



**DES PLAINES PLANNING AND ZONING BOARD MEETING
Tuesday, October 28, 2025
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, October 28, 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, Fallico, Veremis, and Zadrozny

ABSENT: Szabo, Weaver, Fowler

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

A quorum was present. Chairman Szabo was not present and Vice Chairman Catalano served as Chair.

APPROVAL OF SEPTEMBER 30, 2025 PZB MEETING MINUTES

Member Zadrozny moved and Member Fallico seconded a motion to approve the minutes as presented.

AYES: Fallico, Veremis, Catalano & Zadrozny

NAYS: None

ABSTAIN: None

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

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

GENERAL COMMUNICATIONS

Assistant Director Jonathan Mendel outlined the following:

- October 6, 2025 City Council meeting results:
 - 1173 Elmhurst Rd – CU for Assembly Use – Approved at 2nd reading
 - Zoning Text Amendment Applicable to Government Facilities (Citywide) from the September 9, 2025 PZB meeting – approved at 1st reading

CONDITIONAL USE

Request Description:

Overview

The petitioner requests a conditional use to operate a childcare center as described in the attached Project Narrative. A childcare center, as defined below, is a conditional use in the I-1 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. (Section 12-13-3 of the Zoning Ordinance).

The subject property consists of two lots totaling 24.29 acres, which comprise a majority of the existing hospital complex located at the northwest corner of the Des Plaines River Road and Golf Road intersection. It is currently developed with the main hospital building and multiple off-street parking areas as illustrated on the attached ALTA/NSPS Land Title Survey. The childcare center currently occupies the rear, northwest portion of the main hospital building with one main entry point on the north building elevation, which is not subject to change as part of this request.

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 nine corporate holidays specified in the attached Project Narrative. While located within the hospital building it is noted that the childcare center is separate from and unrelated to the hospital operations and does not provide day-of care for hospital visitors.

A total of up to 54 children between ages 6 weeks to 5 years and 13 staff members will be present on site at the childcare center with a separate classroom for each age group. Note that the number of children per age group can vary. See the attached Project Narrative for additional information.

Architectural Plans and Indoor Activity Area

The existing childcare center space is a single level totaling 5,279 square feet in gross floor area with 2,202 square feet utilized for classrooms. as illustrated in the attached Site and Floor Plans. 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 toddler classroom, which provides 55 square feet for each child.

Current/Proposed Classroom Spaces*	
Age Group²	Floor Area
Infants (6 weeks to 14 months)	222 SF with 213 SF sleeping room
Toddlers (15 to 23 months)	277 SF
Young Pre-School (2 to 3.5 years)	584 SF
Preschool (4 to 5 years)	906 SF
<i>Totals</i>	<i>2,202 SF</i>
Other Spaces	
Use of Space	Floor Area
Multiple-Stall Restroom	189 SF
Supply Closet	107 SF
Single Stall Restroom	66 SF
Breakroom	265 SF
Storage Space	57 SF
Janitor Closet	30 SF
<i>Total Area</i>	<i>714 SF</i>

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

Site Plan and Outdoor Activity Area

The attached Site and Floor Plan illustrates the existing improvements on the subject property to accommodate the childcare center, including the existing 5,881-square-foot outdoor activity area, which is enclosed by a concrete wall and improved with natural 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 existing outdoor activity area allows all 54 children to utilize the space at the same time.

² 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.

Access and Circulation

The subject property is currently accessed by two separate access drives—one off Golf Road at its south and one off Des Plaines River Road at its north as illustrated in the attached Site and Floor Plan—which are not subject to change as part of this request. The childcare center utilizes staggered drop-off (6:30 AM to 11:00 AM) and pick-up (3:30 PM to 6:00 PM) periods to minimize traffic volumes and parking needs. Parents dropping-off and picking-up children are provided with a key fob to access the subject property and utilize the existing access points to reach the childcare center.

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 54 and a staff of up to 13 employees, a total of 17 off-street parking spaces—including a minimum of one accessible space—are required. The subject property currently contains 25 off-street parking spaces, including one accessible space, designated for the childcare center, which is utilized for both employee and parent parking for the childcare center. All parking spaces must comply with the specifications of Sections 12-9-6 and 12-9-8 of the Zoning Ordinance at all times.

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 conditional use 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 12-7-5.A of the Zoning Ordinance for properties in the I-1 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 *Institutional*, which focuses on institutions that provides services to residents such as childcare centers. The conditional use request also aligns with the Comprehensive Plan goal which seeks to promote uses that serve the needs of the community.

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 childcare center is located within an established stone and brick office building that is generally harmonious and appropriate in appearance to surrounding commercial and office development in the immediate area. The subject property currently contains landscaping improvements throughout which the petitioner is not proposing to alter in any way.

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 is not near any 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 hospital and medical offices on the subject property currently provide services that benefit the community as a whole. A childcare center provides additional services that further benefit the community 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 behind the hospital building and is not near any residences or neighboring properties, minimizing adverse effects on surrounding 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 existing vehicular access to the subject property is sufficient for the childcare center and will not be adjusted. In addition, drop-up/pick-up operations will occur on private property accessible by utilizing the existing private access roads and street connections. The location and layout of the off-street parking lot designated for the childcare center is near the childcare center’s main entrance and would not interfere with surrounding public thoroughfares.

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

Comment: The subject property has already been developed with the hospital and related office buildings. The childcare center will occupy a portion of 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 I-1 Institutional 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 requested childcare center. 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 requests, staff recommends the following condition.

Condition of Approval:

1. This use shall not obstruct any public rights-of-way during operations. No pick-up, drop-off, or queuing may occur along Golf Road and Des Plaines River Road.

Member Veremis asked if this daycare is a sliding scale for enrollment. The petitioner stated it is based on ability to pay tuition.

Member Veremis moved and Member Zadrozny seconded a motion to recommend approval of the proposed Conditional Use as proposed with the condition of approval drafted by staff.

AYES: Catalano, Fallico, Veremis & Zadrozny
NAYS: None
ABSTAIN: None

MOTION CARRIED

2. Addresses: 30, 36, and 40 N. Des Plaines River Road **Case Number:** 25-059-MAP-CU-V

The petitioner requests the following: (i) a Map Amendment to rezone the subject property from the I-1 Institutional to C-3 General Commercial district; (ii) a Conditional Use for a commercially zoned assembly use on the subject property; (iii) a Major Variation to reduce the off-street parking requirement; and (iv) any other variations, waivers, and zoning relief as may be necessary.

PIN: 09-08-402-008-0000

Petitioner: Nsikak Idet, 30 N. Des Plaines River Road, Des Plaines, IL 60016

Owner: D.S. Patel, 3060 Landwehr Road, Northbrook, IL 60062

Vice Chairman Catalano swore in the petitioner Nsikak Idet.

Mr. Idet introduced his request for rezoning, conditional use and major variation for minimum parking. He outlined the location and operation of the property as well as the history of the property's tenancy since 2017.

Vice Chairman Catalano asked for any comments from the PZB.

Member Zadrozny asked the petitioner about the requirement for an alternative parking agreement for parking in association with the proposed major variation for minimum on-site parking. Mr. Idet mentioned the need for an alternative parking agreement for the assembly use parking needs.

Member Zadrozny asked if there is an existing parking lease and if the zoning ordinance requires a parking lease. Senior Planner Stytz confirmed that there is a parking lease that was submitted to staff and noted that this is normally not a requirement but given the major variation request, it was recommended as a condition of approval.

Member Zadrozny asked if the church space is utilized during the week. Mr. Idet stated that this space is not currently utilized during the week but staff advised him to rezone the property to allow additional uses to utilize the site during the week.

Assistant Director Jonathan Mendel noted that staff provided the petitioner options but did not advise him to request the actions before the PZB.

Vice Chairman Catalano asked if there were any questions from the audience.

Cary Levin (owner of the property adjacent to the north) stated he does not understand the purpose of this request. He outlined the property's zoning and occupancy history. He believes the proposed use and major variation is too much for this property. He stated that he met with the petitioner to negotiate a new parking lease, but they didn't come to agreement and he feels this proposal should not be approved.

Mr. Idet believes the subject property is underused and he is making these zoning requests to create more value and productivity from the subject property.

Member Fallico asked if Mr. Idet purchased the property in 2017. Mr. Idet stated he was a member of the past church tenant and was interested in the property and purchased it in 2023.

Member Fallico clarified that there is an existing church use on the subject property. Mr. Idet confirmed that there is a church on site today but there was a bigger church which occupied both buildings and all current tenant spaces.

Member Zadrozny questioned if Mr. Idet is the actual owner. Senior Planner Stytz confirmed that the petitioner is the property manager and a separate individual owns the property.

Mr. Idet stated that he is contracted to purchase, but due to no financing he has not taken possession pending the outcome of this current zoning entitlement process.

Member Fallico asked about the length of the current lease with the church on the subject property. Mr. Idet confirmed that the church's lease runs until 2027 but noted that the church may decide to leave at that time.

Member Zadrozny asked if the church has been meeting on site regularly. Mr. Idet confirmed that they have been meeting every Sunday from 9 AM to 12 PM. From Monday through Saturday, the property is vacant.

Member Zadrozny asked if staff could show the location of the current parking lease spaces on a map. Senior Planner Jonathan Stytz showed the location of the new parking agreement with Chicago Dial.

Vice Chairman Catalano asked if there is sidewalk on Redeker Road. Senior Planner Stytz stated there is no sidewalk on Redeker Road.

Mr. Idet reiterated that given the size of the church they really do not need Chicago Dial for additional parking spaces.

Cary Levin outlined the continued impacts of the subject property uses on his property at 1455 E. Golf Rd. and has concerns regarding the operation and management of the subject property.

Mr. Idet asked if he could refute Mr. Levin's claims regarding the private dealings between Mr. Idet and Mr. Levin. Assistant Director Mendel stated for the record that discussion regarding Mr. Levin's claims against Mr. Idet's reputation is immaterial to the major variation and conditional use request before the PZB this evening.

Mr. Idet reiterated that the requests are needed to maintain and operate the property adequately.

Vice Chairman Catalano asked for additional PZB and audience questions. There were no additional PZB questions. A member from the audience requested to speak.

Mike VanSlambrouck owner of the property immediately south of the subject property and asked why this is back to the PZB for review since the City Council did not approve the previous request.

Assistant Director Mendel stated that City Council did not approve the previous simple parking major variation under the I-1 zoning for a permitted Assembly Use. But the City Code permits a successive request if it is substantively different. The current zoning request is a map amendment from I-1 to C-3, a Conditional Use for an assembly use and a major variation for parking for the proposed assembly use and other proposed uses.

Mr. VanSlambrouck asked if this is simply a map amendment and if a church is allowed in the C-3 district. Senior Planner Stytz stated the request before the PZB this evening is map amendment, conditional use and major variation.

Mr. VanSlambrouck stated that C-3 rezoning is reasonable but is not in favor of the Conditional Use for Assembly Use and the major variation for minimum parking.

Senior Planner Jonathan Stytz presented the staff analysis.

Issue: The petitioner requests: (i) a map amendment to rezone the subject property from I-1 Institutional to C-3 General Commercial; (ii) a conditional use for a commercially zoned assembly use; and (iii) a major variation for off-street parking spaces at 30, 36, and 40 N. Des Plaines River Road.

Case Number: #25-059-MAP-CU-V

PIN: 09-08-402-008-0000

Ward Number: #1, Alderman Margaret Chlebek

Existing Zoning: I-1, Institutional District

Existing Land Uses: Assembly Use (commercial); Vacant Building

Surrounding Zoning: North: C-2, Limited Office Commercial District
South: C-3, General Commercial District
East: R-1, Single Family Residential District
West: C-2, Limited Office Commercial District

Surrounding Land Uses: North: Office Building (commercial)
South: Manufacturing (industrial)
East: Cook County Forest Preserve (recreational)
West: Office Building (commercial)

Street Classification: Des Plaines River Road is classified as an other principal arterial road under Illinois Department of Transportation (IDOT) jurisdiction.

Comprehensive Plan: Commercial Industrial Urban Mix is the designated use for the property.

Property/Zoning History: *Overview*

The subject property was annexed into the City in 1966 as a vacant piece of land. The property was developed around 1972 with two commercial buildings and small parking area off Des Plaines River Road³. The front commercial building contains two tenant spaces addressed east to west as 30 and 36 N. Des Plaines River Road and the rear building contains one tenant space addressed as 40 N. Des Plaines River Road.

Previous Approval and Current Violations

The subject property was originally zoned C-3 General Commercial. However, in 2017, an application to rezone the property to I-1 Institutional and approve multiple variations for a place of worship⁴ was received from RCCG Foundation of Life INC ("**RCCG**").

On November 6, 2017, City Council approved all requests through Ordinance Z-22-17 (attached) with the conditions that: (i) RCCG pays all applicable fees for building permits and related approvals; and (ii) that RCCG enters into a parking lease with the owner of a parcel adjacent to the subject property in adherence of the following:

- The parking lease shall be for the use of no less than 30 legal and Zoning Ordinance compliant off-street parking spaces during RCCG's weekly worship services.
- The parking lease shall be in a form acceptable to City's General Counsel and shall have a term no less than RCCG's lease for the subject property.
- The parking lease shall remain in effect for the duration of RCCG's occupation and use of the subject property as a place of worship.
- In the event the parking lease is terminated by either the lessor or RCCG, RCCG shall provide the City with evidence of a replacement lease within no less than 30 days.
- The subject property may not be used as a place of worship during any time period in which a valid parking lease is not in effect.

As part of this 2017 approval, a parking lease with the adjacent property at 1455 E. Golf Road was carried out for the remaining 30 off-street parking spaces required. However, there have been changes on the subject property that have violated the existing ordinance as noted below:

- RCCG has left the subject property and has been replaced by a new assembly use, which has begun operating on the

³ Historic Aerials. <https://www.historicaerials.com/location/41.625/-87.875/T1890/16>. Retrieved April 28, 2025.

⁴ Now classified as a type of assembly use (for subject property it is an institutionally zoned assembly use).

subject property without a business license; and

- The previously executed parking lease with the 1455 E. Golf Road has been terminated and a new parking lease with a property adjacent to the subject property has not been established⁵; and
- A separate assembly use is operating on site without a business license.

Map Amendment

Request Summary:

Overview

The petitioner requests a map amendment to rezone the subject property from I-1 Institutional to C-3 General Commercial. This request aligns with the Future Land Use Map in the 2019 Comprehensive Plan, which designates the subject property as *Commercial Industrial Urban Mix*. In addition, the subject property was previously zoned C-3 General Commercial, which is more consistent with the future land use designation than the current institutional district.

Use Comparison

Map amendment requests restrict the types of uses that can operate on a zoning lot and can impact surrounding properties. Based on the attached Floor Plan and attached Project Narrative, the uses below are proposed for the subject property:

- ***30 N. Des Plaines River Road*** – Use unconfirmed at this time but currently considering one of the following: Artist/Dance/Music Studio, Commercial Indoor Recreation, or Retail Service Establishment
- ***36 N. Des Plaines River Road*** – Assembly Use
- ***40 N. Des Plaines River Road*** – Office

In review of the respective use matrix for the I-1 Institutional and C-3 General Commercial districts, the office, assembly use, and commercial indoor recreation uses are allowed in either district as identified in the table below. However, the C-3 district also allows for a salon as a permitted use (i.e., retail service establishment) whereas the I-1 district does not allow this use type.

⁵ Note that the petitioner has provided a parking lease for the property at 1372 Redeker Road. However, this does not satisfy the condition in Ordinance Z-22-17 as this property is not adjacent to the subject property.

Use	I-1 District	C-3 District
Assembly Use	Permitted Use*	Conditional Use
Commercial Indoor Recreation	Conditional Use	Permitted Use
Office	Permitted Use	Permitted Use
Retail Service Establishments	Not Allowed	Permitted Use

Bulk Regulation Comparison

While an assembly use is an allowed use in both the C-3 and I-1 districts, the subject property attributes better align with the C-3 district bulk regulations in comparison with the I-1 Institutional district as noted in the table below.

Standard	Property Attribute	I-1 Standards	C-3 Standards
Maximum Height	<45 FT	45 FT	45 FT
Minimum Front Setback	11.48 FT	50 FT	25 FT*
Minimum Side Setback	North: 1.96 FT; South: 0 FT	25 FT	0 FT
Minimum Rear Setback	3.00 FT	50 FT	5 FT*
Minimum Lot Size	0.35 acres	2 acres	N/A
Maximum Lot Coverage	51%	40%	N/A

**Items in bold italics do not meet the specific standard for the C-3 district but are existing legal nonconforming conditions.*

Conditional Use

Request Summary:

Assembly Use Overview

In anticipation of the approval of the map amendment to the C-3 General Commercial district, the petitioner requests a conditional use to operate a religious institution as described in the attached Project Narrative. In a commercial zoning district, religious institutions and similar uses are classified as Commercially Zoned Assembly Used, as defined below, which require a conditional use in the C-3 district.

COMMERCIALLY ZONED ASSEMBLY USES: A use that is primarily for the purpose of the assembly of people, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: commercial theater, banquet halls, nightclubs, church, synagogue, temple, meeting house, mosque, or other place of worship. For allowable accessory uses, refer to the specific land uses defined in this chapter. Such uses shall adhere to the off-street parking requirements under "assembly uses" (Section 12-13-3 of the Zoning Ordinance).

The subject property consists of one, 15,197-square-foot interior lot located near the southwest corner of the Des Plaines River Road and Golf Road intersection. It is currently developed with one single-tenant commercial building at the rear of the site, a two-tenant commercial building at the front of the site, and a single off-street parking area as illustrated on the attached Plat of Survey. The assembly use occupies the rear tenant space in the front building, which is addressed as 36 N. Des Plaines River Road.

Assembly Use Operations

Based on the attached Project Narrative, this use would host its main worship service on Sundays from 9:00 AM to 1 PM with up to 40-50 members. Currently, a single religious service will take place on site during the hours of operation on Sunday. However, the PZB may wish to inquire about the use of this space during the week in their consideration of the conditional use and its potential impacts on neighboring uses.

Assembly Use Floor Plan

The tenant space at 36 N. Des Plaines River Road is approximately 2,500 square feet in area and consists of a reception area, office space, sanctuary, utility room, and three single stall restrooms. The sanctuary contains a media space at the rear, altar, and seven rows of affixed pew seating separated by a center aisle. Each individual pew offers approximately seven seats for a total of 98 seats available for patrons.

Assembly Use Off-Street Parking Requirement

Assembly uses must meet the minimum off-street parking requirement pursuant to Section 12-9-7 of the Zoning Ordinance depending on the type of assembly use. Places of worship with affixed (non-movable) seating must provide a minimum of one off-street parking space for every five seats in the main auditorium, sanctuary, nave, or similar place of assembly and other rooms (e.g., gymnasiums, classrooms, offices) which are to be occupied simultaneously. A total of 20 off-street parking spaces are required for the assembly use. The attached Site Plan denotes a total of ten off-street parking spaces including one accessible space on the subject property, which does not meet the minimum off-street parking requirement and requires a major variation.

Major Variation

Request Summary:

Overview

The size and current development of the subject property substantially limits the available space for off-street parking,

requiring previous relief. As noted in the *Property/Zoning History* section above, Ordinance Z-22-17 approved a map amendment and several variations for the subject property for an assembly use with a condition that a parking lease must be executed and maintained on a property adjacent to the subject property for the life of the assembly use. The Merriam-Webster dictionary⁶ defines “*adjacent*” as “having a common endpoint or border” and the Des Plaines Zoning Ordinance utilizes this word in this fashion to describe objects that are next to or abut each other.

The original parking lease agreement with 1455 E. Golf Road met this requirement as this property shares the north property line and a portion of the west property line with the subject property. However, the current parking lease with the property at 1372 Redeker Road does not meet this requirement as it does not share a property boundary with the subject property. As such, the petitioner requests a new major variation to reduce the total required off-street parking requirement without the parking lease condition.

Tenant Space Use Assessment

Given that there are multiple tenant spaces on the subject property, the variation request for off-street parking must be assessed holistically across all uses. As noted in the *Property/Zoning History* section above, there have been multiple changes to the uses on the subject property, which have directly impacted the off-street parking requirement. The table identifies required off-street parking for all confirmed and *potential* uses identified in the attached Project Narrative.

Use ⁷	Parking Calculation	Required Off-Street Parking ⁸
<u>Office</u>	1 space for every 250 square feet of gross floor area	5 spaces (1,050 SF / 250)
<u>Place of worship (with affixed seating)</u>	1 space shall be provided for every five seats	20 spaces (100 seats / 5)
<i>Retail Service Establishment (e.g., salon)</i>	1 space for every 250 square feet of gross floor area	12 spaces (2,778 SF / 250)

⁶ <https://www.merriam-webster.com/dictionary/adjacent>. Retrieved April 29, 2025.

⁷ Items in blue are being considered by the petitioner to fill the 2,778-square-foot tenant #1 space at 30 N. Des Plaines River Road, which is currently vacant.

⁸ The parking calculation excludes floor area devoted primarily to storage (up to 10 percent of the total building floor area), food preparation, bathroom, mechanical, hallways, stairwell, and elevator areas. However, the parking calculation for the blue items is calculated based on the total gross floor area given that the individual use of each room is not identified on the floor plan.

<i>Commercial Indoor Recreation (e.g., gym)</i>	1 space for every 300 square feet of gross floor area	10 spaces <i>(2,778 SF / 300)</i>
<i>Artist/Dance/Music Studio (e.g., media studio)</i>	No minimum parking requirement for this use	0 spaces

Standards for Amendments: Map Amendment requests are subject to the standards set forth in Section 12-3-7.E of the Zoning Ordinance. Rationale for how the proposed amendment 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. 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;

Comment: The Comprehensive Plan designates the subject property is *Commercial Industrial Urban Mix* with the intent to promote developments with a combination of commercial, office, and low-intensity industrial uses. The proposed map amendment to the C-3 district is arguably consistent with this land use designation as the uses on site are allowed within the C-3 district and this district allows for a wide variety of uses, some of which could be classified as lower-intensity industrial.

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

Comment: The immediate vicinity includes a majority of commercial and light industrial developments, with a larger institutional hospital campus to the north. Given the property attributes and abutting developments, the C-3 district designation allows uses and development types that better align with the overall character in this immediate area.

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

Comment: The subject property was previously zoned C-3 without any issues related to the condition of public facilities and services. Therefore, the surrounding public facilities and services should be sufficient to accommodate C-3 district development potential.

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

Comment: The C-3 district’s list of permitted/conditional uses is broad but generally consistent with the existing development of the surrounding area. The property’s smaller size does limit the feasibility of some of the allowed uses in the C-3 district to those with lower intensity and smaller footprints. Overall, the range of uses are not likely to impose negative external property value impacts on adjacent properties.

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

Comment: The flexibility of uses allowed in the C-3 district generally aligns with the future land use and economic development considerations of the Comprehensive Plan for a commercial/industrial flex district in this portion of the City. Short of creating a specific flex district as described in the Comprehensive Plan, the C-3 district is arguably the best designation for responsible development and growth.

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 conditional use would satisfy the standards with the rezoning to the C-3 district 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 commercially zoned assembly use is listed as a conditional use as specified in Section 12-7-3.L 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 *Commercial Industrial Urban Mix* with the intent to promote developments with a combination of commercial, office, and low-intensity industrial uses. While the subject property does not contain any form of industrial use, it does contain office and commercial uses that align with this land use designation.

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 assembly use is located within an established commercial building that is generally harmonious and appropriate in appearance to surrounding commercial and office development in the immediate area. The site development as a whole is fairly consistent with surrounding office and industrial developments in the immediate vicinity. However, staff have added a condition regarding the addition of landscaping at the front of the property to elevate the property and bring it closer to compliance.

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

Comment: Assembly uses are by nature more intensive commercial uses requiring adequate parking, access, and circulation considerations to accommodate larger groups of people at one time. Without these site improvements and effective management, the assembly use could be disturbing to neighboring uses. Staff previously received complaints about the existing assembly use related to the parking of patrons on neighboring properties without permission due to the limited parking availability on site. While the petitioner has provided documentation

for a parking lease at 1372 Redeker Road, additional off-street parking options and specific operation adjustments may need to be pursued to mitigate adverse effects of the assembly use on neighboring 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 subject property is adequately served by essential public facilities and services, which will not change with the operation of the assembly use 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 assembly use is located within an existing structure which will not require additional public facilities or services to operate. In addition, there is no indication that the assembly use would negatively impact the economic well-being of the community as this type of use does provide tax benefits to the City.

- 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: Assembly uses can create adverse effects leading up to, during, and immediately after event hours through increased traffic and noise. While there are no perceived concerns of the excessive production of smoke fumes, glare, or odors, the proposed assembly use could create traffic and parking concerns on Sundays, which is identified as its main day of operations. Traffic and parking management is key to reduce—if not completely mitigate—concerns related to traffic and parking during hours of operation. Nonetheless, the PZB shall decide.

- 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 single, narrow vehicular access to the subject property is not sufficient for two-way travel, especially for a more intensive commercial use such as an assembly use and could create interference on Des Plaines River Road if traffic and parking are not effectively managed on the subject property. The PZB may wish to ascertain what procedures are in place on site to effectively manage these concerns.

- 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 two commercial buildings and off-street parking area. In addition, the assembly use will be located in one of the existing structures so there will not be any 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: Aside from variations related to off-street parking and front and rear building setbacks, the proposed assembly use will comply with all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

Standards for Variation: The following is a discussion of standards for variations from Section 12-3-6(H) of the Zoning Ordinance. Rationale for how the proposed use would satisfy the standards as provided below and in the petitioner's response to standards. The PZB may use this rationale toward its recommendation, amend it, or may make up its own.

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

Comment: The existing development on the subject property is expansive—covering almost half of the total property area—which greatly limits the types of uses that can be operated and the space available for related off-street parking, access, and circulation. The positioning of the two buildings on site is also not ideal as it creates an insufficient drive aisle width for two-way travel and provides a lot of dead pavement space that cannot be utilized for code-compliant off-street parking. The site layout as a whole does not lend itself to being accommodated for multiple uses, especially uses with more intensive parking, access, and circulation needs.

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

Comment: The subject property is neither irregular nor substandard in shape nor contains exceptional topographical features. However, it is smaller in size (15,197 square feet) than other properties in the C-3 district. In addition, the existing structures on the subject property are nonconforming in relation to front and rear building setbacks. It can be argued that these conditions of the property limit the available space on the subject property for off-street parking and could require a major variation.

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

Comment: While the location, dimensions, size, and development of the subject property are not the result of a known action by the current owner, the property was purchased with these attributes. In addition, the assembly uses operating on the subject property are a direct result of the petitioner. Nonetheless, see the attached Petitioner's Responses to Standards.

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

Comment: Carrying out the strict letter of this code for off-street parking does not necessarily deprive the property owner of substantial rights but rather requires the uses on the subject property to be scaled appropriately to match with the existing development on site. Many other C-3 district properties also have multiple access points, which allow for better circulation throughout the site, especially for uses that include a large influx of vehicles and pedestrians for extended periods of time. The subject property's attributes may not allow the petitioner to have as many options as for other C-3 zoned lots but does not prevent the petitioner from effectively utilizing the site if the major variation is not approved. Nonetheless, the PZB should decide.

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

Comment: Granting this variation to reduce the off-street parking requirement from 47 spaces to 10 spaces may be construed as a special privilege even with the aforementioned executed parking lease in place. The number and intensity of the uses on site could be determined to be too intensive given the smaller lot size and existing structures. While Ordinance Z-22-17 granted a variation for off-street parking, it was only in consideration of a single assembly use related to a place of worship. However, the current proposal includes two separate assembly uses—place of worship and banquet hall—which both require sufficient access, circulation, and off-street parking to operate effectively. Even with the proposed improvements provided on the attached Site Plan, the site conditions may not be adequate enough to support the two requested assembly uses, much less a future third user in the rear, currently vacant building. The PZB and City Council should consider whether the proposed site improvements and parking lease are sufficient for the proposed uses on the subject property and if a major variation request of this amount is appropriate.

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

or the general purpose and intent of the comprehensive plan.

Comment: The 2019 Comprehensive Plan discusses the pursuit of improving parking facilities in certain portions of the City—such as the downtown and Oakton and Elmhurst corridors—and incorporating parking reductions for multifamily residential developments. However, it does not discuss or promote parking reductions for institutional uses as requested by the petitioner. In addition, the intensification of uses and increased variation request for off-street parking do not represent a development or use that is in harmony with the Zoning Ordinance. Nonetheless, the PZB shall decide.

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

Comment: There are arguably viable alternatives to the variation being requested by the petitioner including a reduction in the size or number of structures or replacing the existing uses with less intensive uses. While staff have discussed these options with the petitioner, out of convenience the petitioner has requested approval of the off-street parking variation with the current site layout. Given the alternatives available to the petitioner, the PZB may wish to ask why certain alternative designs are not feasible.

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

Comment: The variation request is not, in staff's opinion, the minimum measure of relief to address the petitioner's concerns given the site characteristics and the types of uses present on the site. Instead, the reconfiguration or removal of structures on the subject property could better utilize the available lot area and meet the applicable city ordinances while minimizing adverse effects on surrounding properties.

PZB Procedure and Recommended Conditions: Under Sections 12-3-4.D.3 (Procedure for Review and Decision of Conditional Uses), 12-3-6.G.2.b (Procedure for Review and Decision of Major Variations), and 12-3-7.D.3 of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve or deny the requests. Consideration of the requests should be based on a review of the information presented by the petitioner and the findings made above, as specified in Sections 12-3-4.E (Standards for Conditional Uses), 12-3-6.H (Standards for Variation), and 12-3-7.E (Standards for Amendments) 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 entire off-street parking area on the subject property must be repaved and restriped in accordance with the approved Site Plan. The Community and Economic Development Director can approve changes to this site plan related to paving and striping if compliant with Section 12-9-6 of the Zoning Ordinance.

2. Excluding the pavement areas for the loading dock and emergency exit door, the entire area in between the east building elevation and east property line must be improved with landscaping including evergreen bushes, various shrubs, and perennials. The Community and Economic Development Director can approve minor changes to landscaping if the proposed landscaping is in the same size and quantity as proposed in the approved site plan.
3. Prior to the issuance of business registrations for all uses, all active and proposed parking leases must be reviewed and approved by the City's legal staff. Parking leases must be active for the full extent of the assembly use's operation on the subject property. At no time shall there be less than the minimum number of off-street parking spaces available for all uses on the subject property.

Vice Chairman Catalano asked for additional PZB and public comments.

Member Fallico asked staff if the property was zoned C-3 prior to City Council approval in 2017 for the map amendment and variations. Senior Planner Stytyz responded yes.

Member Fallico asked if the original church moved onto site in 2017. Senior Planner Stytyz responded yes.

Member Fallico asked if we know why the original church left. Mr. Idet responded that the current parking issue was the main reason they left.

Vice Chairman Catalano asked if the petitioner is aware of the staff recommended conditions of approval. Mr. Idet responded yes.

Vice Chairman Catalano asked for a motion. Assistant Director Mendel stated that the PZB could separate the three requests into three separate motions.

Member Veremis asked if they voted for the map amendment but not the conditional use, would the church have to move out. Assistant Director Mendel noted that the church would technically need to vacate the site as a conditional use is required for this type of use in the C-3 district.

Member Fallico asked if the petitioner could withdrawal the map amendment request. Assistant Director Mendel mentioned that the previous approval in 2017 required a parking lease with a property adjacent to the subject property and there are existing violations that need to be addressed.

Member Zadrozny stated he is inclined to recommend approval of the map amendment but not the other two requests. He asked the petitioner if he would be willing to move forward with the current application if the conditional use and major variation requests were not approved. Mr. Idet restated the current church lease and noted that there could be penalties for kicking out the church prior to the end of the current lease.

Member Fallico asked how much the church pays in rent. Mr. Idet confirmed the monthly rent is \$1,800 for the current space the church is utilizing.

