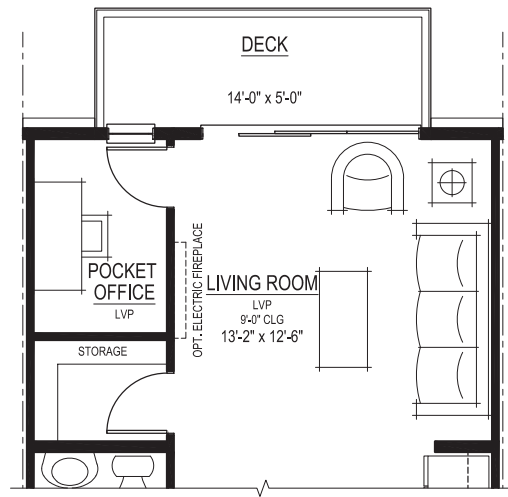
INSIGNIA GLEN 2 - TOWNHOMES
 180 N. EAST RIVER ROAD
 DES PLAINES, IL

CōBŪ ARCHITECTURE STUDIO

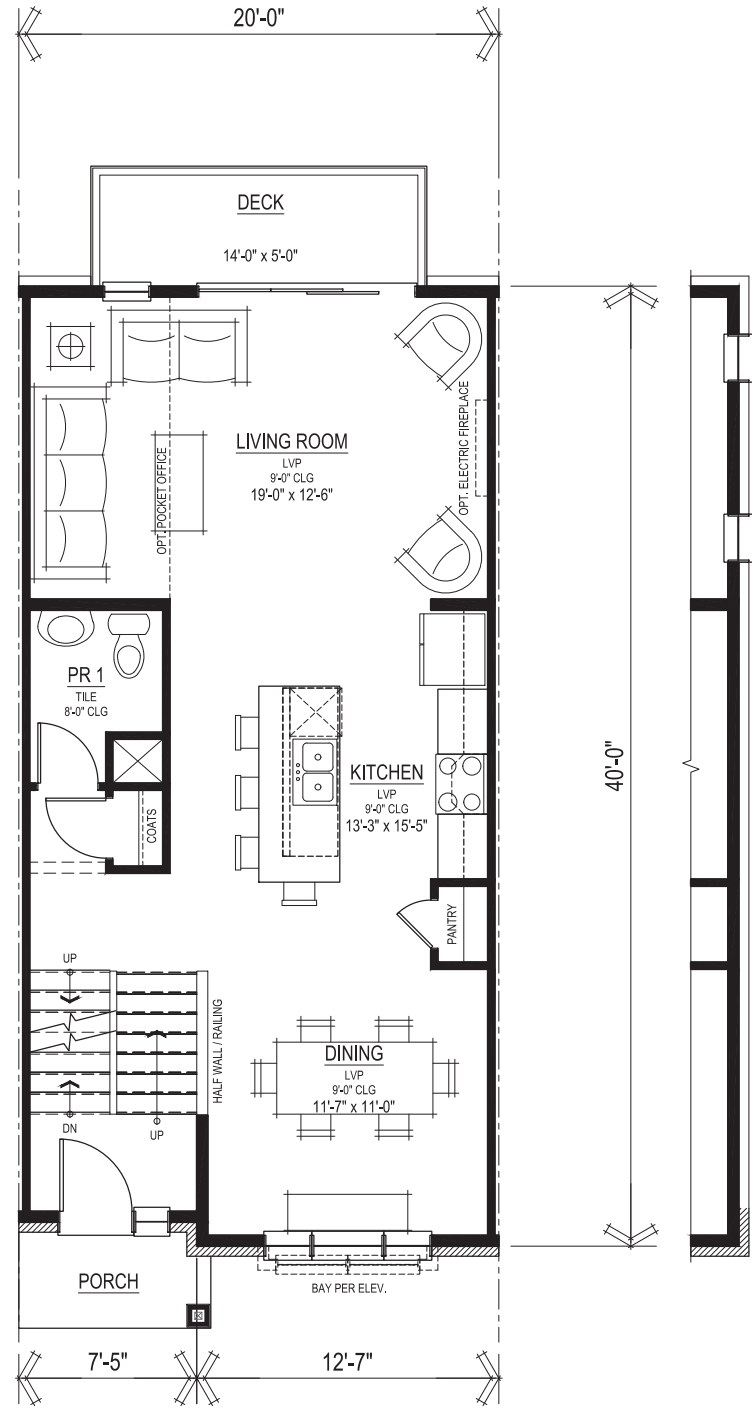
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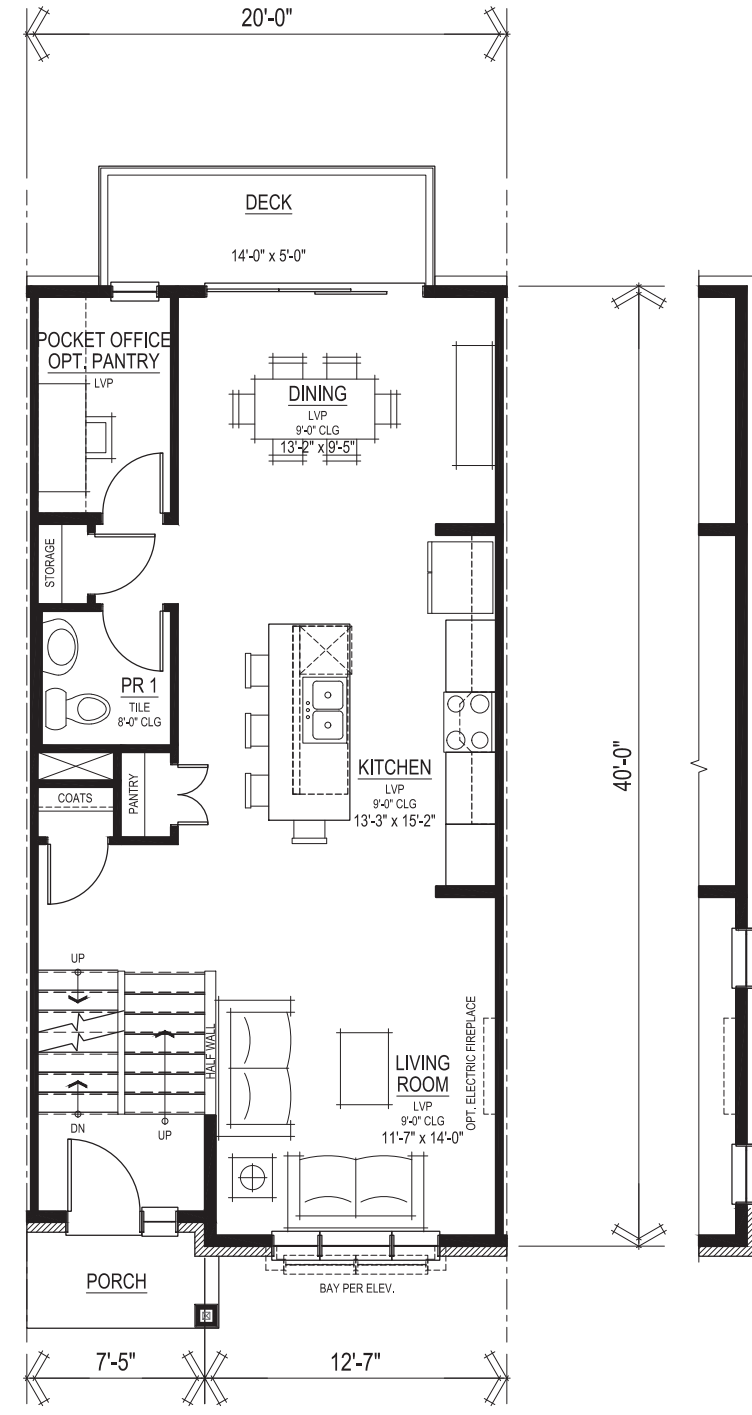




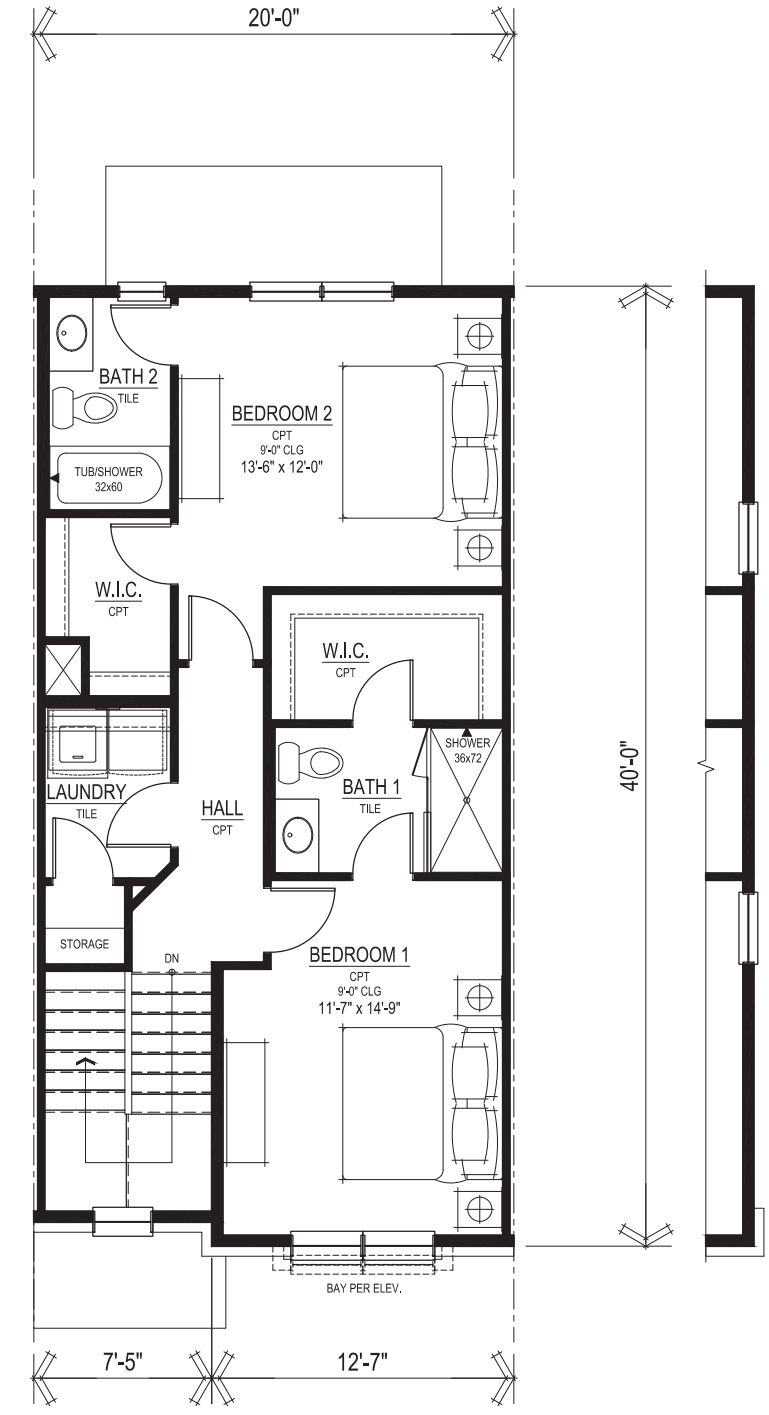
LAYOUT #1 OPT. POCKET OFFICE
Scale: 1/4" = 1'-0" @ 22x34 layout



MAIN FLOOR PLAN LAYOUT #1
Scale: 1/4" = 1'-0" @ 22x34 layout



MAIN FLOOR PLAN LAYOUT #2
Scale: 1/4" = 1'-0" @ 22x34 layout



UPPER FLOOR PLAN
Scale: 1/4" = 1'-0" @ 22x34 layout

INSIGNIA GLEN 2 - TOWNHOMES
180 N. EAST RIVER ROAD
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August 1, 2023





FRONT VIEW



REAR VIEW



STREET VIEW

EXISTING FOREST GLEN -
3 BEDROOM TOWNHOMES

INSIGNIA GLEN 2 - TOWNHOMES
180 N. EAST RIVER ROAD
DES PLAINES, IL

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August 1, 2023





Scale: 1" = 20'

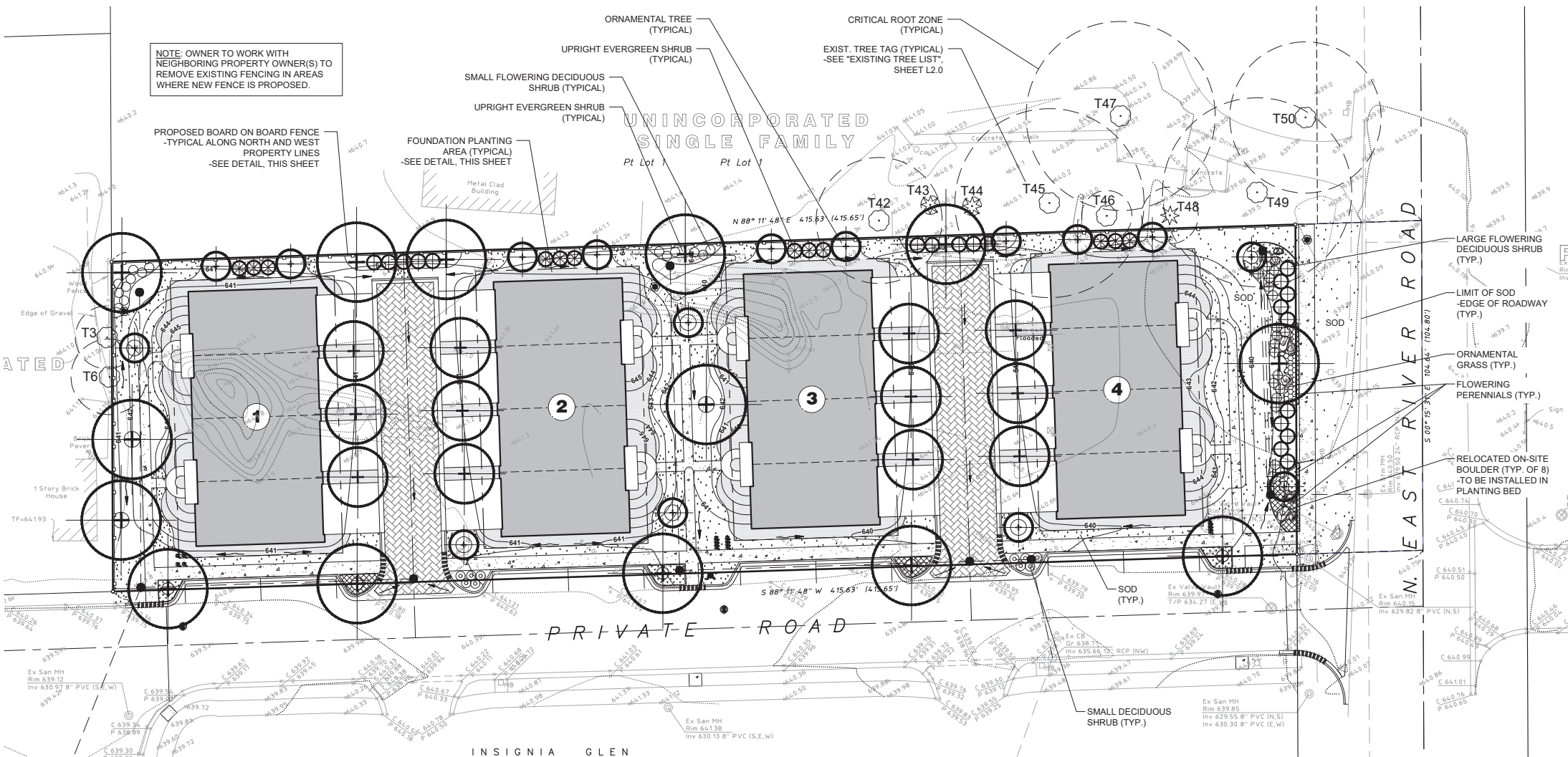
PROPOSED PLANT SCHEDULE

| SYMBOL | KEY | COMMON/LATIN NAME | SIZE | CONDITION | SPACING | QUANTITY |
|--|-----|---|-----------|-----------|-----------|----------|
| NOTE: ALL PLANT MATERIAL TO BE SELECTED FROM THIS LIST | | | | | | |
| SHADE TREES | | | | | | |
| AL | | REDMOND AMERICAN LINDEN TILIA AMERICANA | 2.5" CAL. | B & B | SPECIMEN | 0 |
| BC | | SHAWNEE BRAVE BALD CYPRESS TAXODIUM DISTICHUM | 2.5" CAL. | B & B | SPECIMEN | 0 |
| GP | | PRINCETON SENTRY GINKGO GINKGO BILOBA | 2.5" CAL. | B & B | SPECIMEN | 0 |
| HL | | SKYLINE HONEYLOCUST GLEDITSIA TRIACANTHOS VAR. INERMIS | 2.5" CAL. | B & B | SPECIMEN | 0 |
| KC | | KENTUCKY COFFEETREE GYMNOCLADUS DIOICUS 'ESPRESSO' | 2.5" CAL. | B & B | SPECIMEN | 0 |
| ORNAMENTAL TREES | | | | | | |
| ER | | EASTERN REDBUD CERCIS CANADENSIS | 6" HT. | B & B | SPECIMEN | 0 |
| FC | | RED JEWEL FLOWERING CRABAPPLE MALUS SPECIES | 6" HT. | B & B | SPECIMEN | 0 |
| RB | | RIVER BIRCH BETULA NIGRA | 6" HT. | B & B | SPECIMEN | 0 |
| SB | | ALLEGHENY SERVICEBERRY AMELANCHIER LEAVIS | 6" HT. | B & B | SPECIMEN | 0 |
| EVERGREEN SHRUBS | | | | | | |
| DY | | DENSE YEW TAXUS X MEDIA DENSIFORMIS | 24" | B & B | 3' O.C. | 0 |
| EA | | EMERALD GREEN ARBORVITAE THUJA OCCIDENTALIS SMARAGD | 5" HT. | B & B | 4.5' O.C. | 0 |
| KJ | | KALLAY JUNIPER JUNIPERUS CHINENSIS VAR. KALLAY'S COMPACT | 24" | B & B | 3' O.C. | 0 |
| DECIDUOUS SHRUBS | | | | | | |
| AC | | DWARF ALPINE CURSANT RIBES ALPNUM GREEN MOUND | 24" | B & B | 3' O.C. | 0 |
| AV | | ARROWWOOD VIBURNUM VIBURNUM DENTATUM CHICAGO LUSTRE | 36" | B & B | 4.5' O.C. | 0 |
| CI | | ILLINOIS BEAUTY CHOKEBERRY ARONIA MELANOCARPA MORTON | 24" | B & B | 3' O.C. | 0 |
| DK | | KODIAK RED DIERVILLA DIERVILLA G2X85411 | 24" | B & B | 3' O.C. | 0 |
| GS | | GRASS-LIKE SUMAC RHUS AROMATICA | 24" | B & B | 3' O.C. | 0 |
| LH | | LIMELIGHT HYDRANGEA HYDRANGEA PANICULATA | 36" | B & B | 4.5' O.C. | 0 |
| ML | | MISS KIM LILAC SYRINGA PATULA | 24" | B & B | 3' O.C. | 0 |
| SG | | GOLDFLAME SPIREA SPIREA X BUMALDA | 24" | B & B | 3' O.C. | 0 |
| GROUNDCOVERS AND PERENNIALS | | | | | | |
| KG | | KARL FOERSTER FEATHER REED GRASS CALAMAGROSTIS ACUTIFLORA | 3G. | CONTR. | 3' O.C. | 0 |
| PM1 | | PERENNIAL MIX #1 STELLA DE ORO DAYLILY / HEMEROCALLIS SPECIES 60% RUSSIAN SAGE / PERVOVSKIA ATRIPPLICIFOLIA LITTLE SPIRE 40% | 1G. | CONTR. | 1.5' O.C. | 0 |
| PM2 | | PERENNIAL MIX #2 AUTUMN MOOR GRASS / SESLARIA AUTUMNALIS 60% KIT KAT CATMINT / NEPETA FASSIENSIS 40% | 1G. | CONTR. | 1.5' O.C. | 0 |
| PM3 | | PERENNIAL MIX #3 DWARF PRAIRIE DROPSIED / SPOROBIOLIS HETEROLEPIS TARA 25% HOBBLE GAYFEATHER / LIATRIS SPICATA 15% PIXIE MEADOWBRIGHT CONEFLOWER / ECHINACEA C86 CONE 2 25% WALKERS LOW CATMINT / NEPETA X RACEMOSA 25% WHITE GAYFEATHER / LIATRIS FLORISTAN WHITE 10% | 1G. | CONTR. | 2' O.C. | 0 |
| SOD | | SOD (BLUEGRASS VARIETY) | S.Y. | | | 0 |

* IF B & B PLANTS ARE NOT AVAILABLE DUE TO TIME OF SEASON, CONTAINER PLANTS MAY BE SUBSTITUTED, AS APPROVED BY THE LANDSCAPE ARCHITECT.

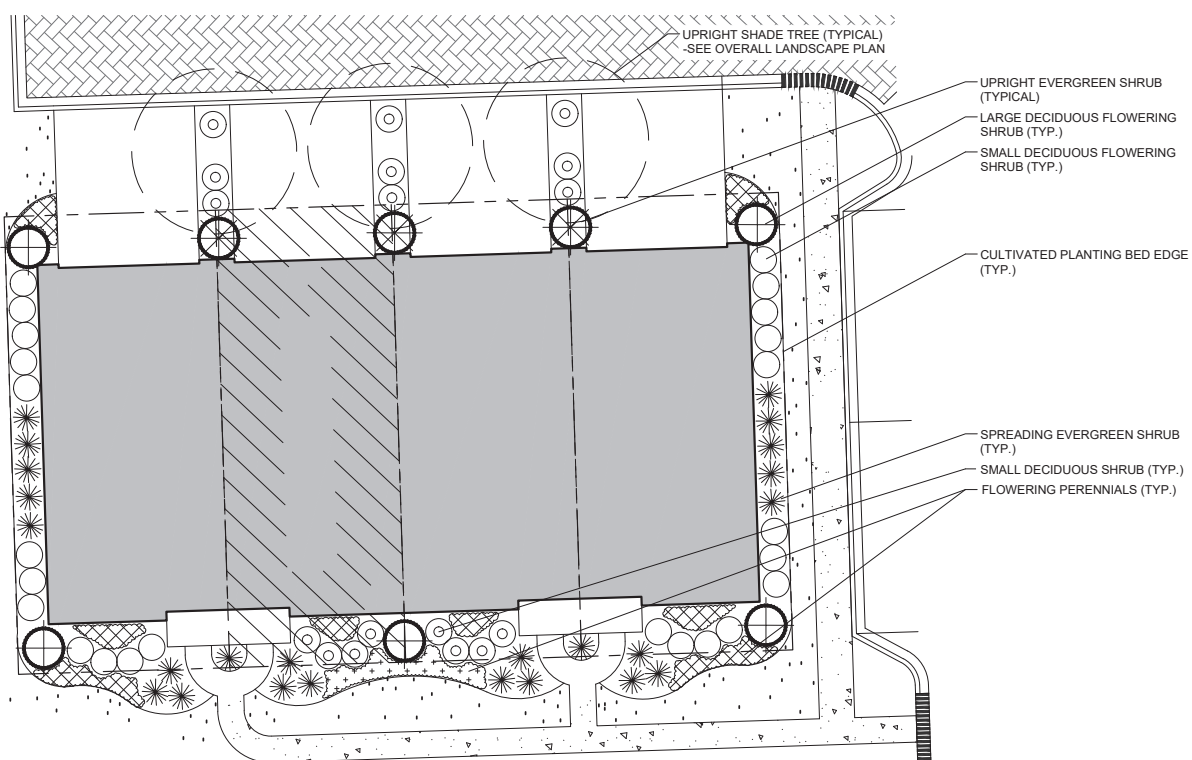
LANDSCAPE PLAN NOTES

- ALL PROPOSED SHRUB BEDS AND TREE TRINGS TO RECEIVE 3" THK. SHREDDED HARDWOOD MULCH (PERENNIALS/GROUNDCOVERS 1" THK.)
- REPAIR ALL EXISTING TURF AREAS DISTURBED DURING CONSTRUCTION (SOD).
- LIMIT OF SOD = PROPERTY LINE (UNLESS OTHERWISE NOTED).
- THE CONTRACTOR SHALL LOCATE THE EXISTENCE OF UTILITIES PRIOR TO STARTING WORK.
- THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON THE DRAWING. PLANT MATERIAL QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE TO THOSE OF THE PLANT LIST.
- ALL PLANT MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE CURRENT AMERICAN STANDARD FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN ASSOC. OF NURSERMEN OR EQUIVALENT. NO TARIFF GRASS MATERIAL SHALL BE ACCEPTED.
- ALL PLANT MATERIAL SHALL BEAT THE SAME RELATIONSHIP TO FINISHED GRADE AS THE PLANTS ORIGINAL GRADE BEFORE DIGGING.
- ALL PLANTS SHALL BE BALLED AND WRAPPED OR CONTAINER GROWN AS SPECIFIED. NO CONTAINER GROWN STOCK SHALL BE ACCEPTED IF IT IS ROOT BOUND. ALL WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT THE TIME OF PLANTING.
- ALL PLANTINGS SHALL BE WATERED DURING THE FIRST 24 HOUR PERIOD AFTER PLANTING. WATER THOROUGHLY TO ENSURE ALL AIR POCKETS ARE REMOVED AROUND ROOT BALL.
- CONTRACTOR IS RESPONSIBLE FOR WATERING SOD UNTIL TIME OF KNITTING.
- IMPORTED TOPSOIL AND SPREADING BY EXCAVATING CONTRACTOR.
- ALL PROPOSED TREES OUTSIDE PLANTING BED AREAS SHALL RECEIVE A 5' DIA. MULCH RING AROUND TRUNK.
- ALL PLANTS AND STAKES SHALL BE SET PLUMB, UNLESS OTHERWISE NOTED. IT IS THE CONTRACTOR'S OPTION TO STAKE TREES, BUT HIS RESPONSIBILITY TO ASSURE PLANTS REMAIN PLUMB UNTIL END OF GUARANTEE PERIOD. IF STAKING OF TREES IS NOT PERFORMED, REMOVAL OF TOP 1/3 OF BURLAP AND ROPES IS UNNECESSARY (REMOVE ALL NON-BIODEGRADABLE MATERIAL).
- INFORMATION CONTAINED IN "PLAN NOTES" TAKES PRECEDENCE OVER INFORMATION IN "DETAILS".
- VERIFY SITE CONDITIONS AND INFORMATION ON DRAWINGS. PROMPTLY REPORT ANY DISCREPANCIES AND/OR DEVIATIONS FROM THE INFORMATION SHOWN ON THE PLAN. THE OWNER IS NOT RESPONSIBLE FOR UNAUTHORIZED CHANGES OR EXTRA WORK REQUIRED TO CORRECT UNREPORTED DISCREPANCIES.
- ALL PLANTING BED EDGES TO BE CULTIVATED.
- AMEND ALL GROUNDCOVER BEDS W/4" THK. SAND AND COMPOST MIX PRIOR TO PLANTING. MIX INTO THE EXIST. TOPSOIL TO A 12" DEPTH.
- PARKWAY TREES LIMBS TO BE NO LOWER THAN 6' ABOVE GRADE.



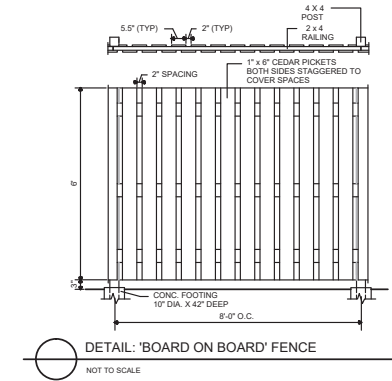
OVERALL LANDSCAPE PLAN

SCALE: 1" = 20'-0"



TYPICAL FOUNDATION PLAN

SCALE: 1" = 10'-0"

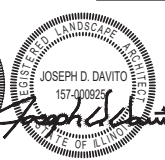


NOTE: FOR "EXISTING TREE LIST", SEE "TREE SURVEY & PRESERVATION PLAN", SHEET L2.0



Know what's below. Call before you dig.

Note: Call 811 at least 48 hours, excluding weekends and holidays, before you dig.

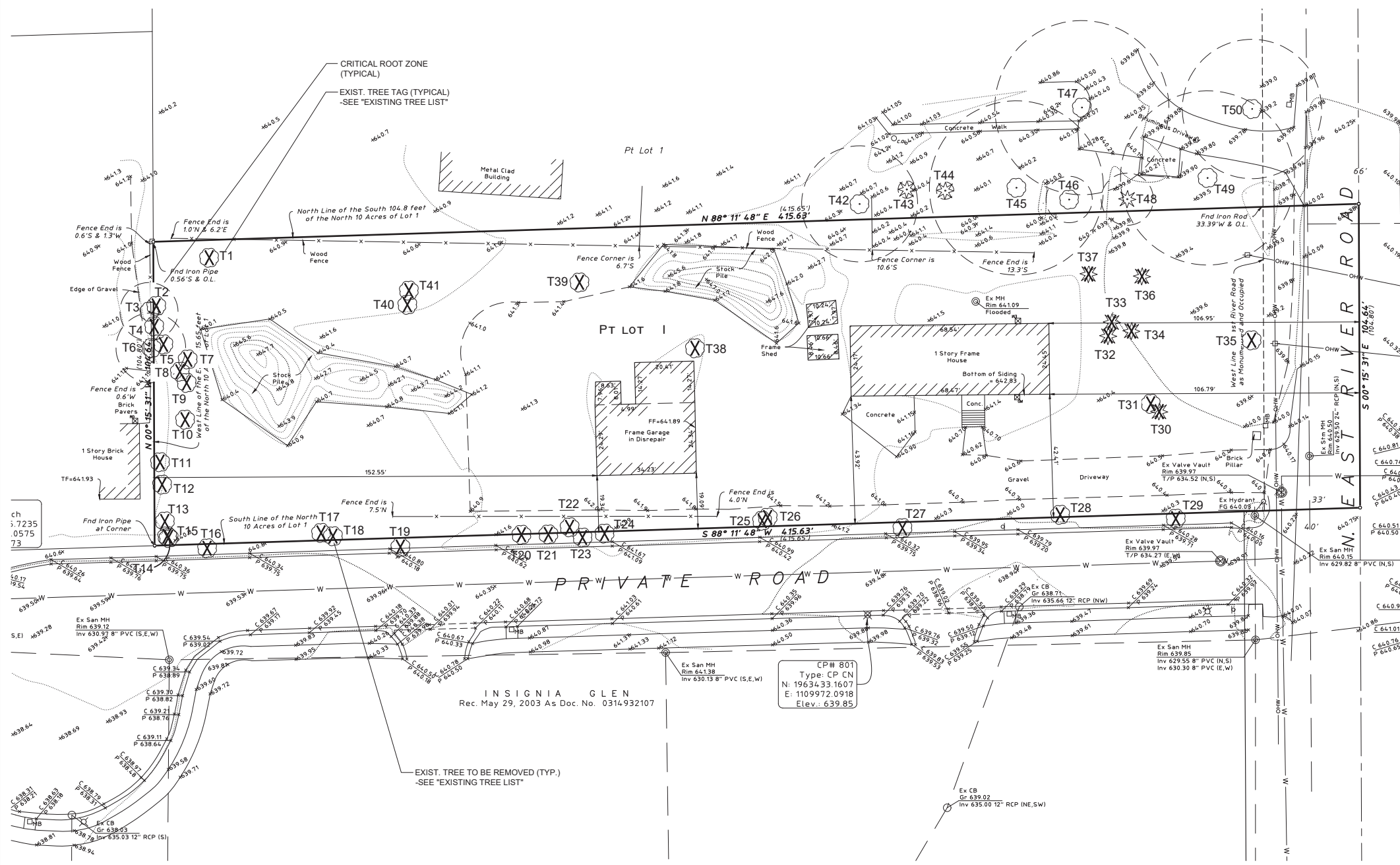
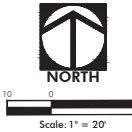


J. DAVITO DESIGN, INC.
LANDSCAPE ARCHITECTURAL DESIGN
2735 KINGSTON DRIVE ISLAND LAKE, IL 60042
(847) 465-8787 WWW.JDAVITODESIGN.COM

Project Manager: L A K
 Engineer: R F V
 Date: 06.30.2023
 Project No: 23-067
 Sheet: L1.0

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PRELIMINARY LANDSCAPE PLAN
INSIGNIA GLEN 2
PRELIMINARY ENGINEERING
 CITY OF DES PLAINES, COOK COUNTY, ILLINOIS



EXISTING TREE LIST

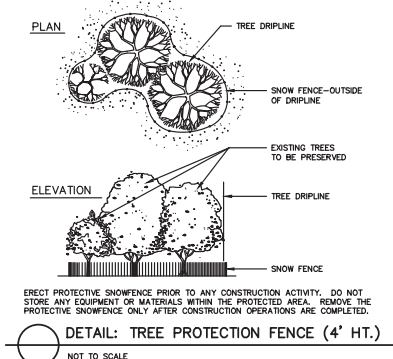
THE GLEN EXTENSION, DES PLAINES - TREE SURVEY 6-23-23

| TREE # | COMMON NAME | BOTANICAL NAME | SIZE (DBH, INCHES) | PRESERVATION METHOD |
|--------|-----------------------|-----------------------------------|--------------------|---------------------|
| 1 | SYCAMORE | PLATANUS OCCIDENTALIS | 12 | REMOVE |
| 2 | BLACK WALNUT | JUGLANS NIGRA | 8 | REMOVE |
| 3 | BLACK WALNUT | JUGLANS NIGRA | 10 | PRESERVE-OFFSITE |
| 4 | NORWAY MAPLE | ACER PLATANOIDES | 6 | REMOVE |
| 5 | NORTHERN CATALPA | CATALPA SPECIOSA | 6 | REMOVE |
| 6 | BLACK WALNUT | JUGLANS NIGRA | 12 | PRESERVE-OFFSITE |
| 7 | BLACK WALNUT | JUGLANS NIGRA | 6 | REMOVE |
| 8 | BLACK WALNUT | JUGLANS NIGRA | 6 | REMOVE |
| 9 | BLACK WILLOW | SALIX NIGRA | 6 | REMOVE |
| 10 | BOXELDER | ACER NEGUNDO | 20 | REMOVE |
| 11 | BLACK WILLOW | SALIX NIGRA | 20 | REMOVE |
| 12 | NORTHERN CATALPA | CATALPA SPECIOSA | 8 | REMOVE |
| 13 | AMERICAN LINDEN | TILIA AMERICANA | 6 | REMOVE |
| 14 | AMERICAN LINDEN | TILIA AMERICANA | 6 | REMOVE |
| 15 | AMERICAN LINDEN | TILIA AMERICANA | 6 | REMOVE |
| 16 | SILVER MAPLE | ACER SACCHARINUM | 8 | REMOVE |
| 17 | WHITE MULBERRY | MORUS ALBA | M 2@6 | REMOVE |
| 18 | WHITE MULBERRY | MORUS ALBA | M 3@8 | REMOVE |
| 19 | AMERICAN ELM | ULMUS AMERICANA | 6 | REMOVE |
| 20 | WHITE MULBERRY | MORUS ALBA | 8 | REMOVE |
| 21 | HACKBERRY | CELTIS OCCIDENTALIS | 10 | REMOVE |
| 22 | BLACK CHERRY | PRUNUS SEROTINA | 36 | REMOVE |
| 23 | THORNLESS HONEYLOCUST | GLEDISIA TRIACANTHOS VAR. INERMIS | 12 | REMOVE |
| 24 | HACKBERRY | CELTIS OCCIDENTALIS | 12 | REMOVE |
| 25 | WHITE MULBERRY | MORUS ALBA | 10 | REMOVE |
| 26 | BLACK WALNUT | JUGLANS NIGRA | 18 | REMOVE |
| 27 | GREEN ASH | FRAXINUS PENNSYLVANICA | 8 | REMOVE |
| 28 | GREEN ASH | FRAXINUS PENNSYLVANICA | 10 | REMOVE |
| 29 | RED MAPLE | ACER RUBRUM | 12 | REMOVE |
| 30 | NORWAY SPRUCE | PICEA ABIES | 15 | REMOVE |
| 31 | COMMON BUCKTHORN | RHAMNUS CATHARTICA | M | REMOVE |
| 32 | NORWAY SPRUCE | PICEA ABIES | 10 | REMOVE |
| 33 | NORWAY SPRUCE | PICEA ABIES | 8 | REMOVE |
| 34 | NORWAY SPRUCE | PICEA ABIES | 12 | REMOVE |
| 35 | EASTERN REDCEDAR | JUNIPERUS VIRGINIANA | 12 | REMOVE |
| 36 | EASTERN REDCEDAR | JUNIPERUS VIRGINIANA | 12 | REMOVE |
| 37 | EASTERN REDCEDAR | JUNIPERUS VIRGINIANA | M 2@10 | REMOVE |
| 38 | BOXELDER | ACER NEGUNDO | 48 | REMOVE |
| 39 | BOXELDER | ACER NEGUNDO | 36 | REMOVE |
| 40 | BOXELDER | ACER NEGUNDO | 6 | REMOVE |
| 41 | BOXELDER | ACER NEGUNDO | 6 | REMOVE |
| 42 | BOXELDER | ACER NEGUNDO | 20 | PRESERVE-OFFSITE |
| 43 | COLORADO SPRUCE | PICEA PUNGENS | 2 | PRESERVE-OFFSITE |
| 44 | COLORADO SPRUCE | PICEA PUNGENS | 2 | PRESERVE-OFFSITE |
| 45 | SUGAR MAPLE | ACER SACCHARUM | 30 | PRESERVE-OFFSITE |
| 46 | WHITE MULBERRY | MORUS ALBA | M 5@6 | PRESERVE-OFFSITE |
| 47 | SUGAR MAPLE | ACER SACCHARUM | 30 | PRESERVE-OFFSITE |
| 48 | EASTERN REDCEDAR | JUNIPERUS VIRGINIANA | 18 | PRESERVE-OFFSITE |
| 49 | SUGAR MAPLE | ACER SACCHARUM | 30 | PRESERVE-OFFSITE |
| 50 | SUGAR MAPLE | ACER SACCHARUM | 24 | PRESERVE-OFFSITE |

Tree Survey Performed by J. Davito 6/23/23

TREE PRESERVATION NOTES

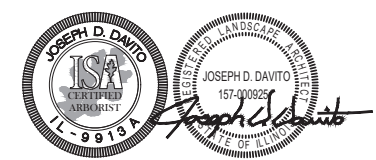
- TREE PRESERVATION PLAN NOTES
 - ALL GRADING AND CONSTRUCTION EQUIPMENT SHALL BE FORBIDDEN FROM ENCRoACHING WITHIN THE ROOT ZONE OF A TREE TO BE PRESERVED. NO EXCESS SOIL, ADDITIONAL FILL, LIQUIDS OR CONSTRUCTION DEBRIS SHALL BE PLACED WITHIN THE ROOT ZONE OF ANY TREE THAT IS REQUIRED TO BE PRESERVED.
 - CRUSHED LIMESTONE HYDROCARBONS AND OTHER MATERIALS DETRIMENTAL TO TREES SHALL NOT BE DUMPED WITHIN THE ROOT ZONE OF ANY TREE NOR AT ANY HIGHER LOCATION WHERE DRAINAGE TOWARD THE TREE COULD CONCEIVABLY EFFECT THE HEALTH OF THE TREE.
 - APPROPRIATE FENCING (SEE DETAIL) SHALL TEMPORARILY BE INSTALLED AT THE PERIPHERY OF THE ROOT ZONE OF TREE(S) AND PLANT MATERIAL DESIGNATED FOR PRESERVATION AS INDICATED ON THE PLAN. IN AREAS OF WHERE PLANTINGS ARE ADJACENT TO EX. CURBING THAT IS TO REMAIN, INSTALL FENCING AS CLOSE TO BACK OF CURB AS POSSIBLE.
 - ALL REQUIRED FENCING SHALL BE IN PLACE PRIOR TO CONSTRUCTION ACTIVITY. THE FENCING SHALL REMAIN IN PLACE DURING THE ENTIRE CONSTRUCTION PERIOD. ALL FENCING MUST BE SECURED TO 91" HARDWOOD POSTS DRIVEN INTO THE GROUND AND SPACED NO FURTHER THAN 7' APART, OR CLOSER AS NECESSARY. NOTE: IF SILT FENCE IS NOT LOCATED AT PROPERTY LINE, EXTEND FENCING OFF SITE TO ADJACENT CURB IN ORDER TO PROTECT ALL LANDSCAPE AREAS BELOW THE TREES CRITICAL ROOT ZONE.
 - NO ATTACHMENTS, FENCES OR WIRES, OTHER THAN APPROVED MATERIALS FOR BRACING, GUYING OR WRAPPING SHALL BE ATTACHED TO ANY VEGETATION DURING THE CONSTRUCTION PERIOD.
 - DURING CONSTRUCTION, ALL REASONABLE STEPS NECESSARY TO PREVENT THE DESTRUCTION OR DAMAGE OF TREES (OTHER THAN THOSE SPECIFIED TO BE REMOVED) SHALL BE TAKEN.
 - NO SOIL IS TO BE REMOVED FROM WITHIN THE ROOT ZONE OF ANY TREE THAT IS TO REMAIN.
 - TREE PROTECTION FENCE TO BE EXTRUDED POLYETHYLENE. COLOR TO BE BRIGHT SAFETY ORANGE.
 - IN AREAS OF GRADING ACTIVITY (EXCAVATION ONLY), WHERE CRITICAL ROOT ZONES OF OFF SITE TREES CROSS THE PROPERTY LINE, A 24" DEEP TRENCH SHOULD BE EXCAVATED PARALLEL TO THE PROPERTY LINE TO HELP CLEANLY CUT THE ROOTS.



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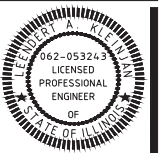
TREE SURVEY & PRESERVATION PLAN
 180 NORTH EAST RIVER ROAD
 DES PLAINES, ILLINOIS
 COOK COUNTY

Project Manager: J D T
 Drafter: J C H
 Date: 2023-05-10
 Project No: 23-067
 Sheet **L2.0**



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 2735 KINGSTON DRIVE ISLAND LAKE, IL 60042
 (847) 468-8787 WWW.JDAVITODESIGN.COM

INSIGNIA GLEN 2 PRELIMINARY ENGINEERING PLANS 180 NORTH EAST RIVER ROAD SECTION 9 TOWNSHIP 41 NORTH RANGE 12 EAST CITY OF DES PLAINES, ILLINOIS COOK COUNTY



EXPIRES 11-30-23

CONTACTS

CITY OF DES PLAINES
420 Miner Street
Des Plaines, IL 60016
Tel: 847-391-5300

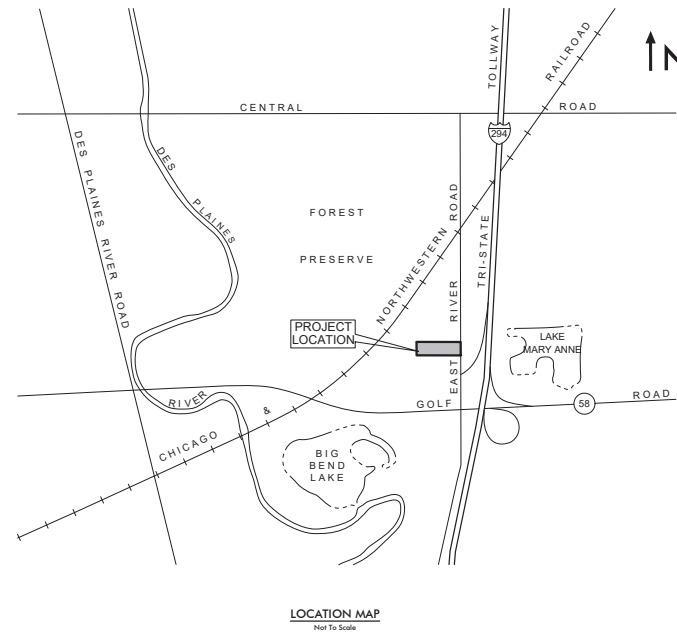
OWNER / DEVELOPER
MAS Land Investments 2, LLC
711 Middleton Court
Palatine, IL 60067

CIVIL ENGINEER / LAND SURVEYOR
Haeger Engineering LLC
Illinois Prof. Design Firm #184-003152
100 E. State Parkway
Schaumburg, IL 60173
Tel: 847-394-6600
Fax: 847-394-6608
www.haegerengineering.com

ARCHITECT
COBU Architecture Studio
111 North Ave, Suite 207
Barrington, IL 60010
Tel: 312-410-1260

LANDSCAPE ARCHITECT
J. Davito Design, INC.
2735 Kingston Drive
Island Lake, IL 60042
Tel: 847-469-8797

| Benchmark | |
|-----------------------|--------------------------|
| Site Benchmark | |
| CP # 800 (see survey) | Description: Cross Notch |
| Elevation: 639.73 | NAVD 88 (Geoid 12A) |
| CP # 801 (see survey) | Description: Cross Notch |
| Elevation: 639.85 | NAVD 88 (Geoid 12A) |
| CP # 802 (see survey) | Description: Cross Notch |
| Elevation: 640.41 | NAVD 88 (Geoid 12A) |



| INDEX TO SHEETS | |
|-----------------|---------------------------------------|
| NO. | DESCRIPTION |
| C1.0 | TITLE SHEET |
| C2.0 | EXISTING CONDITIONS & DEMOLITION PLAN |
| C2.1 | DEMOLITION PLAN |
| C3.0 | GEOMETRY & PAVING PLAN |
| C4.0 | GRADING & DRAINAGE PLAN |
| C5.0 | UTILITY PLAN |
| C6.0 | FIRE TRUCK TURNING EXHIBIT |

| Existing Symbol | Description | Proposed Symbol |
|-----------------|--|-----------------|
| ⊙ | Storm Sewer Manhole | ⊙ |
| ○ | Catch Basin | ⊙ |
| □ | Inlet | ⊙ |
| ⌒ | Flared End Section | ⌒ |
| △ | Headwall | △ |
| ⊙ | Area Drain | ⊙ |
| ⊙ | Sanitary Sewer Manhole | ⊙ |
| ⊙ | Clean Out | ⊙ |
| → | Storm Sewer | → |
| → | Storm Sewer Service | → |
| → | Perforated Underdrain | → |
| → | Sanitary Sewer | → |
| → | Sanitary Sewer Service | → |
| → | Combined Sewer | → |
| → | Force Main | → |
| → | Water Main | → |
| → | Water Main Service | → |
| ⊙ | Fire Hydrant | ⊙ |
| ⊙ | Valve Vault | ⊙ |
| ⊙ | Valve Box | ⊙ |
| ⊙ | B-Box | ⊙ |
| ⊙ | Well Head | ⊙ |
| ⊙ | Light Pole | ⊙ |
| ⊙ | Light Pole With Mast Arm | ⊙ |
| ⊙ | Traffic Signal | ⊙ |
| ⊙ | Traffic Signal With Mast Arm | ⊙ |
| ⊙ | Hand Hole | ⊙ |
| ⊙ | Fence | ⊙ |
| ⊙ | Guardrail | ⊙ |
| ⊙ | Pipe Bollard | ⊙ |
| ⊙ | Sign | ⊙ |
| ⊙ | Gas Valve | ⊙ |
| ⊙ | Gas Line | ⊙ |
| ⊙ | Electric Line | ⊙ |
| ⊙ | Overhead Utility Line | ⊙ |
| ⊙ | Fiber Optic Line | ⊙ |
| ⊙ | Electrical Pedestal | ⊙ |
| ⊙ | Electric Manhole | ⊙ |
| ⊙ | Guy Wire | ⊙ |
| ⊙ | Utility Pole | ⊙ |
| ⊙ | Telephone Pedestal | ⊙ |
| ⊙ | Telephone Manhole | ⊙ |
| ⊙ | Telephone Line | ⊙ |
| ⊙ | Cable TV Line | ⊙ |
| ⊙ | Cable TV Pedestal | ⊙ |
| ⊙ | Flagpole | ⊙ |
| ⊙ | Mailbox | ⊙ |
| ⊙ | Curb & Gutter | ⊙ |
| ⊙ | Curb Elevation and Gutter/Pavement Elevation | ⊙ |
| ⊙ | Pavement Elevation | ⊙ |
| ⊙ | Sidewalk Elevation | ⊙ |
| ⊙ | Ground Elevation | ⊙ |
| ⊙ | Open Lid Frame & Grate | ⊙ |
| ⊙ | Closed Lid Frame & Lid | ⊙ |
| ⊙ | Finish Grade | ⊙ |
| ⊙ | Garage Floor | ⊙ |
| ⊙ | Top of Foundation | ⊙ |
| ⊙ | Hardscape Flow | ⊙ |
| ⊙ | Softscape Flow | ⊙ |
| ⊙ | Contour Line | ⊙ |
| ⊙ | Deciduous Tree | ⊙ |
| ⊙ | Coniferous Tree | ⊙ |

Per City Review
Revision

8.11.2023
Date

1
No.

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consulting engineers • land surveyors
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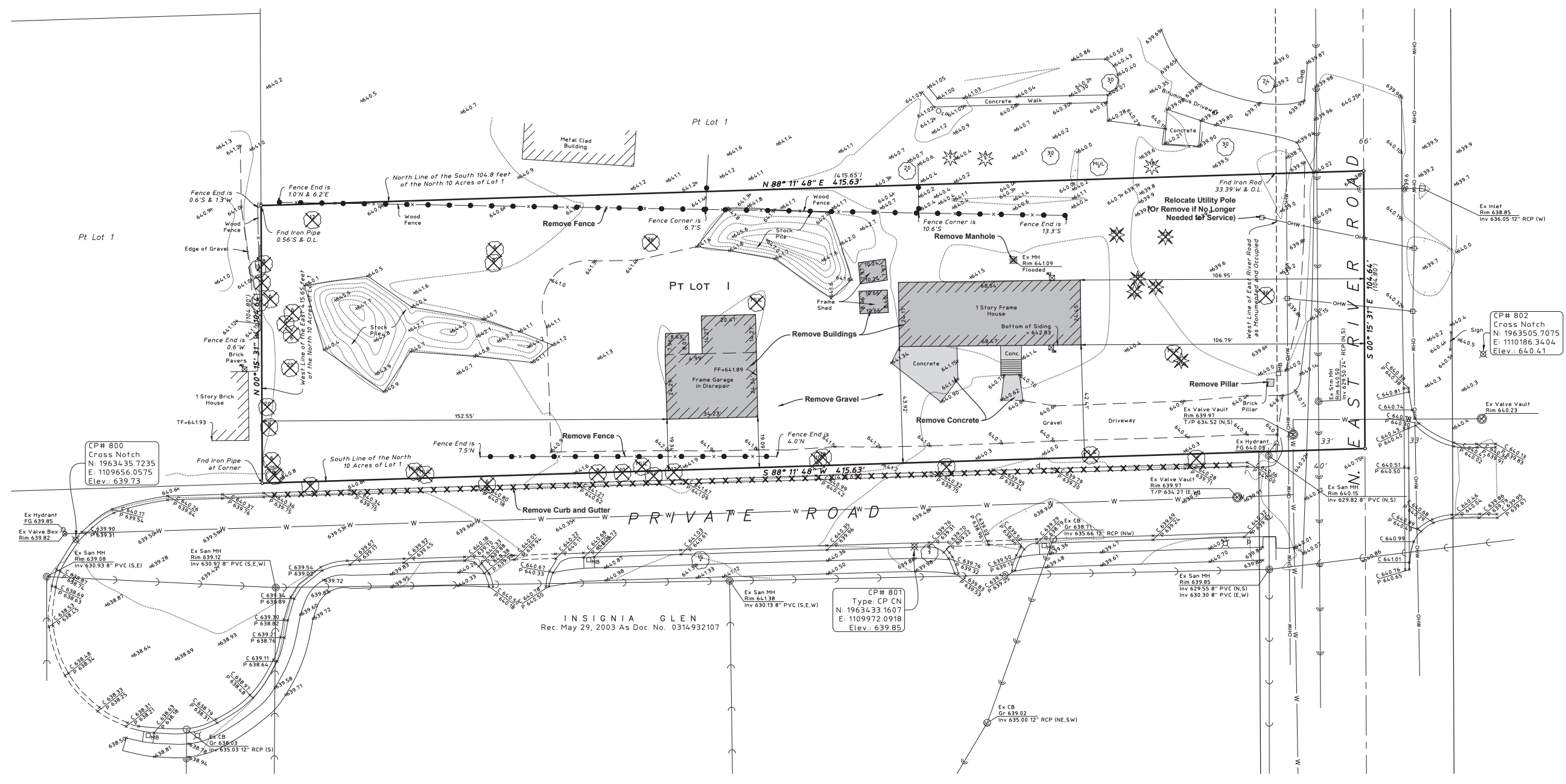
TITLE SHEET
INSIGNIA GLEN 2
PRELIMINARY ENGINEERING
CITY OF DES PLAINES, COOK COUNTY, ILLINOIS

Project Manager: L A K
Engineer: R F V
Date: 06.30.2023
Project No. 23-067
Sheet **C1.0** / C6



Know what's below.
Call before you dig.

Note: Call 811 at least 48 hours, excluding weekends and holidays, before you dig.



CP# 800
Cross Notch
N: 19634.35.7235
E: 1109656.0575
Elev.: 639.73

CP# 801
Type: CP CN
N: 19634.33.1607
E: 1109972.0918
Elev.: 639.85

CP# 802
Cross Notch
N: 1963505.7075
E: 1110186.3404
Elev.: 640.41

INSIGNIA GLEN
Rec. May 29, 2003 As Doc. No. 0314-932107

- DEMOLITION LEGEND**
- BUILDING REMOVAL
 - PAVEMENT REMOVAL
 - UTILITY REMOVAL
 - ABANDON UTILITY
 - CURB REMOVAL
 - FENCE REMOVAL
 - MISCELLANEOUS REMOVAL
 - SAW CUT
 - TREE REMOVAL
 - TREE PROTECTION

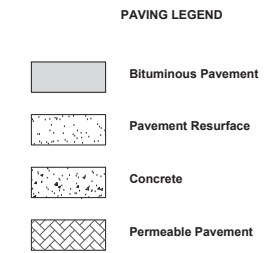
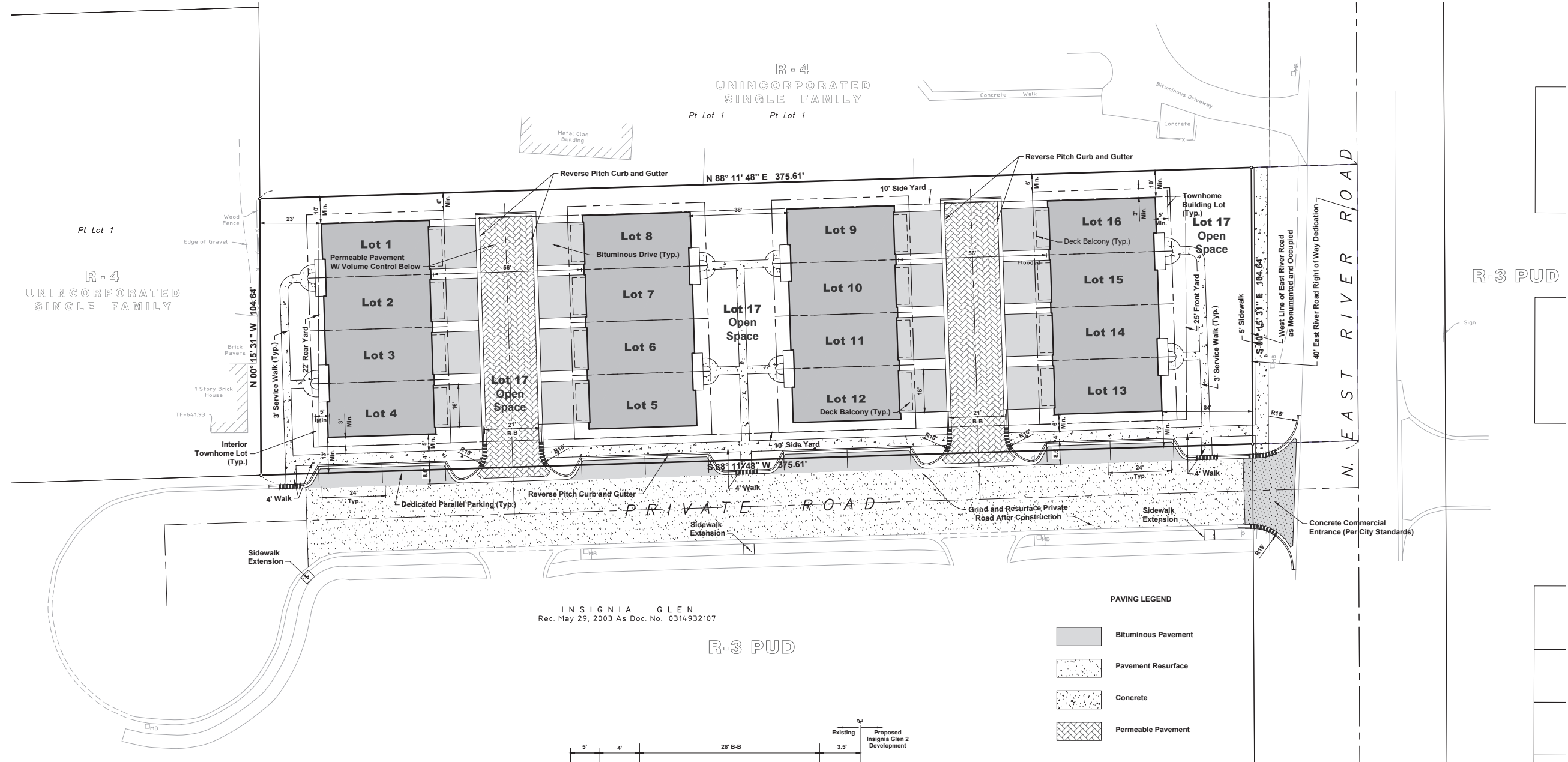
LEGAL DESCRIPTION

THE SOUTH 104.8 FEET OF THE EAST 415.65 FEET OF THE NORTH 10 ACRES IN LOT 1 IN ASSESSOR'S DIVISION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

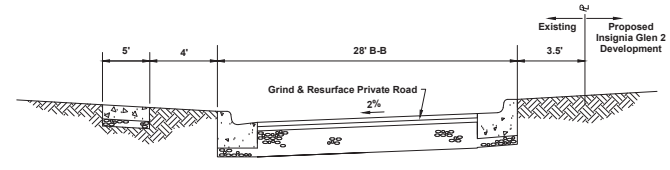
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EXISTING CONDITIONS & DEMOLITION PLAN
INSIGNIA GLEN 2
PRELIMINARY ENGINEERING
CITY OF DES PLAINES, COOK COUNTY, ILLINOIS

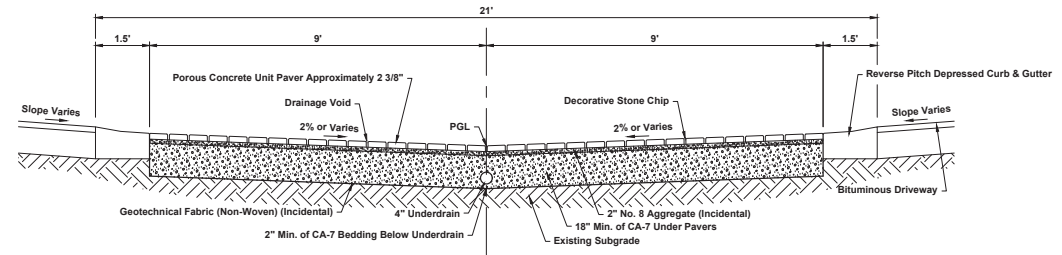
Project Manager: L A K
Engineer: R F V
Date: 06.30.2023
Project No.: 23-067
Sheet: C2.0/6



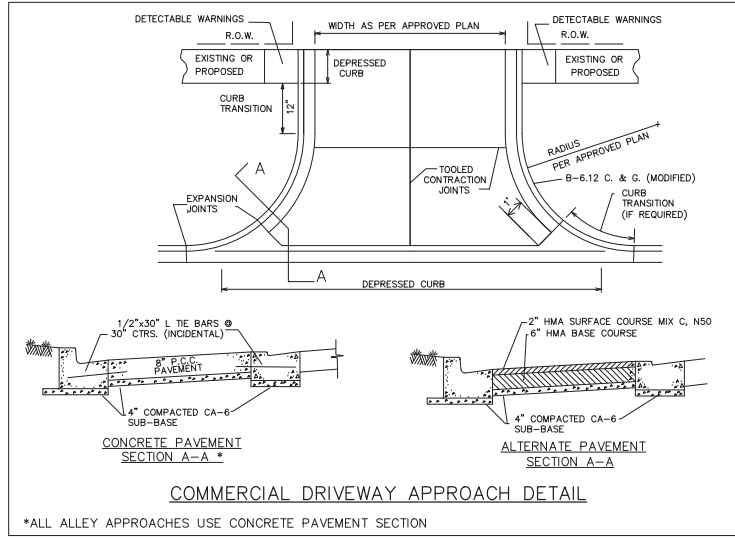
INSIGNIA GLEN
Rec. May 29, 2003 As Doc. No. 0314-932107



EXISTING PRIVATE ROAD TYPICAL ROADWAY SECTIONS



PERMEABLE PAVEMENT TYPICAL SECTION



COMMERCIAL DRIVEWAY APPROACH DETAIL

*ALL ALLEY APPROACHES USE CONCRETE PAVEMENT SECTION

LEGAL DESCRIPTION
THE SOUTH 104.8 FEET OF THE EAST 415.66 FEET OF THE NORTH 10 ACRES IN LOT 1 IN ASSESSOR'S DIVISION OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Site Data

| | | |
|-----------------------|---------------|-----------------|
| Gross Site Area | 1.00 | 43,476 |
| R.O.W. Dedication | 0.10 | 4,186 |
| Net Site Area | 0.90 | 39,290 |
| Total No. of Units | 16 | |
| Net Density | 17.7 d.u./ac. | 2,456 s.f./d.u. |
| Parking Summary | | |
| Garage Stalls | 32 @2:0:1 | |
| Driveway Spaces | 32 @2:0:1 | |
| Parallel Guest Stalls | 8 @0:5:1 | |
| Total Parking | 72 @4:5:1 | |

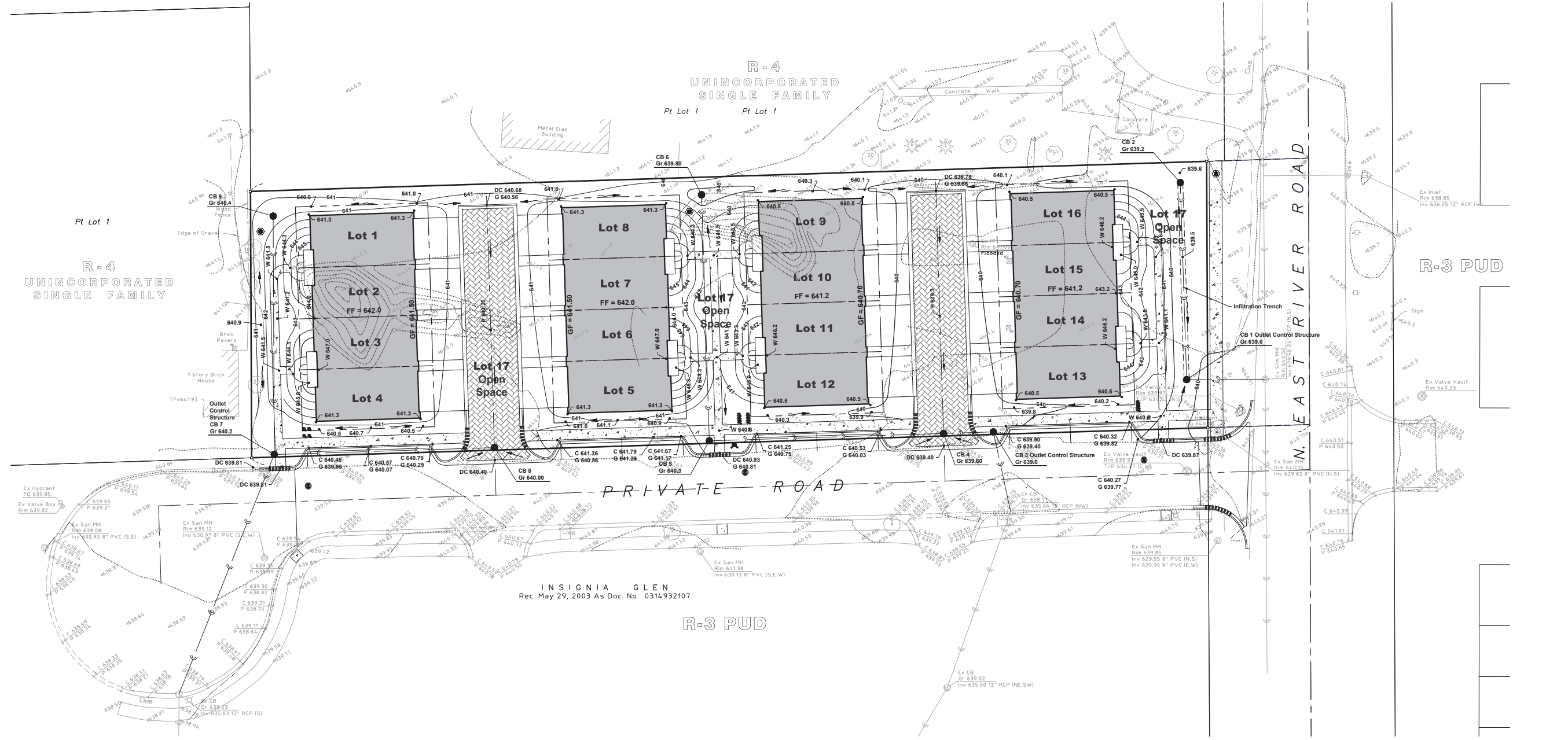
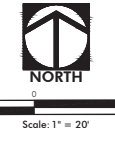
City Ordinance Metrics

| Required | | Provided |
|-------------------------|-------|----------|
| R-3 | | |
| Building Height | 45' | 35'-8.5" |
| Yard Summary | | |
| Front | 25' | 25' |
| Rear | 30' | 22' |
| Side | 10' | 10' |
| *For buildings over 35' | | |
| Minimum Lot Area/Unit | 2,800 | 2,456 |
| Parking Summary | | |
| Parking - 2/d.u. | 32 | 64 |
| Guest Parking - | 4 | 8 |
| 0.25/d.u. | | |

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GEOMETRY & PAVING PLAN
INSIGNIA GLEN 2
PRELIMINARY ENGINEERING
CITY OF DES PLAINES, COOK COUNTY, ILLINOIS

Project Manager: L A K
Engineer: R F V
Date: 06.30.2023
Project No.: 23-067
Sheet



| No. | Date | Revision |
|-----|-----------|-----------------|
| 1 | 8.11.2023 | Per City Review |

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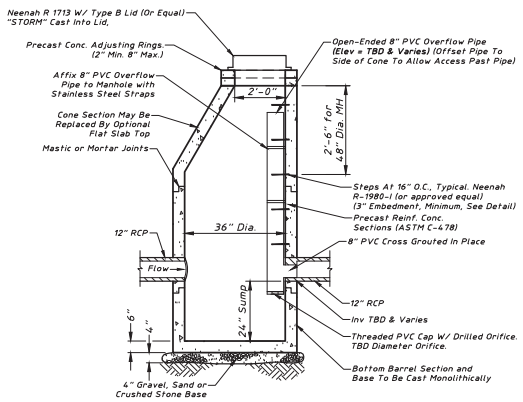
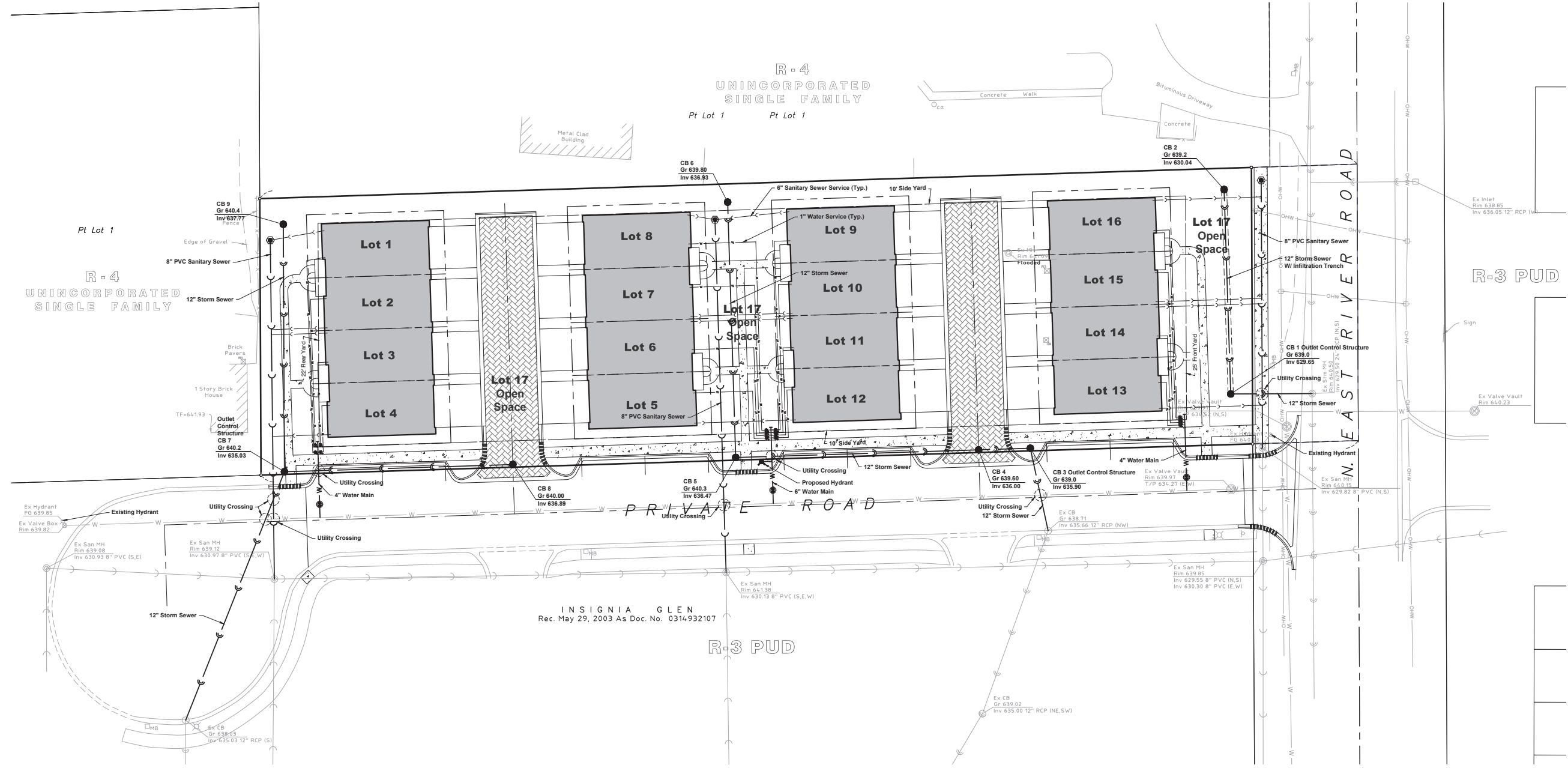
GRADING & DRAINAGE PLAN
INSIGNIA GLEN 2
PRELIMINARY ENGINEERING
 CITY OF DES PLAINES, COOK COUNTY, ILLINOIS

Project Manager: L A K
 Engineer: R F V
 Date: 06.30.2023
 Project No. 23-067
 Sheet **C4.0** / C6



NORTH

Scale: 1" = 20'



OUTLET CONTROL STRUCTURE

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 www.haegerengineering.com

UTILITY PLAN
INSIGNIA GLEN 2
 PRELIMINARY ENGINEERING
 CITY OF DES PLAINES, COOK COUNTY, ILLINOIS

Project Manager: L A K
 Engineer: R F V
 Date: 06.30.2023
 Project No. 23-067
 Sheet **C5.0** / C6

Date: 8.11.2023
 Revision:



**PUBLIC WORKS AND
ENGINEERING DEPARTMENT**

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5390
desplaines.org

MEMORANDUM

Date: August 3, 2023
To: John Carlisle, Director of Community and Economic Development
From: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering
Cc: John La Berg, P.E., CFM, Civil Engineer
Subject: 180 N. East River Rd. Proposed Townhomes

Public Works and Engineering has reviewed the subject final engineering plans and is approving them subject to the conditions below:

- The private road shall be ground 1 ½" and resurfaced for its entire width and frontage along the development.
- Street lights and fire hydrants are needed at the end of each street between the townhomes.
- MWRD and Cook County Highway permits will need to be obtained.
- Add 7' sidewalk along northside of private st.

TPO/jl

PROPOSED TEXT AMENDMENTS – PUD ELIGIBILITY

Additions are **bold, double-underlined**.

Deletions are ~~struck through~~.

12-3-5: PLANNED UNIT DEVELOPMENTS:

B. Prerequisites; Location, Ownership And Size:

1. Planned unit developments are authorized in each of the following zoning districts of this title subject to the regulations of this section.

2. The site of a planned unit development must be under single ownership and/or unified control.

3. The minimum size of a planned unit development shall be not less than:

a. In the R-1, R-2, R-3, and R-4 zoning districts: Two (2) acres; **provided, however, that for detached single-family and attached townhome developments that consist of multiple principal buildings there is no minimum size**

b. In the C-1, C-2, C-3 and C-4 zoning districts: Two (2) acres;

c. In the C-5 zoning district: One acre;

d. In the C-7 zoning district: Ten (10) acres; and

e. In the M-1, M-2, M-3 and I-1 zoning districts: Two (2) acres.



MEMORANDUM

Date: August 4, 2023
To: Planning and Zoning Board (PZB)
From: Samantha Redman, Planner *SR*
Cc: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*
Subject: Consideration of Major Variations for Trellis Height and Width in the R-1 District at 1378 Margret Street

Issue: The petitioner is requesting Major Variations to allow an 8-foot-tall and 50-foot-wide trellis in the interior side yard at 1378 Margret Street where a maximum height of six feet and a maximum width of eight feet are permitted.

Petitioner: Patrick Howe, 1378 Margret Street, Des Plaines, IL 60018

Owner: Patrick Howe, 1378 Margret Street, Des Plaines, IL 60018

Case Number: 23-044-V

PIN: 09-20-314-012-0000

Ward: #3, Alderman Sean Oskerka

Existing Zoning: R-1 Single Family Residential district

Existing Land Use: Single Family Residence

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

Surrounding Land Use: North: Single Family Residence (Residential)
South: Single Family Residence (Residential)
East: Single Family Residence (Residential)
West: Single Family Residence (Residential)

Street Classification: Margret Street and Forest Avenue are classified as local roads.

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

Zoning/Property History: Based on City records, the subject property was annexed into the City in 1953 and has been used as a single-family residence.

Background:

Structure Installation and Enforcement

In April 2022, an eight-foot-tall structure, attached to a fence, was erected on the north property line between 1368 and 1378 Margret Street. A code enforcement case was opened to address any violations associated with the structure. Initially, the structure was classified as a “fence” and a violation was issued for the fence exceeding the allowable height. Section 12-8-2 allows for solid fences in the side yards up to six feet in height. The structure measured eight feet from grade to the top of the structure.

Between April and October 2022, City staff completed several site visits and meetings with the property owner/petitioner to discuss this structure. In October 2022, a Final Zoning Decision Letter classified the structure as a “trellis,” based on the fact that the structure had been detached from the fence and the Zoning Ordinance at the time (which has since been amended) permitted a trellis to be up to eight feet in height and located at least one foot away from the lot line.

Zoning amendments were approved by City Council on April 3, 2023 that (i) define fence and trellis separately and (ii) limit trellises’ size, location, and width. The structure is not in compliance with maximum height (8 feet instead of 6 feet) or width (50 feet instead of 8 feet). The structure was not able to be classified as a “nonconforming structure” per Section 12-5-6 because it was not lawfully established; an inspection in mid-April revealed the structure was taller than 8 feet, or the prior height limitation, and therefore could not be considered lawful. The property owner was required to remove the existing structure, which they did, and chose to apply for a variation from the new trellis rules to re-install the former structure.

Recent Text Amendments for Fences, Trellises, and Arbors

The text amendments to clarify regulations and add terms for fences, trellises, and arbors were approved through Ordinance Z-6-23. The following definitions have been established for fence and trellis:

- **FENCE:** A structure used as a barrier or boundary to enclose, divide, or screen a piece of land. The term “fence” includes fences, walls, and other structural or artificial barriers that function as a wall or a fence. For the purposes of this Title, the term "fence" does not include arbors, trellises, or naturally growing shrubs, bushes, and other foliage. Fences must be made of wood, vinyl, metal, masonry, or combination thereof. The height of a fence is measured from the immediately adjacent finished grade to the highest point of the fence.
- **TRELLIS:** A freestanding structure with latticework intended primarily to support vines or climbing plants. The height of a trellis is measured from the immediately adjacent finished grade to the highest point of the trellis.

In addition to the new definitions, a summary of the new trellis regulations—as they relate to the petitioner’s request—are below.

- **Location:** Trellises are permitted in all required front, side, corner-side, or rear yards or the buildable area with some limitations;
- **Height:** Allows trellises up to six feet in height in the interior side yards;
- **Width:** Trellises cannot exceed 8 feet in width;

- **Material:** Trellises must be constructed of wood, wrought iron, vinyl, or similar decorative material; and
- **Separation:** Trellises may not be attached to or located less than six feet from other trellises.

Project Description:

Overview

The petitioner, Patrick Howe, has requested a major variation to allow an 8-foot-tall and 50-foot-wide trellis structure. Plans for the proposed structure are attached. The subject property consists of a 9,081-square-foot (0.21-acre) lot with a 1,285-square-foot, two-story house, one frame shed, a large playground structure, and a deck. The petitioner provided photos of the previous trellis structure prior to dismantling to resolve code enforcement violations.

In the Responses to Standards, the petitioner indicated that the proposed structure would be used as a support for climbing plants. However, the photos display several arborvitae, which do not require support unless recently planted or damaged¹, and no evidence of climbing plants that are typically in need of a trellis for support. Nonetheless, if the PZB accepts that the structure’s purpose would be for plant support, the petitioner’s desired height and width require variation from Sections 12-7-1.C and 12-8-14.B.1 of the Ordinance.

PZB Considerations

Based on the substantial size, positioning, and design of the structure in question, the PZB may wish to analyze if the true intent/utilization of the structure, as proposed to be designed, is more to serve as a barrier to screen the petitioner’s property from view from the neighbor instead of a structure for the primary purpose of providing support for climbing plants. Further, the PZB may inquire as to what plantings the petitioner intends to install on the property that necessitate an 8-foot-tall, 50-foot-wide trellis structure, or namely why alternative plantings that do not need support from other structures were not installed in its place. See staff’s analysis of the variation standards. Refer to attachment for public comment received for this project.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Rationale for how the proposed amendments would or would not satisfy the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided staff comments as its rationale, modify, or adopt its own.

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

Comment: Considering the other opportunities available, the zoning challenges encountered do not rise to the level of hardship or practical difficulty. The petitioner argues that the arborvitae and ivy require a trellis to support their growth. Thuja, commonly called “arborvitae” are a genus of evergreen trees popular for providing screening and privacy on properties either in lieu of or in addition to a fence, with some species native to the Midwest. Arborvitae prefer full sun exposure and are known

¹ University of Minnesota Extension, 2020, *Planting and Growing Guides: Staking and guying trees*, <https://extension.umn.edu/planting-and-growing-guides/staking-and-guying-trees>

for their hardiness and their compact but tall appearance.² Like many trees, arborvitae may temporarily require support with stakes when freshly planted, but improper or long-term support of the tree can be damaging.³ Staff were unable to find any planting guides that suggested long term use of supports or the use of a trellis to provide support for a tree. On the other hand, ivy may require a trellis for growth, depending on the species. However, the photos and documents provided by the petitioner did not indicate any ivy is currently growing nor the type of ivy. Overall, staff were unable to validate the claim that a trellis of this size is necessary to support the existing or proposed plants.

Approval would allow a structure that is six times the allowable width. Through either testimony in the public hearing or via the submitted responses, the Board should review, question, and evaluate whether a hardship or practical difficulty exists.

PZB Additions or Modifications (if necessary): _____

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

Comment: The subject property is a typical rectangular, corner lot that is neither exceptional to the surrounding lots nor contains unique physical features that prevent the petitioner from complying with the appropriate regulations. As there are ample opportunities for the petitioner to locate a code-compliant trellis or trellises on the subject property, the request for an 8-foot-tall and 50-foot-wide trellis appears to be more of a personal preference of the property owner instead of a definable unique physical condition.

PZB Additions or Modifications (if necessary): _____

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

Comment: Any perceived unique physical conditions or hardships created from these items are a

² Ohio Department of Natural Resources, *Arborvitae*, <https://ohiodnr.gov/discover-and-learn/plants-trees/scale-like-leaves/arborvitae-thuja-occidentalis>

³ University of Minnesota Extension, 2020, *Planting and Growing Guides: Staking and guying trees*, <https://extension.umn.edu/planting-and-growing-guides/staking-and-guying-trees>

direct result of the actions of the property owner. The petitioner has not yet provided evidence that the proposed planting requires a structure of this size to sustain its vitality.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: Enforcing the trellis height and width requirements does not deny the property owners from constructing a trellis on their property but requires said trellis structure to conform with the applicable requirements that apply to any trellis structure installed throughout the City.

Given the initially installed 8-foot-tall and 50-foot-wide structure on the subject property, as illustrated in the attached Photos of Prior Conditions, and the petitioner's rationale that the structure in question is necessary to support plants, the PZB may discuss whether the true intention of this structure is more to provide a substantial barrier between the two properties rather than providing support for climbing plants. Even if solely for the intention of supporting climbing plants, the PZB may ask itself if the ability to install a structure at this scale is a right to which Des Plaines property owners are entitled given there are available alternatives to achieve the functional needs of a trellis.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: Granting this variation may, in fact, provide a special privilege for the property owner not available to other single-family residential properties. Variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body (e.g., PZB and/or City Council) usually determines the applicant has exhausted design options that do not require a variation. In this case, there may be different design options, sizes, and positions for a trellis structure on the subject property. The PZB may ask the petitioner to explain whether they have exhausted other alternatives.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: On one hand, the project would allow enhancement of a single-family home, which the Zoning Ordinance and Comprehensive Plan want to encourage. However, the existing structure is solely for the benefit of the property owner and is not consistent with any general and specific purposes of the Comprehensive Plan. The structure is 50-feet-wide and 8-feet-tall, close to a fence. A trellis is a built structure for decoration or support of climbing plants. The existing barrier-type structure is not harmonious with other residences in the R-1 district and does not meet the regulations for either trellis or fence structures. There are reasonable options for designing a trellis structure to create an adequate space for the growing of various plant material without the height and width of the existing structure in question.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: It appears there would be several alternatives to the height and width variations being requested. The code allows for the installation of multiple trellis structures on the property, with a minimum 6-foot-separation between structures. It also allows for various trellis heights based on the trellis location on the property, restricting trellis height to 6 feet or less in required yards but allowing a maximum trellis height of 8 feet in the buildable area. In addition to the above improvements, natural plantings can also be added to provide a natural barrier between the properties as sought by the petitioner. The PZB may wish to ask why certain alternative designs are not feasible.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The approval of the height and width variations may provide relief for the petitioner. However, staff argues that the alleged hardship could be satisfied with alternative proposals that better utilize the physical characteristics of the property, incorporate trellis structures in a cohesive and harmonious way with the neighboring built environment, and meet the appropriate requirements. The PZB may determine if the measure of relief is appropriate or necessary in its recommendation.

PZB Additions or Modifications (if necessary): _____

_____.

PZB Procedure and Recommended Conditions: Under Section 12-3-6(F) of the Zoning Ordinance (Major Variations), the PZB has the authority to *recommend* approval, approval subject to conditions, or denial of the request to City Council. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined in the Zoning Ordinance. If the PZB recommends approval of the request, staff recommends the following conditions.

Conditions of Approval:

1. No drainage concerns are created.
2. The trellis must be used to support vines or climbing plants.

Attachments:

Attachment 1: Location Map

Attachment 2: Staff Site Visit Photos

Attachment 3: Petitioner Photos of Previous/Proposed Structure

Attachment 4: Petitioner's Narrative and Responses to Standards for Variation

Attachment 5: Plat of Survey and Site Plan

Attachment 6: Trellis Diagram

Attachment 7: Public Comment

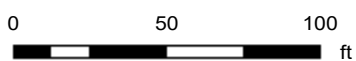


Legend

Subject Site

Zoning

R-1: Single Family Residential



Print Date: 8/3/2023

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Staff Site Visit Photos - 07-21-2023



Public Notice Sign



View of fences and overview of area where trellis is proposed



Closer view of area for proposed trellis structure, photo facing southwest towards subject property
Attachment 2



Closer view of area for proposed trellis, photo facing northwest away from subject property

Petitioner Provided Photos of Previous/Proposed Trellis Structure



Previous Trellis Structure, facing north away from subject property



Previous Trellis Structure, facing north away from subject property



Previous Trellis Structure, facing north away from subject property

Attachment 3

Project Narrative

I am writing to formally request a variance to construct a trellis on my property. The proposed trellis would be approximately 50 feet long and 8 feet tall, and it would be constructed using wood framed lattice. The purpose of this structure is to provide support for the arborvitae trees and ivy growing in the adjacent planter box on the Northside of my property.

It is important to note that a similar structure had previously been in place, which was constructed in accordance with the previous building code that permitted such installations. However, due to recent changes in the code, a variance is now required to proceed with the construction.

The presence of the trellis is crucial for the well-being and stability of the arborvitae trees and ivy. The trellis will provide the necessary support for these plants, allowing them to grow and thrive, while also enhancing the visual appeal of my property. Without the trellis, the plants would lack the necessary structure to grow properly and could potentially become unstable.

The use of wood framed lattice ensures a visually pleasing appearance that will complement the natural surroundings.

I kindly request that the variance for constructing the trellis be granted, considering the previous allowance under the previous building code and the vital support it provides for the arborvitae trees and ivy.

Thank you for your attention to this matter. I look forward to a positive response regarding my request.

Responses to Standards for Variations

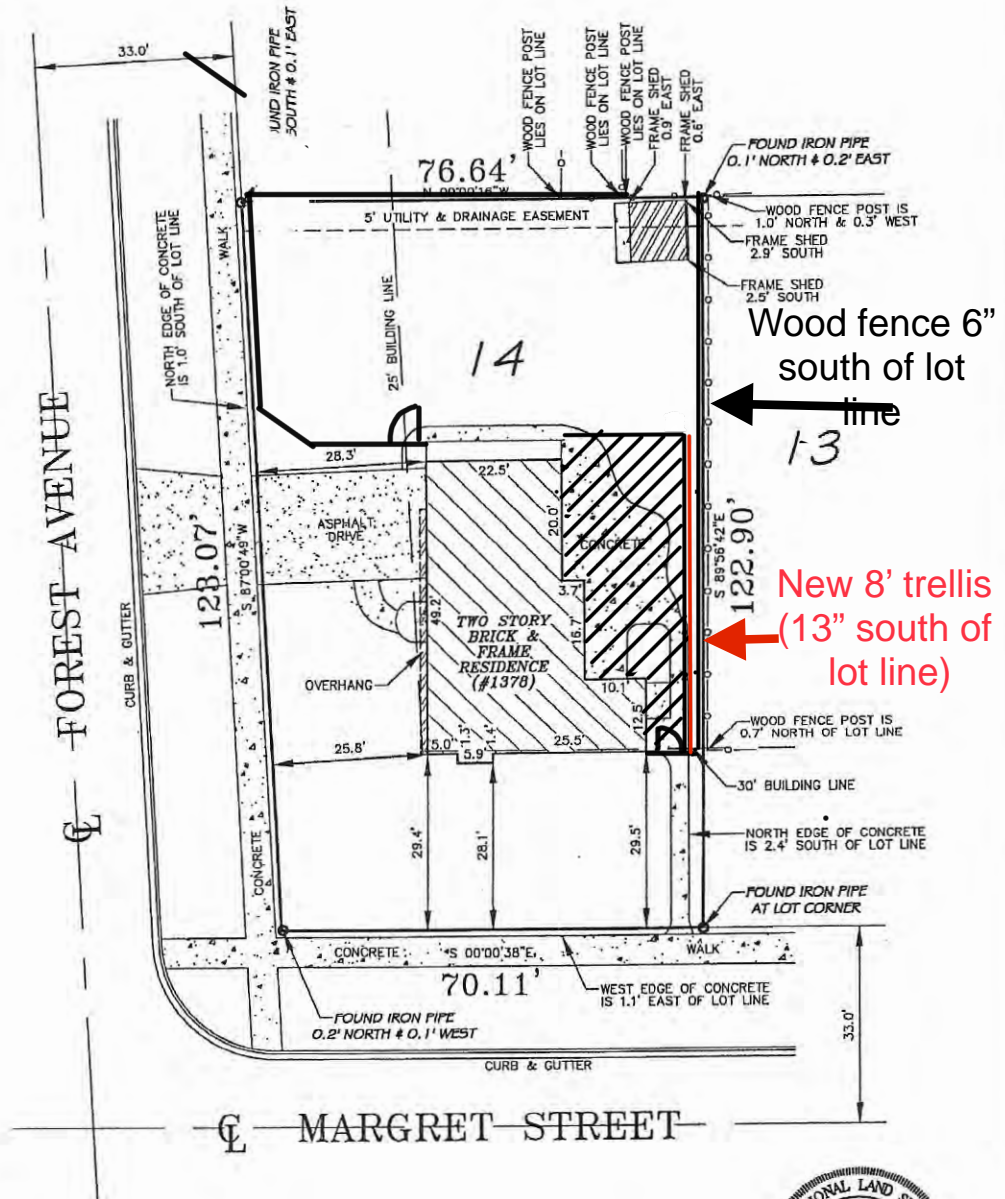
1. **Hardship:** Strictly adhering to the provisions of the zoning regulations would create a significant hardship. Trellis was constructed approximately 2 years ago under the previous building code. Along with the trellis, 18 emerald green arborvitae trees were planted adjacent to the trellis along with several climbing ivy plants. Both relied on the trellis for support and growth. This would result in a practical difficulty, as our inability to build an appropriate structure would limit the functionality and potential success of our project.
2. **Unique Physical Condition:** The subject lot has an irregular shape and size, which makes it difficult to adhere to the zoning regulations. Due to being a corner lot, a substantial portion of the back yard is along the side of the house. This has caused privacy issues with the neighbor adjacent to the side yard. The emerald green arborvitae trees and climbing ivy were planted to create privacy, but rely on the trellis for support.
3. **Not Self-Created:** The unique physical conditions of the subject lot are not a result of any action or inaction by the owner or its predecessors. Trellis was constructed under the city's previous building code. These conditions have existed since before the enactment of the zoning provisions and are natural, inherent characteristics of the lot.
4. **Denied Substantial Rights:** The strict application of the zoning provisions would deprive our project of the substantial rights commonly enjoyed by other property owners in the same zoning district, such as privacy in a fenced back yard. This would place an undue burden on our project, preventing us from fully utilizing backyard.
5. **Not Merely Special Privilege:** The hardship we face is not solely based on our desire for special privileges or additional rights. Our request for a variance is driven by the genuine need to overcome the challenges presented by the unique physical conditions of the subject corner lot.
6. **Title and Plan Purposes:** Granting the requested variation would not result in a use or development that is inconsistent with the overall goals and objectives of the zoning regulations and the comprehensive plan. Our project aims to be in harmony with the surrounding area and contribute positively to the community.
7. **No Other Remedy:** There is no alternative solution that would sufficiently alleviate the hardship and difficulties we face while still permitting reasonable use of the subject lot. The requested variation is the only viable option that would allow us to continue to grow the arborvitae trees and climbing ivy.
8. **Minimum Required:** The requested variation represents the minimum measure of relief needed to address the hardships and challenges posed by the strict application of

the zoning regulations. This relief is essential for allowing us to make practical and reasonable use of the subject lot while pursuing our project goals.

PLAT OF SURVEY

OF

LOT FOURTEEN (14) IN PETERSON'S SUBDIVISION NO. 4, BEING A SUBDIVISION OF THE SOUTH HALF (1/2) OF LOT 3 (EXCEPT THE EAST 300 FEET THEREOF) IN CARL LAGERHAUSEN ESTATE DIVISION OF THE SOUTHWEST QUARTER (1/4) OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLE OF COOK COUNTY, ILLINOIS, ON DECEMBER 7, 1956, AS DOCUMENT NUMBER 1711973.



LEGEND

- (R/M) - RECORD / MEASURED
- L - ARC LENGTH
- R - RADIUS
- CH - CHORD

AREA = 9,018 SQ. FT.
MORE OR LESS



SCALE: 20'



PREPARED FOR: SURVEY SERVICES, INC.
JOB ADDRESS: 1378 MARGRET STREET, DES PLAINES, IL
SELLER/BUYER: PAPPAS & PAPPAS LTD. / HOWE
JOB NO.: 20-05-0031

NEKOLA SURVEY, INC.

PROFESSIONAL LAND SURVEYING SERVICES
WWW.NEKOLASURVEY.COM
400 N. SCHMIDT RD., STE. 203
BOLINGBROOK, ILLINOIS 60440
(630) 226-1530 PHONE (630) 226-1430 FAX

FIELD WORK COMPLETED ON THE 12TH DAY OF MAY, 2020.

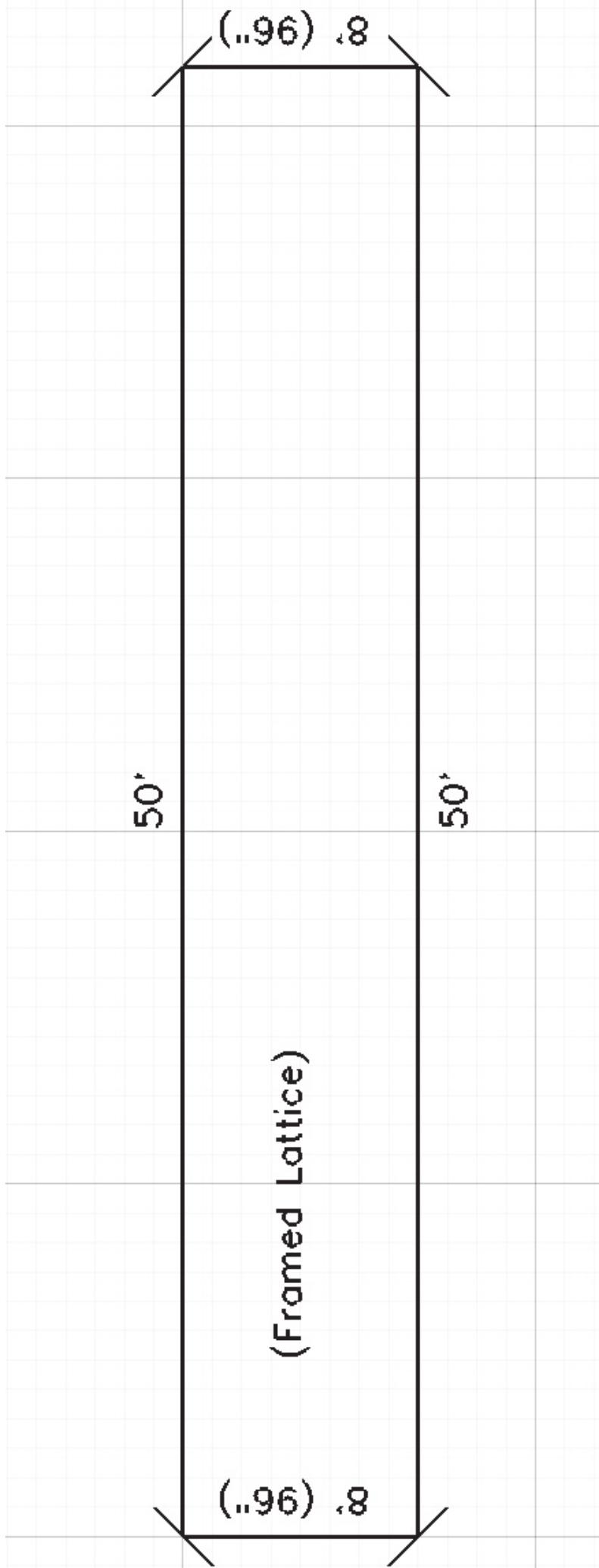
(STATE OF ILLINOIS)
(COUNTY OF WILL) SS

NEKOLA SURVEY INC. DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 19TH DAY OF MAY, 2020.

Wayne W. Nekola
IPLS No. 2923
LICENSE RENEWAL DATE: 30 NOVEMBER 2020.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.



Samantha Redman

From: Margaret Mosele
Sent: Monday, July 24, 2023 9:06 AM
To: Samantha Redman
Subject: FW: 1378 Margret Notice of Public Hearing

THANK YOU.
MARGIE MOSELE
EXECUTIVE ASSISTANT OF COMMUNITY & ECONOMIC DEVELOPMENT
City of Des Plaines
1420 Miner Street, Des Plaines, IL 60016
P. 847.391.5306
Connect with Us:
desplaines.org



From: [REDACTED]
Sent: Sunday, July 23, 2023 7:50 AM
To: Margaret Mosele <mosele@desplaines.org>
Subject: 1378 Margret Notice of Public Hearing

Thank you for making us aware of the hearing for the above address. The big signs are great.

I am **AGAINST** an EIGHT FOOT by FIFTY FOOT trellis going up.

They currently have a six foot fence and evergreens that are at least 2 feet above the fence. I don't understand the reasoning. So my question is, "why do they want to put up such a structure? My guess is for privacy. I have a six foot fence and when I'm outside I can't see what is on the other side other than the roof of the house next door and if you add the two feet of evergreen the property owner already has I probably wouldn't even see the roof next door.

The property owner already had a trellis on top of their fence and it looked excessive and unappealing. Didn't the city just pass a change to the wording of the code to prevent this?

Samantha Redman

From: Margaret Mosele
Sent: Thursday, August 3, 2023 2:38 PM
To: Samantha Redman
Subject: FW: 1378 Forest AVE August 8th hearing on Fence size

THANK YOU.
MARGIE MOSELE
EXECUTIVE ASSISTANT OF COMMUNITY & ECONOMIC DEVELOPMENT
City of Des Plaines
1420 Miner Street, Des Plaines, IL 60016
P. 847.391.5306
Connect with Us:
desplaines.org



From: [REDACTED]
Sent: Thursday, August 3, 2023 1:07 PM
To: Margaret Mosele <mmosele@desplaines.org>
Subject: 1378 Forest AVE August 8th hearing on Fence size

Hello,

This house is in my neighborhood, and I am addressing this unduly burdensome request to raise the fence to a commercial size.

I vote NO as it will change the aesthetics of the neighborhood. It will make it look like we have an office bldg or a jail on that corner of Forest and Margret Street and if this happens it will become common place for all of Des Plaines.

I hope these homeowners influence as a Police officer will not sway your Decision.

Sincerely,
Patti Wilson
1155 Van Buren
Des Plaines, IL 60018

Samantha Redman

From: [REDACTED]
Sent: Wednesday, August 2, 2023 9:59 PM
To: Margaret Mosele; Samantha Redman
Subject: Public comment for 1378 Margret St. variance request

Good evening,

[REDACTED] I would like to submit a comment for the Planner's report and/or the public hearing pertaining to the variance request. I would like to remain anonymous in said report and/or hearing.

My comment is as follows:

To whom it may concern,

I am writing this today in response to the variance request made at 1378 Margret St., Des Plaines IL, 60018. From what I have seen as I have walked through the neighborhood these past years, I personally do not think a variance should be granted to allow for such a high fence line. Even if the extension is technically a trellis, its practical feature apparent to me while passing through the neighborhood was that of a fence and/or extension of their current fence to an inappropriate height. I have seen no other fence lines that reach this height in the neighborhood, and I believe this would set a poor precedent amongst all of our neighbors. If one person can request and be approved for a trellis in this way, then anyone and everyone should be allowed the variance, and I do not think that would be wise or in keeping with the aesthetic currently held by our neighborhood.

Also, based on the previously placed structure, the "trellis" that more functioned as a fence really did block off sunlight and any form of visibility for the neighbor to the north of the property. And while I personally wouldn't care about seeing a fence that close to the property line, I would be upset by a fence line that doesn't comply with city rules and blocks off natural light from the entire side of my house. I would be especially upset if I found out the city allowed for a break in those rules to allow it.

From what I have observed, the issue is that the construction of their deck has raised their overall platform on that side of their lot, and thus to have privacy, they wish to have a higher fence line. If my assumption is correct, much of this issue would be irrelevant if their deck were not raised so high. And while I can understand that their choice to build an elevated deck also held the consequence of limiting their privacy, I do not believe the correct course of action is to mitigate their mistake by increasing their fence line height. Again, that would be a very poor precedent to set for the neighborhood moving forward.

I do hope the board votes to deny this variance request.

I thank you for your time.

[REDACTED]

To: Margie Mosele and Samantha Redman of the Des Plaines Community and Economic Development

Re: Regarding the Notice of Public Hearing at 1378 Margret St. in Des Plaines.

Dear Margie and Samantha,

After reviewing the Development Application it appears 1378 Margret St. is asking for their 8 foot tall and 50 foot long fence back and not asking for a trellis. It has been up for the majority of the past 2 years and is an unsightly eye sore that we do not want in our neighborhood or Des Plaines. It is obviously being used as a fence and not a trellis. The trees that are planted and shown in the application are a form of cedar tree which are free standing trees that do not need any form of support nor a trellis. They can be seen all over our neighborhood in various applications including to provide privacy. There is no ivy pictured in the application. Ivy will climb just fine up a fence or wall and does not require a trellis either.

I saw that the city spent time in 2022 and 2023 revising the building code related to trellises. I thought it was to specifically prevent the abuse of the trellis rules to create 8 foot high residential fences.

What is good for one is good for all. **Would you want the back of an 8 foot fence next to your house?**

I know that I am not only not alone saying this, but that it represent the sentiment of the surrounding neighbors by saying we do not want structures such as this 8 foot high fence/trellis in our neighborhood nor Des Plaines.

Sincerely,

Richard Marech
1359 Margret St.

To: Margie Mosele and Samantha Redman

At: Des Plaines Community and Economic Development

Re: 1378 Margret St. Major Variation Application

They are asking for an 8 foot fence after they built a deck raised a foot off the ground.

We do not want 8 foot residential privacy fences.

This is ridiculous how long this has gone on for. How many times do they need to be told this is a fence and the maximum height is 6 feet.

Hopefully 1378 Margret St. can start following the building codes and rules we all live by and stop wasting Des Plaines employee time and taxpayer money.

Sincerely,

Alberta Pieruccini

1352 MARGRET ST.

DES PLAINES, IL 60018

August 2, 2023

Dear Margie Mosele and Samantha Redman,

I am writing today about the AGAIN proposed 8 foot fence in violation at 1378 Margret St. The code clearly states that fences, trellises, privacy screens etc. cannot exceed 6ft. There is no need for a fence to be higher than 6 feet in our neighborhood. There is no other 8-foot high fence, trellis or privacy screen in our neighborhood. A 6-foot fence ensures enough privacy needed for any backyard in our neighborhood.

Thank you for your time,

Jack Boudin
1365 Margret
DP 60018

6" is enough

JB.

Jennifer Toner
1368 Margret St.
Des Plaines, IL 60018

Thursday August 3rd, 2023

Des Plaines Community and Economic Development Department
Margie Mosele
1420 Miner St.
Des Plaines, IL 60016

Dear Margie,

While there are many out of code structures along my shared property line with 1378 Margret St. I will keep my comments directly related to Case Number 23-044-V Major Variation for Trellis Height and Width.

There have been various versions of this 8 foot high by 50 feet long fence up for 19 of the past 23 months since September 2021. In September 2021 the applicant completed work on a deck that occupies the lots entire side yard and is raised about 1 foot above the ground and now the applicant wants a privacy fence higher than 6 feet along that raised deck. The applicant made a CHOICE to build a large out of code RAISED deck. This major variation request is as simple as this is a SELF-CREATED CONDITION. Nevertheless I will address some of the requirements of a Major Variation from code 12-3-6 and some of the some facts of the applications while not being redundant.

Code 12-3-6

- **Hardship:** There is no hardship to not allowing a major variance of 33% in height from 6 feet to 8 feet and 625% in length from 8 feet to 50 feet. The hardship that appears to be claimed in the application is the health of "18 emerald green arborvitae trees were planted adjacent to the trellis along with several climbing ivy plants. Both relied on the trellis for support." Emerald green arborvitae trees are free standing trees that do not require a trellis nor any type of support. There is no ivy visible in the application. Limiting ivy growth to a trellis of 6 feet in height would not affect its viability.
- **Unique Physical Condition:** The subject lot is not unique, it is a typical corner lot in our neighborhood and Des Plaines. The structure in question is located in the side yard of this corner lot and is a typical side yard.
- **Not Self-Created:** The variation application requests a 50 foot long trellis to run alongside a 50 foot long deck that is raised about 1 foot off the ground. This deck was constructed by the applicant in the spring and summer of 2021. This is the circumstance for which the applicant is requesting this variation.
- **Denied Substantial Rights:** The application states that without the major variation the right to privacy in a fenced back yard would be denied. Again the application is for a side yard. And the lack of privacy was self- created by the applicant building a raised deck.
- **Not Merely Special Privilege and Title Plan and Purpose:** This major variation would provide special privilege, not be in harmony with the neighborhood and is clearly is not wanted by the surrounding community members based on comments provided by neighbors. I can find no other example of an 8 foot high by 50 foot long trellis/fence/privacy screen/fence extension in

the neighborhood nor in Des Plaines, nor anything even close to 8 feet by 50 feet. This structure would not be consistent with the neighborhood nor Des Plaines and would be a detriment to the surrounding area. Approving this would major variation could possibly set a precedent for structures such as this.

- **No Other Remedy and Minimum Required:** Again a remedy “that would allow us to continue to grow the arborvitae trees and climbing ivy” is not necessary as arborvitae trees are free standing and do not require support. Limiting ivy growth at 6 feet will not negatively affect its health. There are countless possible remedies to the privacy issue the applicant touched on in other areas of the application like reducing the height of the deck the applicant constructed as one example.

Application issues not addressed above;

- The trellis/fence/privacy screen/fence extension has NEVER been “constructed in accordance with the previous building code that permitted such installations”. The structure has always been out of code for a trellis by being; within 1 foot of the property line, attached to a planter box that is attached to a deck and fence, and most recently was **identified by John Carlisle to be over 8 feet tall on inspection April 18 2023 and therefore NOT a legal preexisting nonconforming structure and communicated this to the applicant in the attached April 20th 2023 letter via email.**
- The structure is visually very unappealing when viewed from the north, a couple of photos area attached. The structure is in contrast to and does not compliment the surrounding neighborhood.

The structure is only 8 feet away from the entire length of the home on the lot to the north. it is a direct detriment to the neighboring property to the north by;

- blocking light coming into the entire south side of the home and
- blocking the sun, rain and wind to the entire side yard inhibiting the growth of landscaping and it has done so for the majority of the past 2 years
- it is visually unappealing from the north

In late 2022 and early 2023 staff of the DP CED, Planning and Zoning Board Trustees and the City Council prepared and enacted additional detail into the trellis, arbor and fence area of the building code. I suspect this was done in part to prevent the abuse of trellises and arbors as fence extensions which is what this structure is.

Thank you for your time and consideration,



Jennifer Toner

CC: Samantha Redman, Planner at Des Plaines Community and Economic Development Department



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

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

April 20, 2023

VIA EMAIL

Patrick and Valerie Howe
1378 Margret Street
Des Plaines, IL 60016

Subject: Inspection of Structure at 1378 Margret Street; Zoning Decision and Enforcement Action

Mr. and Mrs. Howe,

This letter summarized the results of the City inspection conducted Tuesday, April 18, 2023 and provides a zoning decision based on that inspection. Last year, Enforcement Case 22-0000063 was adjudicated through the City of Des Plaines administrative hearing process regarding a non-permitted structure. I wrote on October 14, 2022, that based on an inspection at that time, the structure would be defined as a “trellis” under the Zoning Ordinance, but that the trellis was less than the minimum one foot from the lot line, which was a violation. However, staff observed on November 2, 2022, that the structure had been removed, and the enforcement case was closed.

We conducted the April 18, 2023 inspection based on observation that a trellis-type structure had been reinstalled. During the inspection, Mr. Howe stated the re-installation occurred before Monday, April 3, when the Zoning Ordinance was amended to create a distinct definition for “trellis” and restrict trellises in the required side yard to no more than 6 feet in height, among other regulations (*See Ordinance Z-6-23*). The re-installed structure does not conform to the current regulations governing trellises. Structures erected before applicable rules are adopted *might* be determined to be legal nonconforming structures and be allowed to continue if they meet particular requirements.

Section 12-5-6.A of the Zoning Ordinance, titled “Authority to Continue,” provides that a nonconforming structure may be continued “so long as it remains *otherwise lawful*.” A structure that did not conform to the regulations in effect at the time it was installed, is not a *legally* nonconforming structure, and, therefore, cannot be continued. During inspection we measured from grade to the highest point of the newly installed trellis-type structure and determined that the structure exceeds eight feet in height, which was the maximum allowable height under the former rules. It is, therefore, my determination that the lawful status of the structure has not been established. **Since the structure neither conforms to the current regulations nor has legal nonconforming status, it cannot be continued.**

To avoid further enforcement proceedings and possible fines, pursuant to Title 4 of the Zoning Ordinance, the structure must be removed in its entirety or altered to comply with the current Ordinance regulations by close of business (5 p.m.) on **April 27, 2023**. Please schedule a follow-up inspection to verify compliance with Regina Lipinski, copied, at 847-391-5376.

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Page 1

While the date to remove the structure is a firm deadline, as we discussed on April 18 you may file a variation application pursuant to the requirements and process of Zoning Ordinance Section 12-3-6, through which the City Council, in their discretion, may approve relief. Our staff can assist with the processing of the application and provide a potential timeline of dates for public hearing (Planning & Zoning Board) and City Council consideration. Please contact 847-391-5306 with any questions about filing this application.

Sincerely,



John T. Carlisle, AICP
Director of Community and Economic Development
Zoning Administrator

Cc: Regina Lipinski, Code Enforcement Officer, City of Des Plaines
Brooke Lenneman, Elrod Friedman, General Counsel for City of Des Plaines
Adam Findlay, Counsel for Jennifer Toner, resident and owner of 1368 Margret Street – note that because this structure is subject to a pending appeal application, based on the October 14, 2022 determination, by appellant Jennifer Toner of 1368 Margret Street, we have copied her counsel

Attached
Ordinance Z-6-23

