



# Planning and Zoning Board Agenda

June 11, 2024

Room 102 – 7:00 P.M.

## Call to Order and Roll Call

**Approval of Minutes:** May 28, 2024 Planning and Zoning Board Meeting

**Public Comment:** For matters that are not on the agenda

## Pending Applications:

1. **Address:** 1700 W. Higgins Road

**Case Number:** 24-019-V

The petitioner is requesting a major variation to extend the maximum building sign area on an office building, and any other variations, waivers, and zoning relief as may be necessary. – **Request for Continuance to July 9, 2024 PZB**

**PINs:** 09-33-310-004-0000; 09-33-309-007-0000

**Petitioners:** Julie Piszcek, 5 Robert Court, Hawthorn Woods, IL 60047, and Jeremy Lyons, 6250 N. River Road, Suite 11-100, Rosemont, Illinois 60018

**Owner:** Mariner Higgins Center LLC, 6250 N. River Road, Suite 11-100, Rosemont, IL 60018

2. **Addresses:** 965 and 975 Rand Road

**Case Number:** 24-021-CU

The petitioners are proposing conditional uses for two trade contractor uses at the subject properties, and any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-08-301-006-0000; -007

**Petitioners:** Peter Wrzesinski, 975 Rand Road, Des Plaines, IL 60016, and Norma Diamano, 1733 N. 43<sup>rd</sup> Avenue, Stone Park, IL 60165

**Owner:** 965 Rand Road LLC, 965 Rand Road, Des Plaines, IL 60016

3. **Addresses:** 480 S. Des Plaines River Road

**Case Number:** 24-018-CU-V

The petitioners are requesting the following items: (i) a conditional use for an auto service repair use at the subject property; (ii) a variation for off-street parking; (iii) and any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-17-404-016-0000; -029

**Petitioner:** Chris Brown, 480 S. Des Plaines River Road, Des Plaines, IL 60016

**Owner:** SKH Property, 1813 E. Hopi Lane, Mount Prospect, IL 60056

**New Business:**

1. Discussion of availability for special meeting for workshop on June 25, 2024
  - a. Topic: Proposal for redevelopment of Vetter properties at 10 W. Algonquin Road

**Adjournment**

**Next Agenda:** Next meeting is on June 25, 2024.

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.

Case No. 24-019-V  
Case No. 24-021-CU  
Case No. 24-022-TA  
Case No. 24-020-TA

Variation  
Conditional Use  
Text Amendment  
Text Amendment

1700 W. Higgins Rd.  
965 and 975 Rand Rd  
Equipment Sales Text Amendment  
Institutional District Text Amendment



**DES PLAINES PLANNING AND ZONING BOARD MEETING**  
**May 28, 2024**  
**MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, May 28, 2024, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

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

PRESENT: Weaver, Saletnik, Veremis, Fowler, Szabo  
ABSENT: Catalano, Hofherr  
ALSO PRESENT: Jeff Rogers, CED Director  
Jonathan Stytz, Senior Planner  
Samantha Redman, Senior Planner

A quorum was present.

**APPROVAL OF MINUTES**

A motion was made by Board Member Weaver, seconded by Board Member Fowler to approve the meeting minutes of May 14, 2024, with corrections provided to staff.

AYES: Weaver, Saletnik, Veremis, Fowler, Szabo  
NAYS: None  
ABSTAIN: None

\*\*\*MOTION CARRIED\*\*\*

**PUBLIC COMMENT ON NON-AGENDA ITEM**

There was no public comment.

**Pending Applications:**

1. **Address:** 1700 W. Higgins Road

**Case Number:** 24-019-V

The petitioner is requesting a major variation to extend the maximum building sign area on an office building, and any other variations, waivers, and zoning relief as may be necessary. - **Request for Continuance**

**PINs:** 09-33-310-004-0000; 09-33-309-007-0000

**Petitioners:** Julie Piszcek, 5 Robert Court, Hawthorn Woods, IL 60047, and Jeremy Lyons, 6250 N. River Road, Suite 11-100, Rosemont, Illinois 60018

**Owner:** Mariner Higgins Center LLC, 6250 N. River Road, Suite 11-100, Rosemont, IL 60018

The petitioner requested to continue this case to the June 11, 2024 Planning and Zoning Board meeting.

Motion by Board Member Weaver, seconded by Board Member Fowler to approve a continuance to the June 11, 2024 Planning and Zoning Board Meeting.

AYES: Weaver, Saletnik, Veremis, Fowler, Szabo

NAYES: None

ABSTAIN: None

2. **Address:** 965 and 975 Rand Road

**Case Number:** 24-021-CU

The petitioners are proposing conditional uses for two trade contractor uses at the subject properties, and any other variations, waivers, and zoning relief as may be necessary. - **Request for continuance.**

**PINs:** 09-08-301-006-0000; -007

**Petitioners:** Peter Wrzesinski, 975 Rand Road, Des Plaines, IL 60016, and Norma Diamano, 1733 N. 43<sup>rd</sup> Avenue, Stone Park, IL 60165

**Owner:** 965 Rand Road LLC, 965 Rand Road, Des Plaines, IL 60016

The petitioner requested to continue this case to the June 11, 2024 Planning and Zoning Board meeting.

Motion by Board Member Saletnik, seconded by Board Member Veremis to approve a continuance to the June 11, 2024 Planning and Zoning Board Meeting.

AYES: Weaver, Saletnik, Veremis, Fowler, Szabo

NAYES: None

ABSTAIN: None

### 3. Address: Citywide

Case Number: 24-022-TA

The petitioner is proposing to modify Sections 12-7-3.K, 12-7-4.G, and 12-13-3 to define, categorize, and create specific standards for equipment rental and leasing uses depending on the zoning district.

**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 alter/expand the allowance for equipment rental and leasing, distinguish between small and large equipment, alter/rename existing *Leasing/Rental Agents, Equipment* term to define small equipment for rental and lease, and create a new term to define large equipment for rental and lease.

### Background

Chapter 13 of the Zoning Ordinance, “Definitions,” currently contains the following term related to the rental and leasing of equipment, a use which is allowed only via a conditional use permit in the C-3 General Commercial and C-4 Regional Shopping districts:

LEASING/RENTAL AGENTS, EQUIPMENT: An establishment, the principal use or purpose of which is the rental of equipment which includes the following general items: personal hand and power tools, small-scale air compressors, trailers with one thousand nine hundred (1,900) pound capacity or less, lawn and garden equipment residential generators, floor and carpet cleaners, heaters, fans, ladders, painting, and wallpaper equipment. “Leasing/rental agents, equipment” shall not include any use otherwise listed specifically in a zoning district as a permitted or conditional use. The display of motor vehicles for lease shall be allowed in all required yards but may not be in conflict with other provisions of this title. This use shall follow the off- street parking regulations for motor vehicle sales and vehicle leasing/rental agent establishments to accommodate employee, guest, and related vehicle parking (*Section 12-13-3 of the Zoning Ordinance*).

While this term and definition provide some allowance for the rental or leasing of equipment, it is limited in scope and variety of the types of equipment that can be offered for rent. In addition, staff has received a request for a proposed equipment rental and leasing use at 125 E. Oakton Street (M-2 General Manufacturing zoning), which would offer an inventory of both small equipment items (e.g., hand tools, fans, ladders) and larger equipment items (e.g., cranes, loaders, bulldozers) especially related to construction and facilities maintenance.

### Proposed Amendments

The full proposed amendments are attached and are summarized below:

**Section 12-7-3, Commercial Districts Regulations:** Amend subsection K., “Commercial Use Matrix,” of this section to rename the existing *Leasing/Rental Agents, Equipment* term to “*Leasing/Rental Agents, Small Equipment*” and retain the current conditional use (“C”) designation within only the C-3 and C-4 districts.

**Section 12-7-4, Manufacturing Districts Regulations:** Amend subsection G., “Manufacturing Use Matrix,” of this section to:

- Add new “*Leasing/Rental Agents, Small Equipment*” use and designate it as a permitted use by right (“P”) in the M-1 Limited Manufacturing district and the M-2 General Manufacturing district.
- Add new “*Leasing/Rental Agents, Large Equipment*” use term and designate it as a conditional use (“C”) in the M-1 Limited Manufacturing district and the M-2 General Manufacturing district.

**Section 12-13-3, Definition of Terms:**

- Rename the existing *Leasing/Rental Agents, Equipment* term to “*Leasing/Rental Agents, Small Equipment*” and revise/expand the list of equipment types denoted as small equipment.
- Add new “*Leasing/Rental Agents, Large Equipment*” term and description with a list of equipment types denoted as large equipment.

**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 upon the existing equipment rental and leasing use classification across different districts to address a current gap in the Zoning Ordinance. While equipment rental and leasing can be described as a commercial use, the proposed amendments would provide equipment rental and leasing businesses with alternative locations for their operations that may be more appropriate in size, customer base, and separation from residences.

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

The proposed amendments better define and categorize the different types of equipment for rental or lease, creating distinct allowances based upon the equipment classification (in two groups, “small” or “large”). The amendments limit equipment rentals and leasing to items defined as small equipment and retain the current site plan review mechanism through a conditional use permit for this use in a C-3 or C-4 district where a site-specific analysis is warranted to assess its compatibility with the existing development. The amendments extend this site plan review requirement for larger equipment rental and leasing uses proposed on properties in the M-1 and M-2 districts, which need additional analysis and consideration based on the existing development and proposed equipment to be stored on site. Given the scope of items identified as small equipment, the small equipment rental and leasing is proposed to be a permitted use by right in the M-1 and M-2 districts.

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

The proposed amendments would not impact the public facilities and services available to properties located within any district that allows this use as the storage of equipment for rental and lease would likely not require additional public facilities and services to the properties for which they are located. Depending on the specific property, the equipment rental and leasing operation could be accommodated within the existing development without any major changes to the site.

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

The amendments as proposed would not be expected to create any new adverse effect on surrounding properties. For instance, the proposed amendments would require the storage of equipment related to small equipment rental and leasing uses to be stored indoors in a showroom or storage area, which limit its operations to an approved structure and would minimize the impact of this use type on surrounding properties. Similarly, the amendments would restrict the storage of equipment related to large equipment rental and leasing uses to a location within an approved structure (i.e., indoors) or outside in the rear yard of the subject property. The M-1 district currently prohibits the open storage of any items requiring properties in this district to store equipment within an approved structure. The M-2 district allows open storage, but has built-in storage location, height, and screening regulations that would govern the capacity and extent of rental and leasing equipment on a subject property. These proposed amendments along with the existing site plan review regulations for each district will allow for equipment rental and leasing at a certain scale based on the zoning district while still considering the impact on neighboring properties and opportunities for public comment.

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

The proposed text amendments facilitate a path toward responsible standards for development and growth of equipment rental and leasing uses in select commercial and manufacturing districts. The purpose of the amendments is to categorize equipment into two different types and create specific standards for each type in order to exercise responsible development of this type of use and foster commercial site design in a way that is consistent with the surrounding neighborhood.

**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.

**Meeting Discussion Summary:**

Senior Planner Stytz provides an overview of the proposed text amendment. Mr. Stytz describes the existing definition and regulations related to location of display of items and off-street parking regulations. Currently the use is classified as a conditional use in C-3 and C-4. It is currently not allowed in the manufacturing district. The issue is that the existing definition has a limited scope. There is also a wider range of uses allowed for leasing, such as moving and non-moving vehicles, in these zoning districts. The scope is currently limited on this type of use.

Senior Planner Stytz describes the proposed amendment to define leasing by small and large equipment. The definitions and regulations differ depending on whether something is classified as small or large equipment leasing. The uses are split into two, allowing small equipment leasing as a conditional use in C-3 and C-4 zoning districts and permitted by right in the M-1 and M-2 zoning districts. The large equipment leasing is permitted as a conditional use.

Member Weaver asks how this amendment will affect 365 Equipment. Mr. Stytz states that larger equipment rentals would not be allowed without a conditional use but would be permitted with the amendment for the large equipment rentals. Member Weaver asks if there are other firms that would be affected by this in Des Plaines or would benefit from this. Mr. Stytz states that he is not aware of other businesses, but it would allow future businesses to be located here for small or large leasing operations.

Chairman Szabo asked if 365 Equipment is currently operating in Des Plaines. Mr. Stytz says they would like to locate in a specific location and this text amendment would be necessary. Mr. Stytz clarifies that a variation for a use cannot be granted, so the text amendment is necessary. Chairman Szabo asks about when Council would review and approve this. Mr. Stytz says this is tracking for the June 17th meeting.

Member Veremis asks about the letter of support and whether they would leave equipment in Barrington. Mr. Stytz says they would move some operations here and they are in the audience to answer questions.

Chairman Szabo requests a representative from 365 Equipment to present to the board. Chairman Szabo swears in Bryan Olson from 365 Equipment located at 125 E. Oakton. The representative states they are a subsidiary of Pepper Construction and will be leasing to Pepper Construction job sites and built a showroom for outside customers to view equipment. The majority of equipment rentals are small tools. Most things offered in Des Plaines will be small tools. The Barrington location is larger and they will keep that yard. As it pertains to the text amendment, it is mostly small tools that will be stored.

Chairman Szabo asks about the Barrington location. The representative states their current location is in Barrington and hidden away so they are interested in this Des Plaines Location. Chairman Szabo asks about who will be rented to. The representative says 17% of the business is outside customers, the rest is Pepper Construction to expand their business.

Member Weaver makes a motion to recommend approval of the text amendment as written by staff, seconded by Member Veremis.

AYES: Weaver, Saletnik, Veremis, Fowler, Szabo  
NAYS: None  
ABSTAIN: None

\*\*\*MOTION CARRIED\*\*\*

**4. Address: Citywide**

**Case Number: 24-020-TA**

The City is proposing text amendments to the Zoning Ordinance related to the Institutional Zoning District.

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

**Issue:** Consider Zoning Ordinance amendments to: (i) define “Institutionally Zoned Assembly Uses” in Section 12-13-3; (ii) amend the use matrix in Section 12-7-5.A.6 to allow “institutionally zoned assembly uses”; (iii) amend footnote 2 in Section 12-7-5.A.6 to allow restaurants on the same zoning lot as assembly uses; and (iv) amend off-street parking requirements in Section 12-9-7 for assembly uses.

**PIN:** Citywide

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

**Case Number:** #24-020-TA

**Background**

All amendments proposed are included within the Proposed Amendments attachment. The purpose of the amendments surrounds how assembly uses including commercial theaters, banquet halls, nightclubs, community centers, membership organizations, churches, synagogues, temples, meeting houses, mosques, or other places of worship are treated within the I-1 Institutional District. The proposed amendments aim to broaden the range of assembly uses permitted in the I-1 district, clarify entitlements and parking requirements, and introduce restaurants as a possible land use associated with additional land use types.

**Institutional Zoning District History and Overview**

The Institutional Zoning District (I-1) has existed since the 1960 Zoning Ordinance and received some simplifications in language with the 1998 Zoning Ordinance update, but the purpose and regulations have remained relatively consistent throughout time. Per Section 12-7-5.A.1, the Institutional District is, “*designed to recognize the public or semipublic nature of the institutional district and to provide guidelines for their continued use and future development. The I-1 institutional district shall provide protection for existing institutional facilities by prohibiting the encroachment of noncompatible uses.*” The table of permitted uses in the section attempts to carry out this purpose.

Permitted uses in the I-1 district have remained largely consistent since the 1960 Zoning Ordinance, with the exception of massage establishments added as a conditional use in 2013 and restaurants permitted in select situations in 2022. Below is a table from Section 12-7-5 of the Code listing the uses currently allowed within the I-1 district.

Use	I-1
Assisted living facility	P

Cemetery, mausoleums, and crematoriums	P
Colleges and universities	P
Commercial indoor recreation	C
Commercial outdoor recreation	C
Congregate housing	P
Convents and monasteries	P
Forest preserves	P
Government offices	P
Hospitals	P
Institutional headquarters, educational, professional, and religious	P
Massage establishment	C <sup>1</sup>
Offices	P
Parks	P
Places of worship	P
Planned developments	C
Public utilities	C
Rectories and parish houses	P
Restaurants	P <sup>2</sup>
Schools, private - elementary and high school	P
Schools, public - elementary and high school	P

1. When located on the same zoning lot as a hospital or medical facility

2. When located on the same zoning lot as a lawfully established commercial indoor or outdoor recreation, college/university, or park uses.

Below is a table of select bulk regulations for this zoning district:

	<b>Requirement</b>
<b>Maximum height</b>	Adjacent nonresidential – 100 ft Adjacent residential – 45 ft plus 5 ft for each 10 ft of additional setback provided
<b>Minimum front yard</b>	50 ft
<b>Minimum side yard</b>	25 ft
<b>Minimum rear yard</b>	50 ft
<b>Minimum lot size</b>	2 acres
<b>Maximum lot coverage</b>	40%
<b>Spacing of buildings</b>	Lots of < 4 acres: No more than one principal building Lots of ≥ 4 acres: One principal building per 2 acres of land. All buildings must be 25 feet apart

**Proposed Amendment to the Definition of Assembly Use**

This text amendment seeks to clarify assembly uses within the I-1 District. In 2018, the Zoning Ordinance was amended to establish regulations surrounding assembly uses within residentially and commercially zoned properties. “Place of worship” was removed from the use matrix of commercial and residential zoning and reclassified with other similar uses under “residentially zoned assembly use” and “commercially zoned assembly use”. The I-1 district was unchanged.

In 2018, definitions were added for residentially zoned and commercially zoned assembly uses. Each are currently defined as follows:

- **COMMERCIALLY ZONED ASSEMBLY USES:** A use that is primarily for the purpose of the assembly of people, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: commercial theater, banquet halls, nightclubs, church, synagogue, temple, meeting house, mosque, or other place of worship.
- **RESIDENTIALLY ZONED ASSEMBLY USES:** A use that is primarily for the purpose of the assembly of people for a non-commercial purpose, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: community center,

membership organizations, church, synagogue, temple, meeting house, mosque, or other place of worship.

Staff proposes the following definition for uses operating in the institutional district:

**INSTITUTIONALLY ZONED ASSEMBLY USES:** A use that is primarily for the purpose of the assembly of people, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: commercial theaters, banquet halls, event spaces, churches, synagogues, temples, meeting houses, mosques, or other places of worship. Such uses shall adhere to the off-street parking requirements under "assembly uses".

The definition is similar to the commercially zoned assembly use definition but excludes the term “nightclub”. All other example uses align with the types of uses that may be expected within the Institutional District Use Matrix, such as a park, house of worship, or college/university. Adding this definition will consolidate the existing “house of worship” use into the new “assembly use” definition and also expand the range of uses available in the institutional district to match the types of activities that may be present in this zoning district.

**Proposed Amendment to Assembly Use Off-Street Parking Requirements**

An additional amendment proposes to expand the parking requirements in Section 12-9-7 – Off-Street Parking to apply to the new definition of “institutionally zoned assembly uses”. Presently, there are parking requirements for places of worship established prior to the adoption of the 2018 text amendments that established commercially and residentially zoned assembly uses. The places of worship parking requirement is dependent on the number of seats within the place of assembly. The proposed amendments, as noted below, remove this section and apply the same parking requirement to all assembly uses, regardless of zoning. This amendment treats all assembly uses equally in terms of required parking and ensures facilities without affixed seating are providing adequate parking for their use.

**Section 12-9-7: OFF STREET PARKING REQUIREMENTS**

Assembly uses:	
<del>Residentially zoned assembly uses and commercially zoned</del> Assembly uses in any zoning district shall have the following parking requirements applied in each specific use within the zoning lot. If the use is not listed below, then refer to the regulations from other portions of the off street parking requirement matrix:	
Community centers, banquet halls and membership organizations	1 space for every 200 square feet of gross activity area
Places of worship and commercial theaters	1 space for every 5 seats in the main auditorium,

	sanctuary, nave or similar place of assembly and other rooms (gymnasiums, classrooms, offices) which are to be occupied simultaneously
	In cases where there is no affixed seating, 1 space shall be provided for every 60 square feet of floor area
For places of worship established prior to adoption hereof, the parking standard shall only apply in cases where additions are made to the existing facility. The standard for the existing structure shall be:	1 space for each 10 seats in the main auditorium, sanctuary, nave or similar place of assembly and other rooms (gymnasiums, classrooms, offices) which are to be occupied simultaneously

**Proposed Amendment to Allow Assembly Uses**

The proposed amendment to Section 12-7-5 removes “places of worship” and replaces it with the broader range of options of “assembly use”. Upon review of the variety of uses permitted within the I-1 district, there are many that may incorporate an “assembly use”, including event spaces at park district properties, places of worship, or other community centers.

Within the R-1 and R-2 zoning districts, assembly uses are permitted as a conditional use if they are over 1 acre and have frontage along a collector or arterial street. This footnote, added with the 2017 amendment, is intended to prevent smaller assembly uses with insufficient area and access to be located within neighborhoods. Assembly uses are also a conditional use within two commercial districts – C-3, General Commercial and C-5, Central Business District – without any restrictions associated with size or adjacency to roadway. Currently, Places of Worship are permitted by right in the I-1 zoning district. However, as proposed a conditional use would be required in certain circumstances. Refer to proposed amendment language below.

**Section 12-7-5: SPECIAL DISTRICTS REGULATIONS**

***	***
Places of worship <u>Institutionally Zoned Assembly Uses (located along an arterial roadway)</u>	P
<u>Institutionally Zoned Assembly Uses (not located along an arterial roadway)</u>	C
***	***

### ***Rationale for classification of Assembly Use as “Conditional” versus “Permitted”***

As discussed, assembly uses are currently a conditional use in select commercial and residential districts; these amendments do not seek to change any requirements outside of the I-1 district. Staff reviewed conditional use ordinances for assembly uses throughout Des Plaines since 2018 and noted the most common conditions of approval and discussion items were related to three items: residential adjacency, parking, and traffic impact.

#### Creating Non-Conformities

The intent with providing an avenue for permitted by right assembly uses rather than requiring all to be conditional uses is to prevent creating a significant quantity of non-conforming properties. If a zoning code is adopted after the establishment of a use that is stricter than the previous code (i.e. if a conditional use is required for all assembly uses within the I-1 district), then the property is constrained by Section 12-5-5 Nonconforming Uses, limiting expansion of facilities, structural alteration, or the movement of principal structures.

For example, if an amendment was adopted and a conditional use was now required for an assembly use and an existing place of worship without a prior conditional use approval chose to relocate a building on the property, they would need to undergo the conditional use entitlement process, requiring City Council approval. In contrast, if permitted by right, the relocation of the building would still be required to meet all applicable zoning and building codes but would not be required to receive conditional use approval.

#### Residential Adjacency

Compared to residential and commercial parcels, institutionally zoned parcels are typically larger, and both require and provide a greater amount of open space surrounding buildings. The I-1 district requires a property to be at least two acres and limits building height when adjacent to residential. Setbacks from property lines are substantially larger than most zoning districts, requiring a 50-foot front yard setback, a 25-foot side yard setback, and a 50-foot rear yard setback. Additional screening is required by Section 12-10-9 Landscape Buffers for any institutional districts abutting residential districts or uses, including a landscape buffer and fence. Currently parking requirements only apply to residentially or commercially zoned assembly uses. Combined, these requirements provide an additional buffer from residential properties that is not present where commercially and residentially zoned properties seek to operate an assembly use.

Additionally, hours of operation are a common condition of approval within the existing assembly use conditional use ordinances within the City. The hours of operation conditions are intended to limit nuisance to neighborhoods, particularly residential neighborhoods, past a certain time. The noise ordinance in Section 6-2-7 Noise establishes quiet hours generally between 10 p.m. and 7 a.m. This requirement limits the decibels of noise that originate from a use and must be followed regardless of whether an ordinance grants a specific condition of approval restricting noisy activity during this timeframe. This section of the municipal code would provide protections if any permitted assembly use exceeds noise regulations.

## Parking

The amendments propose to improve the parking requirements as well, expanding the required off-street parking requirements to apply equally across residentially, commercially, and institutionally zoned assembly uses and providing avenues to limit the burden on parking capacity along neighborhood streets where sufficient off-street parking is unavailable on the site of an institutionally zoned assembly use.

## Traffic

The amendments propose institutionally zoned assembly uses adjacent to an arterial roadway be considered a permitted use and requiring a conditional use for this use along all other types of roadways. The term “arterial” applied to a roadway is a functional classification established by Federal Highway Administrator (FHWA) and other transportation agencies. Functional roadway classifications take into consideration the location, traffic volume, access points, and other criteria to determine how a roadway should be designed and the resources that should be allocated to it.<sup>1</sup> An arterial is a roadway with high mobility and designed to accommodate significantly more traffic than a collector or local roadway. For example, most segments of Rand Road and Northwest Highway are arterial roadways, while Howard Avenue adjacent to Lake Park, including the new Foxtail on the Lake restaurant, is a local road. Local roads commonly travel through neighborhoods and are not designed to accommodate the same level of traffic as an arterial roadway.

For institutionally zoned properties along arterial roadways, it can be reasoned that sufficient roadway access and capacity can be provided to accommodate the higher traffic volumes of an assembly use. In contrast, it is advisable to consider on a case-by-case basis an assembly use along other classifications of roadways not designed for this traffic impact, which could be accomplished with a conditional use process.

The Institutionally Zoned Properties Map Attachment provides the location of each I-1 property and all interstate and arterial roadways. The attachment notes most I-1 properties are along an arterial roadway, with the exception of three locations that are within neighborhoods on local roads. If an assembly use is expanded or proposed on any of these properties, such a use would require a conditional use if these amendments were adopted. The conditional use review process would allow consideration of whether adequate facilities exist to support the use without creating an unnecessary burden on the transportation network surrounding the properties.

## **Restaurant Uses in I-1 Zoning History and Overview**

In 2022, an amendment to the Institutional Zoning district was approved to allow restaurants in connection with recreational or educational uses. This amendment provided the zoning route necessary for the adaptive reuse of a church at Lake Park to be transformed into Foxtail at the Lake. Interest has been

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<sup>1</sup> Federal Highway Administration, “Highway Functional Classification Concepts, Criteria and Procedures 2023 Edition”, February 2023,

[https://gis.penndot.pa.gov/BPR\\_pdf\\_files/Documents/Traffic/Highway\\_Statistics/2023\\_FHWA\\_Functional\\_Classification\\_Guidelines.pdf](https://gis.penndot.pa.gov/BPR_pdf_files/Documents/Traffic/Highway_Statistics/2023_FHWA_Functional_Classification_Guidelines.pdf)

expressed from Shrine of Our Lady of Guadalupe to provide a cafeteria facility (refer to Letter of Support attachment). The cafeteria and tortilleria use is proposed to be open to attendees and the public. This type of cafeteria use is common with many assembly uses, including catholic shrines.

The restaurant definition below does note that in certain circumstances, a cafeteria or lunchroom may be considered incidental to the principal use and is not considered a “restaurant”. However, if the cafeteria is open to the public and does not require interaction with the principal use (assembly use) on the property, it is interpreted this would not be “incidental” to the principal use and would need to be classified as a permitted use for a restaurant in this zoning district.

RESTAURANT: An establishment whose principal business is the sale of edible, prepared foodstuffs and/or beverages for consumption on or off the premises.... Lunchrooms, cafeterias, and coffee shops providing service intended for employees, students, and guests within an educational, office, medical, or industrial building, are not, only for purposes of this definition, considered to be restaurants, but rather uses incidental to the permitted uses (Section 12-13-3).

**Proposed Amendment to Allow Restaurant Uses Associated with the Assembly Use**

The proposed amendment builds from the 2022 amendment, expanding the ability for assembly uses to contain restaurants. See below for proposed language for Section 12-7-5.

Restaurants	P <sup>2</sup>
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- When located on the same zoning lot as lawfully established commercial indoor or outdoor recreation, college/university, ~~or~~ park, **or assembly** uses.

**Standards for Text Amendments:**

The following is a discussion of standards for zoning amendments from Section 12-3-7.E. of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided. The PZB may use the statements below as its rationale or adopt its own.

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

The proposed text amendments provide clarity and consistency with how assembly uses are treated within the city and expand options for institutionally zoned properties. The Comprehensive Plan states that institutional uses are intended to “provide services to Des Plaines residents and the surrounding area. Institutional land uses include schools, libraries, community organizations, places of worship, and public facilities.”<sup>2</sup> The objectives are met with these amendments, expanding the services and amenities

<sup>2</sup> Des Plaines Comprehensive Plan 2019, page 12

that can be provided and creating clarity on how requirements for assembly uses should be treated on institutionally zoned parcels.

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

The amendments serve to clarify what uses are permitted within this zoning district and ensure all assembly uses are treated equally regardless of zoning district. The amendment allowing restaurants to be located within assembly uses in the I-1 district expands opportunities for these types of uses on their properties without creating incompatibilities with existing developments.

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

Refer to Rationale for Conditional versus Permitted Use for Assembly Use section of this report for information on how amendments contemplated the adequacy of public infrastructure. The amendment allowing a restaurant use is not anticipated to impact the adequacy of public facilities and services.

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

Refer to Rationale for Conditional versus Permitted Use for Assembly Use section of this report for information on how the proposed amendments contemplated properties adjacent to these types of uses. The proposed amendments are anticipated to create clarity on how I-1 zoned properties can be used and take into consideration the potential impact of amendments on adjacent properties and the City overall.

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

Institutional uses provide essential services to support a healthy, vibrant community. The amendments expand the potential uses available on an institutional parcel by creating the “assembly use” definition and allowing for restaurants if associated with an assembly use, creating additional avenues to provide services on these properties for members of the community.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-7.C.3 of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve with modifications, or deny the above-mentioned amendments. City Council has final authority on the proposal.

**Meeting Discussion Summary:**

Senior Planner Redman provides an overview of the proposed text amendment for the Institutional Zoning District, specifically assembly and restaurant uses. The intent with this existing zoning district is to provide services to residents and visitors on public and semi-public lands.

There are two separate inquiries at the moment that are currently not allowed by our zoning ordinance in the I-1, Institutional zoning district. Shrine of Our Lady of Guadalupe is interested in opening a cafeteria on their property. Zoning code does not allow this type of restaurant use associated with an assembly use.

The park district is interested in opening a banquet facility beneath The Foxtail on the Lake. This proposed banquet facility is classified as an assembly use which is currently not allowed within this Institutional District.

Senior Planner Redman provides an overview of the staff report. Within the existing zoning ordinance, we allow residentially zoned assembly uses within all of our residential districts as a conditional use. Single-family and two-family zoned properties are a conditional use on residentially zoned sites of an acre or more with frontage on a collector or arterial street. Within certain commercial districts, specifically C-3 and C-5, assembly uses are allowed as a conditional use.

When the residential and commercial zoning sections were updated in 2018, places of worship was removed as a use and was reclassified with other assembly uses added to the zoning ordinance. Senior Planner Redman is asking to expand this and allowing our institutional parcels to have a broader range of uses.

The amendments are not proposing a substantial change to the parking requirements. Recommended amendments would ensure consistency across all assembly uses, with the same parking requirements no matter the property's zoning.

Member Fowler asked why the water pumping station on the list of I-1 zoned properties. Senior Planner Redman answered that she is unsure of the history. It is classified as a public facility and has been an institutionally zoned property for a very long time.

Member Weaver asked for clarification about whether these changes would be made to residentially and commercially zoned districts and the institutional district. Senior Planner Redman stated that all of the amendments would only apply to the institutional district. The references to the residentially and commercially zoned assembly uses in the report and presentation were for reference only. The parking requirement would be amended so that institutionally zoned assembly uses have the same requirements as other assembly uses.

Member Weaver asked why institutional districts have a 50 feet front yard setback. Senior Planner Redman responded that staff are unaware of any specific reason why 50 feet was chosen. For larger complexes, there are larger setbacks required, but she is unsure of the history and context behind this requirement. Member Weaver stated this type of requirement could contribute to car-centric environments.

Member Veremis asked if the Foxtail proposal will require a conditional use because it is not along an arterial roadway. Senior Planner Redman stated it would still be a conditional use due to its location along a local road within a neighborhood. Member Veremis also asked if the banquet room will be operated by the park district or Foxtail. The Board invited the park district representative to speak.

Brian Panek, Des Plaines Park District representative, stated it would be operated by the park district. It is park district space. The district is in need of more space for functions. Downstairs will be able to fit up to 100 people. Plans for the future would include a yoga studio upstairs and music classes downstairs to be used as a combination of park district use and Foxtail restaurant. Downstairs there is also a concrete slab for walkout to the lake.

Member Fowler asked if there is a facility that holds over 100 people, expressing that has always been the limitation. Brian Panek answered that Prairie Lakes Mountain View Room 1, 2, and 3 can hold up to 120 people but that is the largest space.

Member Weaver makes a motion to recommend approval of the text amendment as written by staff, seconded by Member Veremis.

AYES: Weaver, Saletnik, Veremis, Fowler, Szabo

NAYES: None

ABSTAIN: None

\*\*\*MOTION CARRIED\*\*\*

**Other items:**

None

**ADJOURNMENT**

Chairman Szabo adjourned the meeting at 7:40 p.m.

Sincerely,

Jeff Rogers/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: June 6, 2024  
To: Planning and Zoning Board (PZB)  
From: Jonathan Stytz, Senior Planner  
CC: Jeff Rogers, Director of Community and Economic Development  
Subject: Request to Continue 24-019-V: Variation for Signage at 1700 W. Higgins Rd.

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The petitioner has requested to continue the hearing to the Board's regular meeting on Tuesday, July 9, 2024 as they are waiting for revised plans from their client and will need to revise the proposed plan accordingly. I recommend the Board grant this request, which is attached.

**From:** [Julie Piszczek](#)  
**To:** [Jonathan Stytz](#)  
**Cc:** [Lyons, Jeremy](#)  
**Subject:** RE: Follow-up for 1700 W. Higgins Road - Variations  
**Date:** Thursday, June 6, 2024 1:51:59 PM

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Yes, please continue us to July 9. Thank you again Jonathan.

## Julie Piszczek

President & Owner

**MONOCEROS CORPORATION**  
**(224)220-4645**

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**From:** Jonathan Stytz <[jstytz@desplaines.org](mailto:jstytz@desplaines.org)>  
**Sent:** Thursday, June 6, 2024 1:48 PM  
**To:** Julie Piszczek <[Juliep@monoceroscorp.com](mailto:Juliep@monoceroscorp.com)>  
**Cc:** Lyons, Jeremy <[Jeremy.Lyons@colliers.com](mailto:Jeremy.Lyons@colliers.com)>  
**Subject:** RE: Follow-up for 1700 W. Higgins Road - Variations

Julie,

I have been informed that due to scheduling updates, the June 25 PZB meeting date has been filled with a different item. As a result, we will need you to confirm continuing this case to the July 9 PZB meeting would be necessary. Please confirm your desire to continue to July 9. Thank you.

Sincerely,

**JONATHAN STYTZ, AICP**  
SENIOR PLANNER  
City of Des Plaines  
1420 Miner Street, Des Plaines, IL 60016  
P: 847.391.5392 W: [desplaines.org](http://desplaines.org)



*“How are we doing? Our department wants your feedback. Based on your recent experience with us, please take a few moments to complete this [customer satisfaction survey](#).”*

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**From:** Julie Piszczek <[Juliep@monoceroscorp.com](mailto:Juliep@monoceroscorp.com)>  
**Sent:** Wednesday, June 5, 2024 10:09 AM  
**To:** Jonathan Stytz <[jstytz@desplaines.org](mailto:jstytz@desplaines.org)>  
**Cc:** Lyons, Jeremy <[Jeremy.Lyons@colliers.com](mailto:Jeremy.Lyons@colliers.com)>  
**Subject:** RE: Follow-up for 1700 W. Higgins Road - Variations



MEMORANDUM

Date: June 6, 2024  
To: Planning and Zoning Board (PZB)  
From: Jonathan Stytz, AICP, Senior Planner JS  
Cc: Jeff Rogers, Director of Community and Economic Development JR  
Subject: Consideration of Conditional Uses and Variation at 480 S. Des Plaines River Road

**Issue:** The petitioner is requesting the following items: (i) a Conditional Use to allow an auto service repair use in the C-3 zoning district; and (ii) a Variation for off-street parking at 480 S. Des Plaines River Road.

**Petitioner:** Chris Brown, 480 S. Des Plaines River Road, Des Plaines, IL 60016

**Owner:** SKH Property, 1813 E. Hopi Lane, Mount Prospect, IL 60056

**Case Number:** 24-018-CU-V

**PINs:** 09-17-404-016-0000; -029

**Ward:** #1, Alderman Mark A. Lysakowski

**Existing Zoning:** C-3, General Commercial District

**Existing Land Use:** Existing Auto Service Repair Uses (two)

**Surrounding Zoning:** North: C-3, General Commercial District  
South: C-3, General Commercial District  
East: C-3, General Commercial District  
West: C-3, General Commercial District

**Surrounding Land Use:** North: Restaurant (commercial)  
South: Assembly Use (commercial); Office (commercial)  
East: Vacant land  
West: Office (commercial)

**Street Classification:** Lee Street and Elk Boulevard are principal arterial roads, both under Illinois Department of Transportation (IDOT) jurisdiction. Des Plaines River Road is a minor arterial under the City of Des Plaines jurisdiction.

**Comprehensive Plan :** Higher Density Urban Mix with Residential is the recommended use.

**Zoning/Property History:** Based on aerial imagery, the existing building on the subject property was constructed around 1987 for two auto repair uses, Merlin’s Muffler and Brake and Pit Pros. Since 2017, the subject property has been utilized for auto service repair by Des Plaines Auto Clinic and Tire and Family Auto. Auto service repair was not a conditional use in past zoning ordinances, so no zoning entitlements were necessary for the prior repair shop and thus no conditional use permits are on record for this address.

There have been some code enforcement violations on the subject property related to signs being installed without permits, installation of illegal signs, the storage of a dumpster outside without an enclosure, and used tire storage outside of an approved container or enclosure. However, the property owner and respective business owners have worked with staff to resolve these issues.

Around 2020, IDOT widened Lee Street, Elk Boulevard, and Des Plaines River Road as part of a roadwork project, reducing the size of the subject property and available parking and circulation space below minimum standards.

**Project Description:**

*Overview*

Petitioner Chris Brown has requested a Conditional Use Permit to expand the operation of an auto service repair facility, Des Plaines Auto Clinic and Tire, at 480 S. Des Plaines River Road. The subject property contains a single, L-shaped building with a surface parking area as shown in the attached ALTA/NSPS Land Title Survey. The building is split between two auto service repair businesses—Family Auto and Des Plaines Auto Clinic and Tire—with each business having its own office and service bay areas. The subject property is a double-frontage corner lot with an angled north property line fronting Lee Street on the west, Elk Boulevard on the North, and Des Plaines River Road on the east.

*Floor Plan and Elevations*

The existing one-story, 5,278-square foot building is split between the two existing auto service repair businesses with Des Plaines Auto Clinic and Tire business utilizing a majority of the building. The two businesses are separated by a shared utility room that is located at the narrow neck of the building. The attached Existing and Proposed Floor Plan illustrates the use of the building space for each business, which is summarized in the following table.

<b>Floor Plan Summary</b>	
<b>Des Plaines Auto Clinic and Tire</b>	<b>Family Auto</b>
Six service bays	Three service bays
~256 SF Lobby area	~104 SF lobby area
~122 SF Office	No identified office space
~295 SF Storage area	~142 SF Storage area
Two single-stall restrooms	One single-stall restroom

The proposal does not include the interior alteration of the building, its rooms, or its location. There are also no plans to alter the existing exterior building materials, which consist of concrete blocks. However, there are plans to add additional wall signs on the exterior of the building for the Des Plaines Auto Clinic and Tire business, which will be reviewed at the time of building permit to ensure compliance with the City's Zoning Ordinance.

#### *Off-Street Parking and Access*

Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, auto service repair facilities are required to provide two parking spaces per service bay and one space for every 200 square feet of accessory retail. As such, a total of six off-street spaces are required for the Family Auto business and a total of 13 off-street spaces are required for the Des Plaines Auto Clinic and Tire, including a minimum of one accessible space. As described below, a collective parking agreement and a parking variation are necessary for Des Plaines Auto Clinic and Tire.

Family Auto meets parking requirements with six parking spaces available at the southwestern portion of the lot with direct access. Six spaces along the north building elevation and north property line for use by the Des Plaines Auto Clinic and Tire business, which does not comply with the minimum parking requirement. The property is currently accessed by one curb cut off Des Plaines River Road providing direct access to the existing Des Plaines Auto Clinic and Tire and one curb cut off Elk Boulevard providing access to both businesses. The subject property is located within the C-3 General Commercial district and auto service repair requires a conditional use permit in the C-3 zoning district.

#### *Proposed Parking Solutions*

As a result, the petitioner has worked with staff to prepare a new striping plan to add more off-street parking spaces to the subject property for the Des Plaines Auto Clinic and Tire business as shown in the attached Site Plan. Based on the Site Plan, the existing access and circulation for the northern portion of the property for the Des Plaines Auto Clinic business will change to a one-way drive aisle with six 60-degree parking spaces and one 0-degree (parallel) space. Traffic related to Des Plaines Auto Clinic business will access the subject property from the existing curb cut off Des Plaines River Road and exit through the other existing curb cut off Elk Boulevard without any changes to either curb cut. The striping plan provides a total of seven parking spaces for the Des Plaines Auto Clinic and Tire business, leaving a five-space deficit.

To further address the parking deficiency, Des Plaines Auto Clinic has entered into a collective parking agreement with the Elk's Club at 495 Lee Street for a total of eight parking spaces, the location of which are illustrated in the attached Collective Parking Location Exhibit. Section 12-9-3 of the Zoning Ordinance allows the use of collective parking to satisfy up to 33 percent of the off-street parking requirements for a use. For the case of the Des Plaines Auto Clinic and Tire business, a total of four spaces (33 percent of the required 13 spaces) can be located off-site through a collective parking arrangement. This means that a minimum of nine off-street parking spaces are required to be located on the subject property. However, even with the new striping plan only seven off-street parking spaces, including one handicap accessible parking space, are able to fit on the subject property requiring a variation for parking.

### *Landscaping and Screening*

The existing property is void of any landscaping and the petitioner's proposal does not include the addition of any new landscaping. However, given the orientation and positioning of the off-street parking spaces and the close proximity to motorists and pedestrians along Elk Boulevard, staff have added a condition that a minimum 5'-0" wide landscape area is installed directly in front of the striped spaces that face Elk Boulevard to add screening and limit the light pollution from headlights onto passing motorists and pedestrians. The existing dumpsters and enclosures for both businesses will continue to be utilized as they are now. Staff have added a condition that all garbage, used tires, and any other debris are kept in the dumpster enclosure at all times.

### *Business Operations*

The Des Plaines Auto Clinic is open 8:00 a.m. to 6:00 p.m. Monday through Friday, 7 a.m. to 3 p.m. on Saturdays, and closed on Sundays. Their services include tune-ups and servicing for the brake system, engine, exhaust system, tires, transmission, and emissions. They will also offer auto parts and accessories for sale and installation on site. A maximum of two employees will be present on site at a given time. Please see the attached Project Narrative for more details.

**Conditional Use Findings:** Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, or adopt its own.

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

*Comment:* The proposed services are classified under the auto service repair use, which is a Conditional Use as specified in Section 12-7-3.K of the Zoning Ordinance for properties in the C-3 General Commercial District.

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

*Comment:* The Comprehensive Plan designates this property as Higher Density Urban Mix with Residential and strives to foster growth and retention of existing commercial businesses in Des Plaines. This property is positioned on the crux of the Lee Street and River Road corridor and is surrounded by commercial development. The retention and expansion of the existing auto service repair use at the subject property falls within the general principles and goals of the Comprehensive Plan.

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

*Comment:* The property and existing building have been designed for an automotive repair use and were previously occupied by automotive service repair shops. The existing auto repair facility will make some additional improvements to the subject property, so it is consistent with surrounding commercial development. The petitioner proposes to rework and restripe the existing parking and drive aisle area and add new landscaping to improve functionality and revitalize the subject property so that it blends better with the surrounding commercial uses and structures. The petitioner proposes to add wall signs to the exterior of the building, but does not propose to change the size, location, or height of the structure.

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

*Comment:* The existing automotive repair uses located within this building conduct their services within the building reducing any hazardous or disturbing effects to existing neighboring uses. The footprint and height of the existing building will remain the same. However, the parking area and drive aisle will be redesigned to improve circulation and operations on site. The auto service repair use is consistent with and complementary to other commercial uses in the area.

**5. The proposed Conditional Use is to be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or, agencies responsible for establishing the Conditional Use shall provide adequately any such services:**

*Comment:* The existing auto service repair uses on this site are adequately served by essential public facilities and services. The two existing curb cuts will remain as is and are sufficient to provide access to the site. Staff do not have concerns that the auto service repair uses will continue to be adequately served by essential public facilities and services.

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

*Comment:* The existing auto service repair uses have not created a burden on public facilities and has not been detrimental to the economic well-being of the community. Thus, there are no anticipated concerns for the community as a result of the Conditional Use Permit for the auto service repair uses at this location.

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

*Comment:* All activities will take place inside the building to reduce any noise, smoke fumes, glare, or odors. The petitioner will store and dispose of all waste within designated trash enclosures and comply with all local, state, and federal regulations regarding the disposal of hazardous chemicals. The Fire Prevention Bureau will require a current waste oil agreement from both uses to ensure waste oil is removed from the site on a regular basis. In addition, the proposed parking area redesign is not anticipated to create traffic and circulation concerns but rather improve access and circulation throughout the site. Staff have added a condition to add landscaping and screening to improve the aesthetics of the property.

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

*Comment:* The proposal utilizes the existing curb cuts on the subject property but adjusts the direction of travel to allow a more seamless one-way circulation through the site near the Des Plaines Auto Clinic and Tire business. This will help reduce any interferences with traffic on surrounding public thoroughfares.

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

*Comment:* The proposal would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The building and site were already developed for this use.

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

*Comment:* Aside from the variation request for off-street parking, the proposal will meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

**Standards for Variation:** 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:* The taking of property by IDOT for roadway widening of all streets surrounding the subject property have reduced available space for the petitioner to strip off-street parking spaces and drive aisles in conformance with the code requirements. Extensive efforts have been pursued by the petitioner to maximize the off-street parking available on the subject property and reduce the parking deficit. However, relief is still 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 type, layout, and shape of the subject property is unique in a variety of ways. This double-frontage corner lot fronts three main streets, all of which were widened taking a portion of the subject property for roadway purposes. This along with the existing building limit the available space for parking and circulation on the site as well as limit the improvements the petitioner can make to comply with all code requirements.

- 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:* The property and its layout was developed in the 1980s when surrounding development was sparse. Since then, the expansion and design of the built environment and denser development surrounding the site have led to the unique physical conditions described above which were not the fault of the current or previous owners. In addition, the IDOT taking for roadway widening was out of the current owner's control.

- 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:* The denial of the variation request would require—with the continued effectiveness of the collective parking agreement with the Elk's Club—the addition of another off-street parking space on the subject property, which given the limit space available would either minimize drive aisle widths or create an unsafe parking space that may or may not comply with the code regulations. This would undoubtedly create hardship for the petitioner and likely deny them of substantial rights commonly enjoyed by other owners.

- 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 would not provide the petitioner with special privilege not available to other business owners. In fact, it would help alleviate the petitioner of the burden associated with fully redesigning the subject property—and potentially removing a portion of the building—to comply with the off-street parking requirement. Variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body usually determines the applicant has exhausted design options that do not require a variation. The PZB may ask the petitioner to explain whether they have exhausted other alternatives.

- 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:* The subject property is already developed and—with the exception of off-street parking—is generally in line with the general purpose and intent of the comprehensive plan related to retention and growth of existing businesses. While not completely in line with the intended Higher Density Urban Mix with Residential use illustrated in the Future Land Use map, the existing building and auto service use is, and has been, an established use that has been operational for decades on the site.

- 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:* In this case, there are limited alternatives available that would not involve undue hardship on the petitioner. One alternative is to store the existing dumpster inside the building and repurpose the existing trash enclosure area for parking. However, this could limit or impede business operations given the small available open space in the building. Another alternative is to rework or remodel the existing building, potentially including removal of a building portion, to free up space on the site for additional parking. However, this could add undue cost to the petitioner and not provide much added benefit for the Des Plaines Auto Clinic and Tire business or the public it serves. The PZB may wish to ask why certain alternative designs are not feasible for the parking area.

- 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:* Combined with the conditional use request, the variation requested provides the minimum relief necessary to alleviate the hardships described above.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses), the PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use permit for the auto service repair uses at 480 S. Des Plaines River Road.

While Section 12-3-6.F.2.b (Procedure for Review and Decision for Standard Variations) of the Zoning Ordinance gives the PZB final authority on standard variations, the parking variation is tied with the conditional use request. As such, pursuant to Section 12-2-2.C the City Council has final authority on both the conditional use and variation requests.

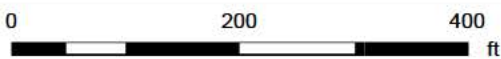
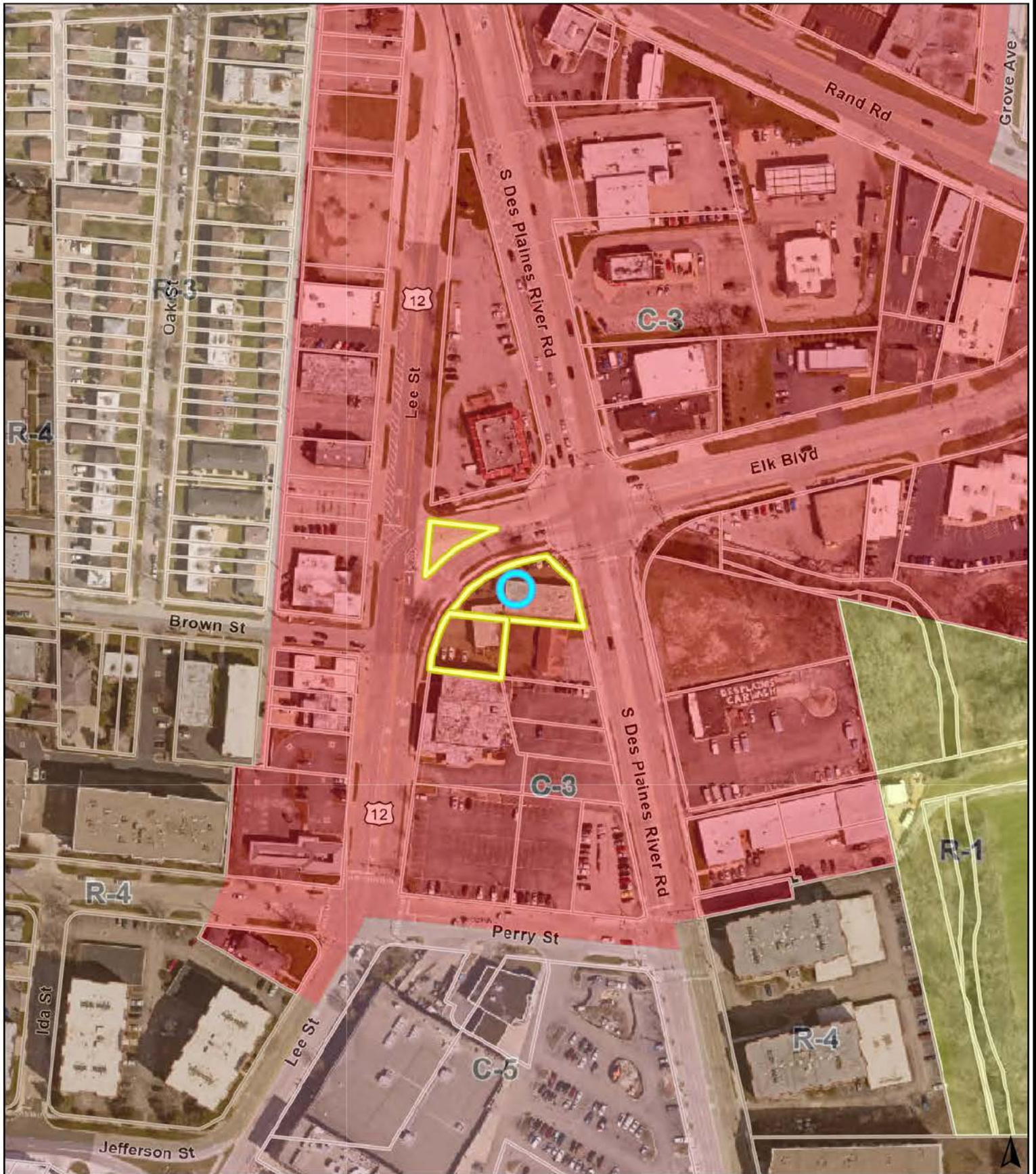
Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Uses) and 12-3-6.H (Standards for Variations) of the Zoning Ordinance. If the PZB recommends approval of the request, staff recommends the following conditions.

**Conditions of Approval:**

1. The parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan. A revised parking striping plan may be approved by the Community and Economic Development Department if the plans meet requirements of Section 12-9-6 and Site Plan Review standards pursuant to Section 12-3-2.B.
2. Minimum five-foot wide perimeter landscape areas shall be installed along the front of the parking spaces facing Elk Boulevard in compliance with Section 12-10-8.B.
3. Inoperable vehicles shall not be parked or stored outdoors on the Subject Property. No vehicles shall be stored within the drive aisles at any time.
4. Only six service bays shall be allowed for the life of this conditional use.
5. No auto body related activities are permitted unless this conditional use is amended. Sale and display of motor vehicles is not permitted at any time.
6. Used tires may only be stored inside the building, a dumpster, a fully enclosed fence enclosure, or a permitted accessory structure. A contract with a tire disposal company must be provided to Community and Economic Development staff, or an affidavit must be signed attesting that no used tires will be stored on site.
7. Waste oil and any hazardous chemicals shall be disposed of on a regular basis in conformance with all local, state, and federal regulations. The petitioner shall furnish a current waste oil agreement to staff at time of building permit.

**Attachments:**

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Photos of Existing Conditions
- Attachment 4: ALTA/NSPS Land Title Survey
- Attachment 5: Petitioner’s Responses to Standards
- Attachment 6: Project Narrative
- Attachment 7: Site Plan
- Attachment 8: Floor Plan
- Attachment 9: Collective Parking Area Exhibit
- Attachment 10: Sign Plan



Print Date: 6/7/2024

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.



480 S. DP River Rd – Public Notice Sign Along DP River Rd



480 S. DP River Rd – Des Plaines Auto Clinic Drive Aisle & Entrance



480 S. DP River Rd – Front of Des Plaines Auto Clinic



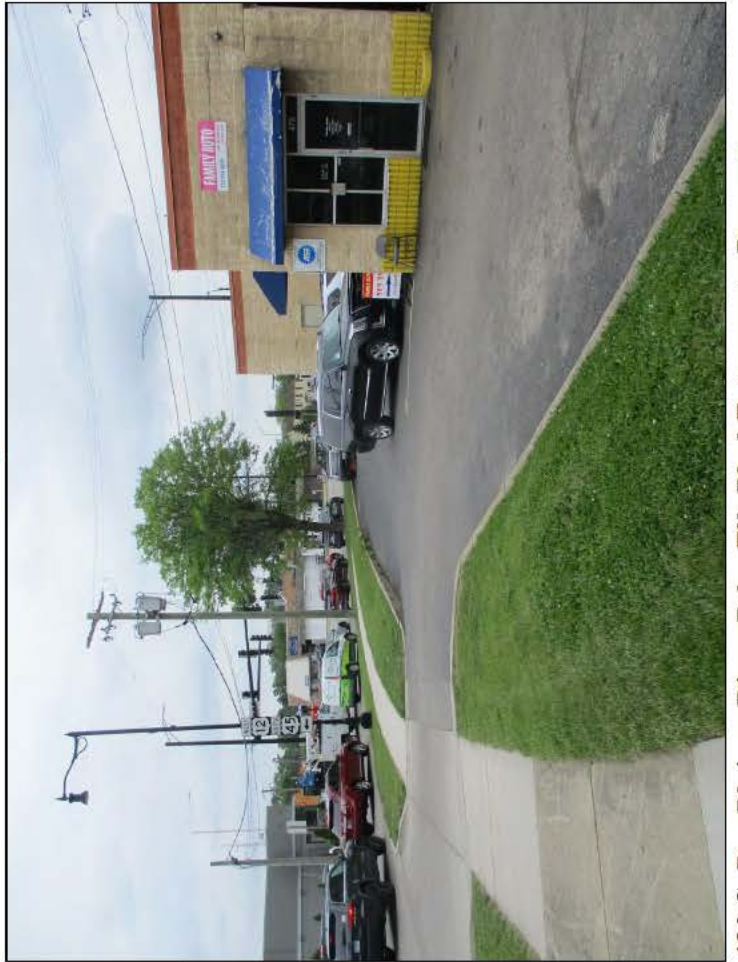
480 S. DP River Rd – Des Plaines Auto Clinic Parking Area



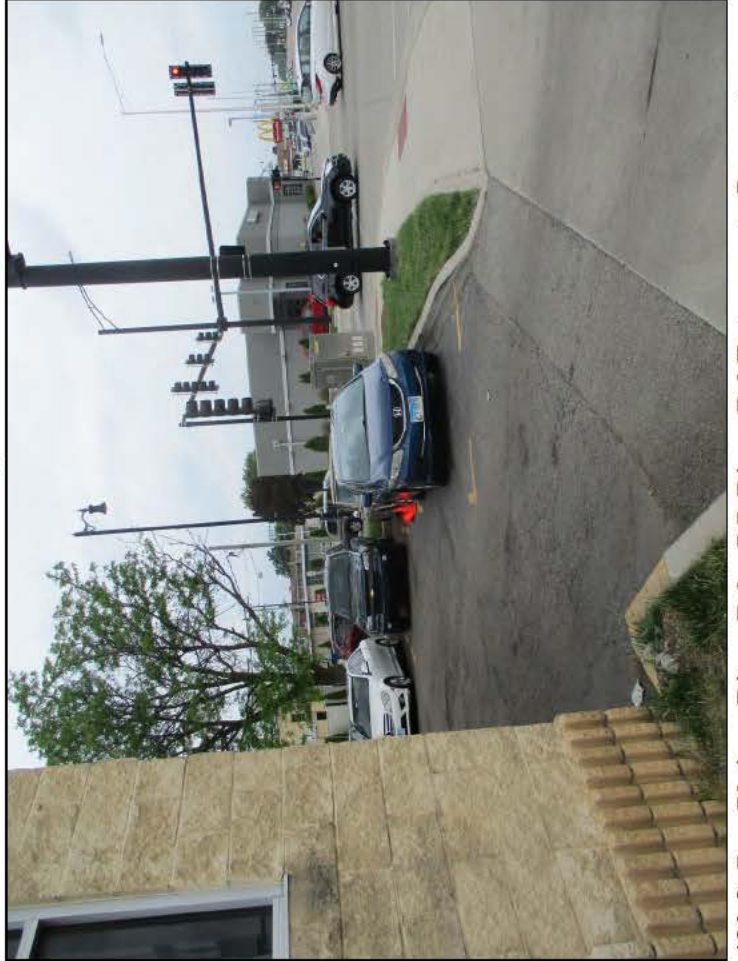
480 S. DP River Rd – Front of Family Auto



480 S. Des Plaines River Rd – Family Auto Parking Area



480 S. Des Plaines River Rd – Elk Blvd Entrance to Property



480 S. Des Plaines River Rd – DP River Rd Entrance to Property















# ALTA/NSPS LAND TITLE SURVEY

Residential  
Commercial  
ALTA

Studnicka and Associates, Ltd.

Topographical  
Condominium  
Site Plans

Tel. 815 485-0445  
Fax 815 485-0528

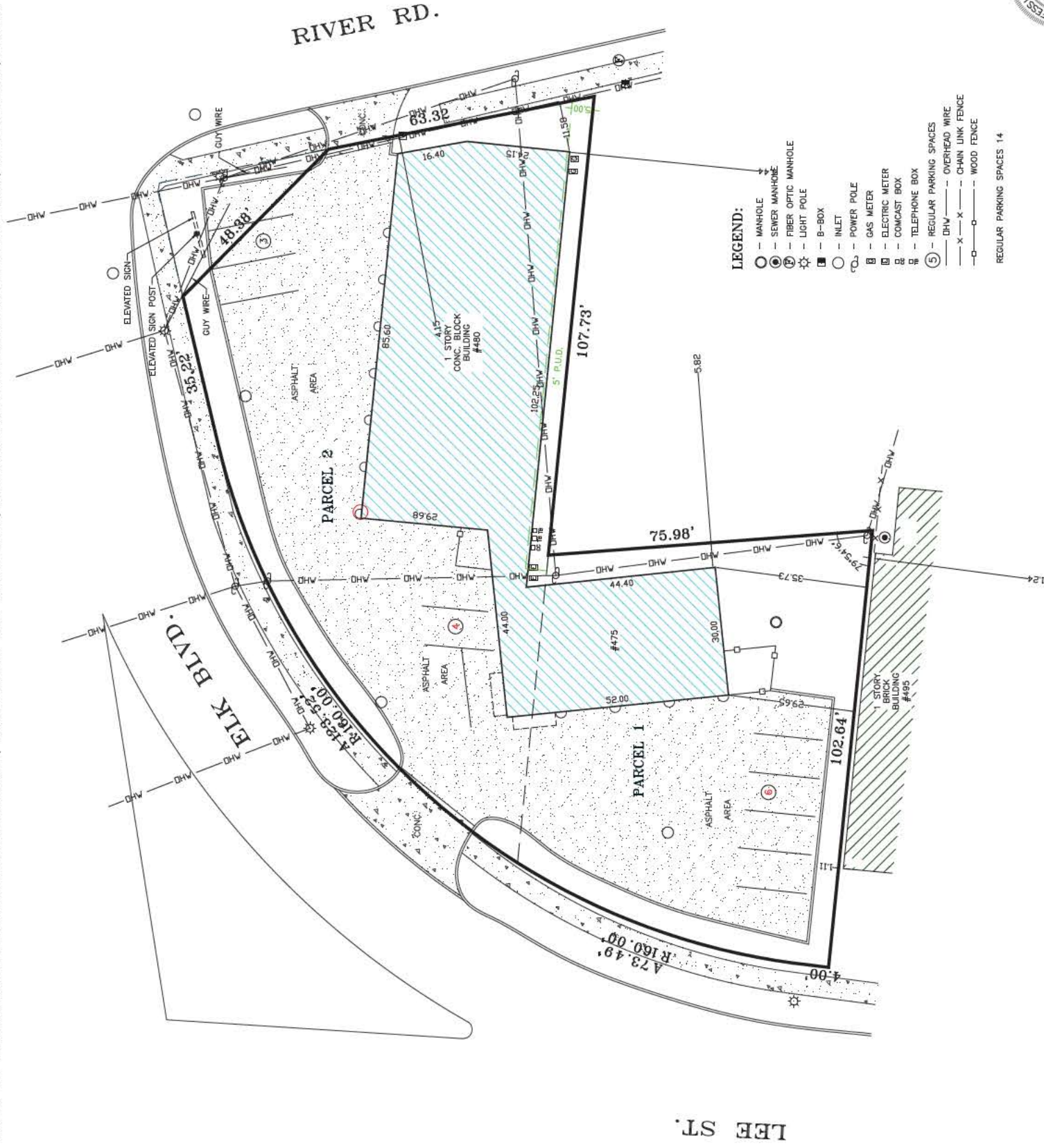
studnicka2000@gmail.com

17901 Haas Road  
Mokena, Illinois 60448



PARCEL 1: THAT PART OF THE SOUTH 75 FEET OF LOT 9 IN HENRY C. SENNE'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EAST LINE OF LEE STREET (BEING A LINE 33 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF SAID LEE STREET) AND LYING WESTERLY OF A LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID SOUTH 75 FEET, 107 FEET EAST OF THE EAST LINE OF SAID LEE STREET TO A POINT ON THE SOUTH LINE OF SAID LOT 9, SAID POINT BEING THE NORTHEAST CORNER OF LOT 5 IN SAID HENRY C. SENNE'S SUBDIVISION EXCEPT THAT PART LYING NORTHWESTERLY AND WESTERLY OF A CURVED LINE AND ITS TANGENT PORTION THERETO, SAID CURVED LINE BEING CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 160 FEET WITH A CENTRAL ANGLE OF 70 DEGREES 33 MINUTES AND CONCENTRIC WITH AND DISTANT 40 FEET SOUTHEASTERLY MEASURED RADIIALLY FROM THE FOLLOWING DESCRIBED CENTER LINE TO WIT: BEGINNING AT A POINT IN THE CENTER LINE OF RAND ROAD AS NOW LOCATED AND ESTABLISHED, DISTANT 177.43 FEET SOUTHEASTERLY OF THE CENTER LINE OF GROVE AVENUE AS NOW LOCATED AND ESTABLISHED; THENCE SOUTHWESTERLY IN A STRAIGHT LINE FORMING AN ANGLE OF 76 DEGREES 30 MINUTES (IN THE SOUTHEAST QUADRANT) A DISTANCE OF 96.63 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 200 FEET WITH A CENTRAL ANGLE OF 62 DEGREES 15 MINUTES AND TANGENT TO SAID LAST DESCRIBED CURVE A DISTANCE OF 217.29 FEET TO A POINT OF TANGENCY; THENCE CONTINUING SOUTHWESTERLY ALONG A STRAIGHT LINE, TANGENT TO SAID LAST DESCRIBED CURVE A DISTANCE OF 496.01 FEET TO THE NORTHEASTERLY LINE OF THE DES PLAINES RIVER ROAD AS NOW LOCATED AND ESTABLISHED; THENCE CONTINUING IN A SOUTHWESTERLY DIRECTION ALONG AN EXTENSION OF SAID LAST DESCRIBED CURVE A DISTANCE OF 85.07 FEET TO THE POINT OF BEGINNING OF SAID CENTER LINE AS HEREIN BEFORE MENTIONED; THENCE CONTINUING SOUTHWESTERLY ALONG AN EXTENSION OF SAID LAST DESCRIBED CURVE A DISTANCE OF 35.16 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 200 FEET WITH A CENTRAL ANGLE OF 70 DEGREES 33 MINUTES A DISTANCE OF 246.27 FEET TO A POINT OF TANGENCY; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO WHICH THE LAST DESCRIBED CURVED LINE IS TANGENT A DISTANCE OF 4.02 FEET TO THE SOUTH LINE OF LOT 9 IN SAID HENRY C. SENNE'S SUBDIVISION AS AFORESAID IN COOK COUNTY, ILLINOIS

PARCEL 2: THAT PART OF THE NORTHERLY 100.00 FEET OF THE SOUTHERLY 175.00 FEET OF LOT 9 IN HENRY C. SENNE'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (LYING WESTERLY OF THE WESTERLY LINE OF DES PLAINES AVENUE) AND WHICH LIES SOUTHEASTERLY OF A CURVED LINE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 160.00 FEET, WITH A CENTRAL ANGLE OF 70 DEGREES 33 MINUTES AND CONCENTRIC WITH AND DISTANT 40.00 FEET SOUTHEASTERLY, MEASURED RADIIALLY FROM THE FOLLOWING DESCRIBED CENTER LINE, TO WIT: BEGINNING AT A POINT IN THE CENTER LINE OF RAND ROAD AS NOW LOCATED AND ESTABLISHED, DISTANT 177.43 FEET SOUTHEASTERLY OF THE CENTER LINE OF GROVE AVENUE AS NOW LOCATED AND ESTABLISHED; THENCE SOUTHWESTERLY IN A STRAIGHT LINE FORMING AN ANGLE OF 76 DEGREES 30 MINUTES (IN THE SOUTHEAST QUADRANT) A DISTANCE OF 96.63 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 200.00 FEET WITH A CENTRAL ANGLE OF 62 DEGREES 15 MINUTES AND TANGENT TO SAID LAST DESCRIBED CURVE A DISTANCE OF 217.29 FEET TO A POINT OF TANGENCY; THENCE CONTINUING SOUTHWESTERLY ALONG A STRAIGHT LINE, TANGENT TO SAID LAST DESCRIBED CURVE, A DISTANCE OF 496.01 FEET TO THE NORTHEASTERLY LINE OF DES PLAINES RIVER ROAD AS NOW LOCATED AND ESTABLISHED; THENCE CONTINUING IN A SOUTHWESTERLY DIRECTION ALONG AN EXTENSION OF SAID LAST DESCRIBED CURVE, A DISTANCE OF 85.07 FEET TO THE SOUTH LINE OF THE DES PLAINES RIVER ROAD, BEING ALSO THE NORTHEASTERLY LINE OF BLOCK 1 IN "DES PLAINES CENTER", BEING A SUBDIVISION IN SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND BEING ALSO THE POINT OF BEGINNING OF SAID CENTER LINE AS HEREIN BEFORE MENTIONED; THENCE CONTINUING SOUTHWESTERLY ALONG AN EXTENSION OF SAID LAST DESCRIBED CURVE A DISTANCE OF 35.16 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 200.00 FEET WITH A CENTRAL ANGLE OF 70 DEGREES 33 MINUTES, A DISTANCE OF 246.27 FEET TO A POINT OF TANGENCY; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO WHICH THE LAST DESCRIBED CURVED LINE IS TANGENT A DISTANCE OF 4.02 FEET TO THE SOUTH LINE OF LOT 9 IN HENRY C. SENNE'S SUBDIVISION AS AFORESAID, EXCEPTING THAT PART OF SAID LOT 9, PREVIOUSLY DEDICATED OR NOW USED FOR LEE STREET, IN COOK COUNTY, ILLINOIS



STATE OF ILLINOIS }  
COUNTY OF WILL }

Scale: 1" = 20 feet

Distances are marked in feet and decimals.  
Ordered by: Sam Hong  
Order No.: 20-1-183

Compare all points before building by same and at once report any difference. For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.  
Field work completed: 3/5/20  
Drawn by: P.D.  
Proofed by: T.S.  
Design Firm Registration # 184-002791

NOTES:  
THE UTILITIES SHOWN ARE BASED ON OBSERVED EVIDENCE ONLY.

THIS PLAT IS BASED ON CHICAGO TITLE INSURANCE COMPANY COMMITMENT FILE NO. 185T03174PK DATED DECEMBER 16, 2019.

TO: SKH PROPERTY MANAGEMENT, INC AND CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES NO ITEMS OF TABLE A THEREOF.

Mokena, IL, March 5, A.D. 2020

by

License No. 3304 Expires 11/30/20

#### STANDARDS FOR CONDITIONAL USE

1. AUTO SERVICE CAN BE USED WITHIN THE C3 DISTRICT. IT HAS BEEN USED FOR AUTO PREVIOUSLY FROM OTHER BUSINESSES. WE ARE HERE TO PROVIDE TO COMMUNITY WITH AUTO REPAIR SERVICES.
2. THIS CONDITIONAL USE IS IN ACCORDANCE WITH THE CITY'S COMPREHENSIVE PLAN. WE ARE TRYING TO UPDATE THE FACILITIES FOR MORE FUNCTIONALITY AND TO UPDATE USE WITHIN NEWER SAFETY CONSIDERATIONS PROPOSED BY THE CITY.
3. NO UPDATED FEATURES WILL BE INTENDED TO CHANGE THE USE OF PROPERTY EXCEPT TO UPDATE THE PARKING LOT TO BE RESTRIPE, AND ALLOW FOR SAFE PASSAGE THROUGH THE LOT FOR EMERGENCY VEHICLES TO FULLFILL THE NEW ORDANCES AND GENERAL IMPROVEMENTS.
4. NO HAZARDOUS CHEMICALS WOULD BE USED FOR THE PROPOSED CONDITIONAL USE. NO PAINTING WILL BE USED ON PREMISES. SO NO HAZARDOUS OR DISTURBING ACTIONS SHALL BE TAKEN PLACE ON THE PROPERTY.
5. IN ORDER TO FULLFILL NEW ORDANCES WITH CITY PROVISIONS REGARDING THE SAFETY WITHIN MOVING EMERGENCY VEHICLES THROUGH THE PARKING LOT WE WILL UPDATE THE PLAT OF SURVEY TO SHOW OUR NEW PARKING IMPROVEMENTS. DOING THIS WILL ALLOW US TO SHOW THAT THE PROPERTY WILL BE USED ADEQUATELY FOR ALL SAID PUBLIC VARIANCES..
6. NO ADDITIONAL CHANGES SHALL BE MADE THAT WOULD REQUIRE AN ADDITIONAL PUBLIC EXPENSE. THE UPDATES TO THE FACILITY DO NOT ADD ANY IMPACT TO THE ECONOMIC WELFARE OF THE COMMUNITY.
7. NO USE OF THE FACILITY WILL BE DETRIMENTAL TO ANY PERSONS, PROPERTY OR GENERAL WELFARE TO THE COMMUNITY. OUTSIDE THE OPERATIONAL NOISE THAT MAY COME, NO EXCESSIVE PRODUCTION OF TRAFFIC, NOISE, SMOKE, FUMES, GLARES OR ODORS SHALL EXIST. OPERATIONS ARE TO HAPPEN INSIDE OF THE BUILDING UNLESS REPAIRS ARE NEEDED OUTSIDE TO BRING THE SAID VEHICLE INSIDE.
8. THE PROPERTY WAS ALTERED BEFORE OWNERSHIP BY THE PREVIOUS OWNER. THE UPDATES NEEDED BEING PERFORMED IN ORDER TO PROVIDE A PUBLIC THROUGHFARE TO EMERGENCY VEHICLES TO PASS ON THE PREMISES . I.D.O.T. REMOVED PARKING ON OUR LOT FOR AN EASEMENT TO THE FLOW OF TRAFFIC AT THE LEE AND RIVER ROAD INTERSECTION.WHICH IN TURN CALLS FOR US TO HAVE AND UPDATED STRIPING PLAN AND CORRECTION ON OUR A PARKING LOT AREA.
9. NO DESTRUCTION TO ANY NATURAL, SCENIC, OR HISTORIC FEATURES OF ANY IMPORTANCE WILL BE MADE.
10. ALL REGULATIONS IN THE TITLE SHALL BE FOLLOWED IN ACCORDANCE WITH CITY ORDINANCES. ANY UPGRADES TO PROPERTY IS TO COMPLY WITH SAID ORDINCES AND TO MAINTIAN PROPERTY AND CONDITIONAL USE FUNCTIONS.

## STANDARDS FOR VARIATIONS

1. HARDSHIP: VARIATION IS NEEDED DUE TO THE LAYOUT OF THE PARKING LOT AND THE REMOVAL OF THE DUMPSTER AREA IN ORDER TO ACCOMMODATE THE MINIMUM PARKING REQUIREMENT. EIGHT SPACES ARE THE MINIMUM BUT DUE TO THE DUMPSTER AREA NEEDING TO REMAIN OUTSIDE FOR EASE OF USE AND TRASH REMOVAL, THAT SHORTENS THE SPACES TO 7 WHICH IS BELOW THE MINIMUM STANDARD.
2. UNIQUE PHYSICAL CONDITION: THE SUBJECT LOT UNDERWENT AN EASEMENT TO THE PROPERTY WITH IN TURN CAUSED A LOSS OF 2 PARKING SPACES. PRIOR ABOUT 10 SPACES WERE AVAILABLE WHICH IN TURN CAUSED ISSUES WITH OVER PARKING. THE PRESENCE OF EXISTING USE OF THE DUMPSTER AREA. TEARING IT DOWN MEETS THE MINIMUM REQUIREMENT OF 8 STALL BUT SAID DUMPSTER WAS TO BE MOVED TO THE INSIDE OF THE BUILDING. THAT CAUSES ISSUES INSIDE THE BUILDING, HENCE WHY LEAVING THE DUMPSTER AREA OUTSIDE IS THE BEST OPTION.
3. NOT SELF CREATED: THE ISSUES OF THE PARKING LOT STRUCTURE ARE NO FAULT OF OUR OWN. IT WAS AN ISSUE THAT CAME ABOUT ONCE A CITATION WAS RECIEVED DUE TO OVER PARKING. THIS VARIANCE IS IN RESPONSE TO GOVERNMENTAL ACTION WITH IDOT PROVIDING THE EASEMENT TO THE PROPERTY.
4. DENIED SUBSTANTIAL RIGHTS: THE PROVSIONAL REQUIREMENTS ARE THAT OF A MINIMUM OF 8 SPACES. DUE TO THE LOT LOSING SPACES TO THE EASEMENT AND THE DUMPSTER AREA TO REMAIN INTACT, THE USE OF 7 SPOTS IS WHAT WE HAVE AVAILABLE. HOWEVER WE DO HAVE ADDITIONAL PARKING AGREEMENT WITH THE ELKS LOUNGE IN ORDER TO KEEP THE LOT OPEN FOR THE PASSING THROUGH OF EMERGENCY VEHICLES AND TO KEEP THE LOT FROM BEING OVER PARKED.
5. NOT MERELY SPECIAL PRIVILEGE: IT IS NOT POSSIBLE TO FIT 8 SPACES WITHOUT THE REMOVAL OF THE DUMPTER AREA. BRINGING IN INSIDE BLOCKS INTERIOR WORKSPACE NEEDED FOR REPAIRS AND CAUSES ISSUES WITH TRASH PICKUP. BEFORE THE EASEMENT THERE WERE APPROXIMATELY 10 SPACES AND AFTER 8. DUE TO THE EASMENT MORE DOCUMENTATION WAS NEEDED TO SHOW A CLEAR FLOW OF TRAFFIC THROUGH SAID LOT AND PROVIDE THE ACCESS NEEDED FOR EMERGENCY VEHICLES. THIS ALLOWS FOR THE LOT TO REMAIN CLEAR FOR EMERGENCY VEHICLES, TRASH TO BE PICKED UP ACCORDINGLY AND FOR ACCESSIBILITY WITH HANDICAP STALLS. WITH THE USE OF THE ADDITIONAL PARKING PROVIDED BY THE ELKS LODGE FOR OVERFLOW AND WHEN SAID LOT IS FULL.
6. TITLE AND PLAN PURPOSES: NO ADDITONAL CHANGES SHALL BE MADE ASIDE FROM THE MIMNIMM REQUIREMENT NEEDED. IT ENSUES THE GARBAGE AREA REMAINS OUTSIDE AND THE CLEARANCE NEEDED FOR EMERGENCY USE REMAINS OPEN.
7. NO OTHER REMEDY: TO EASE THE FLOW OF TRAFFIC THROUGH THE LOT, USE OF THE

DUMPSTER, AND MEET THE CONDITIONAL STANDARDS SET BY THE CITY. IT MAKES THE BEST USE FOR THE ENTIRE AREA. REMOVING THE DUMPSTER CAUSES ISSUES INSIDE THE WORKSPACE AREA BY BLOCKING THE USE OF OTHER TOOLS NEEDED FOR REPAIRS IE; TIRE MACHINE, BALANCE MACHINE, STORAGE RACK, AND USED TIRE STORAGE.

8. MINIMUM REQUIRED: THE REQUEST VARIATION IS BELOW THE MINIMUM REQUIREMENT OF SAID LOT BY 1 SPACE. ADDITIONAL PARKING REQUIREMENTS HAVE BEEN FULLFILLED WITH A PARKING AGREEMENT WITH THE ELKS LODGE.

480 S. RIVER RD  
CONDITIONAL USE FOR AUTO REPAIR SERVICE USE

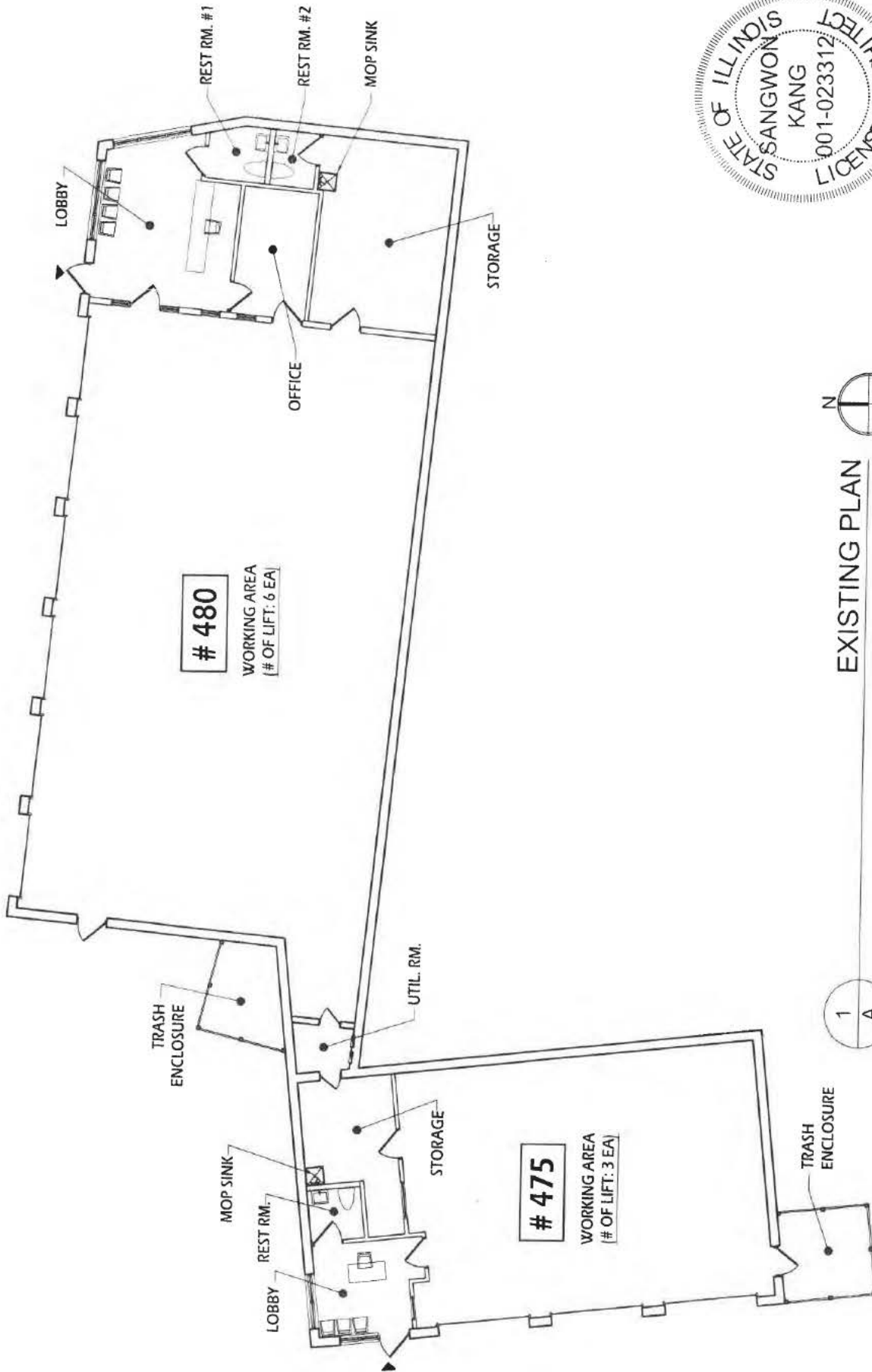
PROJECT NARRATIVE

WE ARE A FULL SERVICE AUTO REPAIR COMPANY. WE PROVIDE REPAIRS REGARDING BRAKES, TUNE UPS, EXHAUST, ENGINE, TRANSMISSION, EMISSIONS, AND TIRES. AUTO PARTS AND ACCESSORIES WILL BE SOLD AND INSTALLED HERE.

HOURS OF OPERATION: 8-6 M-F 7-3 SAT

NUMBER OF EMPLOYEES: 2





SIGNATURE: *[Signature]* DATE: 05/08/2024  
EXPIRES: 11/30/2024

**EXISTING PLAN LAYOUT**  
475&480 LEE STREET  
DES PLAINS, IL

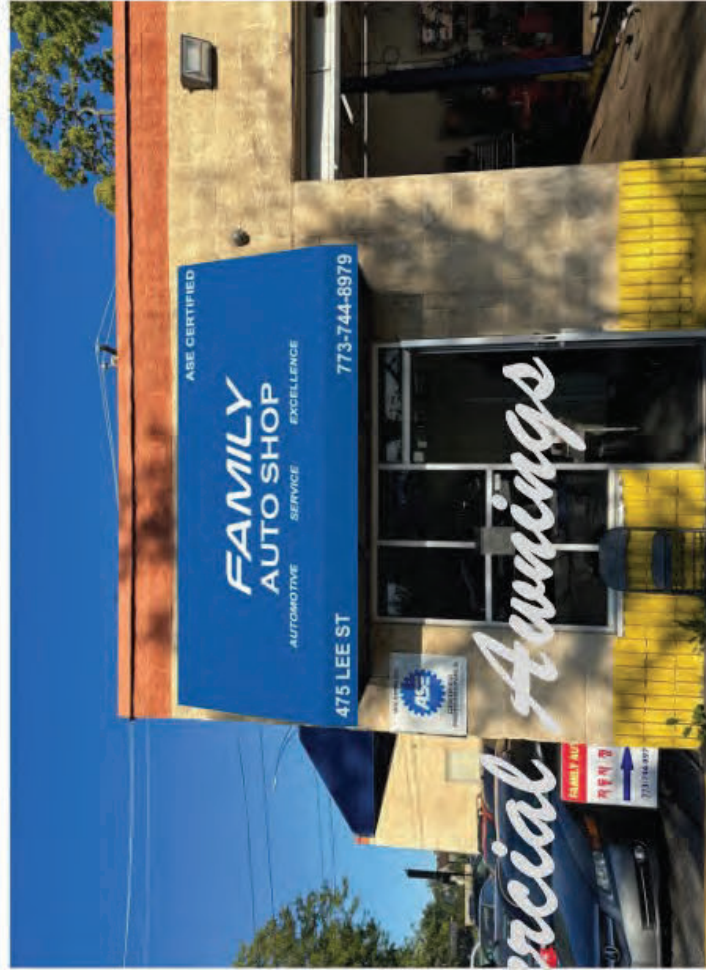


MAY 08, 2024



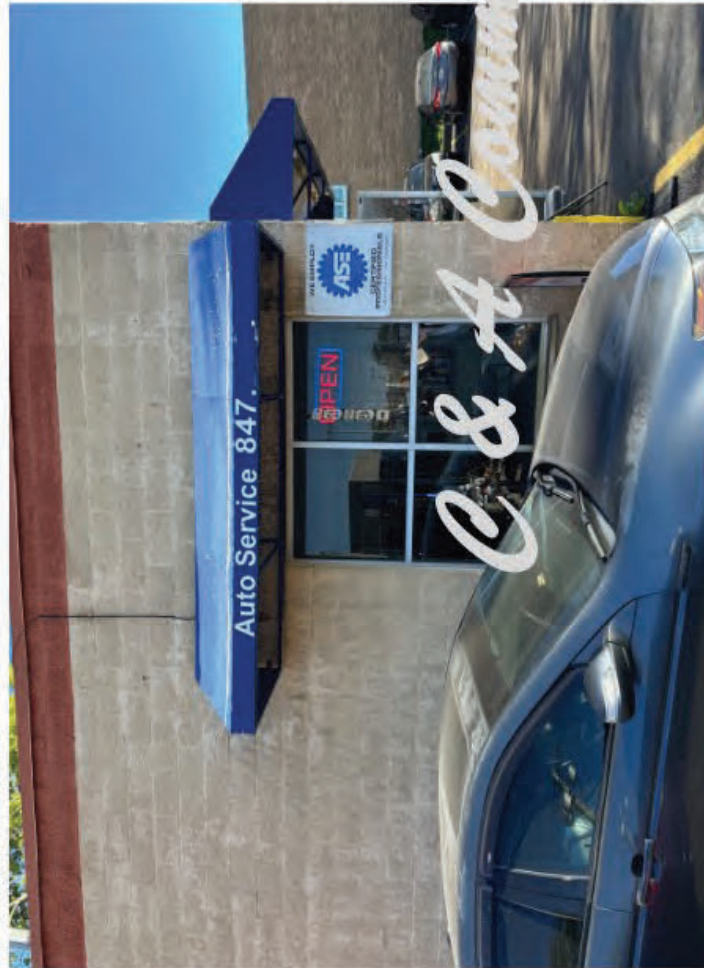
Family Auto  
475 Lee St  
Des Plaines, IL 60016

  
C & A COMMERCIAL AWNINGS



Family Auto  
475 Lee St  
Des Plaines, IL 60016

  
C & A COMMERCIAL AWNINGS



Existing Awning



Proposed Awning



MEMORANDUM

Date: June 7, 2024  
To: Planning and Zoning Board (PZB)  
From: Jonathan Stytz, AICP, Senior Planner JS  
Cc: Jeff Rogers, AICP, Director of Community and Economic Development JR  
Subject: Conditional Use for Trade Contractor at 965 & 975 Rand Rd

**Issue:** The petitioner is requesting conditional uses for two trade contractor uses on the subject properties.

**Petitioners:** Peter Wrzesinski, 975 Rand Road, Des Plaines, IL 60016, and Norma Diamano, 1733 N. 43<sup>rd</sup> Avenue, Stone Park, IL 60165  
**Owner:** 965 Rand Road LLC, 965 Rand Road, Des Plaines, IL 60016  
**Case Number:** #24-021-CU  
**PINs:** 09-08-301-006-0000; -007  
**Ward Number:** #7, Alderman Patsy Smith  
**Existing Zoning:** C-3, General Commercial  
**Existing Land Uses:** *965 Rand Road:* Pet Clinic; *975 Rand Road:* Two Trade Contractors (commercial) and Four Apartments (residential)  
**Surrounding Zoning:** North: M-2, General Manufacturing / R-1, Single Family Residential Districts  
South: R-1, Single Family Residential District  
East: R-1, Single Family Residential District  
West: C-3, General Commercial District  
**Surrounding Land Uses:** North: Multi-unit Building (commercial); Park (recreation)  
South: Single Family Residences (residential)  
East: Park (recreation)  
West: Auto Body Establishment (commercial)  
**Street Classification:** Rand Road is classified as a principal arterial road under Illinois Department of Transportation (IDOT) jurisdiction.  
**Comprehensive Plan:** The Comprehensive Plan illustrates this site as commercial.

**Property/Zoning History:** The property at 965 and 975 Rand Rd was annexed into the City in 1956. This property has had commercial zoning since the 1968, when the property was re-zoned from single family residential to the current zoning of general commercial<sup>1</sup>. All of the buildings currently occupying the site were constructed between the 1950s and the mid-1990s, with several remodeling projects and additions to the buildings during that time frame. The apartment building was constructed on this property in the late 1950s<sup>2</sup> and has been continuously occupied by tenants. While residences are not permitted with the current zoning district in this location, it is considered a non-conforming use and allowed to persist as long as all residential units are occupied.

The office building at 965 Rand Rd has included a variety of uses throughout its history per city records, including an electrician, a manufacturing office, an animal hospital and the most current animal rescue use. The 975 Rand parcel has contained a variety of trade contractor uses, including a lawnmower repair service in the 1960s<sup>3</sup>, a plumbing company between the 1970s and 2022, and the current roofing company.

Staff have received multiple complaints regarding violations on the subject properties related to light pollution, illegal storage, odor, the installation of storage containers, storage of equipment on top of storage containers, fence disrepair, and the parking of a large semitruck on the property. While both the owner of the existing Advanced Roofing business and owner of the proposed Landscaping by AD business have diligently worked with staff to address and rectify the issues raised, there are some outstanding items on the subject properties that will need to be addressed through the conditional use process.

### CONDITIONAL USES

**Request Description:**

*Overview*

The subject properties consist of two separate parcels—both located in the C-3 General Commercial district—which are under common ownership and are summarized in more detail below:

Address	PIN	Lot Size	Current Improvements
965 Rand Rd	09-08-301- 006-0000	25,590 SF (0.58 acres)	<ul style="list-style-type: none"> <li>• One-story building (vacant)</li> <li>• Surface parking area</li> </ul>
975 Rand Rd	09-08-301- 007-0000	34,113 SF (0.78 acres)	<ul style="list-style-type: none"> <li>• Two-story building (Four residential apartments) [front]</li> <li>• Two-story building (Two trade contractor uses [rear])</li> <li>• Surface parking area</li> </ul>

<sup>1</sup> Ordinance Z-35-68

<sup>2</sup> “3 Rm Apartment Brand New”, *Arlington Heights Herald*, November 5, 1959 pg. 123

<sup>3</sup> “Bruno’s Lawn Mower”, *Arlington Heights Herald*, May 7, 1964, pg. 160

A business classified as a “trade contractor” is defined in Section 12-13-3 of the zoning ordinance as:

“A building or portion thereof where building and construction trade services are provided to the public. "Trade contractor" shall include, but will not be limited to, contractor offices, including landscaper's showrooms, construction supplies and storage including plumbing, heating, air conditioning, and building equipment, materials, sales, and other uses similar in nature and impact.”

Trade contractor uses require a conditional use in the C-3 district. As such, the petitioners, Peter Wrzesinski of Advanced Roofing and Norma Diamano of Landscaping by AD INC, are requesting conditional use requests for two existing trade contractor uses: one for Advanced Roofing and the other for Landscaping by AD INC. Currently, both uses operate out of the southmost building located on 975 Rand Road. However, the Landscaping by AD INC business is interested in utilizing the rear portion of the property at 965 Rand Road for parking and storage of its vehicles. See the attached Project Narrative for more details related to the operations of the proposed landscaping business.

*Floor Plan and Elevations*

The conditional use requests are related to the existing trade contractor businesses operating out of the southmost building at 975 Rand Road. That said, the attached Floor Plan designates the building areas devoted to each of the proposed uses as well as general areas for building operations, which are summarized in the table. While there are no proposed changes to the existing building itself, there are proposed changes to the site, especially in regard to designated parking and storage areas for each trade contractor business. The proposal does not include any changes to the exterior metal building façade of the existing two-story building. See the attached Photos of Existing Conditions for more information related to the existing building design.

Floor Plan Breakdown			
Use	General	Landscaping by AD	Advanced Roofing
First	<ul style="list-style-type: none"> <li>• 3 Restrooms</li> <li>• 160 SF Lobby</li> <li>• 145 SF Mechanical area</li> </ul>	<ul style="list-style-type: none"> <li>• 4 offices totaling 2,070 SF</li> <li>• 194 SF Kitchenette</li> </ul>	<ul style="list-style-type: none"> <li>• Shop Area totaling 3,537 SF</li> <li>• No shop area devoted for Landscaping by AD</li> </ul>
Second	<ul style="list-style-type: none"> <li>• 3 Restrooms</li> <li>• 127 SF Lobby</li> <li>• 127 SF Storage area</li> <li>• 39 SF Mechanical area</li> </ul>	<ul style="list-style-type: none"> <li>• No space devoted for Landscaping by AD</li> </ul>	<ul style="list-style-type: none"> <li>• 5 offices totaling 2,050 SF</li> <li>• 1,204 SF Mezzanine area</li> </ul>

*Off-Street Parking*

Sections 12-9-7 and 12-9-8 of the Zoning Ordinance govern the number of off-street standard and accessible parking spaces required based on the property uses. There are no minimum parking requirements for trade contractor uses.

However, considerations shall be made based on the following:

- The anticipated number of employees and members of the public that would visit the subject properties for the existing trade contractor uses.
- The loss of off-street parking from the conversion of existing parking areas to private parking and storage for the trade contractor uses
- The minimum requirement of two parking spaces for each apartment unit totaling eight, including at least one accessible space.
- The parking requirement for the future user of the vacant building at 965 Rand Road.

Based on the attached Site Plan, 14 parking spaces will be available on 965 Rand Road and 22 parking spaces—including one accessible space—will be available for 975 Rand Road totaling 36 off-street parking spaces between both properties. The table below summarizes the allocation of all available parking spaces shown on the attached Site Plan to confirm compliance with Sections 12-9-7 and 12-9-8 of the Des Plaines Zoning Ordinance.

<b>Required Off-Street Parking</b>				
<b>Use</b>	<b>Required Parking</b>	<b>Designated Spaces (for each use)</b>		<b>Parking Space Surplus / Deficit</b>
		<b>965 Rand Road</b>	<b>975 Rand Road</b>	
<b>Trade Contractor</b> (Advanced Roofing)	<b>0 spaces</b> (No minimum parking standard required)	<b>5 spaces</b> (Advanced Roofing only)	<b>11 spaces</b> (Advanced Roofing only); <b>7 spaces</b> (shared between trade contractor uses)	<b>16 spaces</b>
<b>Trade Contractor</b> (Landscaping by AD)	<b>0 spaces</b> (No minimum parking standard required)	<b>5 spaces</b> (Landscaping by AD only)	<b>0 spaces</b> (Landscaping by AD only)	<b>5 spaces</b>
<b>Multifamily Residential</b> (Apartment Building)	<b>8 spaces</b> (Two spaces for each residential unit)	<b>0 spaces</b>	<b>4 spaces</b>	<b>4 spaces</b>
<b>Office</b> (Pet Clinic)	<b>7 spaces</b> (One space for 250 SF of floor area)	<b>4 spaces</b>	<b>0 spaces</b>	<b>3 spaces</b>
<b>Total Off-Street Parking Spaces Required</b>		<b>7 spaces</b>	<b>8 spaces</b>	<b>15 spaces (one accessible)</b>
<b>Total Off-Street Parking Spaces Provided</b>		<b>14 (zero accessible)</b>	<b>22 (incl. one accessible)</b>	<b>36 standard*; one accessible</b>

\*Some of these parking stalls may be removed or modified in accordance with the current proposal to comply with drive aisle and design requirements.

As noted in the table, there is a sufficient supply of parking spaces between the subject properties. However, the allocation of parking spaces needs to be adjusted in order to ensure that an adequate number of parking spaces are available for each use as required by the Zoning Ordinance. As such, staff have added a condition requiring the petitioner to reallocate the parking spaces on the Site Plan to meet the minimum parking requirements for each use to conform to Sections 12-9-6, 12-9-7, and 12-9-8 of the Zoning Ordinance.

#### *Access and Circulation*

There is currently one two-way travel access point off Rand Road for each of the subject properties, which will both be maintained as part of this proposal without any changes. While both curb cuts are wide at the street, the specific width of these curb cuts is not identified on the ALTA-NSPS Land Title Survey or the Site Plan. Section 12-9-6 of the Zoning Ordinance requires drive aisles to be a minimum of 22 feet in width for two-way travel and a minimum of 12 feet in width for one-way travel. If this width cannot be obtained, then the direction of travel of the entrances to the subject properties will need to be adjusted as necessary to ensure adequate access to and from both sites.

Depending on the access type for these entrances (i.e., one-way or two-way), existing striped parking spaces may need to be altered or removed to accommodate the appropriate drive aisle width. To this end, staff have added a condition that the parking space dimensions, drive aisle widths, and direction of travel arrows for all drive aisles are added to the Site Plan to ensure the code requirements are met.

#### *Outdoor Display and Storage of Products*

Aerial photos and the attached Site and Context Photos indicate that both uses are currently storing a combination of vehicles, equipment, and products outside on both properties. In addition, shipping containers have been installed on the subject property for additional storage space outside of the existing building, which is not expressly allowed. However, the Zoning Ordinance does provide a specific consideration for trade contractor uses. Since the Advanced Roofing and Landscaping by AD businesses meet the definition of a trade contractor, Section 12-7-3.F.5.d provides both with allowances for outdoor display and storage of finished or prefabricated products (i.e., products ready for sale to an end user) with some restrictions:

- Products may not be stored or displayed outdoors within any required yard (i.e., front, rear, or side yards).
- Products must be fully screened with an eight-foot tall, solid, opaque fence.
- Raw or landscape materials, or materials utilized for the manufacturing, processing or assembly of products, are not permitted to be stored or displayed outdoors.
- Products, either cumulatively or individually, and including the racks or structures used to display the products outdoors, may not exceed eight feet in height.
- Products stored or displayed outdoors must be located on a paved, dust-free hard surface; provided, however, products and associated storage racks may not reduce, block, or otherwise interfere with parking lot drive aisles and off- street parking spaces.

With these regulations in mind, staff have added a separate condition requiring compliance with all of the regulations in Section 12-7-3.F.5.d of the Zoning Ordinance and the replacement of the storage containers with an approved accessory structure and removing any stored materials from a portion of the rear yard in an effort to alleviate concerns and complaints from the neighboring residents to the south.

*Landscaping and Screening*

The existing site contains some natural vegetation along its south boundary and minimal landscape improvements up near the front of the properties. Given that the subject properties directly abut residential properties to the south a landscape buffer is required in conformance with Section 12-10-9 in the Zoning Ordinance. A C-3-zoned property abutting a residential district or use must provide a minimum five-foot-wide landscape buffer containing shade trees planted every 30 feet, a solid eight-foot-tall fence, and turf or other ground cover along 100 percent of the property boundaries that abuts the residential district. Since these details are not provided, staff have added a condition requiring a diagram illustrating the required improvements in the form of a separate landscape plan or as a detail on the attached Site Plan.

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

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

*Comment:* The proposed services are classified under the trade contractor use, which is a Conditional Use as specified in Section 12-7-3.K of the Zoning Ordinance for properties in the C-3 District.

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

*Comment:* The Comprehensive Plan designates this property as commercial and strives to foster growth and retention of existing commercial businesses in Des Plaines. This property is positioned along the Rand Road corridor and is surrounded by a mixture of residential, commercial, and manufacturing development. The retention of the existing trade contractor use, and addition of a new trade contractor use at the subject property generally falls within the general principles and goals of the Comprehensive Plan.

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

*Comment:* The rear building on 975 Rand Road has been utilized for a variety of trade contractor uses in the past similar to the existing roofing contractor and proposed landscape contractor. While there are no proposed changes to the structure itself, both trade contractor uses are proposed to make improvements for the property including a reallocation of parking spaces, striping of the rear of the 965 Rand Road parcel for the landscape contractor, and operational adjustments related to storage and parking, so it is consistent with surrounding commercial development and minimizes adverse effects on surrounding properties. However, there are site access, circulation, and parking considerations that have not been fully addressed with the proposal. The PZB may request additional justification and detail from the petitioners as to how all of the uses will coexist and operate on the subject property at the same time.

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

*Comment:* Both trade contractor uses conduct a majority of their operations off-site at various job sites, with office-related work housed within the existing rear building on the subject property. While this aspect of the uses is not necessarily hazardous or disturbing, the delineation and continued maintenance of the different uses throughout the subject property could—if not done properly or consistently—lead to a condition that is hazardous or disturbing to surrounding property owners. As staff have already received complaints from neighboring residents regarding the past conditions on the subject property, operational conditions have been suggested by staff to minimize adverse effects that are often attributed to trade contractor uses.

**5. The proposed Conditional Use is to be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or, agencies responsible for establishing the Conditional Use shall provide adequately any such services:**

*Comment:* The existing uses on this site are adequately served by essential public facilities and services. While the proposal adds a fourth use to the subject property, staff do not have concerns that this will impact the essential public facilities and services that are currently serving the subject property.

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

*Comment:* The existing uses have not created a burden on public facilities and have not been detrimental to the economic well-being of the community. There is no indication that the addition of the landscape contractor will have negative economic impact on the community or create the need for additional City services provided that it operates according to all requirements in the C-3 district and appropriate screening improvements are installed.

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

*Comment:* The activities for both trade contractor uses that account for a majority of the noise, smoke fumes, glare, and odors will take place off-site at respective job sites. Traffic generated from these uses is minimal overall with peak volume in the morning and evening. However, the parking and storage of vehicles, equipment, and products of both businesses on the subject property can negatively impact surrounding properties by means of noise, smoke, glare, odors, visual effects, and the like. In addition to the staff-added condition for landscaping screening, both businesses will also need to manage the parking and storage of vehicles, equipment, and products to comply with all requirements in the C-3 district and to improve the aesthetics of the property to minimize any potential adverse effects.

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

*Comment:* The proposal utilizes the existing curb cuts on the subject property so as to not increase any interferences with traffic on surrounding public thoroughfares. However, with the addition of a fourth use on the subject property, additional adjustments to the Site Plan will be necessary to clearly define the direction of travel and width of the existing drive aisles throughout the subject property to ensure that sufficient access and circulation are maintained for all uses. The same can also be said for the existing paved area at the rear of 965 Rand Road, which will need to be restriped and maintained for the proposed landscape contractor parking area. Access to and from this area must be kept clear at all times to ensure that the operations of the landscape contractor are not impacting other uses on the subject property.

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

*Comment:* The proposal would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The building and site were already developed for similar uses.

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

*Comment:* This proposal with the aforementioned adjustments will meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve or deny the above-mentioned conditional use.

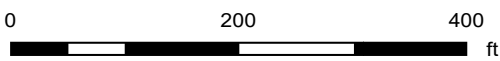
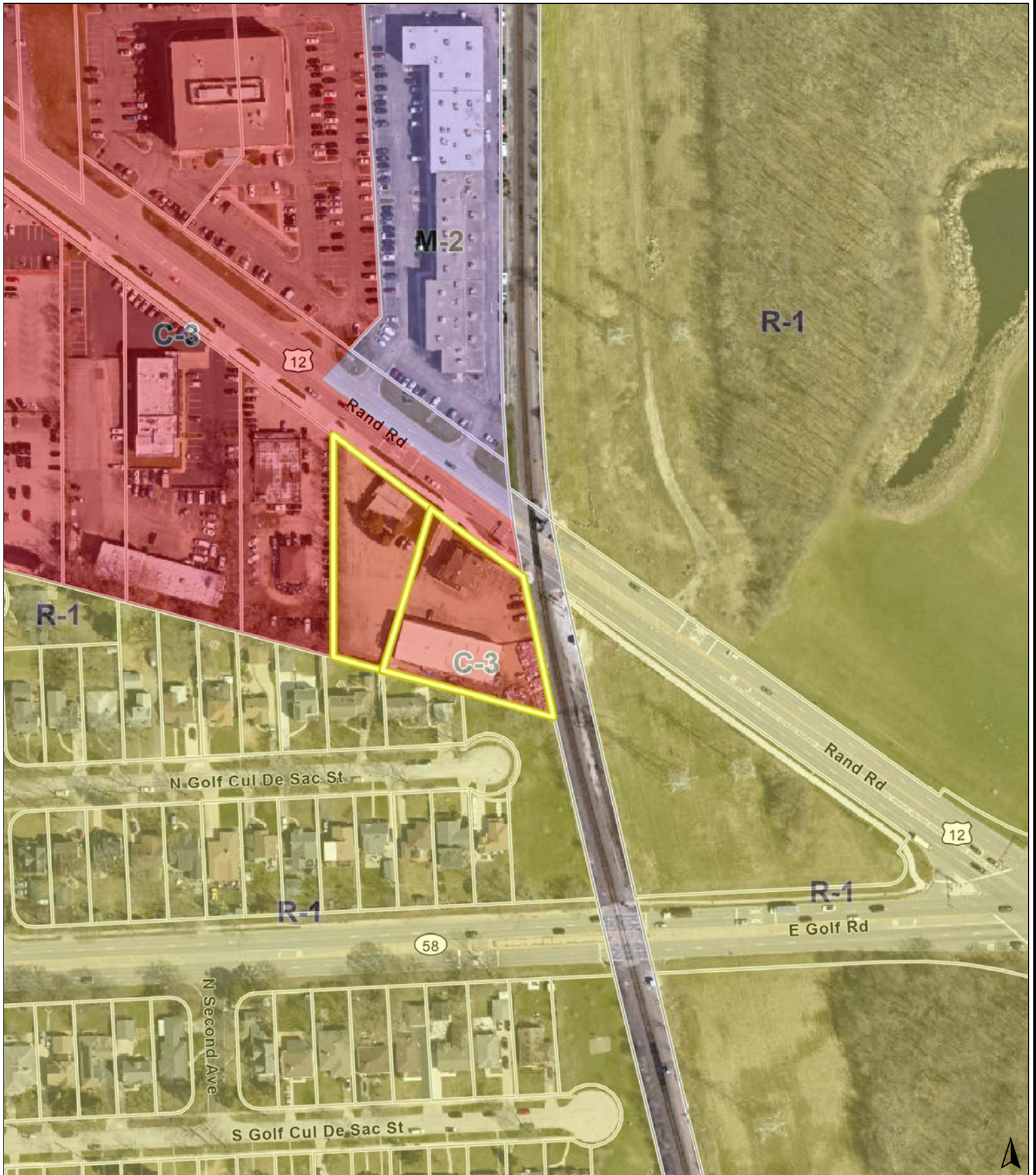
Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Use) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends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

**Conditions of Approval:**

1. Prior to City Council meeting, the Site Plan shall be revised to: (i) identify the number, dimensions, and designation of all collective parking spaces; and (ii) identify the width and direction of travel of all drive aisles on 965 and 975 Rand Road in conformance with the Zoning Ordinance.
2. The outdoor display and storage of products shall follow all regulations in Section 12-7-3.F.5.d of the Zoning Ordinance at all times. Any products, materials, and items that are not classified as finished or prefabricated products must be stored inside the principal building or in an approved accessory structure, excluding shipping containers which are not allowed and shall be removed from the property.
3. Prior to City Council meeting, the Site Plan shall be revised, or a separate Landscape Plan provided, to illustrate the required landscape buffer improvements in compliance with Section 12-10-9 of the Zoning Ordinance. This plan shall also detail the location, design, and height of the required enclosure for all dumpsters stored outside.
4. Waste, debris, and other garbage accumulated through off-site operations for both trade contractor uses shall be completely discarded prior to returning to the subject properties each day. At no time shall waste, debris, and garbage be left outside on the subject properties, except in designated dumpster containers.
5. The area designated for the Landscaping by AD parking and storage shall be restriped accordingly in conformance with Section 12-9-6 of the Zoning Ordinance prior to issuance of business registration.

**Attachments:**

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Photos of Existing Conditions
- Attachment 4: ALTA/NSPS Land Title Survey
- Attachment 5: Petitioner's Responses to Standards
- Attachment 6: Project Narrative
- Attachment 7: Site Plan
- Attachment 8: Floor Plan



Print Date: 6/7/2024

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.



965 Rand Rd – Public Notice Sign



965 Rand Rd – Front of Pet Clinic Building Along Rand Rd



965 Rand Rd – Rear Parking Area Behind Pet Clinic



965 Rand Rd – Existing Landscape Trade Contractor Area



975 Rand Rd – View of Advanced Roofing Building from Rand Rd



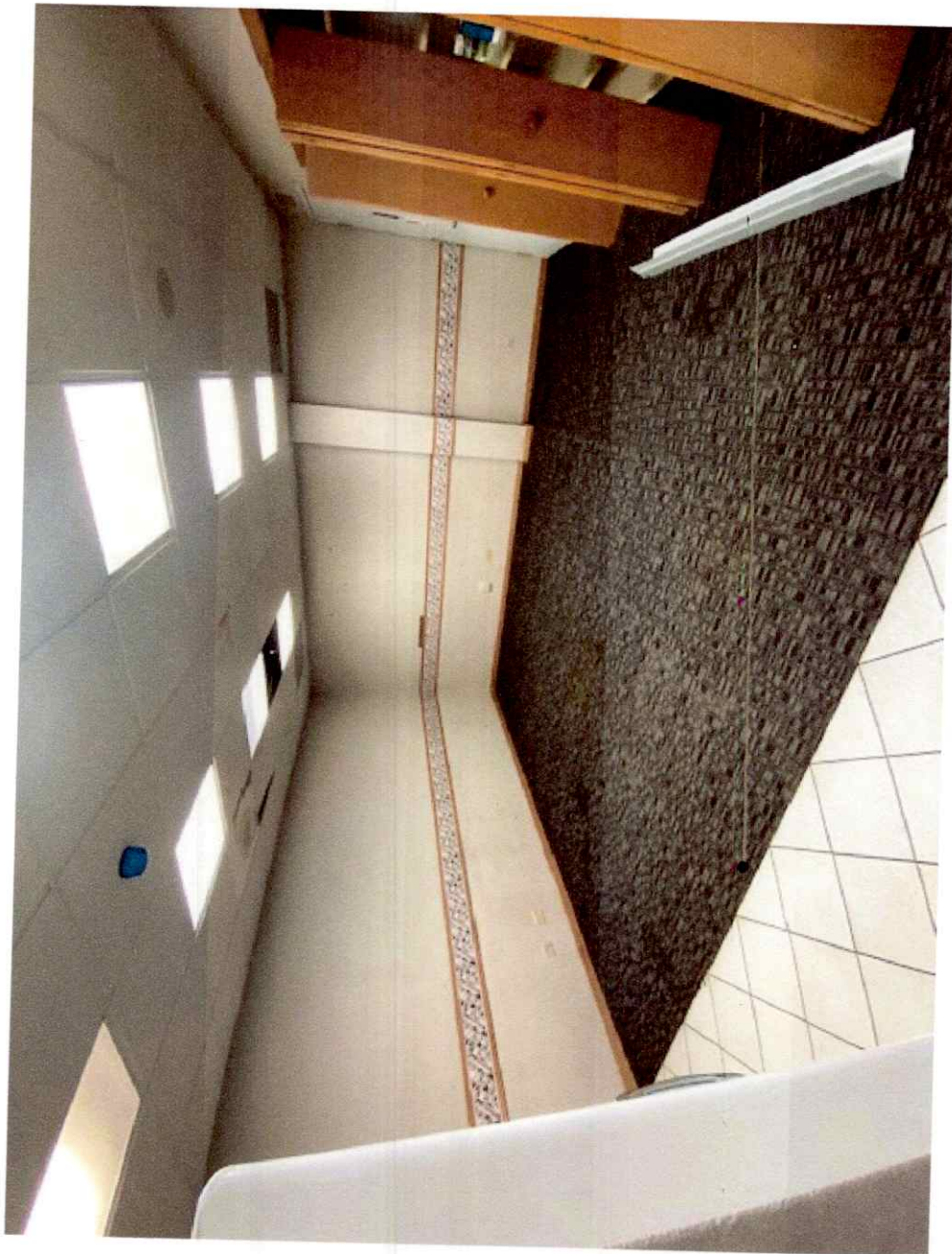
975 Rand Rd – Front of Apartment Building Along Rand Rd



975 Rand Rd – Rear Parking Area Between Buildings

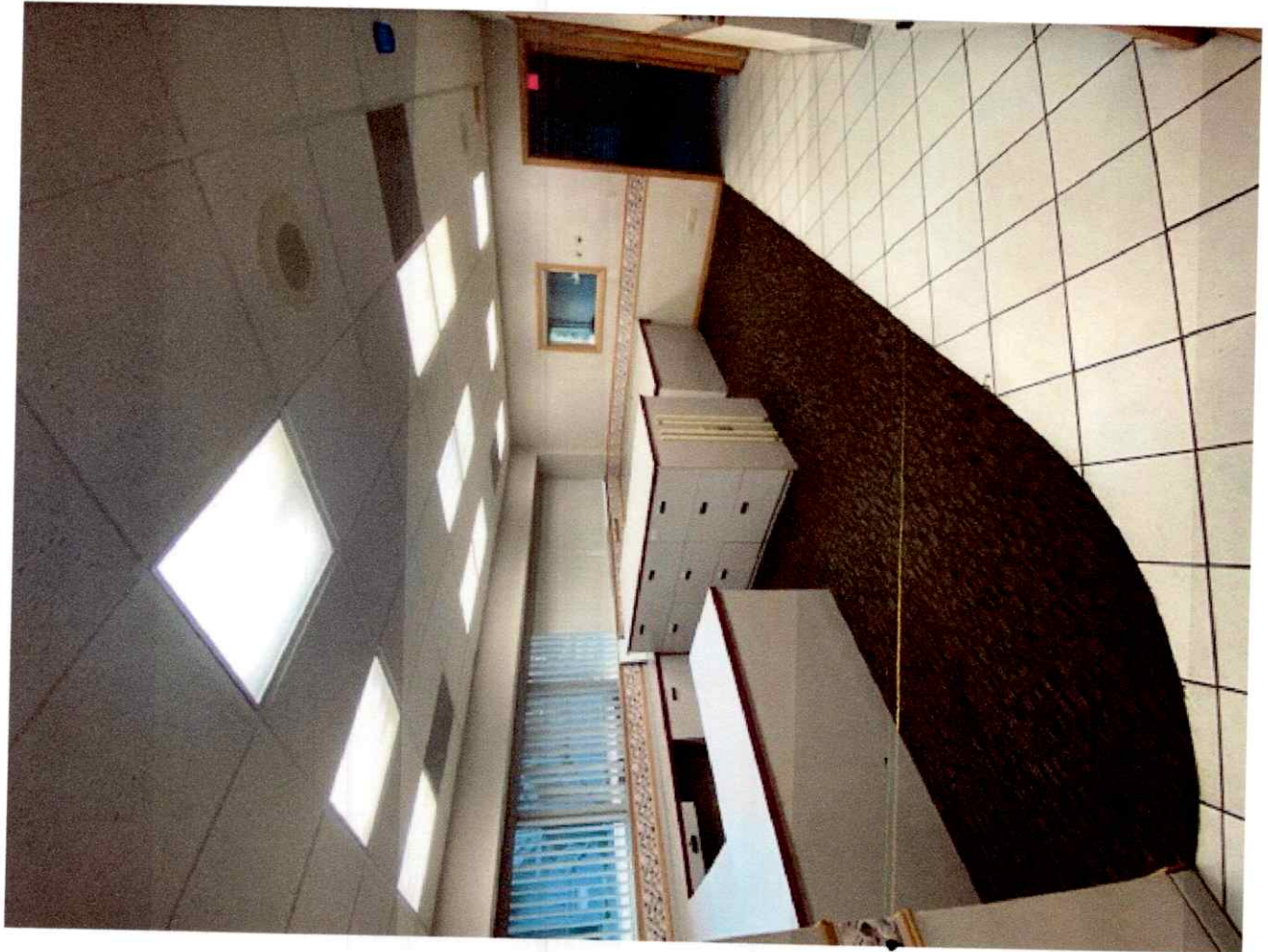


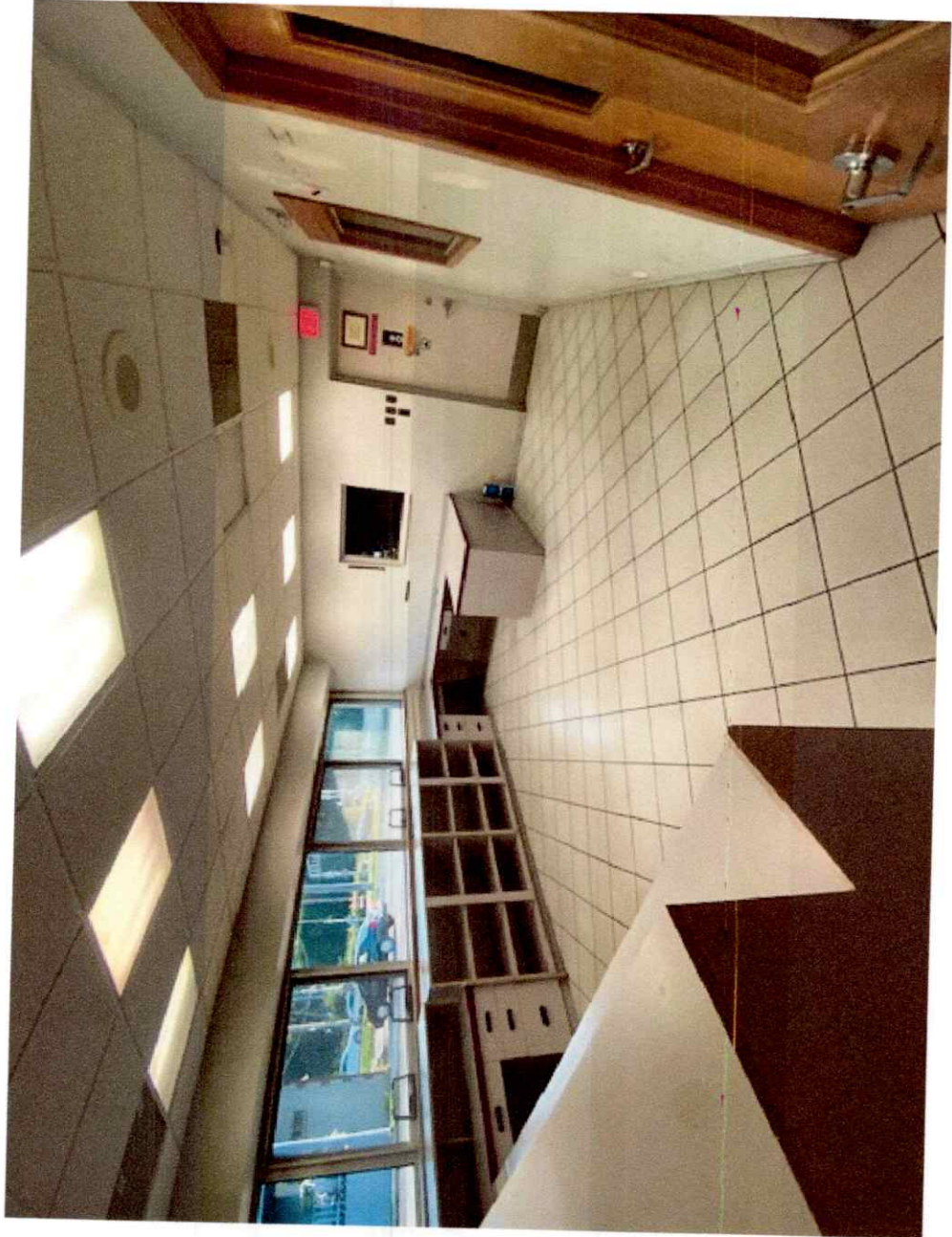
975 Rand Rd – Front of Advanced Roofing Building











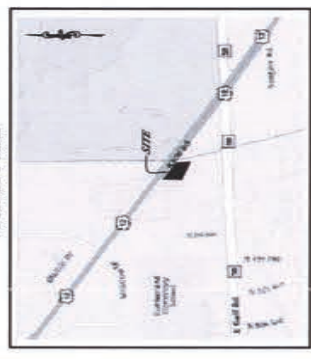
11614 ALGONQUIN RD.  
HUNTLEY, IL 60142

ORDER NO. **22-0179**  
Scale - 1 inch = 30 feet

PHONE: (847) 458-1710  
FAX: (847) 458-1712

TOPOGRAPHICAL-LEGAL-CASIM-BOUNDARY-SUBDIVISIONS-WORTH-GAGE-CONDOMINIUM

**Jens N. Doe**  
Professional Land Surveyors, P.C.



**ALTANSPS LAND TITLE SURVEY**

PARCEL 1: THAT PART OF LOT 1 IN OWNERS DIVISION OF THAT PART OF THE SOUTH 25.67 CHAINS OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF RAND ROAD AND THE WEST OF THE WEST LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT ST. MARIE RAILROAD WHICH LIES EASTERLY OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF RAND ROAD, WHICH IS 300 FEET NORTHEASTERLY, (AS MEASURED ALONG THE SOUTHWEST LINE OF SAID RAND ROAD) OF THE EAST LINE OF SAID LOT 1 AND RUNNING THENCE SOUTHERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 1 TO THE SOUTHWESTERLY LINE OF SAID LOT 1 AND WHICH LIES WESTERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF RAND ROAD WHICH IS 180 FEET NORTHEASTERLY (AS MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID RAND ROAD) OF THE EAST LINE OF SAID LOT 1 AND RUNNING, THENCE SOUTHWESTERLY ALONG A LINE TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, WHICH IS 225.65 FEET NORTHEASTERLY OF THE SOUTHWESTERLY CORNER OF SAID LOT 1, EXCEPT THAT PART WHICH LIES NORTHEASTERLY OF A LINE WHICH IS 90.00 FEET SOUTHWESTERLY OF MEASURED AT RIGHT ANGLES AND PARALLEL TO, A LINE DESCRIBED AS BEGINNING AT A POINT IN THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8, DISTANT 1771.8 FEET NORTH OF THE SOUTHWEST CORNER THEREOF, THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE, WHICH MAKES AN ANGLE OF 52 DEGREES 32 MINUTES, MEASURED FROM SOUTH TO EAST FROM SAID WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8, A DISTANCE OF 885.0 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 34,337.50 FEET, THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 1015.0 FEET TO A POINT OF TANGENCY, THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 841.4 FEET TO A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SAID SECTION 8, DISTANT 212.4 FEET EAST OF THE SOUTHWEST CORNER THEREOF, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 965 RAND RD., DES PLAINES, ILLINOIS.

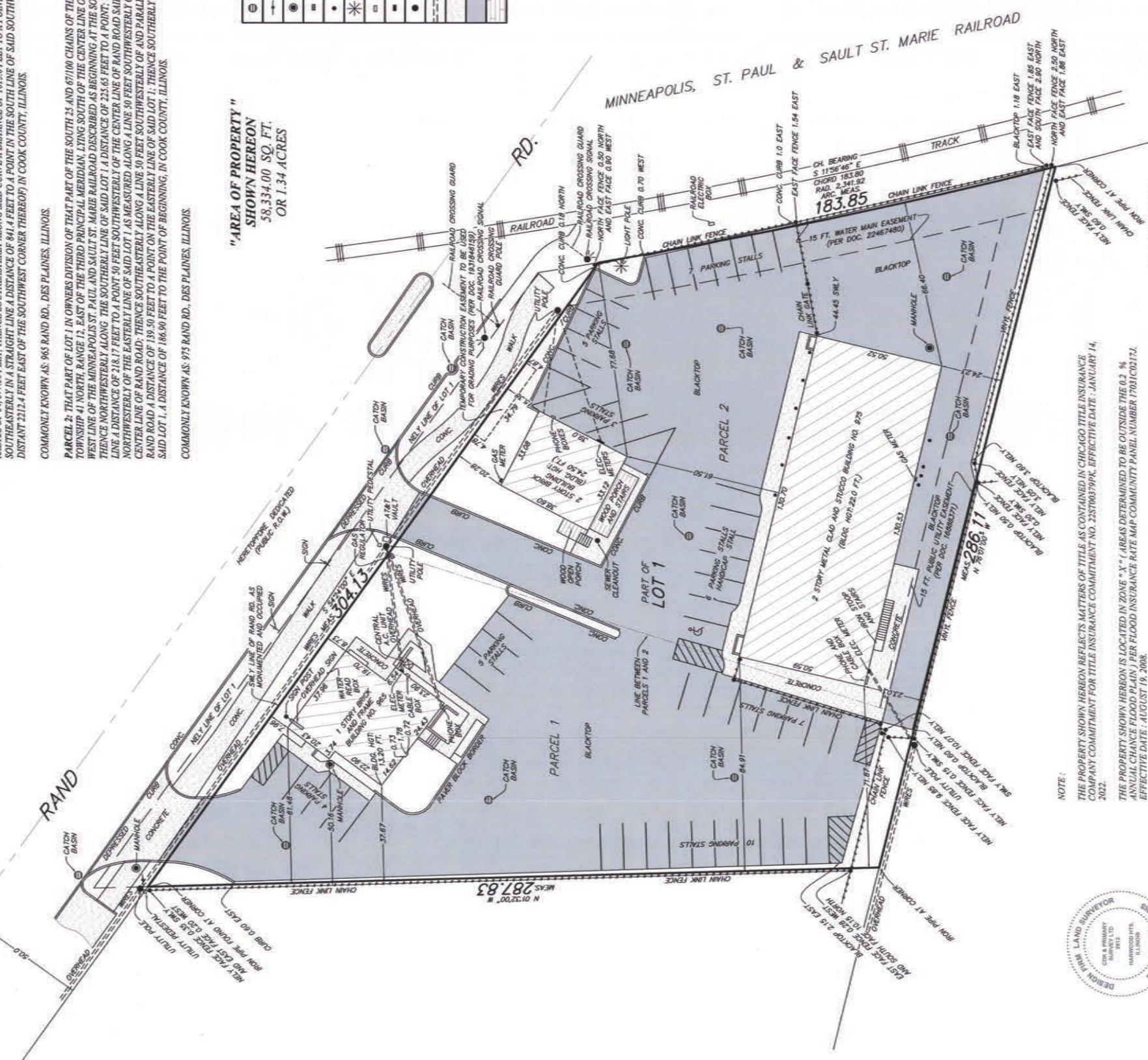
PARCEL 2: THAT PART OF LOT 1 IN OWNERS DIVISION OF THAT PART OF THE SOUTH 25 AND 67/100 CHAINS OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF RAND ROAD AND WEST OF THE WEST LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT ST. MARIE RAILROAD DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 225.65 FEET TO A POINT, THENCE NORTHEASTERLY ALONG A LINE A DISTANCE OF 218.17 FEET TO A POINT 90 FEET SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD SAID POINT BEING 139.50 FEET NORTHEASTERLY OF THE EASTERLY LINE OF SAID LOT 1, AS MEASURED ALONG A LINE 90 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF RAND ROAD; THENCE SOUTHEASTERLY ALONG A LINE 90 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID RAND ROAD, A DISTANCE OF 186.90 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 975 RAND RD., DES PLAINES, ILLINOIS.

**LEGEND**

⊖	CATCH BASIN
+	SIGN
●	MANHOLE
⊔	GAS METER
⊕	FENCE POST
*	LIGHT POLE
□	CABLE BOX
⊖	ELECTRIC METER
⊖	UTILITY POLE
—	OVERHEAD WIRES
▭	CONCRETE
▨	BLACKTOP
▩	WOOD

"AREA OF PROPERTY"  
SHOWN HEREON  
58,334.00 SQ. FT.  
OR 1.34 ACRES



NOTE:  
THE PROPERTY SHOWN HEREON REFLECTS MATTERS OF TITLE AS CONTAINED IN CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE COMMITMENT NO. 22570859PK, EFFECTIVE DATE: JANUARY 14, 2022.  
THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE FLOOD PLAIN) PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 1701C0171A, EFFECTIVE DATE: AUGUST 19, 2008.  
TOTAL NUMBER OF STRIPED PARKING STALLS SHOWN HEREON = 48 (WHICH INCLUDES 1 HANDICAP STALL)  
THERE IS VISIBLE EVIDENCE OF SIDEWALK OR STREET REPAIRS BEING PERFORMED ON THE DEDICATED RIGHT-OF-WAYS SHOWN HEREON.  
THERE IS NO VISIBLE EVIDENCE OF ANY EARTH MOVING WORK OR EXTERIOR BUILDING CONSTRUCTION BEING PERFORMED ON THE PROPERTY SHOWN HEREON.  
THE PROPERTY SHOWN HEREON IS ZONED C-3 (GENERAL COMMERCIAL DISTRICT) PER THE VILLAGE OF DES PLAINES ZONING RECORDS.  
THERE ARE NO OFF-SITE EASEMENTS OR SERVICEDS BENEFITING THE PROPERTY SHOWN HEREON.  
AREA OF EXTERIOR FOOTPRINT OF BUILDING NO. 965 SHOWN HEREON IS +/- 1,721.30 SQ. FT.  
AREA OF EXTERIOR FOOTPRINT OF BUILDING NO. 975 SHOWN HEREON IS +/- 6,603.30 SQ. FT.  
AREA OF EXTERIOR FOOTPRINT OF THE 2 STORY BRICK BUILDING SHOWN HEREON IS +/- 1,284.60 SQ. FT.



NOTE:  
The legal description noted on this plan is a copy of the land survey order prepared by the Surveyor General for Cook County, Illinois, and is subject to the provisions of the Illinois Surveying Act, Chapter 120, Illinois Compiled Statutes (ILCS).  
Compare distances between points before building and report any discrepancy to the office immediately.  
Dimensions shown hereon are in feet and decimal parts thereof.  
Dimensions shown hereon are in feet and decimal parts thereof.

Field work completion date: March 26, 2022.

ORDERED BY:  
**ANSANI & ANSANI**

STATE OF ILLINOIS  
COUNTY OF COOK

JENS N. DOE PROFESSIONAL LAND SURVEYORS P.C. DOES HEREBY CERTIFY TO: 965 RAND RD. LLC, 975 RAND RD. LLC, AND CHICAGO TITLE INSURANCE COMPANY, INC. THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 "MINIMUM STANDARD" REQUIREMENTS FOR ILLINOIS LAND TITLE SURVEYS "JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7 (a, b, c), 8, 9, 16, 17 AND 18 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 26, 2022.

DATED THIS 13TH DAY OF APRIL, 2022.

**PRELIMINARY COPY**  
**(FOR REVIEW ONLY)**

KEVIN DUFFY  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 12287  
MY LICENSE EXPIRES 11-30-22

### STANDARDS FOR CONDITIONAL USES

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Conditional Use in terms of the following standards. Keep in mind that in responding to the items below, you are demonstrating that the proposed use is appropriate for the site and will not have a negative impact on surrounding properties and the community. Please answer each item completely and thoroughly (two to three sentences each).

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

Yes trade contractor is a conditional use permitted in the G3 general commercial zoning district.

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

The Comprehensive Plan illustrates this parcel as intended for commercial. The Comprehensive plan encourages economic development within the city, which includes the development of new businesses.

3. The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity;

All of the properties to the West of us are commercial properties, and the property to the East is a railroad. Properties across the street are mixed use (commercial and office).

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

There is no hazardous materials being used or stored on this property. The hours of operations are from Monday - Friday 7AM - 5PM SATURDAY 8AM - 3P

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

Traffic is minimum. One time in the morning and one time when work is over, No in between traffic. No deliveries are received. Adequate available parking for employees, No customers will be

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

We do not create any additional requirements or ~~service~~ burdens of public facilities or services.

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

There will be no excessive activities, no stores materials that will be detrimental to any person. No access traffic, noise, smoke or fumes will be generated,

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

We have adequate ingress and egress which will cause no detriment to the existing traffic flow on Rand Rd.

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

There is no impact to any natural scenic or historic features.

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

Yes.

Landscaping By A D Inc  
965 and 975 Rand Road  
Des Plaines IL

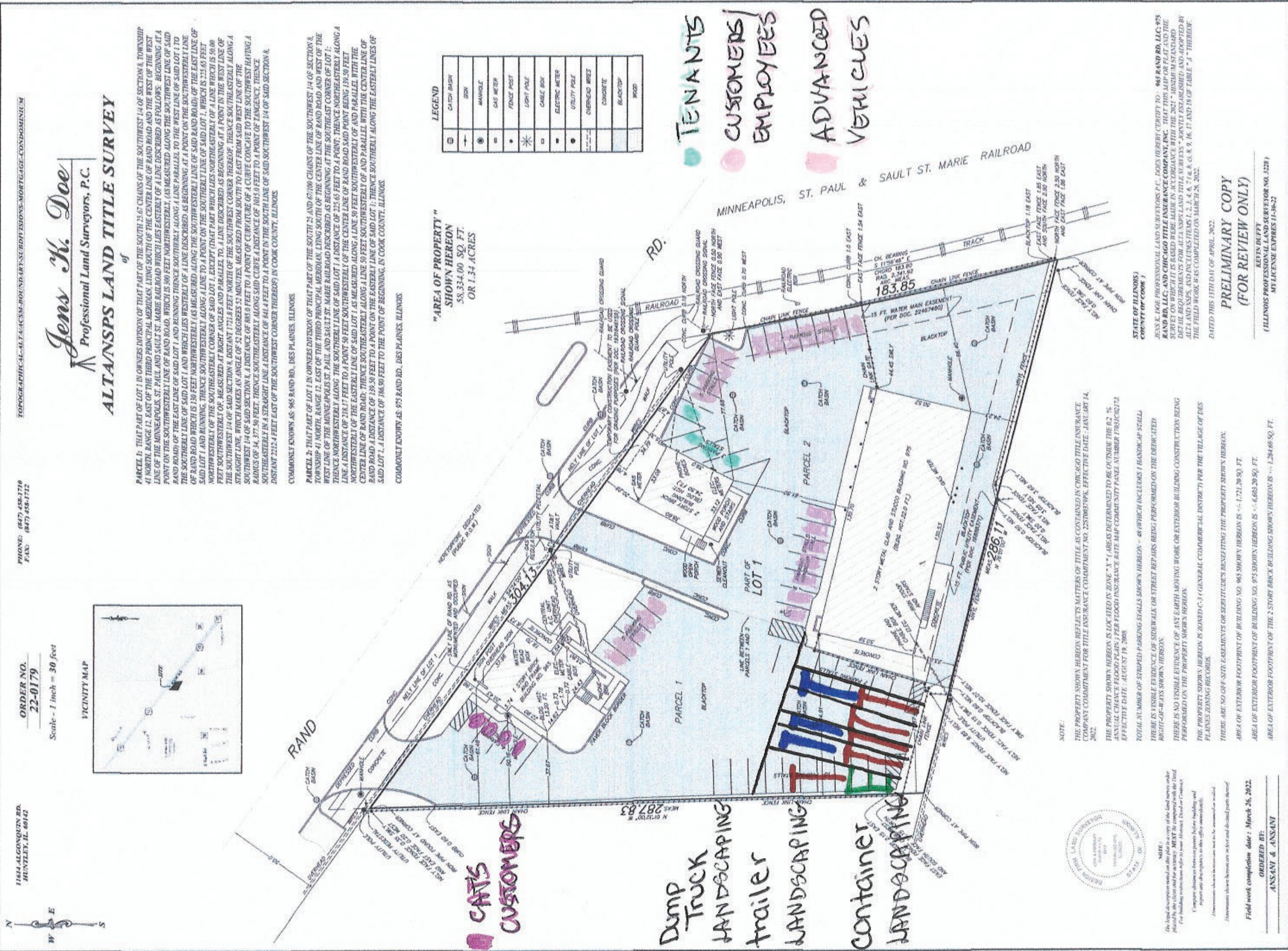
To whom is consume,

I'm the owner of Landscaping By A D my name is Norma Diamano.

Our hours of operation our from Monday thru Friday 7am.- 5pm and Saturday from 8am - 3pm. Traffic is minimum one time in the morning and one time in the afternoon when works is over not in between traffic. No deliveries are received adequate available parking for employees. We have adequate ingress and egress which will cause no detriment to the exiting traffic flow on Rand Rd. We have 3 employees. Theirs is no meetings with customer at this site. There will be no excessive activities. There are no hazardous materials being used or stored on this property. We don't stored materials like mulch dirt etc. anything that could cost a problem and we usually dump by the end of each workday that way there is no smells of anything. There is no impact to any natural scenic or historic features.

Sincerely, Norma Diamano

Landscaping By A D Inc  
Office:847-696-1398



11614 ALGONQUIN RD.  
HUNTELY, IL 60142

PHONE: (847) 458-1710  
FAX: (847) 458-1712

ORDER NO. 22-0179  
Scale - 1 inch = 30 feet

VICINITY MAP

**Jens N. Doe**  
Professional Land Surveyors, P.C.

**ALTANSPS LAND TITLE SURVEY**

**PARCEL 1:** THAT PART OF LOT 1 IN OWNERS DIVISION OF THAT PART OF THE SOUTH 1/4 OF CHAINS OF THE WEST 1/4 OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF RAND ROAD AND THE WEST OF THE WEST LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT ST. MARIE RAILROAD WHICH LIES EAST OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF RAND ROAD, WHICH IS 300 FEET NORTHEASTERLY, (AS MEASURED ALONG THE SOUTHWEST LINE OF SAID RAND ROAD) OF THE EAST LINE OF SAID LOT 1, AND RUNNING THENCE SOUTHERLY ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 1 TO THE SOUTHWESTERLY LINE OF SAID LOT 1 AND WHICH LIES WESTERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF RAND ROAD WHICH IS 130 FEET NORTHEASTERLY (AS MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID RAND ROAD) OF THE EAST LINE OF SAID LOT 1 AND RUNNING THENCE SOUTHWESTERLY ALONG A LINE TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1 AND RUNNING THENCE SOUTHWESTERLY ALONG A LINE TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, WHICH IS 235.65 FEET NORTHEASTERLY OF THE SOUTHWESTERLY CORNER OF SAID LOT 1, EXCEPT THAT PART WHICH LIES NORTHEASTERLY OF A LINE WHICH IS 80.00 FEET SOUTHWESTERLY OF, MEASURED AT RIGHT ANGLES AND PARALLEL TO, A LINE DESCRIBED AS BEGINNING AT A POINT IN THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8, DISTANT 1771.8 FEET NORTH OF THE SOUTHWEST CORNER THEREOF, THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE, WHICH MAKES AN ANGLE OF 53 DEGREES 51 MINUTES, MEASURED FROM SOUTH TO EAST FROM SAID WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 8, A DISTANCE OF 884.0 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 34,377.50 FEET, THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 1043.0 FEET TO A POINT OF TANGENCY, THENCE SOUTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 641.4 FEET TO A POINT IN THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SAID SECTION 8, DISTANT 2212.4 FEET EAST OF THE SOUTHWEST CORNER THEREOF, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 965 RAND RD., 1865 PLAINES, ILLINOIS

**PARCEL 2:** THAT PART OF LOT 1 IN OWNERS DIVISION OF THAT PART OF THE SOUTH 1/4 AND 1/2 CHAINS OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER LINE OF RAND ROAD AND WEST OF THE WEST LINE OF THE MINNEAPOLIS, ST. PAUL AND SAULT ST. MARIE RAILROAD DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 1; THENCE NORTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1 A DISTANCE OF 253.65 FEET TO A POINT; THENCE NORTHEASTERLY ALONG A LINE A DISTANCE OF 317.17 FEET TO A POINT 30 FEET SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD SAID POINT BEING 139.50 FEET NORTHEASTERLY OF THE EASTERLY LINE OF SAID LOT 1 AS MEASURED ALONG A LINE 30 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF RAND ROAD; THENCE SOUTHEASTERLY ALONG A LINE 30 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF RAND ROAD A DISTANCE OF 139.30 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 1; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 186.50 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 973 RAND RD., 1865 PLAINES, ILLINOIS

**LEGEND**

○	CATCH BASIN
+	SOIL
●	MANHOLE
○	GAS METER
•	FENCE POST
*	LIGHT POLE
□	CABLE BOX
—	ELECTRIC METER
—	UTILITY POLE
—	OVERHEAD WIRE
—	CONCRETE
—	BLACKTOP
—	WOOD

TENANTS  
CUSTOMERS/  
EMPLOYEES  
ADVANCED  
VEHICLES

"AREA OF PROPERTY SHOWN HEREON"  
58,334.00 SQ. FT.  
OR 1.34 ACRES

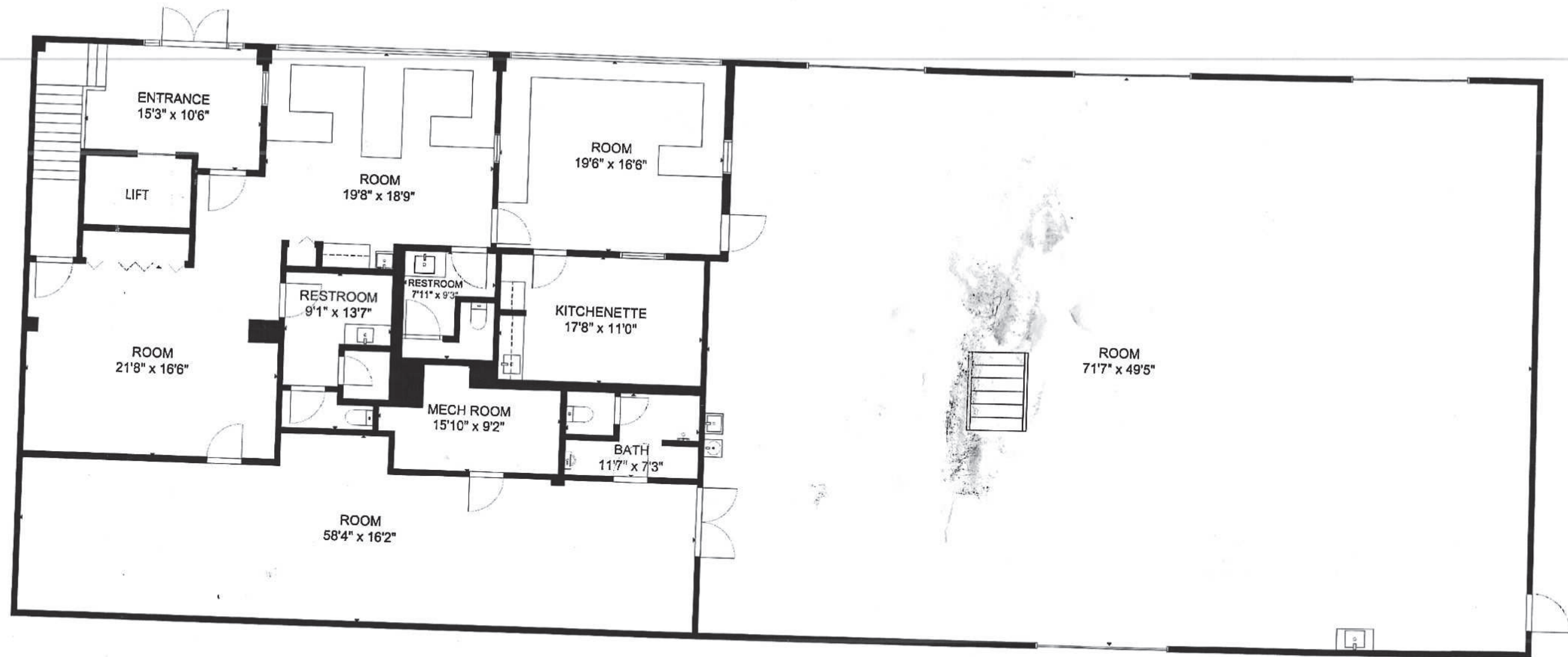
NOTE:  
THE PROPERTY SHOWN HEREON REFLECTS MATTERS OF TITLE AS CONTAINED IN CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE COMMITMENT NO. 2287059PA, EFFECTIVE DATE: JANUARY 14, 2022.  
THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) PER FLOOD INSURANCE RATE MAP COMADNTY PANEL NUMBER 176310212, EFFECTIVE DATE: AUGUST 19, 2008.  
TOTAL NUMBER OF STRIPPED PARKING STALLS SHOWN HEREON = 48 (WHICH INCLUDES 1 HANDICAP STALL)  
THERE IS VISIBLE EVIDENCE OF SIDEWALK OR STREET REPAIRS BEING PERFORMED ON THE DEMONSTRATED RIGHT-OF-WAY SHOWN HEREON.  
THERE IS NO VISIBLE EVIDENCE OF ANY EARTH MOVING WORK OR EXTERIOR BUILDING CONSTRUCTION BEING PERFORMED ON THE PROPERTY SHOWN HEREON.  
THE PROPERTY SHOWN HEREON IS ZONED C-3 (GENERAL COMMERCIAL DISTRICT) PER THE ZILLAGE OF DUES PLAINES ZONING ORDINANCE.  
THERE ARE NO OFF-SITE EASEMENTS OR SERVITUDES BENEFITING THE PROPERTY SHOWN HEREON.  
AREA OF EXTERIOR FOOTPRINT OF BUILDING NO. 965 SHOWN HEREON IS 1,721.20 SQ. FT.  
AREA OF EXTERIOR FOOTPRINT OF BUILDING NO. 975 SHOWN HEREON IS 6,603.20 SQ. FT.  
AREA OF EXTERIOR FOOTPRINT OF THE 3 STORY BRICK BUILDING SHOWN HEREON IS 1,284.60 SQ. FT.

Field work completion date: March 26, 2022  
ORDERED BY:  
ANSANI & ANSANI

PRELIMINARY COPY  
(FOR REVIEW ONLY)

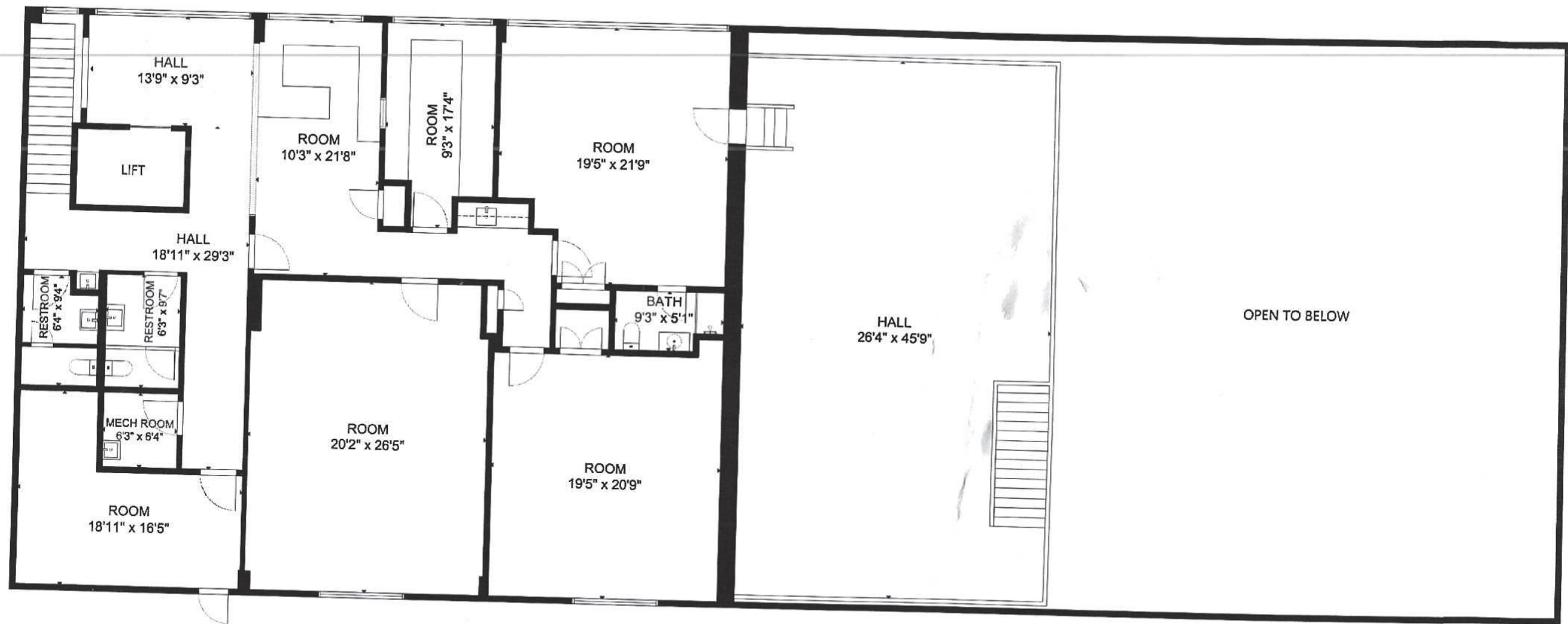
KEVIN DUFFY  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 32251  
MY LICENSE EXPIRES 11-30-22





FLOOR 1

GROSS INTERNAL AREA  
 TOTAL: 10,591 sq ft  
 FLOOR 1: 6,438 sq ft, FLOOR 2: 4,153 sq ft  
 SIZE AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.



FLOOR 2

GROSS INTERNAL AREA  
 TOTAL: 10,591 sq ft  
 FLOOR 1: 6,438 sq ft, FLOOR 2: 4,153 sq ft  
 SIZE AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.