



Planning and Zoning Board Agenda July 22, 2025 Room 102 – 7:00 P.M.

Call to Order and Roll Call

Swearing in New PZB member AJ Fallico

Approval of Minutes: June 24, 2025 PZB Meeting

Public Comment: For matters not on the agenda

General Communications: July 7, 2025 City Council meeting results: 1705 Pratt Avenue Conditional Use and Major Variation, 555 Howard Avenue Final Plat of Subdivision, 969 Elmhurst Road Conditional Use and 550 Northwest Highway Conditional Use Transfer

Administrative Decisions: None

Pending Applications:

1. **Address:** 570 E. Northwest Highway **Case Number:** 25-029-CU

The petitioner requests a Conditional Use for a Body Art Establishment in the C-3 General Commercial district, and any other variations, waivers, and zoning relief as may be necessary.

PINs: 09-18-201-006-0000, 09-18-201-007-0000, 09-18-201-008-0000, and 09-18-201-009-0000

Petitioner: Berny Morales, 2 Greenwood Ct. N, Buffalo Grove, IL 60089

Owner: Peter Kougias, 911 W. Haven Dr, Arlington Heights, IL 60005

2. **Address:** 1634 E. Oakton Street **Case Number:** 25-034-CU

The petitioner is requesting a Conditional Use for a Trade Contractor in the C-3 General Commercial district, and any other variations, waivers, and zoning relief as may be necessary.

PIN: 09-21-311-016-0000

Petitioner: Matthew Mlynski, 2439 Robincrest Lane, Glenview, IL 60025

Owner: Castro Investments LLC (Representative: Maria Castro, 1634 E. Oakton Street, Des Plaines, IL 60018)

3. **Address:** 760 Lee Street **Case Number:** 25-036-TPLAT

The petitioner requests a conditional use for a childcare center in the C-3 General Commercial district.

PIN: 09-20-206-035-0000

Petitioner: Armita LLC, 4042 N. Pulaski, Chicago, IL 60641

Owner: Armita LLC, 4042 N. Pulaski, Chicago, IL 60641

4. **Address:** Citywide

Case Number: 25-041-TA

The petitioner is requesting text amendments to the Zoning Ordinance related to various landscaping requirements and authorized variations.

PIN: Citywide

Petitioner: City of Des Plaines

Owner: N/A

Adjournment

Next Agenda: Next meeting is Tuesday, August 12, 2025.

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



**DES PLAINES PLANNING AND ZONING BOARD MEETING
June 24, 2025
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, June 24, 2025, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Vice-Chairman Catalano called the meeting to order at 7:00 p.m. and a roll call was established.

PRESENT: Catalano, Weaver, Fowler, Zadrozny
ABSENT: Veremis & Szabo
ALSO PRESENT: Jonathan Stytz, Senior Planner
Jonathan Mendel, Assistant Director of Community & Economic Development (CED)
Jeff Rogers, Director of CED

A quorum was present.

APPROVAL OF MINUTES

The draft May 27, 2025 and June 10, 2025 PZB minutes were reviewed by the PZB.

Member Fowler motioned and Member Zadrozny seconded a motion to approve the May 27, 2025 & June 10, 2025 PZB meeting minutes.

AYES: Catalano, Fowler, Zadrozny, Weaver
NAYS: None
ABSTAIN: None

MOTION CARRIED

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

GENERAL COMMUNICATIONS

Assistant Director Mendel detailed the City Council's review of the PZB recommendations from May 13, 2025 at 969 Elmhurst Rd Unit 2A and 30-40 N. Des Plaines River Road. The PZB recommendation for conditional use approval for Kyrgyz Kino at 969 Elmhurst Rd Unit 2A was approved at the first reading with an added third condition of approval limiting the property to one temporary event license at a time for the entire property. This case will have its second reading at the July 7, 2025 City Council meeting.

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The required parking major variation for assembly uses at 30-40 N. Des Plaines River Road was denied by the City Council on the first reading. This decision was consistent with the PZB's effective recommendation of denial for the same project.

Lastly, Mr. Mendel informed the PZB of the Mayor's new PZB member recommendation from the June 16, 2025 City Council agenda. The proposed new member is AJ Fallico. He is a local real estate professional and excited for the chance to serve on the PZB to support the community. His appointment finalization is planned for the July 7, 2025 City Council meeting.

ADMINISTRATIVE DECISIONS

None

PENDING APPLICATIONS

Vice-Chairman Catalano introduced the cases on the agenda.

Address: 1685 E. Oakton Street

Vice-Chairman Catalano swore-in the petitioner.

Mr. Shamaon described the site and building changes he determined were necessary after the approval of the original CU in January 2025. He needs additional space to operate his auto repair business.

Member Weaver asked when the Petitioner became the property owner. Mr. Shamaon stated his purchase was executed in February 2025.

Vice Chairman Catalano asked Mr. Shamaon if he understands and accepts the conditions of approval presented by staff. Mr. Shamaon stated he is aware of them and accepts them since he had discussed them with staff.

Director of Community & Economic Development Jeff Rogers presented the staff analysis.

Issue: The petitioner requests amending two existing conditional use permits for auto service repair use and auto body repair use in the C-3 General Commercial zoning district under Section 12-7-3.K of the Zoning Ordinance to accommodate a building addition and various site plan modifications.

Petitioner: Vechean Shamoan, 9219 N. Ashland Avenue, Niles, IL 60714

Owner: Shamaon Properties, LLC, 9219 N. Ashland Avenue, Niles, IL 60714

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Case Number:	25-025-CU	

PIN: 09-28-101-084-0000

Ward: #2, Alderman Colt Moylan

Existing Zoning: C-3, General Commercial District

Existing Land Use: Vacant (former auto service repair and motor vehicle sales uses)

Surrounding Zoning:
 North: C-3, General Commercial District
 South: R-2, Two Family Residential District
 East: C-3 General Commercial District
 West: C-3 General Commercial District

Surrounding Land Use:
 North: Tavern (Commercial); Trade Contractor (Commercial)
 South: Duplex (Residential)
 East: Multi-Tenant Shopping Center (Commercial)
 West: Multi-Tenant Shopping Center (Commercial)

Street Classification: Oakton Street is classified as a minor arterial road and Orchard Street is classified as a local road, both under City of Des Plaines jurisdiction.

Comprehensive Plan: Commercial is the designated use of the property

Zoning/Property History: *Property Background*
 Based on City records, the subject property was developed around 1961 and originally utilized as a gas station. On November 6, 2017, City Council approved conditional uses for motor vehicle sales and auto service repair uses via Ordinance Z-27-17 to allow the business Des Plaines Auto Sales & Repair to operate on the subject property. This approval was conditioned upon the following provisions:

- All drive aisles must remain clear of vehicles and other obstructions;
- The parking lot must be striped in accordance with the Site Plan; and
- No body work is conducted on the subject property.

On February 3, 2025, City Council approved conditional uses for auto service repair and auto body repair uses via Ordinance Z-1-25 to allow the business, Car Mix, to operate on the subject property. This approval was conditioned upon the following provisions:

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- Gravel area in the enclosure located at the rear of the Subject Property must be paved with a dust-free hard surface in conformance with all City of Des Plaines regulations prior to using the enclosure for the Proposed Uses;
- Motor vehicle sales is prohibited on the Subject Property at all times and for all reasons; and
- The parking area located on the Subject Property must be restriped in accordance with all City of Des Plaines regulations and all drive aisles must be kept clear of any obstructions at all times.

Previous Code Enforcement Issues

Prior to the current owner's acquisition of the subject property, the prior business had numerous code enforcement issues related to the auto service repair and motor vehicle sales uses operating on the property including:

- Overparking the lot where vehicles were not parked in striped spaces, drive aisles were blocked, and site circulation was severely impacted;
- Parking vehicles related to the business operations on public street adjacent to the property and in the adjacent residential neighborhood;
- Landscape bed maintenance throughout the subject property; and
- Rubbish and debris throughout the subject property.

The previous business owner was evicted from the subject property due to the issues identified above, and the property was subsequently sold to the petitioner.

CONDITIONAL USES

Request Summary:

Overview

The subject property consists of one 13,521-square-foot parcel located in the C-3 General Commercial district at the southwest corner of the Oakton Street/Orchard Street intersection. Prior to the February 2025 ordinance, the property was composed of an off-street parking area and 2,045-square-foot, one-story commercial building with three service bays, office area, restroom, mechanical room, and stock room as illustrated on the attached Site and Floor Plan. The rear of the subject property includes a non-paved area accessible from the south building elevation. A prior fence has been removed by the petitioner.

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As originally proposed and approved in February 2025 via Ordinance Z-1-25, the petitioner proposes to operate both an auto service repair use and auto body repair use simultaneously on the subject property. Both uses, as defined below, require a separate conditional use permit pursuant to Section 12-7-3.K of the Zoning Ordinance prior to their operation on the subject property:

AUTO SERVICE REPAIR: A building, property, or activity the principal use of which is the repair or replacement of parts, oils, coolants, lubricants, tires, and other similar services. "Auto service repair", shall include, but is not limited to, muffler shops, oil change shops, car care centers, tire centers and other uses similar in nature and impact.

AUTO BODY REPAIR: A building, property, or activity the principal use of which is automotive body repair or auto detailing other than those types of repairs permitted at automobile filling stations and auto service repair establishments.

The petitioner is requesting new conditional uses to accommodate a proposed building addition to the rear of the building comprised of approximately 360 square feet and expansion of the previously approved uses into this new building floor area.

As noted in the attached Project Narrative, the petitioner intends to utilize one of the existing service bays for mechanical repairs (i.e., auto service repair), one bay for auto body repair (i.e., frame machine), and one bay for a paint finishing (i.e., spray booth). The new building addition would include a tire balance machine, tire mounting machine, A/C recharge machine, and work bench. The existing rear enclosure will be utilized for the storage of damaged vehicles waiting to be serviced to ensure all vehicles are kept on the subject property before and after servicing. The petitioner has noted that his business will repair tires but will not sell or replace tires on vehicles. The proposed business will operate Monday through Friday from 8 a.m. to 6 p.m. and will be closed on the weekends. The petitioner and one employee will be onsite at all times with additional employees added in the future as necessary.

Floor Plan and Elevations

The attached Site and Floor Plan details the dimensions and uses of the individual rooms of the existing building. The interior rooms of the building will generally remain the same with some adjustments as necessary to meet the applicable building and fire codes. The existing restroom and compressor room on the east building elevation will be converted into a single, accessible restroom accessed from inside the building. The petitioner intends to improve the exterior of the building improvements with various new façade improvements.

Off-Streeting Parking

Pursuant to Section 12-9-7, automotive repair shops, including auto service repair and auto body repair uses, require a minimum of one off-street parking space per service bay plus one space for every 200 square feet of accessory retail. There are three service bays which will be utilized, and the petitioner does not intend to have accessory retail on site at this time. As such, a total of six off-street parking spaces including one accessible space are required. The attached Site and Floor Plan illustrates that 16 off-street parking spaces—including one accessible space—are proposed for the subject property, which meets this standard. In addition, if accessory retail were to be added in the proposed 268-square-foot office/reception area in the future, the proposed number of off-street parking spaces would accommodate the additional two spaces required. All off-street parking spaces on site are oriented 90 degrees and designed to comply with all standards in Sections 12-9-6 and 12-9-8 of the Zoning Ordinance.

Access and Circulation

The subject property currently contains two separate access points after a curb cut directly to Oakton Street was recently closed. The access point on Orchard Street is located in close proximity to the Oakton/Orchard street intersection. The closure of the Oakton Street curb cut should improve safety and inform visitors to the site of the intended entry point. New landscape beds are proposed to further differentiate the access point from parking stalls as shown on the attached Landscape Plan. The applicant has indicated his intention to utilize low-rise landscaping along the north property line and within the sight-triangle at access points and will consider taller evergreen landscaping at the west end of the north parking row.

The original two-way travel access from the alley into the subject property has been converted into a one-way southbound aisle exiting into the alley. The primary access drive aisle is proposed to comply with the minimum drive aisle width for two-way and one-way travel where required, as noted in Section 12-9-6 of the Zoning Ordinance.

Additionally, the original tandem parking spaces along the north property line have been removed and replaced with a single row of parking spaces providing ample access and circulation between the access points, service bays, and parking spaces.

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Landscaping and Screening

The subject property previously contained some landscape beds along the north and east parking space rows. However, it does not fully comply with the landscaping and screening standards in Chapter 10 of the Zoning Ordinance. Since the initial conditional use approval, the applicant has expanded the landscaping areas and closed one of the two curb cuts. The proposed plan would comply with the minimum landscaping requirements of the Code.

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: Both the auto service repair and auto body repair uses are 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 Oakton Street corridor and is surrounded on all sides by commercial development with the exception of the south side, which abuts two-family residential. The approval of a new commercial uses 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 subject property has been utilized for auto service uses in the past and was most recently vacated by an auto service repair and motor vehicle sales business. This is consistent with other auto-oriented commercial uses currently operating along the Oakton Street corridor. However, the PZB and City Council may also consider future plans for the Oakton Street corridor in its determination of the conditional use requests for additional auto-oriented uses in this corridor.

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

Comment: Given that the subject property was recently utilized for auto-oriented uses, there is no indication that this proposal would be any more hazardous or disturbing to neighboring uses than another auto-oriented use. Aside from tow-truck deliveries of vehicles in need of service, all of the proposed auto service operations will be conducted

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within the building reducing any hazardous or distributing effects on neighboring properties. Much of the circulation and operational movements outside the building will occur in front of the building at the entrance to the three service bays, an area shielded by buildings on the west and south sides and separated by streets on the north and east sides. While this proposal does include the use of a frame machine and spray booth, the petitioner will need to comply with all applicable building and fire codes to ensure safety and nuisance standards are met. The petitioner has also stated that they will not be selling or replacing tires and will not have a space dedicated to or utilized for tire storage. However, staff have received complaints from neighboring residents regarding the past conditions on the subject property, so operational conditions have been suggested by staff to minimize adverse effects that are often attributed to auto-oriented 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 previous auto service repair and motor vehicle sales uses on this site were adequately served by essential public facilities and services. While the proposal replaces the previous motor vehicle sales use with an auto body repair use, 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: As noted in the *Zoning/Property History* section above, the previous auto service repair and motor vehicle sales uses did create a burden on public facilities and the conditions on site were arguably detrimental to the economic well-being of the community requiring code enforcement action. While there is no indication that the new user and proposed auto service repair and auto body repair uses will have the same effect on public facilities and the community as a whole, PZB and City Council should consider whether the uses are feasible for the subject property given its size and location in the Oakton corridor.

- 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: Auto-oriented uses do by their nature involve activities, processes, materials, equipment, and conditions of operation that can be considered detrimental to any persons, property, or the general welfare by many different means. The two separate auto-oriented uses—similar to the two auto-oriented uses before them—can be expected to result in increased vehicular traffic to and from the site throughout the day, which can impact surrounding thoroughfares. The tools and machinery utilized for operations of both uses create noise, fumes, odors, or a combination thereof, which may impact neighboring properties depending on business operations and proper disposal or venting of resulting

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byproducts. In particular, the paint booth requires certain venting requirements and can, based on its design and location, create negative effects to neighboring property owners that were not present when the previous uses were in operation.

It is anticipated that all auto-oriented service will be conducted inside the building and tire storage will not be present on the subject property. However, the proposed vehicle storage at the rear of the property and the resulting byproducts from work done inside the building could create negative effects on the neighboring properties, in which the PZB and City Council should consider. That said, the applicant intends to comply with all requirements of the Code relating to the design and operation of the paint booth including the location and manner of air handling and exhaust.

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 subject property as recently modified includes two access points, one two-way access to the side street and one to the public alley. The proposal includes improvements redesign the parking and drive aisle layout to provide more adequate space for circulation and operation of the proposed auto-oriented uses. These improvements help correct the operational issues associated with the prior tenant on the site. However, as staff have noted, the nature in which business operations are conducted on site is imperative to ensure conditions on site are maintained in a compliant manner, permitting adequate access, circulation, and parking on the site and reduce traffic interferences.

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 as the building and site were already developed for similar uses. Furthermore, the proposal does include additional landscaping and screening improvements that will help soften the transition between the commercial lot itself and the neighboring residential lots to the south.

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

Comment: This proposal is anticipated to meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

PZB Procedure and Recommended Condition: Pursuant to Section 12-3-4 of the Zoning Ordinance, the PZB may vote to recommend approval, approval with conditions, or denial of the conditional use requests. If the PZB chooses to recommend approval of the requests, staff recommends the following conditions (which include several conditions from the original conditional use ordinance which have not yet been completed on the property).

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Recommended Conditions of Approval:

1. The gravel area in the rear enclosure shall be paved with a dust-free hard surface in conformance with all City of Des Plaines regulations prior to the use of this space.
2. No motor vehicle sales are permitted on the subject property at any time for any reason.
3. The parking area must be restriped in accordance with all City of Des Plaines regulations. All drive aisles must be kept clear of any obstructions at all times.

Vice-Chairman Catalano asked if there was any public comment on this request and there was none.

There were no additional comments or questions from the PZB.

Member Weaver motioned and Member Zadrozny seconded a motion to approve the Conditional Use amendment as proposed

AYES: Catalano, Fowler, Zadrozny, Weaver
 NAYS: None
 ABSTAIN: None

*****MOTION CARRIED*****

Address: 1645 S. Des Plaines River Road, Suite 4

Vice Chairman Catalano swore-in the petitioner. Natalia Kukhareva (Petitioner) provided a detailed presentation of her request and the specific services and activities to be provided by her massage conditional use. Senior Planner Stytz stated that it would.

Member Weaver asked if the 3 specialists are employees or are they independent contractors. Ms. Kukhareva stated with Ms. Peele's assistance that the specialists will be employees once the business starts.

Vice Chairman Catalano asked staff if this massage conditional use was approved would it permit direct skin-to-skin touch massage as opposed to the purely machine and device-based massage the Petitioner proposes.

Senior Planner Jonathan Stytz stated approving this request would and then he presented the staff analysis.

Issue: The petitioner requests a conditional use for a massage establishment in the C-3 district at 1645 S. Des Plaines River Road, Suite 4.

Petitioner: Harmony in You LLC (Representative: Natalia Kukhareva, 2210 S. Goebbert Road, Apt. 330, Arlington Heights, IL 60005)

Owner: FCRS INC (Representative: Aleksandar Pavlovic, 8548 W. Berwyn Avenue, Chicago, IL 60656)

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The subject property consists of one 1.55-acre parcel located east of Des Plaines River Road near the Des Plaines River Road/Oakton Street intersection as illustrated on the attached Plat of Survey. It is currently developed with a multi-tenant office building, as defined below, with 24 separate tenant spaces and off-street parking area.

OFFICE BUILDING, MULTI-TENANT: A permanent building (i) that contains at least three tenants and (ii) at least 67% of which is used by office use businesses. Ancillary uses allowed within an office building include: brewpub, commercial indoor recreation uses, class A and B restaurants and specialty food stores and other uses listed as permitted within the Commercial District Use Matrix in subsection 7.3.k of this title. This land use shall follow the off street parking requirement of office unless otherwise stated in this title.

The proposed massage establishment would operate in Suite 4, which is located on the west side of the building near Des Plaines River Road and is accessible via a portion of public walkway along Des Plaines River Road and portion of private walkway on the subject property.

Proposed Operations

Massage establishments must be licensed by both the city and State of Illinois and are required to maintain a clean, safe, and professional environment at all times. Based on the attached Project Narrative, the massage establishment will include a staff of up to three licensed specialists providing the following services: (i) aesthetic facial skincare; (ii) eyebrow and eyelash care; (iii) trichologist consultation; (iv) body wraps; and (v) medical manicure and pedicure. This use would operate on an appointment-only basis Monday through Sunday from 10 A.M. to 8:00 P.M., which complies with the specific hours of operation restriction in Section 4-13-9.N of the Municipal Code. *Proposed Floor Plan*

Suite 4 is a single level space totaling 625 square feet in gross floor area. The petitioner intends to divide the space to accommodate separate reception and waiting areas, three treatment rooms, a single-stall restroom, and separate break room area as illustrated in the attached Architectural Plans. Multiple partition walls will be added to the interior of the suite to frame the treatment rooms and break room, but no changes to the size or location of the suite are proposed.

Massage establishments must comply with the facility requirements in Section 4-13-8 of the Municipal Code such as providing separate changing rooms with lockers at all times and a single stall restroom for each gender when both male and female individuals are on the premises on the same time. The floor plan in the attached Architectural Plans identifies one single-stall restroom and does not

Access and Circulation

The subject property is currently accessible by a single, one-way drive aisle located directly south of the existing building that traverses counter clockwise throughout the site as illustrated in the attached Site Plan. There is a 22-foot-wide drive aisle located at the rear of the subject property and a 12-foot-wide drive aisle along the north and south of the building, all of which meet the minimum drive aisle width for one-way travel pursuant to Section 12-9-6 of the Zoning Ordinance and are not subject to change as part of this request.

Off-Street Parking

The subject property contains 86 off-street parking spaces including four accessible spaces that are on first-come-first-serve basis as noted in the attached Project Narrative. As noted in the definition above, multi-tenant office buildings are required to adhere to the minimum off-street parking space requirement for offices as identified in Section 12-9-7 of the Zoning Ordinance. Offices require a minimum of one off-street parking space for every 250 square feet of gross floor area excluding floor area devoted primarily to storage areas (up to ten percent of the total combined floor area), food preparation areas, bathrooms, mechanical rooms, hallways, stairwells and elevators.

Based on the floor area definition, a minimum of three off-street parking spaces including one accessible space are required for Suite 4, which is satisfied by the existing parking on the subject property as illustrated on the attached Site Plan. Further, the petitioner notes in the attached Project Narrative that services will be provided on an appointment-only basis and the appointments will be spaced appropriately to reduce client overlap, further reducing the parking need.

It is important to note that there was not sufficient floor plan information for the remainder of the building to exclude the areas specified above from the parking calculation. At roughly 29,100 square feet for the entire multi-tenant office building, a minimum of 116 off-street parking spaces would be required for the subject property. However, pursuant to Section 12-9-2 of the Zoning Ordinance, no additional parking is required since the use of the building as a multi-tenant office building will not change with the proposed conditional use.

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 business operations are associated with a massage establishment as defined in Title 4, Chapter 13 of the Municipal Code. A massage establishment is denoted as a conditional use in Section 12-7-3.K of the Zoning Ordinance.

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

Comment: The Future Land Use Map of the 2019 Comprehensive Plan designates this property as a commercial land use designation with a specific focus on serving the needs of local residents. The proposed massage establishment is a commercial use that would align with the Comprehensive Plan and help fill some of the existing vacancy on the subject property.

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

Comment: The proposed massage establishment will be located within an established brick multi-tenant office building that is harmonious and appropriate in appearance to surrounding commercial development in the immediate area. The subject property contains landscaping improvements throughout the site—especially along the pedestrian path to the proposed location of the massage establishment in Suite 4—which further complement the neighboring development. None of the existing exterior building and site improvements are subject to change as part of this request.

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

Comment: Chapter 13 of the Municipal Code provides specific regulations for massage establishments to receive and maintain a business registration and license from the city, in addition to any state licenses. Prior to issuance of a license, fingerprints are required to be provided to the city by each applicant and all massage therapists and other employees must abide by facility and operating requirements that promote a clean, safe, and professional environment at all times. City health inspections are required to occur at least twice a year of facilities to ensure all requirements are maintained. Hours of operation are limited to between six o'clock A.M. and nine o'clock P.M. pursuant to Section 4-13-9.N of the Municipal Code.

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 multi-tenant office building is currently served by a one-way drive aisle with two separate curb cuts on Des Plaines River Road, which is sufficient for its use and complies with Section 12-9-6 of the Zoning Ordinance. Staff do not have concerns that the operation of the proposed massage establishment in an existing tenant space will impact the essential public facilities and services 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 multi-tenant office building consisting of 24 suites has provided additional commercial space for new businesses that can result in improvement of the city's economy and commercial sector. The proposed massage establishment furthers this beneficial impact on the community.

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 of the proposed massage establishment will take place within the suite, reducing any noise, smoke fumes, glare, or odors associated with the proposed services. In addition, the massage establishment will operate on an appointment-only basis with scheduling considerations to minimize overlap between clients, which will generate minimal traffic—especially in relation to the existing vehicle traffic generated by existing uses in the building—and meet the intentions of this standard.

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 existing vehicular access to the subject property is sufficient for its operation and the proposed massage establishment use. Given that there is no change in the existing access points/circulation throughout the site, staff do not have concerns related to traffic interferences on the surrounding streets.

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

Comment: The subject property has already been developed with the multi-tenant office building. The proposed massage establishment is located within the existing development and will not result in a loss of any existing natural, scenic, or historic features.

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

Comment: The proposed massage establishment will comply with all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

Case No. 25-025-CU

Conditional Use Amendment

1685 E. Oakton Street

Case No. 25-032-CU

Conditional Use

1645 S. Des Plaines River Road

Case No. 25-033-CU

Conditional Use

581 E. Golf Road

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 request. Consideration of the request should be based on a review of the information presented by the petitioner 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 operation of the massage establishment on the subject property, a business registration and required permits must be issued by the Community and Economic Development department.
2. At time of the building permit process, plans may be modified as necessary to comply with all local and state requirements for massage establishments and applicable Zoning Ordinance requirements.
3. No permanent makeup or any other activities defined under “body art establishment” in Section 12-13-3 of the Zoning Ordinance may be conducted on this property without prior approval of the City.

Member Fowler asked if we have considered updating our massage definitions to modernize them given the nature of the industry. Mr. Stytz stated this could be considered in the future.

Member Fowler stated if the Petitioner would expand into skin-to-skin massage. Ms. Kukhareva stated she will not as she is a licensed cosmetologist and not a massage therapist.

Vice Chairman Catalano asked for any public comment and there was none.

Member Weaver motioned and Member Fowler seconded a motion to recommend the City Council approve the requested conditional use with the proposed conditions.

AYES:	Catalano, Fowler, Zadrozny, Weaver
NAYS:	None
ABSTAIN:	None

*****MOTION CARRIED*****

Case No. 25-025-CU	Conditional Use Amendment	1685 E. Oakton Street
Case No. 25-032-CU	Conditional Use	1645 S. Des Plaines River Road
Case No. 25-033-CU	Conditional Use	581 E. Golf Road
Address:	581 E. Golf Road	

Vice Chairman Catalano swore-in the petitioner. Ms. Fehrmann presented her request to operate a childcare center at 581 E. Golf Road as presented in the PZB packet.

Member Fowler asked if this is the old Fahey medical building. Ms. Fehrmann stated it is.

Member Weaver asked how the subject property is better for the business than the current location. Ms. Fehrmann stated she is currently renting at 1345 E. Golf Road, but likes the subject property better because it's larger, she will own it, and it's closer to residential and an elementary school.

Member Fowler asked if the current applicant is under lease at the proposed location. Ms. Fehrmann stated she is purchasing subject property.

Vice Chairman Catalano asked about the timing of this zoning request process and the purchase of the proposed subject site and if the timing work to accommodate the Petitioner's business and the necessary construction work on the subject property. Ms. Fehrmann stated she is currently on a month-to-month lease at the current 1345 E. Golf Rd location and plans to close on the subject property during the first week of July 2025.

Vice Chairman Catalano asked the Petitioner if they are aware of the conditions of approval especially the condition requiring an 8-foot wide landscape area. Ms. Fehrmann stated this is different than her original proposal but accepts the recommended condition of approval.

Member Weaver verified with the Petitioner that she's not currently the owner but will become the property owner once this request is approved. Ms. Fehrmann verified this.

Senior Planner Stytz presented the staff analysis.

Issue: The petitioner requests a conditional use for a childcare center in the C-3 district at 581 E. Golf Road.

Petitioner: Amy Fehrmann, 8401 W. Johanna Drive, Niles, IL 60714

Owner: Sadathulla Shareef, 1470 Kew Avenue, Hewlett, NY, 11557

Case Number: #25-033-CU

PINs: 09-07-418-036-0000 and 09-07-418-007-0000

Ward Number: #7, Alderman Patsy Smith

Existing Zoning: C-3, General Commercial

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Case No. 25-033-CU	Conditional Use	581 E. Golf Road
Existing Land Use:	Office Building	

Surrounding Zoning: North: R-1, Single Family Residential District
 South: C-3, General Commercial District
 East: R-1, Single Family Residential District
 West: C-3, General Commercial District

Surrounding Land Uses: North: Single Family Residences (residential)
 South: Office (commercial)
 East: Vacant lot
 West: Childcare Center (commercial)

Street Classifications: Golf Road and Wolf Road are *other principal arterial* roads and Broadway Street is a *local* road, all under Illinois Department of Transportation (IDOT) jurisdiction.

Comprehensive Plan: The Comprehensive Plan illustrates this site as Higher Density Urban Mix with Residential.

Property/Zoning History: Based on city records, the subject property was annexed into the city in 1927 as vacant pieces of land. Pursuant to historical aerials, around 1961 the property was developed as an office building and has been utilized as such since that time². There have been no recent entitlements associated with the subject property.

CONDITIONAL USE

Request Description: *Overview*
 The petitioner requests a conditional use to operate a childcare center on the subject properties as described in the attached Project Narrative. A childcare center, as defined below, is a conditional use in the C-3 district.

CENTER, CHILDCARE: Any place other than a family home in which persons receive childcare services during any part of a day not exceeding thirteen (13) hours in any twenty four (24) hour period.

The subject property consists of one 26,000-square foot parcel located at the southeast corner of the Cumberland Circle where Golf Road, Wolf Road, Broadway Street, and State Street converge at a roundabout. It is currently developed with a single-tenant office building with an off-street parking area as illustrated on the attached Plat of Survey. The proposed childcare center would utilize the entire footprint of the existing building with two main entry points, one along the north elevation facing Golf Road and the other along the east elevation facing the alley and off-street parking area.

² <https://www.historicaerials.com/location/41.625/-87.875/T1890/16>. Retrieved June 13, 2025.

Proposed Operations

Childcare centers must be licensed by the State of Illinois and are required to meet specific health, life safety, and building codes at all times. Based on the attached Project Narrative, this use would operate year-round Monday through Friday from 6:30 A.M. to 6:00 P.M.—which complies with the specific hours of operation restriction in Section 12-8-7 of the Zoning Ordinance—and be closed on weekends and major national holidays. The childcare center will also conduct a seasonal school-age program during the summer and school breaks.

A total of up to 130 children and 18 staff members will be present on site at the childcare center with classrooms divided by age and development level. Note that the number of children per age group can vary. See the attached Project Narrative for additional information.

Current Proposed Childcare Center Enrollment	
Age Group	Maximum Number of Children
Infants (6 weeks to 14 months)	Up to 12
Toddlers (15 to 23 months)	Up to 15 per room (2 rooms)
Twos (24 to 35 months)	Up to 16 per group
Preschool (3 to 5 years)	Up to 20 per group
School-Age Program (5 to 12 years)	Up to 30 (during non-school hours & seasonal breaks)

*Number of children in each age group subject to change.

Architectural Plans and Indoor Activity Area

The existing building is a single level with a full basement totaling 8,628 square feet in gross floor area. The petitioner does not propose to utilize the basement level but will divide the first level space as denoted in the table below and illustrated in the attached Architectural Plans. Aside from the addition of exterior doors for each proposed classroom area—as required by the city’s adopted building codes—no changes are proposed to the building’s exterior.

Pursuant to Section 12-8-7 of the Zoning Ordinance, a minimum indoor activity area of 35 square feet per child is required exclusive of areas for administrative uses, restrooms, hallways, storage, and kitchen areas. The occupancy for children in each room has been reflected in the table to meet this requirement exactly with the exception of the infant-only classroom, which provides 55 square feet (an additional 20 square feet) for each child.

Current Proposed Classroom Spaces*		
Age Group³	Floor Area	Number of Children⁴
Infants	661 SF	12
Infants / Toddlers	498 SF	14
Twos / Preschool (P-2)	580 SF	16
Twos / Preschool (P-2)	701 SF	20
5 years to 12 years	1,054 SF	30
Toddlers / Twos (T-2)	514 SF	14
Twos / Preschool (P-2)	704 SF	20
Totals	4,712 SF	126 children
Other Proposed Spaces*		
Use of Space	Floor Area	Building Location
Multiple-Stall Restroom	88 SF	Between the T-2 and P-2 Classrooms
Office	220 SF	Near North Entry
Office	142 SF	Near North Entry
Consultation Room	124 SF	NW Corner of Building
Elevator	50 SF	North Corridor
2 Single-Stall Restrooms	52 SF each	North Corridor
Multiple-Stall Restroom	86 SF	Between two P-2 Classrooms
Break Room	219 SF	SW Corner of Building
Kitchen	272 SF	SW Corner of Building
Laundry	74 SF	SW Corner of Building
Single-Stall Restroom	38 SF	SW Corner of Building
Total Area	1,491 SF	

*Room areas and use of rooms subject to change to meet City and DCFS regulations.

Site Plan and Outdoor Activity Area

The attached Site Plan illustrates the proposed changes to the subject property to accommodate the proposed use, including the addition of a 4,323-square-foot outdoor activity area, which will be enclosed by a three-foot-tall wood picket fence and be improved with synthetic turf, play zones, and structures as described in the attached Project Narrative. An outdoor activity area must be a minimum size of 75 square feet per child that could be outdoors at one time. As such, the size of the proposed outdoor activity area allows up to 57 children to utilize the space at given time.

³ The same classroom may be utilized by different age groups separately or utilized by certain age groups simultaneously based on Illinois Department of Children and Family Services (DCFS) regulations.

⁴ The number of children in each classroom may vary based on age group and applicable DCFS regulations.

Access and Circulation

The subject property is currently accessed by two separate 20-foot-wide public alleys—one off Broadway Street at its south and one off Golf Road at its east as illustrated in the attached Site Plan—which are not subject to change as part of this request. There is an existing row of 10 off-street parking spaces that are directly accessed from the east alley and a separate two-row 15 space off-street parking area directly accessible from the south alley, both of which are proposed to be re-striped resulting in four new off-street parking spaces.

As illustrated on the attached Site Plan and described in the attached Project Narrative, drop-up/pick-up operations for the childcare center will consist of a single, one-way vehicle path starting on the south alley accessed via northbound Broadway Street and ending on the east alley at Golf Road. Parents will be able to park vehicles in the parking lot adjacent to the building and the parking row along the east alley to ensure that both alleys remain clear for drop-off/pick-up operations.

Off-Street Parking

Pursuant to Section 12-9-7 of the Zoning Ordinance, childcare centers must provide a minimum of one space for every 15 children under care plus one space for every employee. Based on the proposed child enrollment of up to 130 and a staff of up to 18 employees, a total of 27 off-street parking spaces—including a minimum of two accessible spaces—are required. While the subject property currently contains 25 off-street parking spaces including two accessible spaces, the petitioner's proposed parking space additions increase the total off-street parking space count to 29 spaces—including two accessible spaces—which complies with this requirement. All parking spaces will need to comply with the specifications of Sections 12-9-6 and 12-9-8 of the Zoning Ordinance.

Landscaping and Screening

As illustrated on the attached Site Plan, the subject property currently contains a mature tree and some shrub areas on many street-and alley-facing portions of the building, excluding the portion of the east building elevation that abuts the off-street parking area. The petitioner proposes maintaining these shrub areas while also adding: (i) shrub areas along the southwestern portion of building facing Broadway Street and the Cumberland Circle; and (ii) infill landscape areas in between window wells on the southeast and east building elevations. An eight-foot-wide area located between the outdoor activity area and the west property line is noted on the attached Site Plan as a lawn area. However, to assist with screening

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and to soften the transition between the proposed wood picket and Cumberland Circle roundabout, staff have added a condition requiring that this area is improved with shrubs and perennials.

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: A childcare center is listed as 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 Future Land Use Map of the 2019 Comprehensive Plan designates this property as a *Higher Density Urban Mix with Residential* land use designation, which focuses on more dense commercial developments with a residential component. While it can be argued that the proposed childcare use is a more intensive commercial use, it does not fully align with this land use designation. However, the Comprehensive Plan does also seek to promote uses that serve the needs of the community, which the proposed childcare use does fit. Nonetheless, the PZB should decide.

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

Comment: The proposed childcare center will be located within an established stone and brick office building that is generally harmonious and appropriate in appearance to surrounding commercial and residential development in the immediate area. The subject property currently contains minimal landscaping improvements which the petitioner is proposing to maintain and expand upon to better screen the proposed childcare center use from neighboring development.

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

Comment: Childcare centers are regulated by multiple licensing, facility, and operational standards that ensure it is not hazardous or disturbing to surrounding uses. While a component of this use includes an outdoor activity area for recreation, the recreation area faces away from residences and the remainder of the activities of this use will take place inside the building itself minimizing perceived adverse effects. In addition, drop-up/pick-up operations will be designed to utilize the existing alleys and off-street parking on the subject property to minimize adverse effects on neighboring 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 subject property is adequately served by essential public facilities and services, which will not change with the operation of the childcare center on site. Staff do not have concerns that this use will impact the essential public facilities and services 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 vacant building is currently not providing any economic benefit to the city as a whole. However, the new childcare center will repurpose the building and provide services to the city without excessive additional requirements for public facilities and 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:

Comment: Childcare centers can create adverse effects during drop-up/pick-up activities during hours of operation. However, the proposed circulation and staggered drop-up/pick-up times will help minimize these adverse effects during peak traffic hours. Outside drop-off/pick-up periods, perceived adverse effects from this use are minimal if present at all. The outdoor activity area is located on the west side of the site opposite the neighboring residences and its use will be staggered between multiple classrooms during the day to regulate the number of children outside and minimize overall noise from this activity.

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 existing vehicular access to the subject property is sufficient for the childcare center use and will not be adjusted. In addition, drop-up/pick-up operations will occur on private property accessible by utilizing the existing alley and street connections. The proposed parking layout will require vehicles reversing along the east lot line to circulate using the alley. While not ideal, the conditions currently exist.

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

Comment: The subject property has already been developed with the office building and the proposed use will occupy the existing building without further development or any new loss of these features.

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

Comment: The proposed childcare center will comply with all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

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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 request. Consideration of the request should be based on a review of the information presented by the petitioner 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. At time of the building permit process, the plans may be modified as necessary to comply with all local and state requirements for childcare centers and applicable Zoning Ordinance requirements.
2. This use shall not obstruct any public rights-of-way during operations. No pick-up, drop-off, or queuing may occur along Golf Road.
3. Prior to issuance of business registration, a minimum eight-foot-wide landscape area containing shrubs and perennials must be installed between the outdoor activity area and the west property line.

Member Weaver asked about the intent and use of the separate lot east of the north-south alley. Mr. Stytz stated the lot east of the alley is 600 E. Golf Rd, is zoned R-1, and is developed with a paved parking area and no residential building. This land will not be used as part of the proposed childcare use. This is a paved access area on this lot used to access the existing garage for the residence adjacent to the east at 615 E. Golf Rd.

Member Weaver stated there is an occupied house at 615 E. Golf Rd. Mr. Stytz reiterated there is.

Member Zadrozny asked is the contract to purchase contingent on receiving City Council approval. Ms. Fehrmann stated it is contingent but hopes for a favorable vote by the PZB and the City Council. Mr. Stytz stated this PZB recommendation is planned for the July 21, 2025 City Council meeting for at least the first reading.

Vice Chairman Catalano asked for any public comment.

Robert Crocker (640 E. Golf Rd) – He is a neighboring property owner and is generally in favor of the request but is concerned about the right out only on to eastbound E. Golf Road. Mr. Stytz stated that the proposed circulation pattern to be one-way west to east and there will be no change to existing traffic patterns.

Member Weaver asked if the public alley is wide enough for two-way traffic. Mr. Stytz stated the alleys are 20 feet wide and two-way traffic could be accommodated at slow speeds. Member Fowler confirmed that the alley is sufficiently wide for two-way traffic.

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Member Weaver reiterated that slow speeds should easily accommodate two-way traffic. This could permit traffic to use Broadway as well permitting northbound traffic to the traffic circle and better traffic distribution to all the Golf/Broadway/Wolf directions.

Vice Chairman Catalano asked staff to show the location of the main public entrance. Mr. Stytz stated that the main public is on the easterly (rear) side of the subject building and pick-up-drop-off is designed for parents/guardians to park in the parking spaces from which the children exit the car to proceed to the building entrance.

Frances Monaco (1328 Webford Ave) is currently as employee of the subject business and this will be wonderful site for the business and the community in general.

Vice Chairman Catalano asked if this location would increase the childcare center capacity. Ms. Fehrmann stated the subject property will increase their possible capacity, it will be better functionally, but due to the parking supply, they will be limited to about 77 students.

Brian Murphy (612 Yale Ct.) stated he is in favor of the proposed childcare center and it will be a good additional to the community and verify if the 615 E. Golf Rd house will be restricted.

Member Fowler motioned and Member Zadrozny seconded a motion to recommend that the City Council approve the proposed childcare center conditional use with the recommended conditions.

AYES: Catalano, Fowler, Zadrozny, Weaver

NAYS: None

ABSTAIN: None

MOTION CARRIED

ADJOURNMENT

Chairman Szabo adjourned the meeting by affirmative voice vote at 8:02 p.m.

Sincerely,
Jonathan Mendel, CED Assistant Director/Recording Secretary

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

MEMORANDUM

Date: July 18, 2025
To: Planning and Zoning Board (PZB)
From: Samantha Redman, Senior Planner *SR*
Cc: Jonathan Mendel, AICP, Assistant Director of Community and Economic Development *JM*
Subject: Conditional Use for Proposed Body Art Establishment at 570 E Northwest Highway Unit 8

Issue: The petitioner is requesting a Conditional Use for a Body Art Establishment in the C-3 Zoning District at 570 E Northwest Highway, Unit 8.

Petitioner: Berny Morales, 2 Greenwood Ct. N, Buffalo Grove, IL 60089
Owner: Peter Kougias, 911 W. Haven Dr, Arlington Heights, IL 60005
PINs: 09-18-201-006-0000, 09-18-201-007-0000, 09-18-201-008-0000, 09-18-201-009-0000
Case Number: 25-029-CU
Ward Number: #7, Alderman Patsy Smith
Existing Zoning: C-3, General Commercial
Surrounding Zoning: North: C-3, General Commercial
South: R-3, Townhouse Residential
East: C-3, General Commercial
West: C-3, General Commercial
Surrounding Land Uses: North: Commercial buildings
South: Railroad and Multi-Family Residences
East: Commercial buildings
West: Commercial buildings
Street Classification: Northwest Highway is classified as a major road under the jurisdiction of the Illinois Department of Transportation (IDOT).
Comprehensive Plan: Higher Density Urban Mix with Residential is the recommended use for this property.

Property/Zoning History: This building was originally built in 1957 according to the Cook County Assessor. Tenants have consisted of primarily offices or small retail stores throughout the building's existence. The most recent tenant of the unit was a small thrift store/office and prior was an office for a building contractor company. Adjacent businesses include a variety of office uses.

Project Description: The petitioner, Berny Morales of Masterpiece Ink, requests a conditional use to allow a body art establishment at 570 E. Northwest Highway Unit 8. The property is a multi-tenant office building.

Proposed Use and Hours of Operation

The attached floor plan includes the 585 square foot area for this unit. There is a shared bathroom and hallway for the building tenants. The proposed hours of operation are 10 a.m. to 12 a.m. any day of the week, by appointment only. The business will not offer walk-ins, unless an appointment time is available with an employee. Two employees are proposed for this business. No exterior modifications to the building are proposed. Interior improvements will consist of customer and staff seating and required equipment, with no structural alterations or heavy machinery proposed.

According to the petitioner's narrative, Illinois Department of Public Health (IDPH) has inspected the unit and stated it meets the requirements for a body art permit. No autoclave is proposed to be located on-site; instead, sharps and hazardous waste will be collected by a specialized medical and hazardous waste disposal company, consistent with standard practice for small tattoo operations. Most smaller, modern tattoo shops use pre-packed, single-use needles, tubes, and ink caps that arrive from the manufacturer pre-sterilized and dispose of the items in a specialized container to be picked up by the specialized disposal company. The location of the waste container is shown on the attached floor plan and the petitioner provided documentation demonstrating their active contract with a medical and hazardous waste disposal company.

Although the petitioner does not plan to install an autoclave, a suggested condition of approval has been included to address any future changes in operations. Due to potential concerns related to electrical load and ventilation in an older, multi-tenant building, installation of an autoclave would require coordination with the Building and Fire Departments and issuance of a building permit, along with written authorization from the property owner. However, as noted in the petitioner's narrative, they do not anticipate the need for such equipment during the life of the business.

All employees are required to complete bloodborne pathogen training that complies with OSHA standards in order to maintain their IDPH license. A training certificate has been provided and is included in the Petitioner's Narrative and Response to Standards attachment.

Body Art Establishment Regulations

Body art establishments are defined in Section 12-13-3 as, "an establishment licensed under the Illinois Department of Public Health that conducts physical body adornment activities," which may include piercing and tattooing. The proposed use for this location falls under this definition.

In 2020 the Zoning Ordinance was amended to define and regulate body art establishments. Body art establishments are only permitted within the C-3 zoning district with a conditional use and may not be located closer than one mile to any other similar establishment. This location is outside of the range of the other tattoo businesses in Des Plaines: High Class Studio, located at 633 Metropolitan Way and Serpent's Lair Tattoo at 1781 E. Oakton Street.

The original intent of requiring a conditional use for body art establishments was to provide limitations on the location of these businesses and the proximity to other body art establishments. For a body art establishment, the conditional use process allows the City to determine if a use is compatible with its neighborhood and, partnered with state licensing regulations, ensure a facility will provide safe and sanitary services. Although parking may be a consideration for this location and for this type of business, the length of time required for tattooing (according to the petitioner, a minimum of one hour per customer, with larger projects taking several hours) limits the amount of traffic and parking generated. Masterpiece Ink is proposing to be by appointment only.

In Illinois, tattooing is regulated by the Illinois Department of Public Health's Body Art Code.¹ This code requires all body art establishments to obtain registration with the state and regulates disinfection, sterilization, and disposal practices. All artists are required to have blood-borne pathogens certifications. Staff have confirmed the petitioner has an active contract with Stericycle to dispose of any used needles. No tattooing is permitted on anyone under the age of 18, and proof of ID is required.

Parking Requirements

Sixteen off-street parking spaces are located in the parking lot to the rear of the building for use by all tenants of the building. On-street parking spaces are also located along Northwest Highway and Broadway Avenue adjacent to the property. The available off-street parking meets zoning code requirements. Section 12-9-2 states, "if the building or structure was erected prior to the effective date [of the current Zoning Ordinance], additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use." The use of this unit prior to this tenant included office spaces and a retail establishment. Office, retail, and body art establishments all have the same parking ratio requiring 1 space per 250 square feet of floor area. Because of this provision in Section 12-9-2, the balance of require off-street parking remains the same for this new use.

¹ Illinois Department of Public Health. (n.d.). Body Art Establishments. Springfield, IL, USA. Retrieved from <https://dph.illinois.gov/topics-services/environmental-health-protection/body-art-establishments.html>

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 amendments would satisfy the standards is provided below and in the petitioner's response to standards. The PZB may use this rationale toward its recommendation, or the Board may make up its own.

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

Comment: Body art establishments require a conditional use permit in the C-3 Zoning District.

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

Comment: The 2019 Comprehensive Plan illustrates this area to be used for Higher Density Urban Mix, due to its proximity to the Cumberland train station. Although this use does not include a mixture of uses, it does support the commercial component of "urban mix" and provides a use for a vacant storefront along this street, generating additional economic activity in this section of the City.

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: All uses will be located within an existing building; no changes to the appearance are proposed with the exception of signs for the business, which will be designed to meet requirements of the Zoning Ordinance. The existing storefront is harmonious with other similar buildings along Northwest Highway and Broadway Avenue.

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

Comment: As discussed in the Petitioner's Response to Standards, the business will operate by appointment only with no more than two customers at a time. On-street parking on Northwest Highway and parking in the parking lot adjacent to the alley is available, as well as public on-street spaces along Broadway Avenue. A limited amount of traffic will be generated, as the business is by appointment only with no walk-ins or retail operations. State licensing is required to operate a body art establishment, which the petitioner will maintain while operating as this use.

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

Comment: The existing building has been adequately served by essential public facilities and services. Staff has no concerns that the proposed use will not be adequately served with essential public facilities and services. The establishment will follow all local and state regulations regarding disinfection, cleanliness, and proper disposal of all needles and other substances related to the business.

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

Comment: The proposed use would not create a burden on public facilities. This new business would be located within an existing, unoccupied portion of the building and provide additional commercial activity to this corridor.

- 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: As discussed in the Petitioner's Narrative and Response to Standards, the property will operate by appointment only, creating limited generation of traffic. No larger truck traffic will be generated by any uses. All proposed activities would take place inside the building reducing any noise, smoke fumes, light, glare, odors, or other concerns.

- 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: Access to the building will continue to be provided through the entrance on Northwest Highway. New traffic generated will be limited to appointments for the business; it is important to note that the zoning of this property allows for other uses permitted by right that could result in a greater amount of traffic/parking for the site, such as a restaurant or store. The existing street network can accommodate the limited amount of traffic for this new use.

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

Comment: The subject property is within an existing building and thus would not result in the loss or damage of natural, scenic, or historic features. No new development is proposed for this site.

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

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

PZB 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, approve subject to conditions, or deny the above-mentioned conditional use permit. City Council has final authority on the proposal.

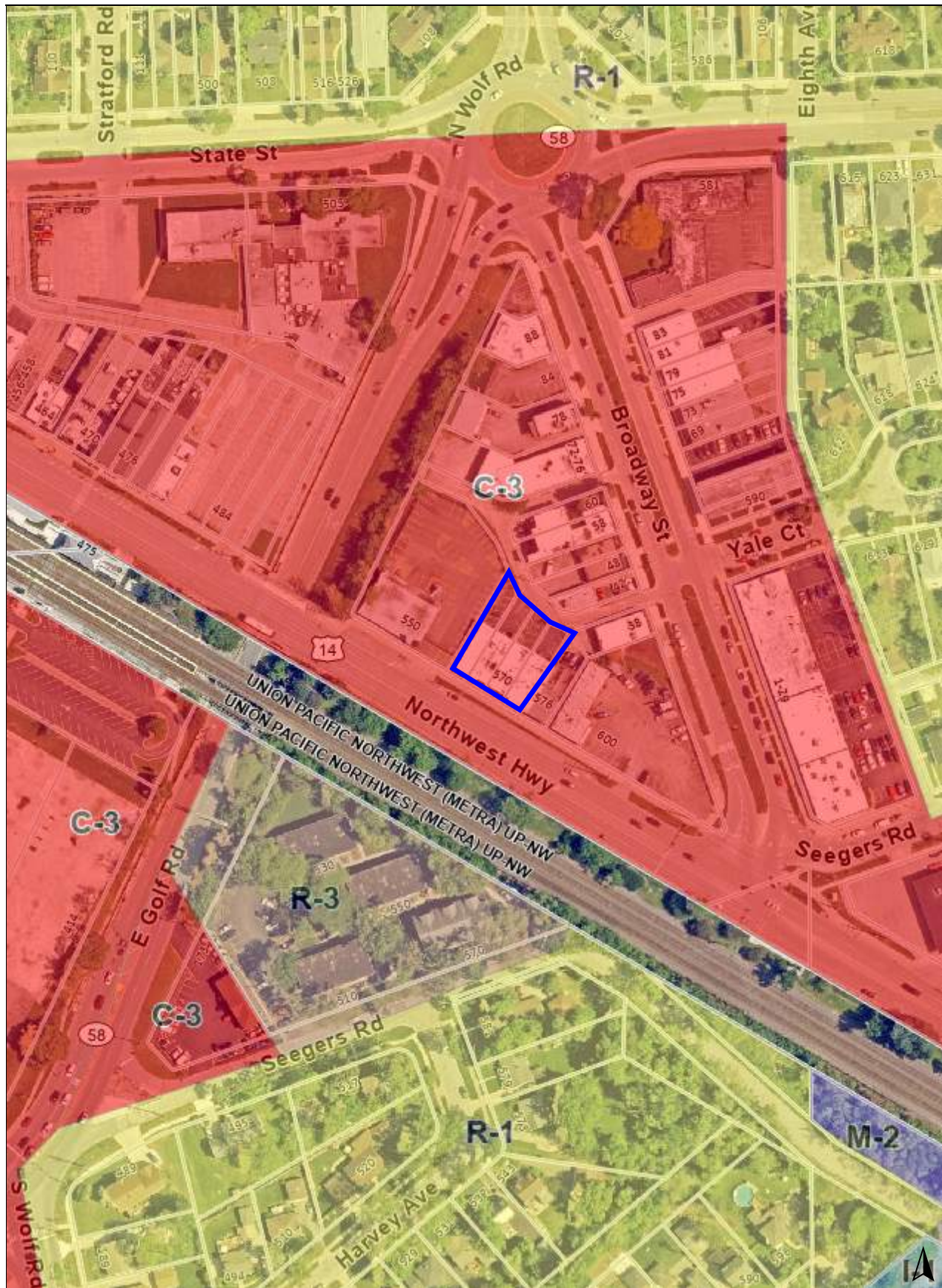
Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Uses) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff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

Recommend Conditions of Approval:

1. The Subject Property shall only be used for activities related to the Body Art Establishment between 10 a.m. and 12 a.m.
2. Any installation of an autoclave will require building permit and written authorization from property owner prior to issuance of building permit.
3. All requirements of Title 4 Chapter 20 – Body Art Establishments must be met for the life of this use in this location.

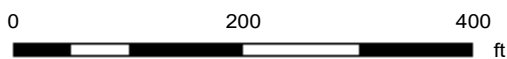
Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Project Narrative and Responses to Standards
- Attachment 4: Floor Plan
- Attachment 5: Plat of Survey/Site Plan



Legend

- Subject Site
- Zoning**
- C-3: General Comm
- I-1: Institutional
- M-2: General Manufacturing
- R-1: Single Family Residential
- R-3: Townhouse Residential



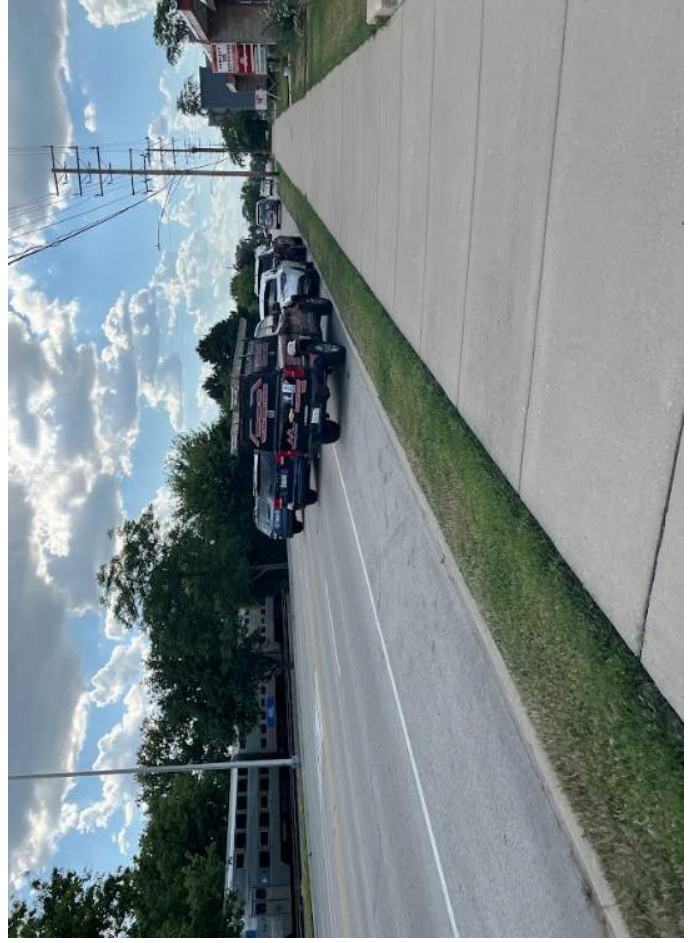
Print Date: 7/14/2025

Notes

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View of front of property



View of on-street parking in front of building



570 NW Hwy Unit 8 -- Public Notice Sign



View of rear parking area, adjacent to alley

To the Planning and Zoning board and City Council

Thank you for considering my application for conditional use at 570 E. Northwest Highway Suite 8 in the city of Des Plaines for a body art establishment. My name is Berny Morales I have worked in the body art industry for the past 12 years gaining valuable experience in both the artistic and business operations of the field. I am now seeking the opportunity to open a studio of my own. One that reflects my commitment to cleanliness, safety, professionalism, and customer care. My goal is to create a welcoming environment where clients feel comfortable and respected.

I have gone through the application process with the Illinois Department of Public Health. In June of 2025 they came and did an inspection. 570 E. Northwest Highway Suite 8 passed the inspection. The establishment met the criteria of having a separate functioning sink for artists only, storage area for cleaning supplies, and I have a contract with Stericycle for appropriate sharps needle disposal pick up. I also have the required blood-borne pathogen certification which is required that meets the corresponding ILCOR, OSHA, and AHA/ECC guidelines.

If permitted, the business would operate from 10 AM to 12 AM, by appointment only. Consistent of the way I have worked for over a decade. The studio would be staffed by myself and one additional employee who would also have the required blood born pathogen certification. As for parking, there are approximately nine spaces available directly in front of the building on northwest highway with an additional 16 spaces located in the rear parking lot of the building. The surrounding neighborhood is clean and quiet and to my knowledge there are no other body art establishments in the immediate area. I do not plan to make any structural changes to the building or its floorplan. I will simply furnish the suite with the necessary equipment, which includes massage table, a barber style chair, couch for the lounge area, a small refrigerator, microwave, and a printer. No heavy duty machinery will be used. There is a sink provided in the suite which meets the requirements of the Illinois Department of Public Health for artists only.

The suite would be discreet and blend in with surrounding businesses. The windows are covered with vinyl blinds, for privacy. Logos on the windows would be kept to minimal design as not to disturb the aesthetic of the surrounding area only so appointments can identify the studio.

I aim to provide high-quality body art services in a professional and inviting setting. One that draws positive attention. I understand that body art establishments can sometimes carry a stigma, but I am committed to upholding the highest standards in both artistry and atmosphere. That vision is reflected in the name I've chosen for the business Maserpiceink.

I look forward to the opportunity to contribute to the city of Des Plaines.

Certificate

OF COMPLETION

IN RECOGNITION OF SUCCESSFUL COMPLETION IN:

Bloodborne Pathogens
Infectious Disease Control
Best Practices / Precautions

THIS CERTIFICATE IS PROUDLY PRESENTED TO:

Berny Morales

The student has successfully met the requirements for certification by completing the cognitive training and skills evaluation in the specified course in terms of NCPRF® and in accordance with the corresponding ILCOR, OSHA, and AHA®/ECC guidelines (2020).

Date: May 1, 2025 **Renew:** May 1, 2026 **ID#:** 618D4E9 **Instructor:** Paul J. Scruton



Course Provided By:

NationalCPRFoundation™

Signature: *Paul Scruton*

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, the proposed conditional use is within the zoning district involved. 570 East Northwest Highway, Des Plaines, IL Suite 8.

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

The proposed conditional use is in accordance of the city comprehension plan. The establishment does not affect the integrity of the surrounding community. All procedures will be done inside the confines of Suite 8.

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;

There will be no inappropriate logos or advertising, as to not disrupt the appearance or character of the general vicinity. The windows are covered with vinyl blinds for privacy. Minimal signage on the windows only for identification purposes so appointments know where to go.

4. The proposed conditional use is not hazardous or disturbing to existing neighboring uses; Sanitation protocols have been taken for this body Art establishment. Hazardous needles will be disposed of properly through the company Stericycle. All procedures will occur inside Suite 8 with minimal noise, no fumes ,emissions or smoke. tattoo artist will be required to provide a blood-borne pathogen certification. License and certification has been established through the Illinois Department of Public Health. A separate sink inside Suite 8 is provided for artists only. There will be no amplified music.

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;

The proposed conditional use will adequately use such services. The studio would be utilizing existing space and infrastructure with minimal impact on public facilities and services.

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;

The proposed conditional use will not create additional public expense or affect the economic welfare of the community. A positive benefit may be by filling this vacant storefront that has been vacant for quite some time that I'm aware of. My business would bring business to other businesses also. Ordering food etc.

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;

All procedures are done inside. There are no smoke, fumes, or omissions or odors. Noise levels will be kept to a minimum comparable to a salon. Typical customer volume is very small. No one under 18 is allowed inside, and usually only the person that made the appointment shows up to avoid crowding or any parking issues. Stericycle is the company I have chosen to handle the disposal of used needles picked up appropriately. I have gone through the process with the Illinois Department of Public Health. They have inspected the premises and are in the process of sending me the license.

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

570 E. Northwest Highway Des Plaines , has 16 parking spaces for cars located in the rear parking lot and approximately 9 spaces in front of the building on Northwest Hwy. These areas do not interfere with traffic.

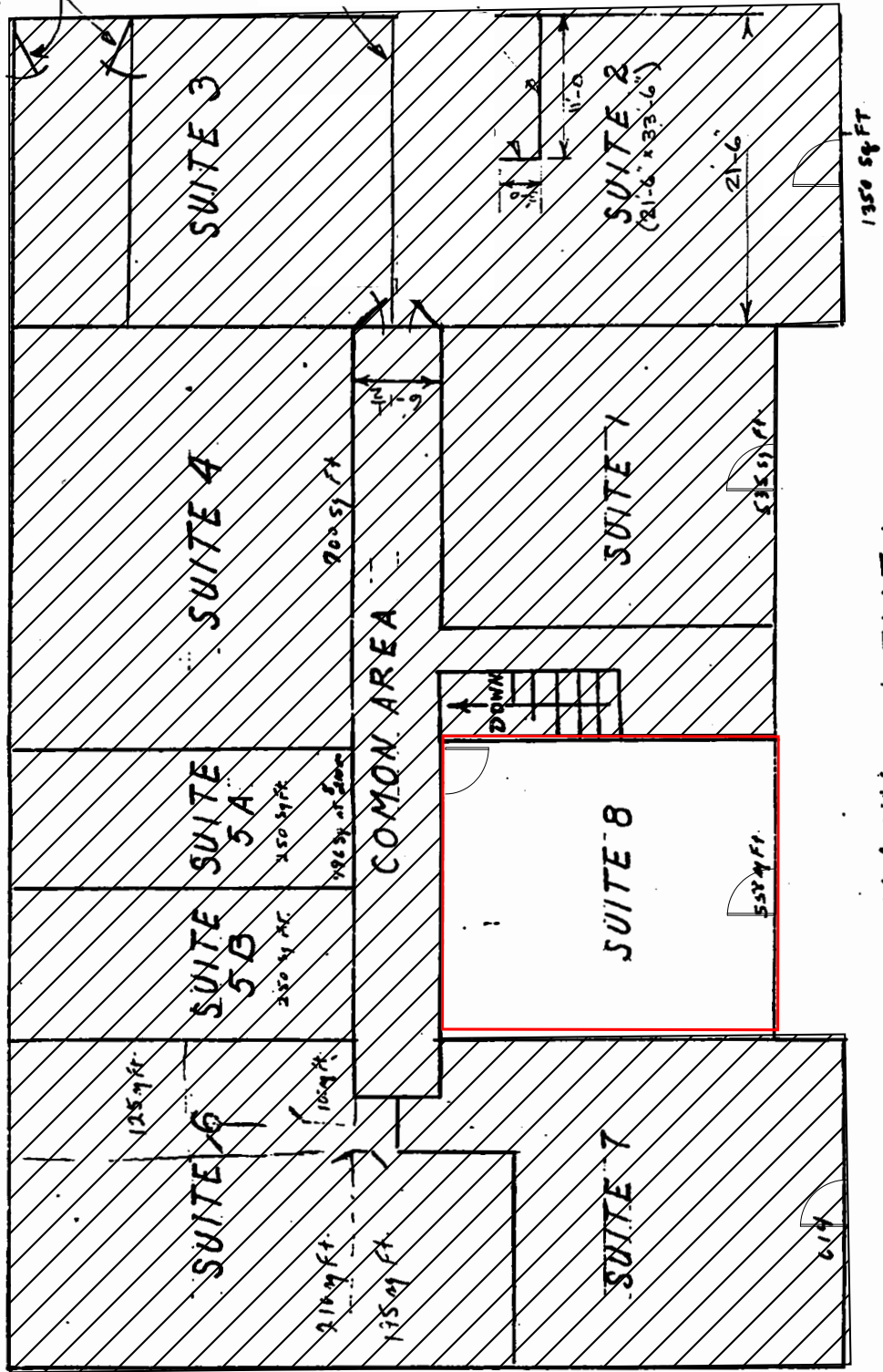
9. The proposed conditional use does not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance; and

The proposed conditional use will not cause or create destruction, loss, or damage to anything surrounding the area. All procedures are inside. No heavy machinery is used no emissions or fumes.

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

The proposed conditional use complies with all regulations in this title. Body Art establishment through the Illinois Department of Public Health license certification program. A Blood-borne, pathogen certification, which meets I,LCOR, OSHA, and a HA/ECC guidelines is required which I have. Used needle disposal through the company, Stericycle. Sharps container once full will be picked up and disposed of (incinerated) by Stericycle

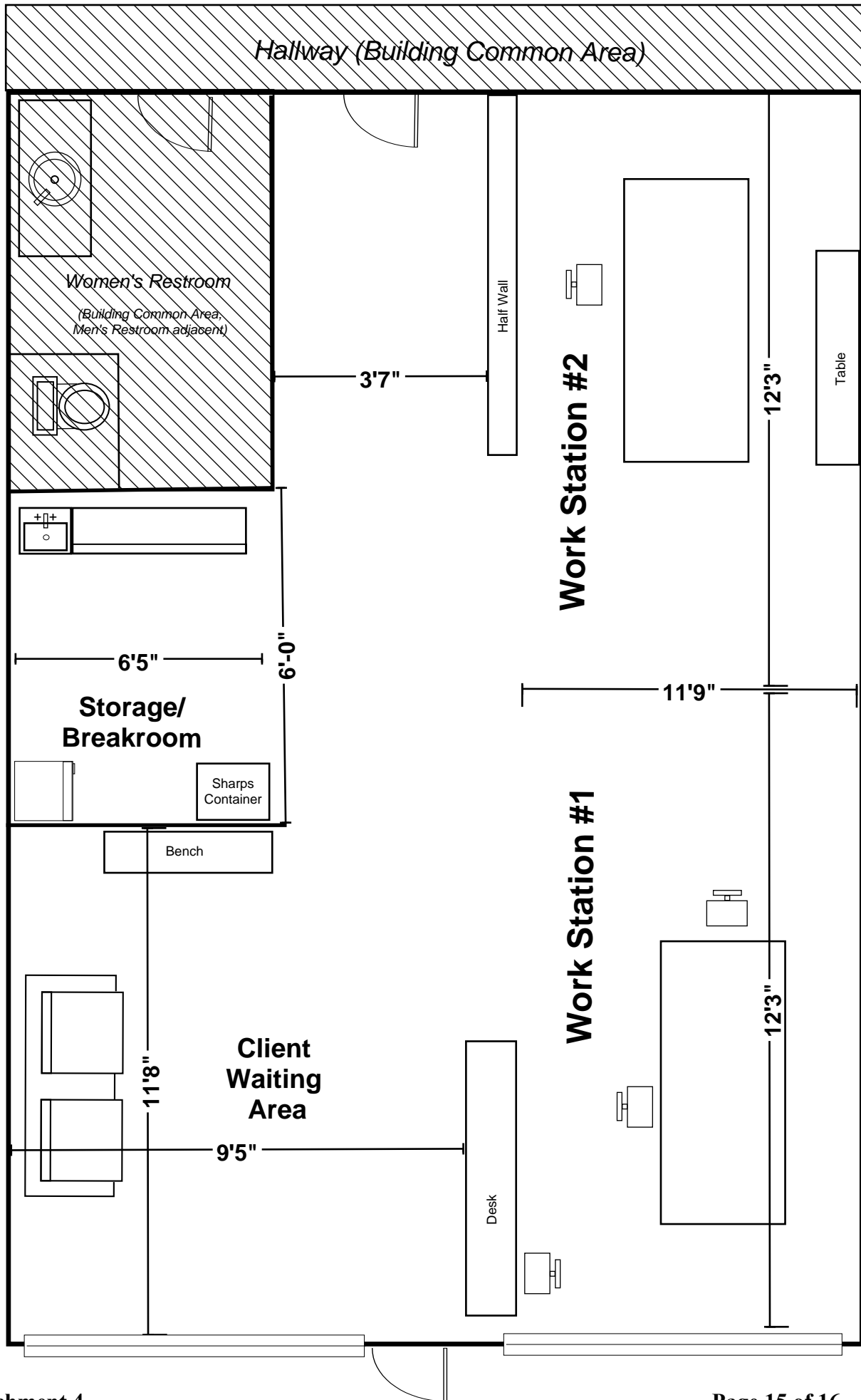
EXISTING 36" DOORS



MAIN LEVEL



570 E Northwest Hwy



MEMORANDUM

Date: July 18, 2025

To: Planning and Zoning Board (PZB)

From: Jonathan Stytz, AICP, Senior Planner JS

Cc: Jonathan Mendel, AICP, Assistant Director of Community and Economic Development
Jeff Rogers, AICP, Director of Community and Economic Development JR

Subject: Conditional Use for a Trade Contractor Use at 1634 E. Oakton Street

Issue: The petitioner requests a conditional use for a trade contractor use on the subject property in the C-3 General Commercial district.

Petitioner: Matthew Mlynski, 2439 Robincrest Lane, Glenview, IL 60025

Owner: Castro Investments LLC (Representative: Maria Castro, 1634 E. Oakton Street, Des Plaines, IL 60018)

Case Number: #25-034-CU

PIN: 09-21-311-016-0000

Ward Number: #2, Alderman Colt Moylan

Existing Zoning: C-3, General Commercial

Existing Land Use: Vacant building and non-paved area (former Auto Service Repair use)

Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial District
East: C-3, General Commercial District
West: C-3, General Commercial District

Surrounding Land Uses: North: Single Family Residences (residential)
South: Retail Service Establishments (commercial)
East: Single Family Residences (residential)
West: Auto Body Establishment (commercial)

Street Classification: Oakton Street is classified as a minor arterial road under City of Des Plaines jurisdiction.

Comprehensive Plan: The Comprehensive Plan designates this site as *lower density urban mix with residential*.

Property/Zoning History: The subject property was annexed into the City in 1922 as farmland with a single family residence. Around 1972, the property was developed as a commercial lot with a single building and parking area and has been utilized as such since that time¹. There have been no recent entitlements associated with the subject property.

CONDITIONAL USE

Request Description: *Overview*

The petitioner requests a conditional use to operate a trade contractor use as described in the attached Project Narrative. A trade contractor, as defined below, is a conditional use in the C-3 district.

TRADE CONTRACTOR: 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 (Section 12-13-3 of the Zoning Ordinance).

The subject property consists of one 11,609-square foot interior lot located along the north side of Oakton Street near the Oakton Street/Linden Street intersection. It is currently developed with a single-tenant commercial building with an unimproved off-street parking area as illustrated on the attached Plat of Survey. The proposed trade contractor use would occupy the entire existing building with two main entry points, one pedestrian entrance along the south (front) elevation facing Oakton Street and three separate overhead vehicle/equipment doors along the north (rear) elevation facing the unimproved off-street parking area.

Proposed Operations

Based on the attached Project Narrative, this use would operate year-round Monday through Friday from 7:00 A.M. to 4:00 P.M. and on Saturdays from 7:30 A.M. to 2 P.M. providing landscaping installation and maintenance services in the summer months and snow removal in the winter months. During winter months, business operation times may fluctuate based on weather sometimes requiring access on site outside of normal business hours. However, the petitioner has noted that all preparation work for snow removal services will be completed during regular business hours and minimum truck traffic will leave and return to the subject property on a staggered basis.

Up to two office employees and eight crew workers will be on site at a given time during brief periods in the morning and afternoon and minimal site visits by customers and vendors will occur on the subject property annually. All debris and waste from jobsites will be disposed of off-site daily before returning to the subject property. See the attached Project Narrative for additional information.

¹ <https://www.historicaerials.com/location/41.625/-87.875/T1890/16>. Retrieved July 16, 2025.

Floor Plan and Elevations

The existing 2,720-square-foot one-story building consists of a front office, foyer, and restroom area totaling 574 square feet and a larger 1,620-square-foot garage area at the rear of the building with three overhead doors and two storage spaces accessible from the garage space as illustrated in the attached Floor Plan. While there are no proposed changes to the building's interior, the petitioner designates two-thirds of the existing garage area will be utilized as a flex space for storage of vehicles overnight and employee parking during the day. The remaining third of the garage area is proposed to store small equipment utilized for business operations and the refuse dumpster. The proposal does not include any changes to the exterior building façade.

Access and Circulation

There is currently one two-way travel access point from Oakton Street for the subject property, which will 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. The existing 19.97-foot-wide curb cut is less than 22 feet in width and there is not sufficient space to widen the curb cut to the appropriate width. However, Section 12-5-6 of the Zoning Ordinance allows non-conforming structures—such as drive aisles—to remain as-is provided they comply with all standards in Sections 12-5-3 and 12-5-6 of the Ordinance, which includes any future repair and maintenance of the drive aisle areas.

To address circulation needs, the petitioner has provided five truck/trailer parking spaces at the far rear portion of the property and grouped passenger vehicle spaces near the rear of the building to provide the maximum amount of space for the maneuvering and circulation of trucks with trailers as illustrated on the attached Existing Conditions and Proposed Site Plan.

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. While there is no minimum parking requirement for trade contractor uses, considerations should be made based on the anticipated number of employees and customers/vendors that would visit the subject property and the minimum area needed for the parking, access, and circulation of vehicles with trailers.

The attached Existing Conditions and Proposed Site Plan and attached Floor Plan illustrate that a total of nine off-street parking spaces will be provided on site: four passenger vehicle spaces—including one accessible space—and five truck/trailer spaces. The accessible space is proposed at the northwest corner of the building and is dimensioned to comply with Section 12-9-8 of the Zoning Ordinance. The remaining spaces comply with Section 12-9-6 of the Ordinance as required. Staff recommend a condition requiring the paving and striping of the new parking area at the rear of the building include appropriate signs to designate the location of all off-street spaces and to ensure that off-street spaces and drive aisles are not blocked at any time for any reason.

Outdoor Display and Storage of Products

The Zoning Ordinance allows trade contractor uses to display and store finished or prefabricated products (i.e., products ready for sale to an end user) outside pursuant to the restrictions in Section 12-7-3.F.5.d of the Zoning Ordinance. While the petitioner has noted that all products and materials utilized for its operations will be stored inside the building, staff recommend a condition that any outdoor display/storage of finished products follow these regulations.

Landscaping and Screening

The existing property effectively has no site landscaping except for a small planting area in front of the building. Given that the subject property directly abuts residential properties to the north, 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. The petitioner's attached Existing Conditions and Proposed Site Plan shows the proposed installation of a new fence and a landscape area with two shade trees and turf along the north property line to meet these standards. 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 prior to the issuance of the business registration for this use.

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 a *lower density urban mix with residential* land use designation, which focuses on denser commercial developments with a residential component. While it can be argued that the proposed trade contractor use is a more intensive commercial use, it does not fully align with this land use designation. However, the Comprehensive Plan does also seek to promote the establishment of new businesses, especially along major corridors like Oakton Street, which the proposed trade contractor use does fit. Nonetheless, the PZB should decide.

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 existing one-story brick building is similar in appearance to and complements the surrounding commercial buildings in the immediate area. The petitioner does not propose any changes to this structure but will install parking lot and landscaping improvements at the rear of the subject property to further complement surrounding properties.

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

Comment: The proposed trade contractor use provides construction and landscaping maintenance services on specific jobsites with office-related work housed within the existing building on the subject property, neither of which will have hazardous or disturbing impacts surrounding properties. While a period of time in the mornings and evenings will be utilized to prepare and load/unload equipment and materials for jobs, these periods are short and are not anticipated to create adverse effects on surrounding properties.

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 previous use on this site was adequately served by essential public facilities and services. The proposal will pave the rear portion of the site for a new parking area as well as add a new catch basin and sewer line to Oakton Street, which will improve run-off from the subject property. Staff do not have concerns that this use 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 previous auto service repair use did not create a burden on public facilities and was not detrimental to the economic well-being of the community. There is no indication that the repurposing of the subject property with a trade 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 the trade contractor use 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. A majority of all vehicles and equipment will be stored within the building overnight with some designated paved spaces outside for larger vehicles. In addition to landscaping screening, the trade contractor use will need to manage the parking and storage of vehicles and equipment 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 cut on the subject property and will employ staggered truck entrance and exit periods on the subject property so as to not increase any interferences with traffic on surrounding public thoroughfares. The existing drive aisle will be maintained as necessary and the new paved parking and circulation area at the rear of the building will assist in more efficient traffic movements on site and therefore less potential impacts on Oakton Street.

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 a commercial use.

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 aforementioned request.

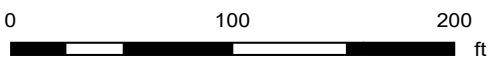
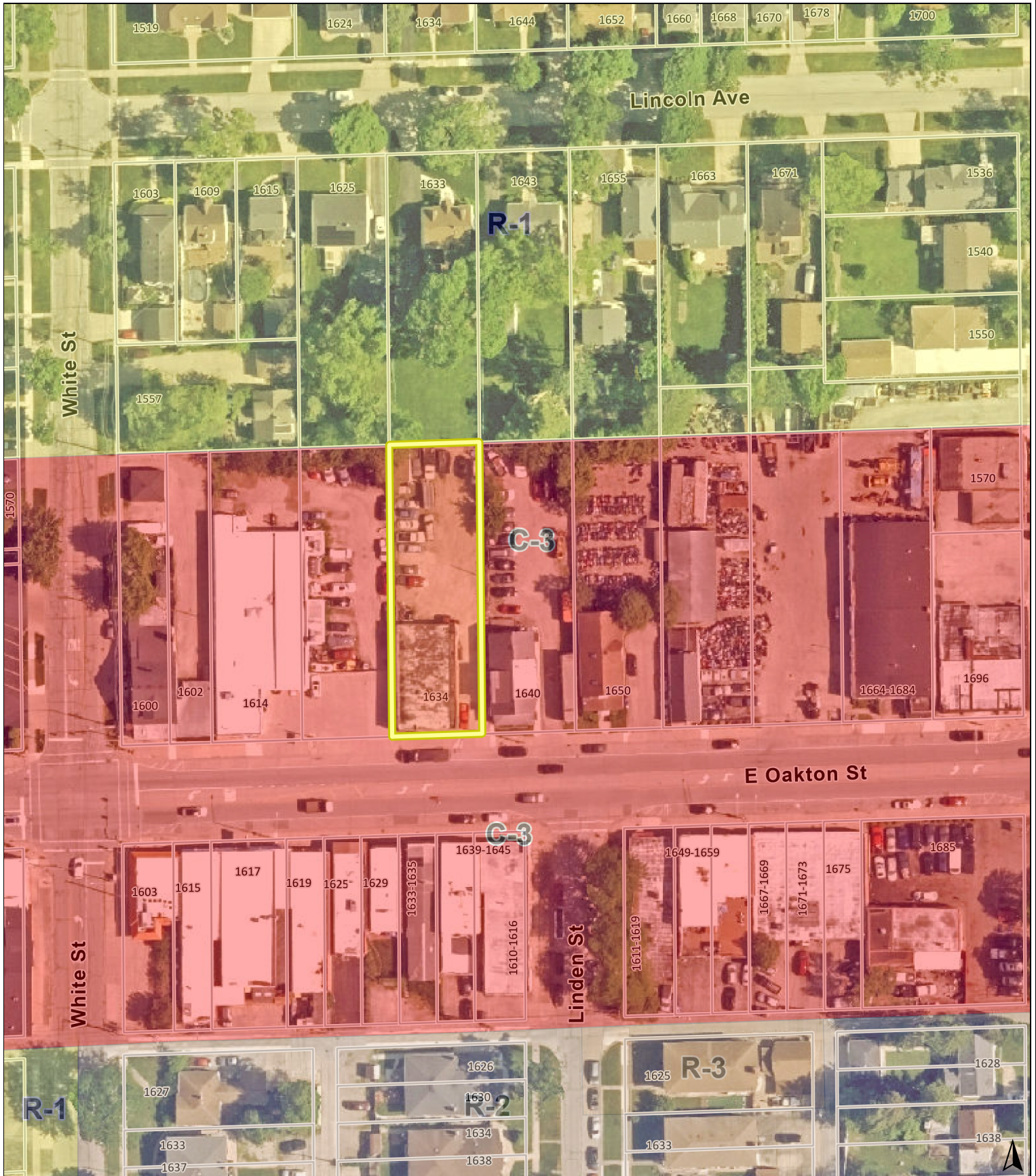
Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Use) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the requests, staff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

Conditions of Approval:

1. The petitioner must pave and stripe the parking areas of the subject property in conformance with the Existing Conditions and Proposed Site 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.
2. Any outdoor display/storage of finished 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 not classified as prefabricated or finished products must be stored inside the principal building or in an approved accessory structure.
3. No shipping containers shall be utilized on the subject property at any time for any reason. Any accessory structures must receive a building permit prior to installation on site.
4. 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. If the dumpster is stored outside in the future, it shall be stored within an enclosure compliant with Section 12-10-11 of the Zoning Ordinance.
5. Waste, debris, and other garbage accumulated through off-site operations for the trade contractor use shall be completely discarded prior to returning to the subject property each day. At no time shall waste, debris, and garbage be left outside on the subject property, except in designated dumpster containers.

Attachments:

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



Print Date: 7/18/2025

Notes

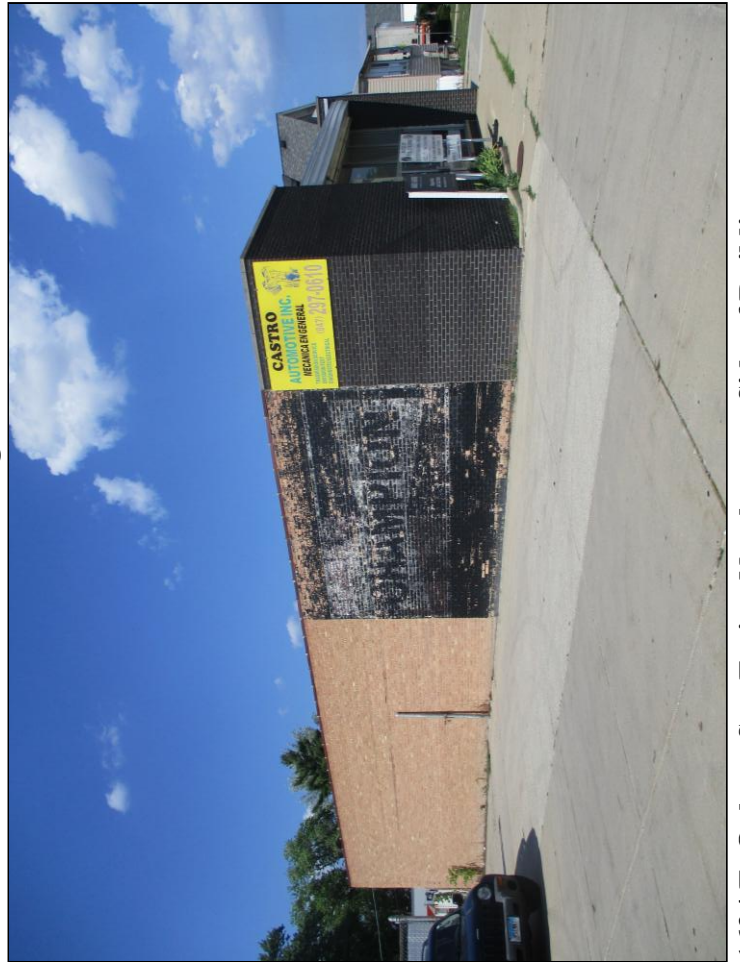
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1634 E. Oakton St – Public Notice Sign



1634 E. Oakton St – Facing Northeast at Front of Property



1634 E. Oakton St – Facing Northeast at Side of Building



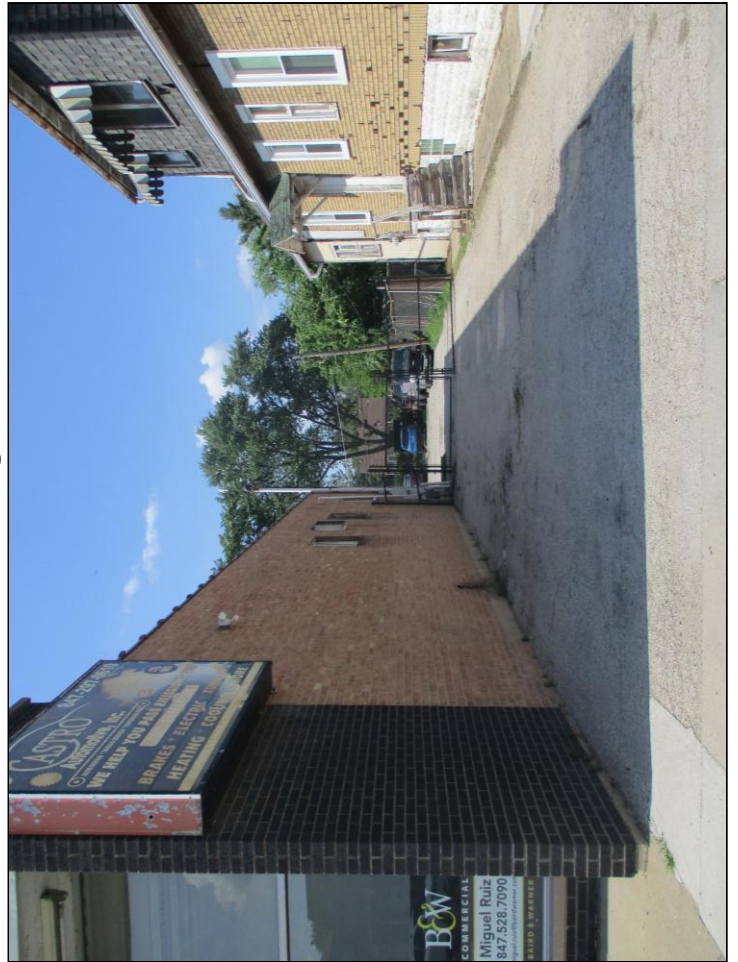
1634 E. Oakton St – Facing West at Side of Property



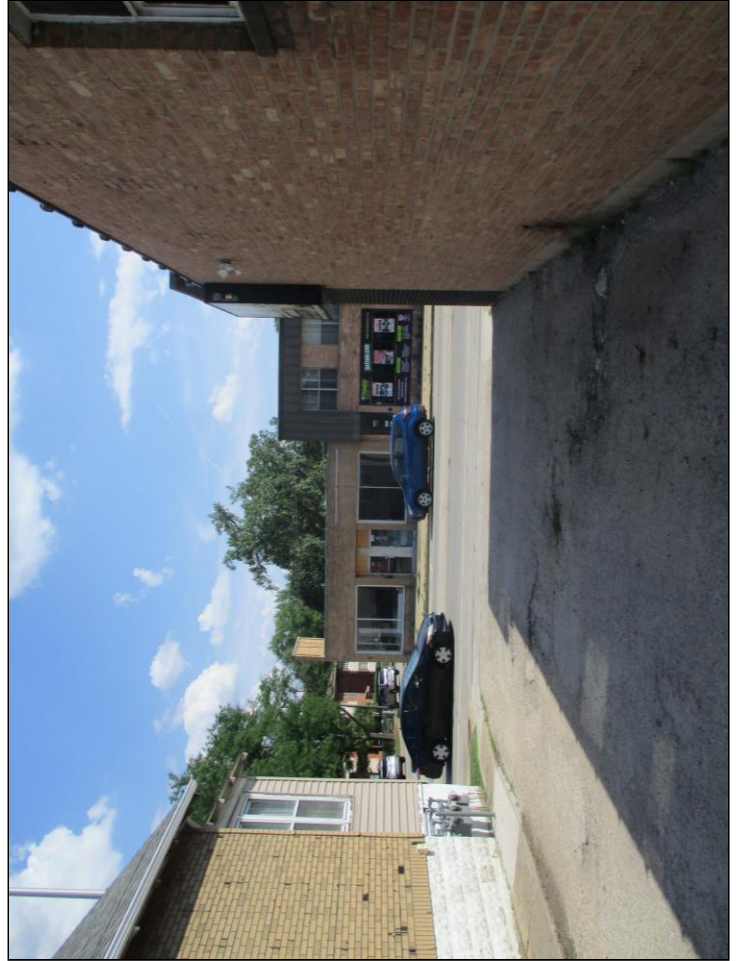
1634 E. Oakton St – View of Building from Across Oakton Street



1634 E. Oakton St– View of Rear Unimproved Parking Area



1634 E. Oakton St – View of Single Drive Aisle to Rear of Property



1634 E. Oakton St – View of Property Entrance at Oakton Street







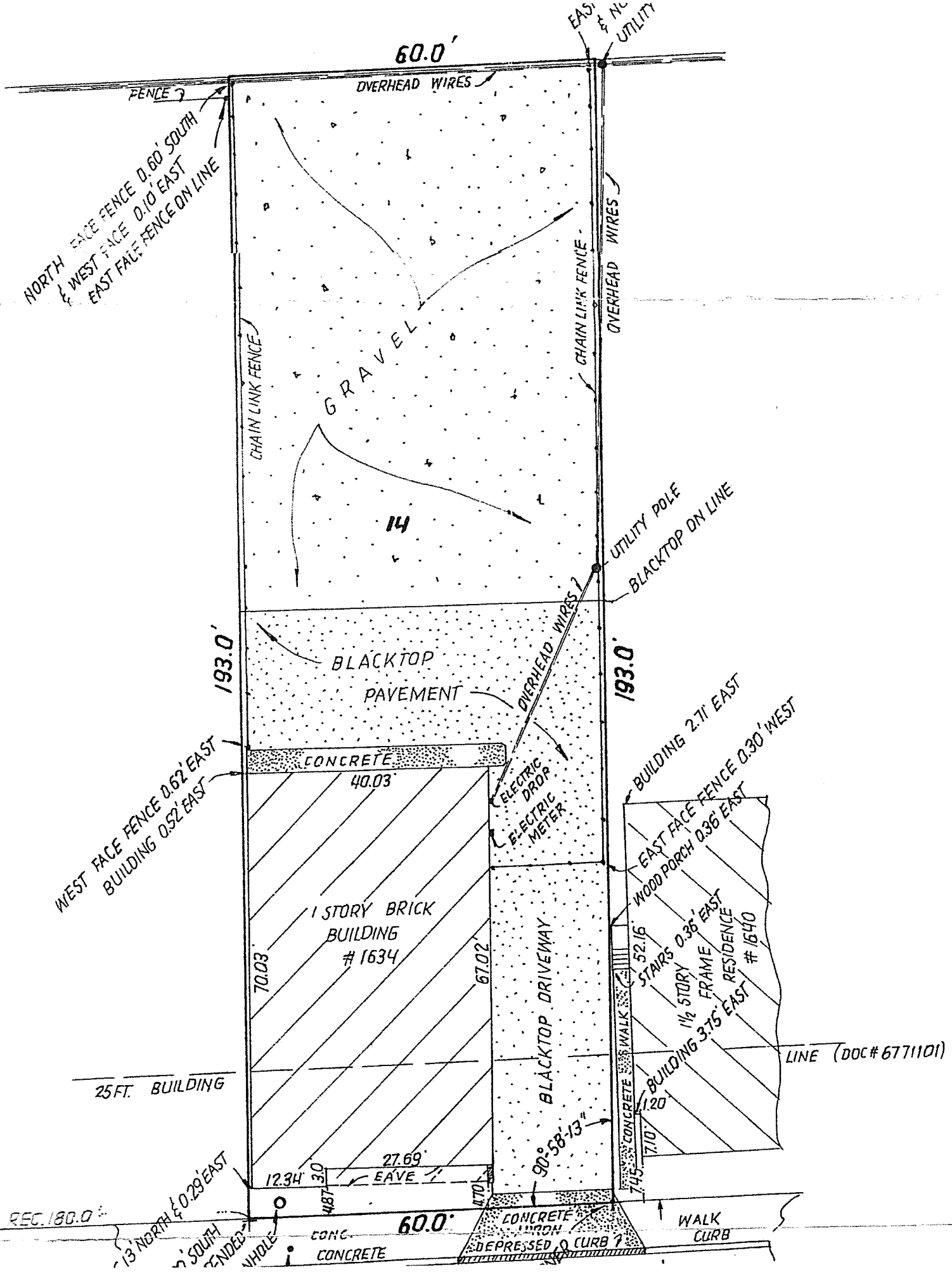


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COMMUNITY AND ECONOMIC DEVELOPMENT

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Des Plaines, IL 60016
P: 847.391.5306
desplaines.org

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).

(Revised 7/14/2025)

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

The property is zoned C-3 and a new conditional use is needed in order to operate as a Trade Contractor per Section 12-7-3.K.

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

In the spirit of the Comprehensive Plan and Revitalizing Oakton Street:

- Decorative plantings will be maintained in front to enhance the curb appeal of the property
- Additional drainage will be installed to ensure storm water is managed properly
- New fencing and landscaping along the north end of the property
- New pavement along with curbs and gutters
- Services will be offered which can serve the day-to-day needs of local residents with respect to landscape design, installation and maintenance, snow removal, drainage, and hardscape installation

The proposed usage is similar to several other trade contractor businesses in the vicinity providing floor covering, kitchen bath and countertops, heating and cooling, roofing, and demolition, contractor yards, as well as several kinds of auto repair services.

We have reviewed Zoning Ordinance and believe the proposed usage is appropriate for the site:

12-9-6 No public parking will be required. The site plan addresses the parking plan as appropriate for the available space.

12-9-8 One parking space will be designated on the site plan for mobility restricted visitors.

There will be no outdoor display of finished products

12-10-9 Planting will be installed along the rear fence to screen the residential property.

12-8-2 An updated 8' fence will be installed along the north end of the property.

12-10-11 The operation will not be visible from the street.

12-3-2 The Site Plan has been provided for review

No lighting changes are proposed.

12-11-6.B and 12-11-5 only informational changes are proposed for existing signage.

In addition, a staggered schedule for departures and arrivals will regulate the flow of traffic, facilitate employee parking and alleviate congestion. No loading, unloading, or parking will be performed on the street.

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;

The proposed use will not be apparent from the street and no significant noise or vapors will be produced. Traffic in and out will be staggered to avoid congestion and will only be apparent for brief periods early morning and late afternoon. Trucks will start up and leave, and later return and shut down immediately. There will be no truck idling. Loaders will be used for brief periods to move materials in and out of the building during business hours only. That equipment does not produce any loud noise. No materials producing smells or vapors will be present.

Curb and gutters will be installed, and the parking area will be paved.

The condition and organization of the property will be much improved from the situation on that property and adjacent properties in 2024:



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

The overall appearance and organization of the property will be improved. No hazardous materials or operations will be present. Vehicles and equipment will not be visible from the street. There will be very little noise produced except for brief periods to move materials, equipment and personnel in and out.

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;

Adequate city services are already available. As noted in the site plan, additional drainage will be installed. The refuse management plan includes contracting with a private waste management company to provide the refuse bin and weekly collection. . For proper screening and nuisance prevention, the refuse bin will reside in the building and will be rolled out on collection day . No additional city services are needed.

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;

There are no additional requirements imposed at public expense. The appearance of the property will be enhanced.

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;

The following actions are planned to ensure that there is no detrimental impact imposed to the area:

- A staggered arrival and departure schedule will be implemented to prevent traffic congestion
- Storage of trucks and equipment will not be apparent from the street, and will be screen from the residential property at the rear with appropriate fencing and landscaping
- No activities will be performed which create smoke, fumes, or odors
- Noise from trucks and equipment will be minimal, as no idling will be needed. Other equipment usage will be minimal and restricted to business hours, with the exception of occasional snow removal at night.
- No lighting changes are planned and no addition light or glare will be introduced.
- Yard waste will be disposed of before returning to the site, and no odor producing materials will be store.

- All materials will be installed inside the building.
8. The proposed conditional use provides vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares;

The existing property provides adequate vehicular access, and no traffic interference will be created.

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

The proposed use will not significantly modify the property. There are no significant features present.

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

All regulations will be complied with.

Project Narrative for 1634 E Oakton Road

(Revised 7/14/2024)

The property will serve as the base of operations for A Garden Guy Landscaping Inc., a landscaping contractor providing installation and maintenance services for the city of Chicago and the Northwest Suburbs.

The site will be used for parking vehicles and equipment, and office space. Standard practice is to pick up the necessary materials in the morning and deliver them to the job site, and to properly dispose of any landscaping waste before returning to the shop, because these costs are recorded on a per-project basis.

Normal hours of operation will be weekdays from 7 AM to 4 PM. It is unusual for the crews to continue working after hours, as the work is physically demanding. Occasional small-scale operation will occur on Saturdays as required. Typical Saturday hours are from 7:30 AM to 2:00 PM.

There will be 2 office employees present most of the day. There will be up to 8 crew members who will be present for brief periods early morning and late afternoons. We will use a staggered pull-in and pull-out method in the parking stalls and the garage to accommodate employee parking. Employees will also use ride sharing to reduce the required parking.

During snow removal season, the property may be accessed at various times day or night as conditions require. The majority of the snow removal work will be done overnight to maximize safety and ease of access for customers. All prep work for snow events is completed during typical working hours. During periods



A Garden Guy Inc.

2439 Robincrest Ln
Glenview, IL 60025

agardenguy@gmail.com

224.676.0222

of heavy snow or daytime snow storms, there may be a small amount of daytime traffic. Depending on the amount of snow, 3 to 5 trucks will leave and return on a staggered basis.

There will be a very small number of onsite visits by customers and vendors. About 6 visits per year is typical. In such cases the 2-hour street parking will be adequate.

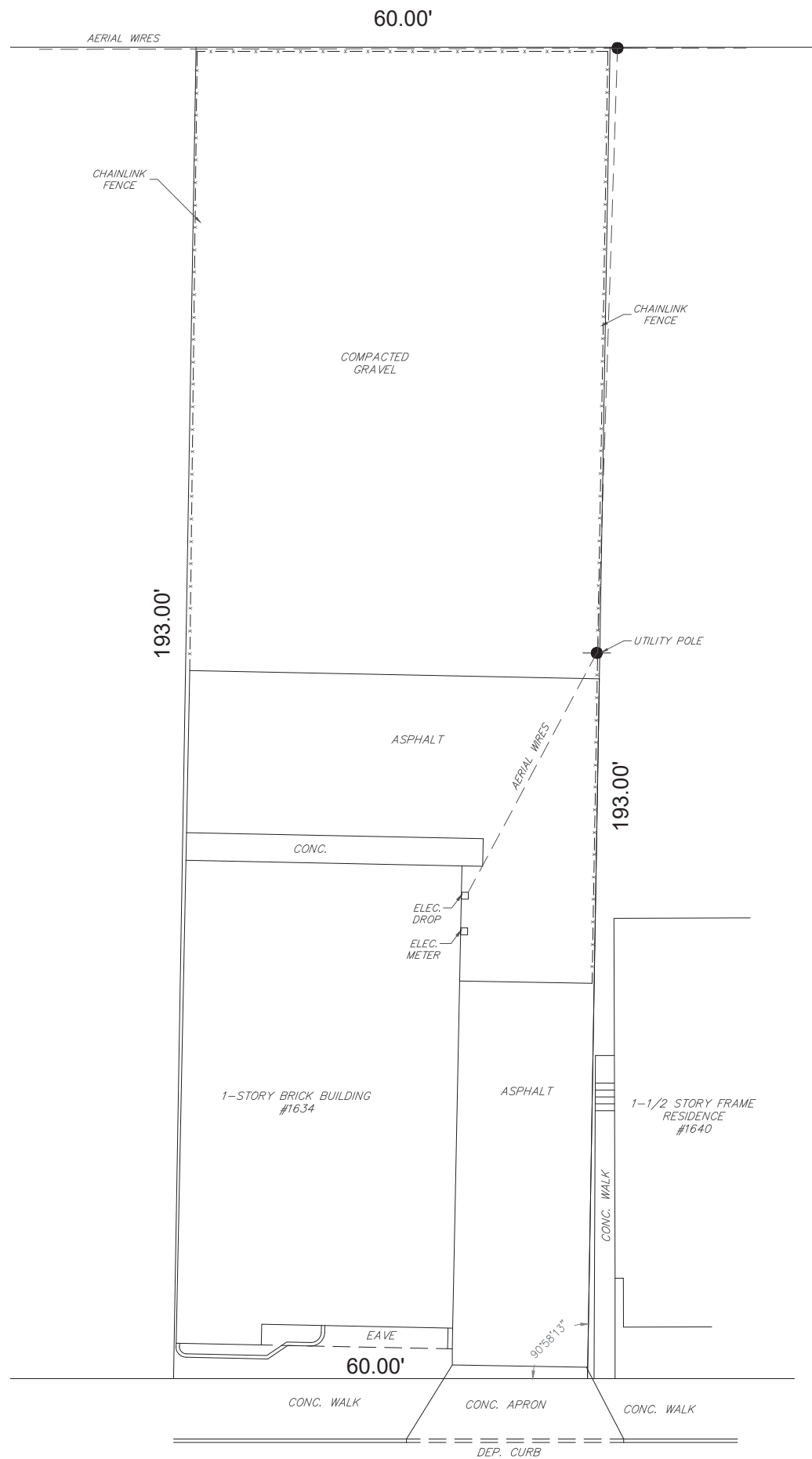
The proposed usage will not be apparent from the street and no significant noise, traffic, or vapors will be produced. Trucks typically start up and leave immediately, and later return and shut down. There will be no idling. No other equipment will be operated on site on a regular basis. No additional lighting will be installed or used. Temporary and infrequent storage of material will be kept inside the building. The dumpster will be kept inside the building and will be wheeled out on pickup day.

Landscaping will be installed on the north side of the property to screen the operation from residential neighbors. This includes 2 trees at 2.5" caliper along with an eight-foot solid wood fence. The overall appearance of the property will be improved, and seasonal planting décor will be maintained in front.

The existing public facilities are adequate, and no traffic interference will be produced.

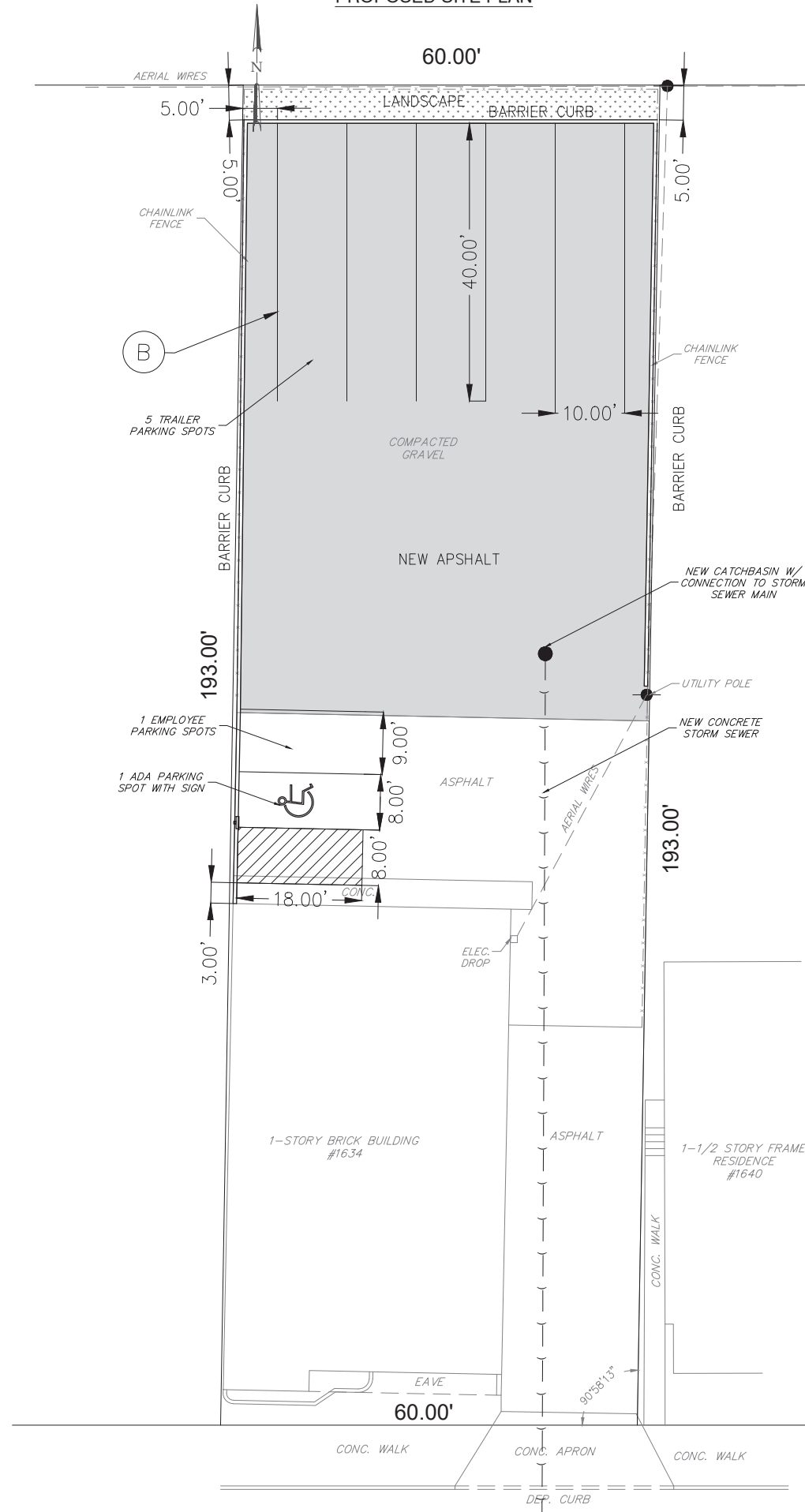
Existing signage will be replaced with information regarding the new operation.

EXISTING CONDITIONS



OAKTON ST

PROPOSED SITE PLAN



OAKTON ST

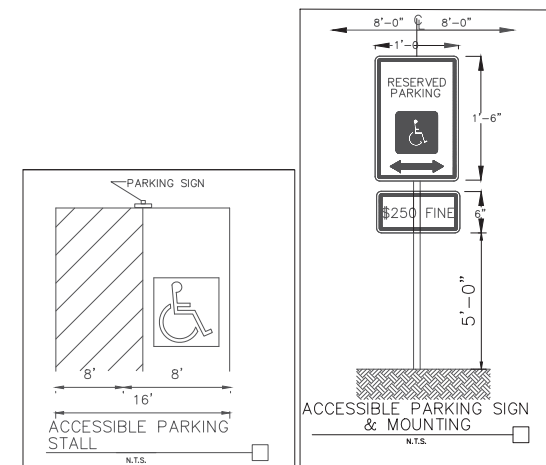
PAVEMENT MARKING LEGEND	
(A)	24" WHITE SOLID STOP BAR
(B)	4" YELLOW SOLID LINE
(C)	8" SOLID WHITE LINE

STANDARD DUTY PAVEMENT
 1 1/2" BITUMINOUS SURFACE COURSE, HOT-MIX ASPHALT, MIX D, N50
 1 1/2" BITUMINOUS BINDER COURSE, HOT-MIX ASPHALT, IL-19, N50
 8" AGGREGATE BASE COURSE CA-6, TYPE B

1634 E Oakton, Des Plaines

Date: 6.9.25

	Existing		Proposed	
	Sq. Ft.	Acres	Sq. Ft.	Acres
Project Area	11,578	0.266		
Building	2,720	0.062	2,720	0.062
Access & Parking	8,858	0.203	8,558	0.196
Impervious Area	11,578	0.27	11,278	0.26
Pervious Area	0	0.000	300	0.007
Increase in Impervious Area		-300 SF		



7-14-25

DATE	REVISIONS	ISSUE	PROJECT STAFF
7-14-25		1	CONCEPTUAL PLAN

PROJECT MANAGER: W. HEPBURN, P.E.
 ENGINEER: W. HEPBURN, P.E.
 TECHNICIAN: W. HEPBURN, P.E.

BCI BONO CONSULTING CIVIL ENGINEERS
 4224 MERIDIAN PKWY, STE 116
 A. SEVE & MAHER ENGINEERS COMPANY
 1018 BUSSE HIGHWAY
 PARK RIDGE, IL 60068
 PH: 847.486.1515
 FAX: 847.486.1515
 WWW.BONOCONSULTING.COM
 BONO@BONOCONSULTING.COM
 W. HEPBURN, P.E.

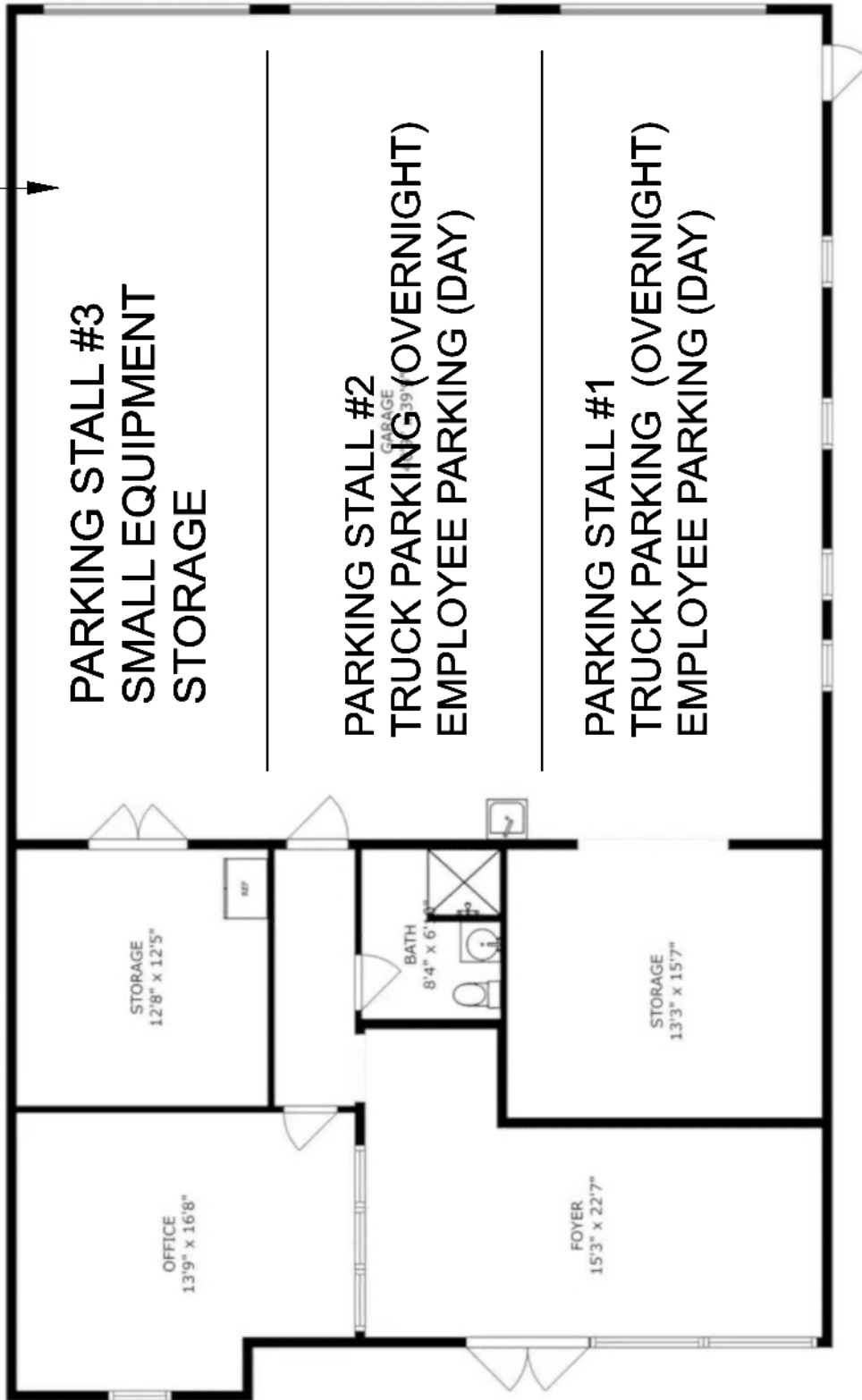
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 4 BLANCHARD ROAD, PO BOX 85A, CUMBERLAND MAINE 04021
 PHONE 207.829.5016 • FAX 207.829.5992 • WWW.ENR-ENGINEERS.COM

EXISTING CONDITIONS & PROPOSED SITE PLAN
 SITE IMPROVEMENTS FOR EXISTING BUILDING
 1634 E. OAKTON, DES PLAINES, IL

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PROJECT NO.: 250814
 BASE FILE:
 SHEET FILE:
 ISSUE DATE: JUNE 9, 2025
 SCALE: 1"=20'-0"
 SHEET NUMBER
1

DUMPSTER





MEMORANDUM

Date: July 18, 2025
To: Planning and Zoning Board (PZB)
From: Samantha Redman, AICP, Senior Planner *SR*
Cc: Jonathan Mendel, AICP, Assistant Director of Community and Economic Development *JM*
Subject: Consideration of Tentative Plat of Subdivision of Properties Located at Prairie/Lee/Graceland (760 Lee)

Issue: The petitioner is requesting a Tentative Plat of Subdivision to resubdivide thirteen lots into two lots separated by an existing public alley right-of-way.

Petitioner/Owner: Armita LLC, 4042 N. Pulaski, Chicago, IL 60641

Case Number: 25-036-TSUB

PINs: 09-17-425-001-0000, 09-17-425-002-0000, 09-17-425-020-0000, 09-17-425-039-0000, 09-17-425-040-0000, 09-17-425-050-0000, 09-17-425-051-0000, 09-17-425-023-0000, 09-17-425-024-0000, 09-17-425-007-0000, 09-17-425-006-0000, 09-17-425-038-0000, and 09-17-425-003-0000

Ward: #2, Alderman Colt Moylan

Existing Zoning: C-5, Central Business District

Existing Land Use: Surface parking lot and undeveloped land

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

Surrounding Land Use: North: Commercial buildings and Paroubek Park
South: Funeral home and commercial building
East: Commercial buildings
West: Multi-family residential buildings

Street Classification: Graceland Avenue and Lee Street are classified as major roads under the jurisdiction of the Illinois Department of Transportation (IDOT); Prairie Avenue is classified as a local road under the jurisdiction of the City of Des Plaines.

Comprehensive Plan: “Higher Density Urban Mix with Residential” is the use illustrated in the Comprehensive Plan.

Property/Zoning History: Per the Cook County Tax map, the subject properties were originally subdivided in 1873 into the Parson & Lee’s Addition. Per historic aerials, single family detached residences occupied this location from at least 1938 to the 1950s, when the property began to be developed with surface parking lots and commercial buildings. Since the 1950s, several commercial buildings have been constructed and demolished on the site. Most recently, the property featured a commercial shopping center on the northeast parcels, which was demolished in 2021.

Since that time, the property has consisted of surface parking spaces and undeveloped land. The City previously leased portions of the subject properties from the property owner for use as public parking, but the lease was not renewed after it expired in 2020. A request was made in 2024 for a Planned Unit Development and vacation of public alley to accommodate a mixed-used development on the properties. The applicant of the request ultimately withdrew the application.

Project Overview: The request is for the resubdivision of the property from thirteen lots to two lots separated by an existing public alley. One lot would be 27,077 square feet (1.31 acres) and the other lot would be 60,833 square feet (1.40 acres). No changes to the boundaries or size of the public alley between the lots are proposed. The attached Tentative Plat of Subdivision shows the location and boundaries of each lot. The Tentative Plat includes all information required by Section 13-2-2 of the Subdivision Regulations, with the exception of the utility easements; the applicant requests a waiver from this requirement until time of Final Plat of Subdivision.

Waiver for Utility Easements

The petitioner has requested a waiver from the utility easements until time of Final Plat of Subdivision. The PZB can grant this waiver, with the recommendation from the city engineer, if a condition of approval states the utility information as required by Section 13-2-2.E. The Department of Public Works and Engineering (PWE) provided a memo (refer to attachments) stating there are no concerns with supporting this waiver, if conditioned that this information is provided with the Final Plat of Subdivision.

Subdivision Improvements

PWE provided a memo (attached) outlining necessary public improvements for any development of the site to be detailed on engineering plans at Final Plat of Subdivision review. In addition, Section 13-3-2 of the Subdivision Ordinance discusses required improvements for subdivided properties and timelines for the improvements. Improvements are approved by the City Council during the Final Plat of Subdivision process and financial guarantees for improvements

are included within the resolution at that stage in the process.

Note the petitioner's request at this time is for a Tentative Plat only. The steps for Final Plat are articulated in Sections 13-2-4 through 13-2-8. The Final Plat of Subdivision would occur at a later date and would be a concurrent process with the Final PUD plat. All necessary dedications, fees, and necessary improvements would be outlined in the final subdivision resolution.

Any future development on this property must comply with the underlying C-5, Central Business District and any other applicable zoning requirements. No changes to the zoning district, variations, or any other zoning relief is associated with this Tentative Plat of Subdivision. At time of building permit, all plans would be closely reviewed for compliance by City staff prior to any approvals or issuance of permit.

PZB Procedure and Recommended Conditions:

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

The PZB should make the following motions, which can be combined or taken individually:

Subdivision Approval (Tentative Plat)

- A motion pursuant to Section 13-2-2 of the Subdivision Regulations to approve, approve with condition, or deny the waiver to allow consideration of utility easements and service details to be deferred to the Final Plat of Subdivision stage.
- A motion pursuant to Section 13-2-2 of the Subdivision Regulations to approve, approve with conditions, or deny the Tentative Plat of Subdivision.

If the PZB approves the request, staff recommends the following condition for the Tentative Plat of Subdivision.

Condition of Approval:

1. At time of Final Plat of Subdivision, tentative approval of utility easements by all privately owned utility companies shall be indicated via written correspondence or lettered on the final document.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Plat of Survey
- Attachment 4: Tentative Plat of Subdivision
- Attachment 5: Public Works and Engineering (PWE) Department Memo

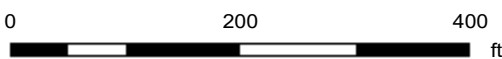


Legend

Subject Site

Zoning

- C-3: General Comm
- C-5: Central Busines
- R-1: Single Family Residential
- R-4: Central Core Residential



Print Date: 10/24/2024

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.



Public Notice Sign 1 - Facing Graceland Ave



View of parking lot



View of property, facing Prairie Avenue from south property line



View of existing alley, to remain

LEGEND

- Storm Sewer
- Storm CB
- Storm Inlet
- Water Inlet
- Water Buffering Box
- Water Fire Hydrant
- Water Meter
- Telephone Man
- Utility Pole
- Gas Meter
- Electric Meter
- Electric Vault
- Electric Light Pole
- Electric Light Pole with Traffic Signal
- Electric Traffic Signal
- Electric Traffic Control Box
- Electric Traffic Vault
- Gas Buffering Box
- Sign Post
- Unimproved Work
- Blue Box
- Mail Box
- Cell Tower

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Telephone: 312.467.1100 Fax: 312.467.1101

ALTA / NSPS Land Title Survey

PARCEL 1
 LOTS 23 AND 24 IN BLOCK 4 OF PARSON AND LEE'S ADDITION TO DEE PLANNED, A SUBDIVISION OF SECTIONS 17 AND 18, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2
 LOT 2 EXCEPT THE NORTH-EASTERNLY 20 FEET THEREOF; ALL OF LOT 1 AND THE NORTH 20 FEET OF LOT 4 IN PARSON AND LEE'S ADDITION TO DEE PLANNED, BEING A SUBDIVISION OF LOTS 13, 14, 15B THROUGH 18 AND 17A THROUGH 17F IN THE TOWN OF DEE PLANNED IN SECTIONS 17 AND 18, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

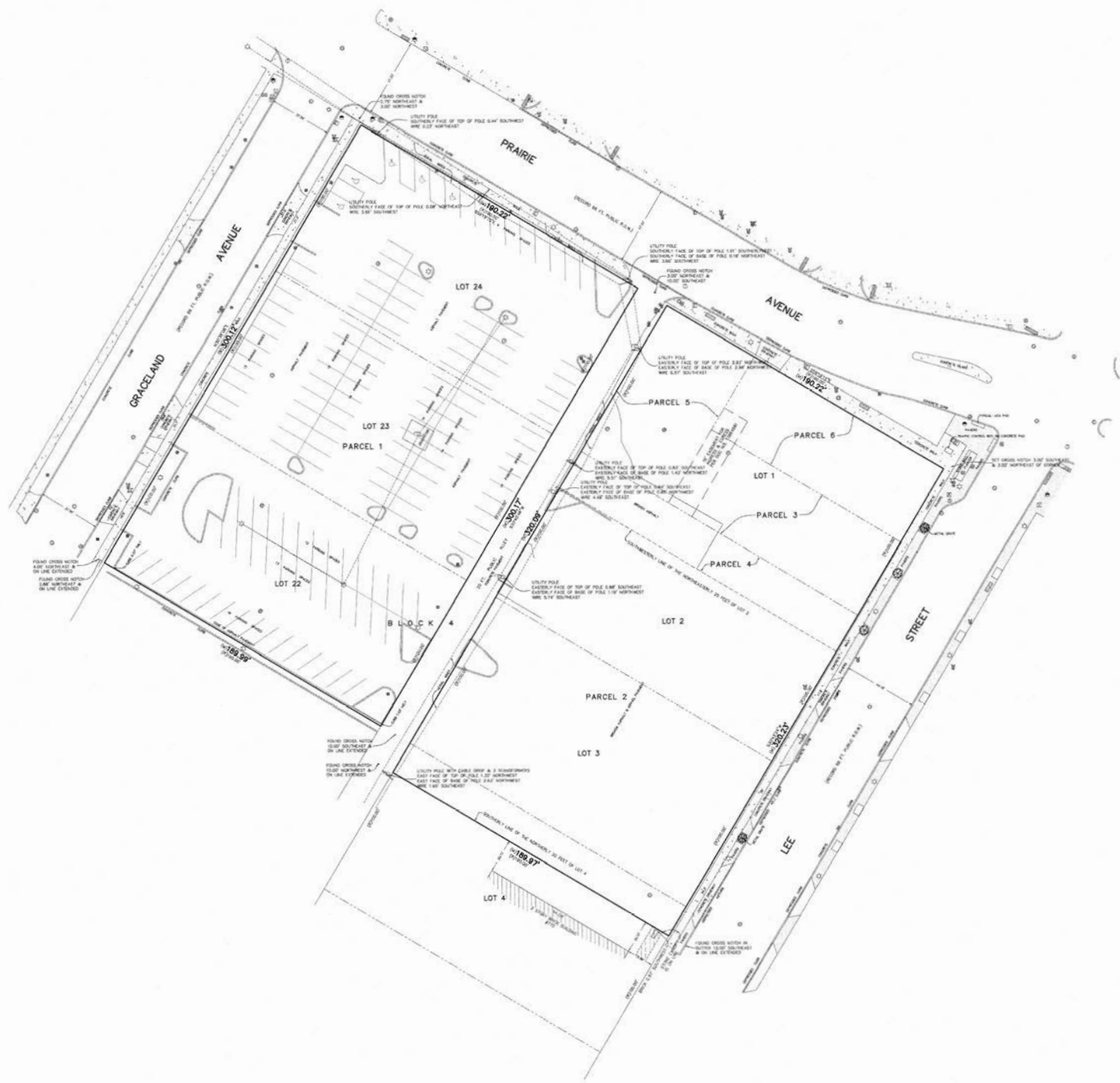
PARCEL 3
 LOT 1 EXCEPT THE NORTH-WESTERLY 80 FEET THEREOF AND EXCEPT THE NORTH-EASTERNLY 50 FEET IN BLOCK 4 PARSON AND LEE'S ADDITION TO DEE PLANNED IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 4
 THE NORTH-EASTERNLY 20 FEET OF LOT 3, BLOCK 4 IN PARSON AND LEE'S ADDITION TO DEE PLANNED, BEING A SUBDIVISION OF LOTS 13, 14, 15B, 16, 17A, 17B, 17C, 17D, 17E, 17F, 17G AND 17H IN TOWN OF DEE PLANNED, IN SECTIONS 17 AND 18, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 5
 THE NORTH-WESTERLY 80 FEET OF LOT 1 IN BLOCK 4 IN PARSON AND LEE'S ADDITION TO DEE PLANNED IN THE SOUTH 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 6
 THE NORTH-WESTERLY 80 FEET OF LOT 1 EXCEPT THE NORTH-WESTERLY 10 FEET IN BLOCK 4 IN PARSON AND LEE'S ADDITION TO DEE PLANNED IN THE SOUTH 1/2 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

TOTAL AREA: 117,810 SQUARE FEET OR 2.707 ACRES MORE OR LESS



SURVEY NOTES

SURVEYOR'S LICENSE EXPIRES November 30, 2024

PROPERTY APPEARS IN OTHER AGENCY ZONE X AREAS DETERMINED TO BE OUTSIDE THE 5-YEAR ANNUAL CHANGES FLOODPLAIN PER FLOOD INSURANCE RATE MAP COOK COUNTY, ILLINOIS, MAP NO. 171030217A, EFFECTIVE DATE AUGUST 19, 2018

Note: (NSPS) denotes Parcel and Measured distance respectively.

Customers are notified in field and detailed plans. Customer at points BEFORE building by name and at other report any differences BEFORE damage is done.

For assessments, building lines and other conditions not shown on survey plan refer to your architect, engineer, title policy and local building line regulations.

NO dimensions shall be assumed by scale measurement upon this plan.

Measurements of address points were not set at the client's request.

Unless otherwise noted herein the Bearing, Distance and Coordinate Datum of (see) is ASSUMED.

CHICAGO GUARANTEE SURVEY COMPANY 2023 - All Rights Reserved

THIS SURVEY WAS PREPARED BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 1330800000000000 DATED SEPTEMBER 11, 2023 AS TO MATTERS OF RECORD.

3. Description of items of interests, of record in the Public Record.

4. Any encumbrance of record is shown in bold on the plan and nothing on it unless otherwise noted or added with the client's authorization, whether in writing or otherwise, including the 1/4th acre or less in an exception to the original survey of the land.

THIS IS TO CERTIFY THAT THIS MAP OF PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA AND NSPS LAND TITLE SURVEYS AS ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7A, 7B(1), 7C(1), 8 AND 10 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON OCTOBER 10, 2023.

DATE OF PLAT OCTOBER 18, 2023

BY: *[Signature]*

CHICAGO GUARANTEE SURVEY COMPANY

PROJECT NO.	2023-31564-001
DATE	10/18/2023
SCALE	1" = 1'
SHEET NO.	1 of 1

MEMORANDUM

Date: June 18, 2025

To: Samantha Redman, AICP Senior Planner

From: Timothy P. Oakley, P.E., CFM, Director of Public Works and Engineering

Cc: Becca Shipp, P.E., Assistant Director Public Works and Engineering
John La Berg, P.E., CFM, Civil Engineer

Subject: 760 Lee Street Tentative Plat of Subdivision

Public Works and Engineering (PWE) has reviewed the engineering plans for the Tentative Plat of Subdivision and is satisfied with them for zoning approval, subject to conditions and comments outlined below:

Required Public Improvements

[Section 13-3-2.L](#) of the Des Plaines Subdivision Ordinance describes ROW improvements adjacent to a property that the City is able to require with the subdivision process.

Below are the required public improvements for this development to be displayed on engineering plans at time of **final plat of subdivision**, as determined by PWE:

- Alley must be reconstructed and meet City alley standards and specifications.
- All existing utilities, including water service mains and main pipes, must be removed up to city utility and city utility pipe replaced. Plans demonstrating this proposed work must be approved by PWE Director or designee at time of Final Plat of Subdivision.
- All utility lines, including, but not limited to, electric, telephone and gas shall be placed underground in all subdivisions.
- All streetscape pavers and other paraphernalia must be saved if disturbed during construction, for re-use by PWE. Decorative lighting may be required along all frontage streets, with locations and specifications to be determined by PWE Director with approval of plans for Final Planned Unit Development.

Relevant Permit and Construction Requirements

The following are requirements for building permit and construction, as specified in applicable municipal,

state, or local regulations. No variation is permitted from these requirements, unless otherwise permitted by the applicable authority.

- Metropolitan Water Reclamation District (MWRD) and Illinois Department of Transportation (IDOT) permits are required prior to issuance of permits for construction and may be necessary for other stages of the project.
- Public sidewalk adjacent to the site found to be in unsafe condition or damaged by construction shall be replaced. City of Des Plaines shall make final determination near the completion of construction activities ([Section 8-1-2.A](#)).
- Pursuant to [Section 10-1-2](#), grading and drainage plans are required at time of building permit, meeting requirements outlined in [Section 10-10-6](#). Roof volume control must have enough storage so as to not activate the emergency roof scuppers during a light rain event.
- In every building or structure being built in the C-5 Central Business District, all utility distribution lines for telephone, gas, electric and cable service to be installed shall be placed underground within easements or dedicated public ways. The installation of such facilities shall be made in compliance with the applicable orders, rules, regulations and laws of the State of Illinois and the agencies thereof ([Section 8-1-10](#)).
- Street opening bond (i.e. “restoration security fund”) required prior to issuance of permit, in an amount specified by the PWE Director or designee ([Section 8-1-5.F.2](#)). City street and alley standards and specifications must be utilized for any street or alley design including, but not limited to, filling any street patches with flowable fill and street sweeping must be completed daily during construction activities.
- Whoever shall dig or cause to be dug any excavation in or adjoining any public right of way shall erect a barricade and shall illuminate the excavation area in accordance with all applicable regulations, standards, and guidelines promulgated or published by the Illinois department of transportation ([Section 8-1-5.G](#)). Sidewalks are prohibited from being blocked without proper permission, as specified in [Section 8-1-8.D](#). To meet this requirement, PWE will require:
 - A sidewalk detour plan is required to be submitted with building permit.
 - Crane operation may only occur on private property, unless otherwise permitted by PWE with compliance with all IDOT traffic control requirements.

Waiver for Utility Easements

The applicant requests a waiver from [Section 13-2-2](#) of the Subdivision Regulations, stating the following:

“E. Utility Easements: Tentative approval of utility easements by all privately owned utility companies shall be indicated via written correspondence. The Planning and Zoning Board may waive this requirement, conditioned upon the subdivider obtaining approval through the Final Plat process.”

The applicant stated they are currently coordinating with utility companies, but do not have written correspondence at this time. However, they will be able to meet this requirement at time of Final Plat of Subdivision.

PWE states they are comfortable waiving this requirement until the Final Plat of Subdivision, provided it is a condition of approval with the Tentative Plat of Subdivision. The Planning and Zoning Board have the ability to grant or deny this waiver.

MEMORANDUM

Date: July 18, 2025

To: Planning and Zoning Board (PZB)

From: Samantha Redman, AICP, Senior Planner *SR*
Jonathan Stytz, AICP Senior Planner *JS*

Cc: Jonathan Mendel, AICP, Assistant Director of Community and Economic Development *JM*

Subject: Zoning Text Amendments Regarding Rock Gravel as Landscaping Material

Issue: Consider Zoning Ordinance amendments to amend Sections 12-3-6.E.1, 12-10-6.A, and 12-9-6.D to allow public utility uses to request relief from groundcover requirements through the minor variation process.

PIN: Citywide

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

Case Number: #25-041-TA

Background

The stated purpose of the landscaping regulations is to enhance the visual character, health, safety, and general welfare of the community by promoting aesthetically cohesive and compatible development. They also serve to mitigate adverse impacts such as noise, light, and dust, while encouraging the efficient use of water and energy resources. Landscaping regulations apply broadly throughout the City, promoting green spaces and reducing impervious surfaces in various contexts. Examples of these code regulations include requiring landscape islands and buffers within parking lots, screening between residential and non-residential uses, and encouraging the use of turf, mulch, or plantings in all areas not occupied by buildings, structures, or hard surfaces. However, in certain circumstances, strict adherence to landscaping regulations may be problematic due to site constraints or safety concerns.

Overview of Design Requirements for Electric and Natural Gas Facilities

Staff proposes text amendments to address specific concerns raised by utility companies in regard to a requirement limiting the use of gravel or rock mulch. Currently, gravel and rock mulch are expressly prohibited. However, this restriction does not align with the general design and specifications of utility facilities. For example, electric facility yards normally require 4-6 inches of rock gravel within areas surrounding equipment and other infrastructure. This design feature benefits the operation and maintenance of the facility by providing proper site drainage, reducing likelihood of electrocution from short-circuit faults

and preventing weed growth¹. The use of gravel serves to improve the safety of these facilities and common standard specifications for electric utility facilities, including substations. Natural gas facilities similarly use gravel for safety reasons, primarily to ensure proper site drainage to prevent pooling of water and to allow for easy access for inspection, replacement, or emergency repair and access to underground equipment. Gravel in both circumstances is similarly beneficial for fire prevention compared to the use of natural groundcover such as mulch or grass. Des Plaines has several examples of utility stations including gravel or rock mulch, refer to Existing Utility Stations map attachment for notable examples.

Current Requests for Stone Mulch Groundcover by Utilities

Staff initiated this text amendment due to multiple active permit applications from public utilities with non-compliant site designs. These include a Nicor Gas natural gas utility station relocation to 570 S. Wolf Road and a new ComEd electrical substation switchgear building at 1101 Seegers Road. Both site designs incorporate stone mulch for the reasons noted above. Staff determined the available route for zoning relief would require the utility companies to request major variations for their projects. However, after consultation with utility representatives, staff concluded that a text amendment could be crafted to address the issue more effectively. In scenarios where staff receive multiple requests for the same variation, especially when approval by the Planning and Zoning Board and City Council appear likely, we assess whether the underlying regulations remain appropriate. In this case, staff determined that a text amendment would be beneficial to provide necessary flexibility while avoiding burdensome and repetitive review processes for both utility companies and City staff. Refer to attachments for a letter of support from Nicor for the proposed amendments.

Overview of Past Amendments

On February 19, 2020, staff requested and City Council approved multiple amendments to Chapter 10, “Landscaping and Screening” of the Zoning Ordinance to reorganize, clarify, and add regulations related to various landscaping and screening improvements for developments in Des Plaines. Sections relevant to the current text amendment include the following:

- **12-10-6: Minimum Landscaping of Yards**
 - *New regulations:* Clarified the required landscaping improvements outside all areas covered with structure and impervious surfaces and noted the prohibition of rocks and stone mulch as landscape material.
 - *Purpose of Regulations:* To ensure that all properties use appropriate landscape materials that met the intent of this chapter. Rock and gravel mulch is prohibited to prevent the use of inferior rock and gravel products on properties for landscape beds and unpaved parking areas as well as to avoid complexity in defining and regulating type of rock/stone groundcover materials.
- **12-10-10: Foundation Landscaping**
 - *New regulations:* Required foundation landscaping for all new developments within the City of Des Plaines after March 20, 2020 with additional foundation landscaping required for corner lots. It also required displaced foundation landscaping to be replaced elsewhere on site and provided an allowance for a minor variation request.
 - *Purpose of Regulations:* To require landscaping along the foundation of a building with emphasis on street-facing elevations to soften the transition from to the public right-of-way and ensure compliance with the intent of this chapter. These amendments ensure that buildings with more street frontage provide additional landscaping along the building foundation to further this goal as well as ensure foundation landscaping is maintained on the property even with changes to the site.

¹ Meisner, Thomas. 2012. *The Electric Power Engineering Handbook - Electric Power Substations Engineering*. Third. Edited by D John McDonald. Boca Raton, FL: CRC Press., Page 8-5

Proposed Amendments

City staff desires to continually update, clarify, enhance and modernize the Des Plaines Zoning Ordinance. The attached Proposed Amendments aim to provide minor corrections to the Zoning Ordinance and create an allowance for public utilities to utilize gravel or rock mulch as a ground cover through a minor variation process, which is reviewed and decided by the Zoning Administrator.

Cleanup Amendment

Staff proposes correcting Section 12-3-6.E.1 (Authorized Minor Variations) to add the previously established minor variation (sub-item J) under subsection E to allow a variation request of the foundation landscaping requirements in Section 12-10-10 for consistency and clarity.

Minor Variation for Stone/Rock Mulch Groundcover

The following code sections are proposed to be amended to establish and reference the new minor variation request for stone/rock mulch groundcover:

- **Section 12-3-6.E.1 – Authorized Minor Variations**
 - Add new minor variation (sub-item K) under subsection E to allow a variation request of stone/rock mulch for public utilities.
- **Section 12-9-6.D – Surfacing and Striping [Off-Street Parking]**
 - Add statement referencing the minor variation request eligible for public utilities.
- **Section 12-10-6.A – Turf [Minimum Landscaping of Yards]**
 - Amend this regulation to note consideration of rock mulch on a case-by-case basis through a minor variation for Public Utilities only.

Rationale for Minor Variation Process

A minor variation process provides a pathway for zoning relief in circumstances that warrant case-by-case review for only public utility facilities against established variation standards. Minor variations, in contrast to standard and major variations, are only reviewed by the Zoning Administrator. Allowing certain deviations from the zoning code through administrative approval provides a more efficient path for projects that can be considered low impact and repetitive in nature. These types of requests are often technical and unlikely to create concerns from neighboring property owners or the broader community. Other examples of minor variations that can be granted by the Zoning Administrator include variations to fence heights and small reductions to setbacks of accessory or principal structures, in addition to a variety of other variations listed in Section 12-3-6.E.

In this circumstance, allowing an administrative review and decision process through the minor variation process enables City staff to evaluate requests based on objective criteria, ensuring consistency with the intent of the Zoning Ordinance while providing flexibility in certain aspects of site design. The proposed text amendments aim to balance the goals of the landscaping regulations of the Zoning Ordinance with the operational and development needs of utility companies, facilitating critical infrastructure improvements without the delays associated with the major variation process, which requires Planning and Zoning Board recommendation and City Council approval.

The minor variation process still allows for case-by-case review of site design for only public utility facilities and petitioner justifications for the use of rock mulch, while giving staff the authority to require alternative materials—such as hard surfaces—when appropriate. For example, rock mulch may be necessary near utility equipment for safety or access reasons, but driveways or parking areas should continue to be constructed with dust-free hard surfaces, such as concrete or asphalt, to ensure long-term durability, minimize maintenance issues, contain potential spills from vehicle fluids, and maintain an overall clean and aesthetically pleasing appearance of the facility.

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.

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the city council;

The 2019 Comprehensive Plan generally discusses the modernization of codes to match emerging land use trends and enhance the existing character of the community but still respect existing land uses. The Comprehensive Plan also specifically discusses updating the landscape code to build in administrative flexibility so that the intent of the landscape code and the context of each site are considered. The Comprehensive Plan strives to reduce onerous landscaping regulations and create more robust landscaping requirements for different land uses. The overarching goal of these amendments is to comprehensively clarify, enhance and modernize the landscape code in the Zoning Ordinance. In general, the amendments propose to further clarify landscaping and screening requirements and provide administrative flexibility for public utilities while maintaining appropriate screening requirements to minimize the adverse impact of surrounding developments.

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

The proposed amendments strive to provide clarity and consistency throughout the landscape code while also addressing specific needs of public utility uses, which are unique in nature as compared to other uses but play a critical role in the community. This update to the landscape code includes the addition of a minor variation option for public utility uses for a stone/rock mulch groundcover, which is not only important for the safety and efficiency of their operation, but also is consistent with the existing conditions of public utility properties in the region.

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

All proposed amendments are not anticipated to negatively impact public facilities and available services. Rather, they are anticipated to benefit utility companies by simplifying the process for requesting zoning relief and reducing the time required to obtain a variation.

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

All proposed amendments will not have an adverse effect on property values throughout the City. Generally, the proposed amendments would help address safety and efficiency needs for the operation of public utility uses on a case-by-case basis but do not impact the existing screening requirements for these uses to minimize adverse effects on the value of surrounding properties.

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

The proposed amendments work towards responsible standards for development and growth. Specifically, the proposed amendments will allow flexibility where necessary on a case-by-case basis while still requiring adherence to the landscaping and screening requirements in the Zoning Ordinance, which can help to enhance the character 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.

Attachments:

Attachment 1: Proposed Amendments

Attachment 2: Letter of Support from Nicor

Attachment 3: Existing Utility Facility Examples Map

Proposed Amendments

12-10-6: MINIMUM LANDSCAPING OF YARDS:

- A. Turf: For all zoning lots, areas of the property not covered by structures or impervious surfaces shall be landscaped with turf, wood mulch, or other plant materials. Rocks and stone mulch are not permitted.
- B. Trees: Shade trees with a minimum trunk size of two and one-half inches in caliper shall be provided for all zoning lots at a rate of one tree for every 2,500 square feet of yard.
- C. Minor Variation: Public utility uses can request relief from this subsection through a minor variation pursuant to Section 12-3-6 of this title.

Bolded/underlined text = proposed new text; ~~struck-through text~~ = proposed omitted text

July 18, 2025

Ms. Samantha Redman, AICP
Senior Planner
City of Des Plaines
1420 Miner Street
Des Plaines, IL 60016

RE: Proposed Text Amendments to the City of Des Plaines Zoning Code

Dear Ms. Redman:

Thank you for the opportunity to provide a letter of support for the proposed text amendments to the City of Des Plaines Zoning Code, specifically, those section(s) pertaining to the process to deviate from groundcover requirements for utility stations or similar facilities.

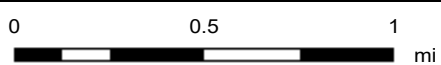
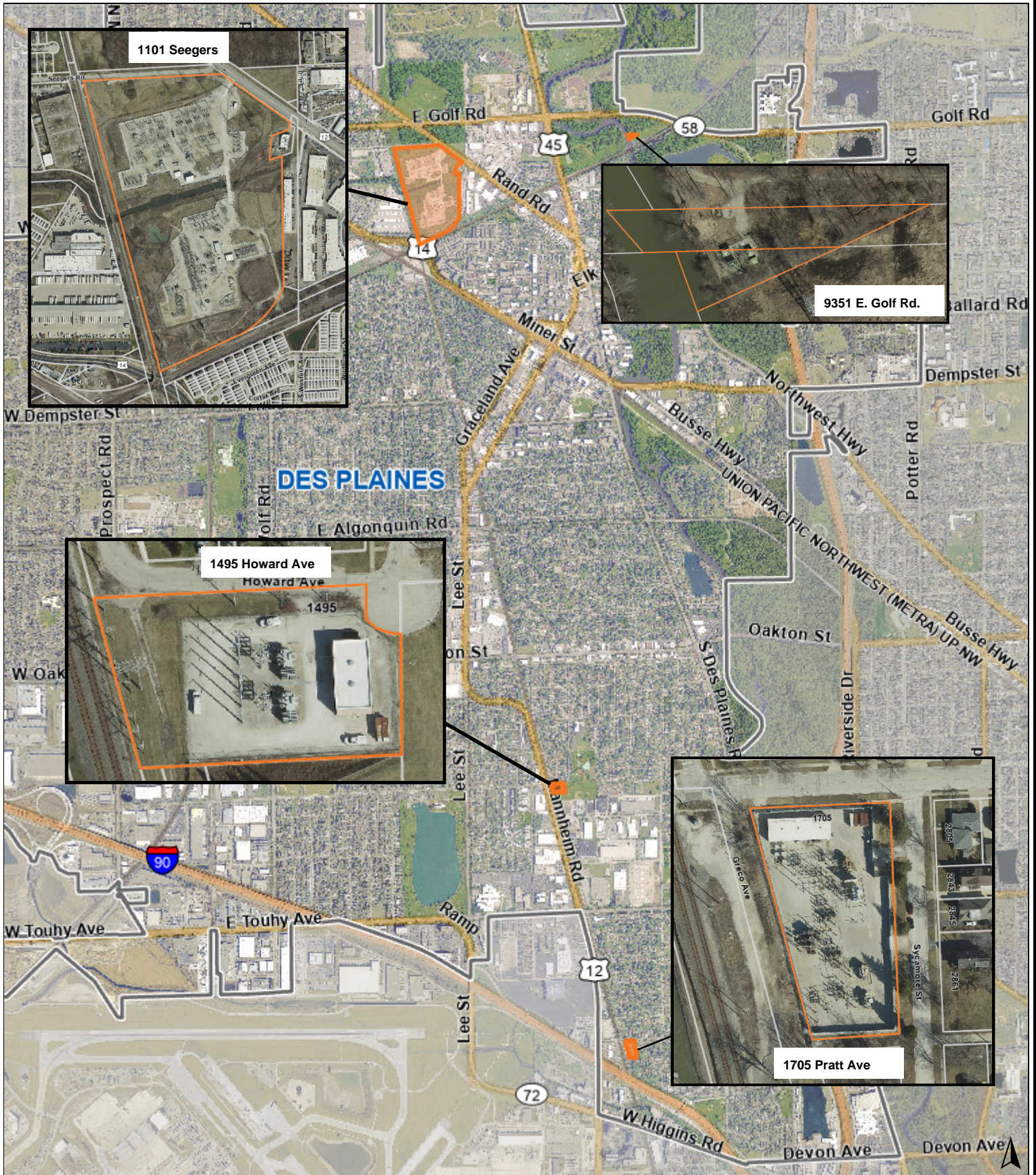
This text amendment, if approved and granted, will allow Nicor Gas to continue with our design standards of gravel groundcover, and most importantly have our equipment readily accessible at any time.

Again, thank you for the opportunity to provide a letter of support and for understanding our needs. We look forward to continuing to collaborate with you and others on our regulator station, while providing clean, safe, reliable and affordable natural gas to the community.

Sincerely,



Eric L. Sadler, RWA, CFM
Sr. Agent, Land Management



Print Date: 7/18/2025

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.