



DES PLAINES PLANNING AND ZONING BOARD MEETING
February 25, 2025
MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, February 25, 2025, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

CALL TO ORDER

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

PRESENT: Catalano, Bronakowski, Fowler, Szabo, Veremis, and Weaver

ABSENT: None

ALSO PRESENT: Jonathan Mendel, AICP, Assistant CED Director
Jonathan Stytz, AICP, Senior Planner

A quorum was present.

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

APPROVAL OF FEBRUARY 11, 2025 PZB MEETING MINUTES

Members Veremis and Bronakowski mentioned duplicative 'Adams' on pages 3 and 16.

A motion was made by Board Member Vermis, seconded by Member Fowler, to approve the meeting minutes as amended.

AYES: Veremis, Fowler, Catalano, Weaver, Bronakowski, and Szabo,

NAYS: None

ABSTAIN: None

MOTION CARRIED

Case No. 25-005
Case No. 25-003

TPLAT
CU-V

2250 Mannheim Road
965-975 Rand Road

PENDING APPLICATIONS

1. **Addresses:** 2250 Mannheim Road **Case Number:** 25-005-TPLAT

The petitioner is requesting a Tentative Plat of Subdivision to split an existing lot into two lots of record and any other variations, waivers, and zoning relief as may be necessary. **Continuance Requested.**

PIN: 09-29-403-005-0000

Petitioner: BP Pulse (Representative: Jason Skock, 5199 Locust Post Lane, Columbus, OH 43230)

Owner: Hertz (Representative: Joshua Blum, 8501 Williams Road, Estero, FL 33928)

Proceedings/Discussion:

Chairman Szabo introduced the case and mentioned that the applicant is requesting a continuance to the March 25, 2025 PZB agenda.

Member Fowler asked staff about the number of continuances a petitioner or applicant can request. Chairman Szabo stated, to his knowledge, it is normally not more than two requested.

Member Catalano motioned and Member Bronakowski seconded to continue the request to the March 25, 2025 PZB meeting date.

AYES: Catalano, Bronakowski, Fowler, Veremis, Weaver and Szabo.

NAYS: None

ABSTAIN: None

MOTION CARRIED

Case No. 25-005
Case No. 25-003

TPLAT
CU-V

2250 Mannheim Road
965-975 Rand Road

2. Addresses: 965 & 975 Rand Road

Case Number: 25-003-CU-V

The petitioners request the following: (i) conditional uses for two trade contractor uses; (ii) a major variation to allow the display and storage of finished products in the required rear yard; and (iii) any other variations, waivers, and zoning relief as may be necessary.

PINs: 09-08-301-006-0000 & 09-08-301-007-0000

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

Owners: 965 Rand Road LLC, 975 Rand Road, Des Plaines, IL 60016 and 975 Rand Road LLC, 975 Rand Road, Des Plaines, IL 60016

Proceedings/Discussion:

Chairman Szabo introduced the request and swore in the petitioners Peter Wrzesinski and Norma Diamano and the applicant's representative Katarina Karac of Birchwood Law Group.

Katarina Karac provided a detailed outline of the request for the two businesses at 965 and 975 Rand Road. She discussed the request in detail generally and then discussed their response to the Standards for Conditional Uses and the Standards for the Major Variation for outdoor storage in the required rear yard.

Member Weaver requested the petitioner's representative provide additional information regarding inventory and flow of materials. He asked if the applicant's customers are commercial or residential.

Ms. Karac stated customers are commercial and residential.

Member Weaver asked if the activities of the business could involve larger roofs associated with bigger structures.

Ms. Karac stated her understanding is the commercial customers are generally smaller scale commercial buildings.

Member Weaver described his experience of selecting roof materials in the past, and that the contractor he worked with stated they did not do just in time delivery, but rather the shingle material selected by a customer needed to be inventory. A roofing business should handle the storage of this inventory for both small and large projects.

Ms. Karac stated there are special orders placed for particular projects, and not every type of shingle is available within the inventory of this business at all times.

Mr. Wrzesinski stated that materials can come from many different suppliers within Des Plaines. Member Weaver asks the petitioner to clarify where the ordered material is sent to.

Mr. Wrzesinski states orders are placed with manufacturers or other supplies that are stored on the site, but most material is shipped directly to job sites. The business orders material to store in inventory on the site to ensure there is sufficient material for project, in event that extra material is needed for a job. In addition, bulk orders are made from manufacturers and stored on site.

Chairman Szabo asked about any extra material stored on the site after a job.

Mr. Wrzesinski states any materials leftover from a project are brought back to this site for storage.

Member Fowler asked about the frequency of delivery to the location at 965-975 Rand Road.

Mr. Wrzesinski stated that about five deliveries are made to subject site per month, not daily. Once an order is made, it is shipped during regular business hours.

Chairman Szabo asked about the storage of the back and the site plan. Does product go through the building and to the back of the site?

Mr. Wrzesinski stated this is correct, the material goes through the building or through a gate on the east side of the outdoor storage yard. It would not create a hazard with the storage on the site or the overall operations.

Member Veremis asked how long outdoor storage has been occurring in the rear of the property.

Mr. Wrzesinski asked the City if this business could operate at this site before purchasing it and shipped materials from their other operation in Wisconsin. Product has been stored in the rear area of the property for almost two years. Material is not stored constantly in the rear area; it comes and goes with the various projects.

Member Veremis asked staff if there have been complaints by the adjacent residents about the storage on this site.

Senior Planner Stytz stated there have been complaints from neighbors about seeing the materials and vehicles from their properties.

Member Veremis asked if a fence could be constructed.

Mr. Wrzesinski stated he is open to installing a fence at whatever height the city will allow.

Catalano asked if current storage in rear yard zoning code compliant.

Senior Planner Stytz stated the rear yard storage is currently not compliant with the current zoning ordinance regarding outdoor display of finished products. Storage of these materials is not allowed in any required yards, including the rear yard.

Member Veremis stated she would like the petitioner to discuss why the alternatives presented by staff would not be possible, after the staff report is read into the record by Senior Planner Stytz.

Senior Planner Jonathan Stytz outlined staff report and analysis.

Issue: The petitioners request conditional uses for two trade contractor uses on the subject properties and a major variation to allow the display and storage of finished products in the rear yard of 975 Rand Road.

- Petitioners:** Peter Wrzesinski, 975 Rand Road, Des Plaines, IL 60016, and Norma Diamano, 1733 N. 43rd Avenue, Stone Park, IL 60165
- Owners:** 965 Rand Road LLC, 965 Rand Road, Des Plaines, IL 60016 and 975 Rand Road LLC, 975 Rand Road, Des Plaines, IL 60016
- Case Number:** #25-003-CU-V
- PINs:** 09-08-301-006-0000; 09-08-301-007-0000
- Ward Number:** #7, Alderman Patsy Smith
- Existing Zoning:** C-3, General Commercial
- Existing Land Uses:** *965 Rand Road:* Vacant building and trade contractor parking (commercial); *975 Rand Road:* Two Trade Contractors (commercial) and 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 designates this site as commercial.
- Property/Zoning History:** *Overview and Previous Uses*
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 commercial¹. All 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 1950s² 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 requirements of Section 12-5-5 are met.

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 1960s³, a plumbing company between the 1970s and 2022, and the current roofing company.

Complaints and Code Enforcement

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.

Previous Entitlements Requested

The petitioners' original 2024 application—separate conditional uses for two trade contractor uses in the C-3 General Commercial district—was heard at the June 11, 2024 PZB meeting and recommended for approval with the five staff conditions. However, when the case was heard at the July 15, 2024 City Council meeting, various concerns were raised related to screening of roofing materials on site and the condition of the pet clinic building at 965 Rand Road. The petitioners worked with staff to revise the Site and Landscape Plan accordingly to address Council's concerns. The case was deferred multiple times by Council and was later withdrawn by the petitioners, who were interested in pursuing a

¹ Ordinance Z-35-68

² "3 Rm Apartment Brand New", *Arlington Heights Herald*, November 5, 1959 pg. 123

³ "Bruno's Lawn Mower", *Arlington Heights Herald*, May 7, 1964, pg. 160

major variation related to the permitted outdoor location for the display and storage of finished products.

CONDITIONAL USES

Request Description:

Overview

The subject properties consist of two separate parcels—both located in the C-3 district—which are under common ownership and are summarized 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">• One-story building (vacant)• Surface parking area |
| 975 Rand Rd | 09-08-301-007-0000 | 34,113 SF (0.78 acres) | <ul style="list-style-type: none">• Two-story building (Four residential apartments) [front]• Two-story building (Two trade contractor uses [rear])• Surface parking area |

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, request conditional uses for two existing trade contractor businesses: one for Advanced Roofing and the other for Landscaping by AD INC.

Currently, both uses operate out of the southernmost building located on 975 Rand Road. However, the Landscaping by AD INC business is interested in utilizing the property at 965 Rand Road for parking and storage of its vehicles. See the attached Project Narrative for Landscaping by AD for more details related to the operations of each business.

Floor Plan and Elevations

The conditional use requests are related to the existing trade contractor businesses operating in the southernmost 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 on the following page. While there are no proposed changes to the existing building itself, there are proposed changes to the site, especially regarding 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 Interior and Exterior Property Photos for more information related to the existing building design and exterior property characteristics.

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

Access and Circulation

There is currently one two-way travel access point from Rand Road for each of the subject properties, which will both be maintained as part of this proposal without any changes. 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. While the specific width of these curb cuts was not identified on the original Site and Landscape Plan, the petitioners, in collaboration with staff, have revised the Site and Landscape Plan to show the widths of both curb cuts. The 965 Rand Road curb cut meets this requirement with the removal of a single parking space. However, the 975 Rand Road curb cut is less than 22 feet in width requiring either: (i) a slight widening of this curb cut and drive aisle to allow for adequate two-way travel; or (ii) a change in the access of this curb cut to one-way travel. Given the multiple uses located on the 975 Rand Road property, the drive aisle should ideally be widened to provide another full access point on the subject properties. To this end, staff have added a condition that the 975 Rand Road curb cut and driveway shall either be widened to 22 feet

in width in accordance with Section 12-9-6 of the Zoning Ordinance to accommodate two-travel or shall be designated as a one-way with clear indication of the vehicular circulation throughout the entire property.

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 and Landscape Plan, 16 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 38 off-street parking spaces between both properties. The table below summarizes the allocation of all available parking spaces shown on the attached Site and Landscape Plan to confirm compliance with Sections 12-9-7 and 12-9-8 of the Des Plaines Zoning Ordinance.

| Required Off-Street Parking | | | | |
|---|---|--|--|--|
| Use | Required Parking | Designated Spaces (for each use) | | Parking Space Surplus / Deficit |
| | | 965 Rand Road | 975 Rand Road | |
| Trade Contractor (Advanced Roofing) | 0 spaces (No minimum parking standard required) | 0 spaces (Advanced Roofing only) | 7 spaces (Advanced Roofing only) | 7 spaces (Advanced Roofing only) |
| | | 3 spaces (shared between trade contractor) | 7 spaces (shared between trade contractor) | 10 spaces (shared between trade contractor uses) |
| Trade | 0 spaces | | | |

| | | | | |
|--|--|--|--|--|
| Contractor (Landscaping by AD) | <i>(No minimum parking standard required)</i> | <i>uses)</i> 5 spaces <i>(Landscaping by AD only)</i> | <i>uses)</i> 0 spaces <i>(Landscaping by AD only)</i> | 5 spaces <i>(Landscaping by AD only)</i> |
| Multifamily Residential (Apartment Building) | 8 spaces <i>(Two spaces for each residential unit)</i> | 0 spaces | 8 spaces | 0 spaces |
| Office (Pet Clinic) | 7 spaces <i>(One space for 250 SF of floor area)</i> | 8 spaces | 0 spaces | 1 space |
| Total Off-Street Parking Spaces Required | | 7 spaces | 8 spaces | 15 spaces (one accessible) |
| Total Off-Street Parking Spaces Provided | | 16 (zero accessible) | 22 (incl. one accessible) | 38 standard*; one accessible |

**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 sufficient supply of parking spaces between the subject properties. In addition, the revised Site and Landscape Plan allocates the appropriate number of off-street parking spaces for each use as required by Section 12-9-7 of the Zoning Ordinance. To ensure these spaces remain available for the specific uses intended, staff have added a condition requiring the petitioner to add permanent, standard parking signs identifying the use in which the individual spaces are allocated and enforce the use of parking spaces on the subject properties at all times.

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, the replacement of the storage containers with an approved accessory structure, and the removal of 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. Please note that the petitioner representing the Advanced Roofing trade contractor use is proposing to display and store finished products in the required rear yard in violation of Section 12-7-3.F.5.d(1) of the Zoning Ordinance, requiring a separate major variation request, which is discussed in the *Major Variation* section below.

Landscaping and Screening

The existing site contains some natural vegetation along its south boundary and minimal landscape improvements along the site's frontage. 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 abut the residential district. Since the original application, the petitioners have installed some landscape buffers along the front of the site on each property as shown in light green on the attached Site and Landscape Plan. However, staff have added a condition requiring all landscaping improvements to be installed in accordance with Chapter 10 Landscaping and Screening of the Zoning Ordinance.

MAJOR VARIATION

Request Description:

Overview

As discussed in the *Outdoor Display and Storage of Products* section above, trade contractor uses in the C-3 district have the ability to display and store finished products outside provided they comply with the regulations listed. The petitioner representing the Advanced Roofing trade contractor use has noted that they will comply with all requirements listed with the exception of the first regulation—prohibiting the display and storage of finished products in a required yard—resulting in a separate major variation request.

Required Yards

The Zoning Ordinance defines and regulates required yards for each zoning district throughout the City, specific requirements varying based on the zoning district. A yard is defined in Section 12-13-3 of the Zoning Ordinance as:

“An open space on a zoning lot which is unoccupied and unobstructed from its lowest level to the sky. A "yard" extends along a lot line and at right angles to such lot line to a depth or width specified in the yard regulations for the zoning district in which such zoning lot is located.”

In the C-3 district, there are front, side, and rear yards which are regulated as indicated in the table below for the subject properties.

| Yard Type | Direction | Required Yard (C-3 District) |
|--------------|--------------|-------------------------------------|
| Front | North | 5 FT (abutting street) |
| Side #1 | East | 5 FT (abutting residential) |
| Side #2 | West | 0 FT (abutting commercial) |
| Rear* | South | 25 FT (abutting residential) |

****Major Variation requested to allow display and storage of finished products within this yard.***

The rear of the subject properties directly abuts an R-1 Single Family Residential district so the rear yard setback for the subject properties matches the required 25-foot rear yard setback for the R-1 district. As noted on the attached ALTA/NSPS Land Title Survey, the existing two-story commercial building at the rear of the subject properties is currently setback 23 to 24 feet, which given the required 25-foot-rear-yard, would prohibit the display and storage of finished products for the entire paved area located behind the existing commercial building. As such, the petitioner requests a major variation to allow this rear yard area to be utilized for the display and storage of finished products related to the Advanced Roofing business.

In its review of this request, the PZB and City Council may consider:

1. The rationale behind the prohibition of this type of use in the rear yard, especially when abutting residential uses, to minimize the adverse effects on neighboring properties;
2. The installation of an eight-foot-tall solid fence along this rear property line and the displayed and stored products limited to eight feet in height, therefore addressing some of the concerns; and
3. The installation of additional landscaping along this area may be necessary to further reduce impacts on neighboring properties.

Consideration of Alternatives

There are alternatives to the requested variation that would allow the Advanced Roofing business the ability to display and store finished products at 975 Rand Road while reducing adverse effects on neighboring residents:

1. Reconfigure Existing Outdoor Storage Area: A simpler and more cost-effective alternative is to redesign and shape the current outdoor storage area to fit within the buildable area of the lot while still providing room for customer viewing and retrieval of finished products for jobs. Even with the required screening requirements, this option could save some cost to the petitioner while still aligning with the location and screening requirements for outdoor display and storage of finished products.
2. Construct Up To Two Accessory Structures: Pursuant to Section 12-8-1.C of the Zoning Ordinance, each property is permitted up to two accessory structures, which can consist of either: (i) a single detached garage structure and one other accessory structure (e.g., sheds, gazebos, and pergolas); or (ii) two accessory structures without a detached garage as illustrated in the table. These structures would be allowed in the rear yard and could be utilized to address the petitioner’s storage needs.

| Structure Type | Detached Garage | Other Accessory Structures (e.g., shed) |
|----------------------------|-----------------------------|---|
| Maximum Quantity Permitted | One | Two |
| Locations Allowed | Rear Yard or Buildable Area | Rear Yard or Buildable Area |

| | | |
|--|---|-------------|
| Maximum Area Permitted | 960 SF ⁴ | 225 SF each |
| Minimum Setback Required from Side and Rear Property Lines | 5 FT for a structure 720 SF or less; 10 FT for a structure greater than 720 SF | 5 FT |

3. Construct a Building Addition: An addition to the existing commercial building could house the finished products for both display to customers and storage for jobs. While more costly this would negate the need for the requested variation.

Standards for Conditional Use: 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. For its rationale, the Board may use the responses provided as written, modify them, 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 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 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 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,

⁴ The subject property is a non-residentially zoned lot and exceeds 20,000 square feet in area, so the maximum area for a detached garage structure is 960 square feet provided it is setback a minimum of ten feet from the side and rear property lines.

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 can negatively impact surrounding properties by means of noise, odors, visual effects, and the like. In addition to landscaping screening, both businesses will need to manage the parking and storage of vehicles, equipment, and products to comply with all C-3 district requirements and to minimize any potential adverse effects on neighboring properties.

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 and Landscape 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 must 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 the 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: Aside from the requested variation, this proposal with the aforementioned adjustments will meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

Standards for Variation: Major 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 satisfy the standards is provided below and in the attached Petitioner Responses to Standards. For its rationale, the Board may use the responses provided as written, modify them, 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: Staff do not see a hardship or practical difficulty preventing the petitioner from complying with the finished product display and storage requirements. The petitioner states that prohibiting the use of the rear yard area for storage would hinder normal business operations given that the materials stored outside are essential for commercial use. However, Advanced Roofing currently utilizes the single, two-story shop area in the commercial building—which comprises a majority of the first and second floors—and a large portion of the outdoor space directly east of the commercial building. The subject property at 975 Rand Road and its current development, including a large commercial building, arguably provides ample space for product storage within the buildable area (i.e., outside of any required yards). As the request does not constitute a defined hardship, approving the variation could undermine the display and storage requirements for finished products for all trade contractor uses in the C-3 district.

- 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: Staff conclude that there is no unique physical condition on the subject property that warrants the requested variation. This property is of similar size and shape as the interior lots surrounding it. While the proposal does include some considerations to address screening and location in relation to the public streets and residential developments, it does not represent the ideal design to allow the storage of products closer to residences than the required 25-foot-setback, even with the proposed installation of an eight-foot-tall solid fence along the south property line that abuts residences. In addition, there are alternative areas for the outdoor storage of products that are compliant with the Zoning Ordinance. Thus, the variation requests could be considered a personal preference and convenience of the property owner instead of a definable physical condition. Nonetheless, see the attached Petitioner's Responses to Standards.

- 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: While the subject property's location and size may not be a result of any action or inaction of the property owner, the subject property was purchased with the understanding of these attributes and conditions. Additionally, the subject property was originally developed with the multiple buildings and paved parking and storage areas, which was permitted for buildings constructed prior to 1998. However, the current nonconforming outdoor storage situation on the subject property has been exasperated by the petitioners, arguably increasing the adverse effects on neighboring properties and might be considered a self-created condition. As such, the proposal may not adequately utilize the available space on the subject properties or appropriately design the proposed improvements to avoid the need for a variation. Nonetheless, see the attached Petitioner's Responses to Standards.

- 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: Staff have concluded that carrying out the strict letter of this code for the display and storage of outdoor finished products does not deprive the property owner of substantial rights. First, while some property owners may have larger lots or additional spaces for outdoor product storage, having the ability to display and store finished products is not, in and of itself, a right granted to property owners. In fact, the outdoor display and storage allowance is specific to only trade contractor uses, and only those trade contractor uses located within the C-3 district.

All C-3-zoned properties with trade contractor uses are governed by the same outdoor display and storage requirements in Section 12-7-3.F.5.d of the Zoning Ordinance regardless of size, shape, and development. Enforcing these regulations does not deny trade contractors from displaying and storing finished products outside on the subject property but requires said outdoor display and storage areas to conform with the location and screening requirements applicable to all properties that are permitted to display and store finished products outside. The argument that the requested variation shall be approved solely because other commercial properties have existing non-conforming storage near or abutting property lines is dubious, as property nonconformities are common enough that property owners in Des Plaines must work with what they have, so to speak. That said, enforcing these requirements would not deprive the property owner of any substantial rights enjoyed by other trade contractors in the C-3 district.

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, in fact, provide a special privilege for the property owner not available to other trade contractor uses in the C-3 district. While other trade contractor uses on C-3-zoned properties may have existing non-conformities in relation to storage location and screening that were established through earlier regulations—and have repaired said non-conformities regularly—this does not compare to the proposal on the subject property for new non-conformities created in direct violation of the current codes.

The aforementioned consideration for the location and screening of outside display and storage of finished products indicates to staff that variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body (e.g. PZB and/or City Council) usually looked to see if the applicant exhausted design options that do not require a variation. In this case, it seems there are different design options and positions for the outdoor display and storage area on this site, given the ample space in the commercial building and east paved area, both within the buildable area. Granting a variation for this design, when other viable options are available, could be too lenient and tread into the territory of allowing a special privilege.

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 project would allow re-investment on an established commercial lot, which the Zoning Ordinance and Comprehensive Plan want to encourage. However, the proposal to store products in the rear yard directly next to residential development is largely for the benefit of the property owner. For one, the existing commercial building and the paved area directly east of it are both large enough to accommodate a considerable storage area for products—all while inside the buildable area of the subject property. There is also no correlation with the allowance of outdoor storage in required yards and any goals and objectives of the Comprehensive Plan.

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: There are alternatives to the proposed variation being requested as noted in the *Consideration of Alternatives* section above. To address the storage concern identified by the petitioner, one of the alternatives listed or a combination of alternatives could be implemented to maximize the storage capacity on the subject property.

For example, the existing open outdoor storage area to the east of the commercial building could be reconfigured or redesigned to fit within the lot's buildable area negating the need for the requested variation. However, if needed, the building a detached garage, shed, or both accessory structures in the required rear yard for additional storage of finished products could remove the need for the requested variation. While adding some additional cost, the accessory structure alternatives would adequately supplement the existing open outdoor storage area for additional storage capacity and minimize adverse effects on surrounding properties. Given the alternatives available to the petitioner, the PZB may wish to ask why certain alternative designs are not feasible.

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

Comment: The variation request may not be the minimum measure of relief to address the petitioner's concerns. The petitioner could redesign the outdoor display and storage areas to better utilize the available property and to meet the location and screening requirements.

PZB Procedure and Recommended Conditions: Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses) and Section 12-3-6.G.2.b (Procedure for Review and Decision of Major Variations) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve or deny the aforementioned requests.

Consideration of the requests 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) and Section 12-3-6.H (Standards for Variation) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the requests, staff recommends the following conditions.

Conditions of Approval:

1. Prior to business registration for the landscaping company, the curb cut and driveway at 975 Rand Road must either be widened to 22 feet in width in accordance with Section 12-9-6 of the Zoning Ordinance to accommodate two-travel or must be designated as a one-way with clear indication of the vehicular circulation throughout the entire property.
2. The petitioner must restripe the parking areas of the subject properties in conformance with the Site and Landscape Plan. Standard parking signs must be installed identifying the use

for which the spaces are allocated and enforcing the use of parking spaces on the subject properties at all times.

3. 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, with the exception of storage and display in the required rear yard of the property at 975 Rand Road. Any products, materials, and items not classified as prefabricated or finished products must be stored inside the principal building or in an approved accessory structure.
4. All shipping containers must be removed from the property prior to business registration. Any accessory structures must receive a building permit.
5. Prior to business registration for the landscaping company, all landscaping improvements must be installed in compliance with Chapter 10 Landscaping and Screening of the Zoning Ordinance. This plan shall detail the location, design, and height of the required enclosure for dumpsters stored outside.
6. 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.

Member Bronakowski asked for additional information regarding complaints made from neighbors and general public that was included within the staff report.

Senior Planner Stytz outlined the nature of the complaints made by residents regarding the outdoor storage being visible, odor from landscape debris, and noise from the vehicles operating on the site.

Member Bronakowski asked if there are specific hours of operation for this business.

Ms. Karac stated that the landscaping business would operate from 8am to 3pm Saturday and Monday through Friday 7am to 6pm. The roofing business hours will be Monday through Friday 8am to 5pm. Mr. Wrzesinski stated that the employees may arrive earlier or leave later, which usually involves picking up materials and leaving, and not working on the site.

Member Bronakowski asked how many vehicles are usually at the subject property.

Mr. Wrzesinski stated most are vans and some pickup trucks.

Member Bronakowski asked about the maximum staff on-site at peak period operating on a normal day.

Mr. Wrzesinski stated five people in the office, but not every day, from 9am to 3pm. Most other employees are leaving earlier and coming later some days.

Member Bronakowski stated the interest of the board is ensuring these businesses are committed to being good neighbors.

Member Weaver asked the staff for clarification about the conditions of approval and asked whether the eight-foot-tall fence was not included in the conditions of approval because it is an existing requirement elsewhere in the zoning ordinance.

Senior Planner Stytz states that is correct, the fence is mandatory as part of the landscape buffer requirements.

Member Weaver asked if there are any requirements for the material used for the fence.

Senior Planner Stytz stated the fence could be wood, vinyl, or masonry and it would be the property owner's choice to construct the fence of any of these approved materials.

Member Weaver asked for additional information about the proposed fence material and color.

Mr. Wrzesinski stated a solid vinyl fence is proposed and has not decided on a color yet but is open to opinions.

Ms. Karac stated there is a white vinyl six-foot-tall fence on the rear that appears to compliment the property to the south and the business.

Member Veremis asked for clarification on the variation on the display of finished products and whether these materials are on display for customers. Ms. Karac stated customers would likely not be viewing these items. Member Veremis stated it appears to be primarily for storage and the fence may limit the visibility of these items in the yard.

Member Veremis asked about any measures to mitigate noise.

Ms. Karac outlined the buffering and fencing planned for the rear yard between the subject property and the residential uses neighboring to the south which may help mitigate noise and light disturbances.

Ms. Karac stated some of the staff suggested alternatives would be problematic and cause more impact on neighboring residential uses. If the storage was limited on the property, it would result in higher piles of materials that would exceed the eight-foot-tall fence. The alternative would defeat the purpose of the taller fence and it could create a fire hazard and limit maneuverability on the site.

Senior Planner Stytz stated any storage of materials would have to comply with all applicable fire codes.

Member Veremis asked about the location of the storage on the property, per code.

Senior Planner Stytz explains that the required rear yard of the property would be 25 feet from the rear property line and the storage in this area is what necessitates the major variation request.

Member Veremis asked if recommending approval of the request would allow them to store materials against the fence, or if more setback of storage in rear yard could be required by the PZB.

Senior Planner Stytz stated PZB could modify the amount of relief requested by the variation, such as allowing storage in a fraction of the rear yard.

Mr. Wrzesinski stated the storage is not all the way to the fence. The storage is on pallets that are more than 5 feet away from the fence.

Ms. Karac stated moving the storage elsewhere may impact the rear exit from the building and create concerns with the fire code.

Member Veremis asked why the other alternatives are not possible. Is it cost prohibitive?

Ms. Karac stated yes, it is cost prohibitive and would similarly require parking and setback variations.

Member Fowler feels shorter storage would be less of impact for neighboring properties.

Mr. Wrzesinski restated there would be a fence and his interest in maintaining the property and operating as a good neighbor.

Chairman Szabo asked if there was any public comment on this item.

David Andersen of 906 Golf Cul De Sac discussed the unique configuration of lots in their immediate neighborhood. Andersen is adjacent to the subject property 965 Rand Road property. Discussed the proposed fence and the existing conditions. Lastly asked about the indoor storage.

Mr. Wrzesinski explained his inside storage has shelving which he uses for storage.

Chairman Szabo confirmed the locations of Mr. Anderson's and Mr. Wrzesinski's property.

Member Fowler asked if the fence will be replaced by the applicant.

Mr. Andersen answered it would be nice if the business owners would all chip in and replace.

Wrzesinski explained the location of the proposed fence is on his property and he replaced what was damaged in the past.

Ms. Karac clarified that the survey of Mr. Wrzesinski's property shows the property does go further south and will cover some of the landscaping that Mr. Anderson is concerned about.

Chairman Szabo stated that there can be a conversation at a later time and come to an agreement about the landscape buffer and fence between the two properties.

Commented [SR1]: Stopped here:

<https://play.champds.com/desplainesil/event/258/s/4707>

Case No. 25-005
Case No. 25-003

TPLAT
CU-V

2250 Mannheim Road
965-975 Rand Road

Michelle Anderson of 906 Golf Cul De Sac also stated the view of storage materials from their home and neighbor's home now and concerned about the landscape buffer to soften the view of all the material that is stored outside.

Charmain Szabo asked for further discussion from board members or public and asked for a motion.

Member Catalano motioned and Member Weaver seconded to recommend approval of the conditional use and major variation request as presented including the staff conditions as written.

AYES: Catalano, Bronakowski, Weaver, Fowler, Veremis and Szabo,

NAYS: None

ABSTAIN: None

MOTION CARRIED

ADJOURNMENT

The Planning & Zoning Board meeting on Tuesday, March 11, 2025 will be cancelled. The meeting on Tuesday, March 25, 2025 will occur as scheduled.

Chairman Szabo adjourned the meeting by voice vote at 8:40 p.m.

Sincerely,
Jonathan Mendel, AICP, Assistant Director of CED/Recording Secretary
cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners