



Community & Economic Development
1420 Miner Street, Des Plaines, IL 60016
P: 847.391.5392 | W: desplaines.org

Planning and Zoning Board Agenda

January 12, 2021

Room 102 – 7:00 P.M.

Call to Order:

Roll Call:

Approval of Minutes: November 24, 2020

Public Comment: For matters that are not on the Agenda

Public Hearing:

If you would like to participate in any public hearing on this agenda but do not feel comfortable attending the meeting in-person, please send your comments to publiccomments@desplaines.org by 5:00 pm on Tuesday, January 12, 2021. Please limit your comments to 400 words or less. All emails received will be acknowledged at the hearing. Individuals with no access to email may leave a message with the City Clerk's Office at 847-391-5311.

Old Business:

New Business:

1. **Address:** 10 S. River Road

Case Number: 20-046-TSUB-V

The petitioner is requesting: (i) Tentative Plat of Subdivision under Section 13-2 of the Subdivision Regulations to resubdivide and absorb a portion of 1415 Redeker Road located at 09-17-200-044-0000; (ii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a front building setback of 10.28-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a north side building setback of 22.75-feet and south side building setback of 10.53-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iv) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a rear building setback of 25.99-feet in the M-1, Limited Manufacturing District where 60-feet is required; (v) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a lot size of 0.54-acres in the M-1, Limited Manufacturing District where a minimum of 5-acres is required; and (vi) the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-200-022-0000

Petitioner: Peter Damiano, Damiano Service Center and Damiano Properties, LLC,
10 S. River Road, Des Plaines, IL 60016

Owner: Carol A. Damiano and Peter S. E. Damiano, 10 S. River Road
Des Plaines, IL 60016

2. Address: 1415 Redeker Road

Case Number: 20-045-V

The petitioner is requesting the following: (i) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a front building setback of 30.18-feet in the M-1, Limited Manufacturing District where 60-feet is required; (ii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a west side building setback of 2.51-feet and an east side building setback of 0-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a rear building setback of 0-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iv) a Major Variation under Section 12-9-7 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow eighteen parking spaces on site where 41 parking spaces are required; (v) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a lot size of 0.54-acres in the M-1, Limited Manufacturing District where a minimum of 5-acres is required; and (vi) the approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-17-200-044-0000; -045; -051; -106

Petitioner: 1415 Redeker, LLC, 1415-1419 Redeker Road, Des Plaines, IL 60016

Owner: 1415 Redeker, LLC, 1415-1419 Redeker Road, Des Plaines, IL 60016

3. Address: City-wide

Case Number: 20-051-TA

The petitioner is requesting a Text Amendment to Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended to change the maximum allowable contiguous office area in the C-4, Regional Shopping District from 2,500-square feet to 5,000-square feet and approval of any other such variations, waivers, and zoning relief as may be necessary.

Next Agenda – January 26, 2021

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 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.

November 24, 2020

Page 1



**DES PLAINES PLANNING AND ZONING BOARD MEETING
November 24, 2020
MINUTES**

The Des Plaines Planning and Zoning Board Meeting held its regularly-scheduled meeting on Tuesday, November 24, 2020, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

ZONING BOARD

Chairman Szabo called the meeting to order at 7:04 p.m. and read this evening's cases. Roll call was established.

PRESENT: Fowler (via phone), Hofherr, Saletnik, Veremis, Szabo

ABSENT: Bader, Catalano

ALSO PRESENT: Jonathan Stytz, Planner/Community & Economic Development
Wendy Bednarz/Recording Secretary

A quorum was present.

PUBLIC COMMENT

There was no Public Comment.

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Fowler, to approve the minutes of November 10, 2020, as corrected.

AYES: Hofherr, Fowler, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

November 24, 2020

Page 2

OLD BUSINESS**NEW BUSINESS**1. **Address:** 1535 Ellinwood Street**Case Number:** 20-047-V

The petitioner is requesting a Major Variation under Section 12-11-6(B) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a total of 180 square feet of wall sign area on an existing building, where the aggregate building sign area maximum is 125 square feet, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-17-419-034-0000
Petitioner: Dan Bourbon, 5270 N. Lincoln Avenue, Skokie, IL 60077
Owner: 1460 Library Plaza, LLC, 15660 Midwest Road, Suite 300, Oakbrook Terrace, IL 60181

Chairman Szabo swore in Mike Kinsella, from Elevated Identity, 1 Partner Pl – Suite 301, Janesville, WI, 53541, representing the Petitioner. Mr. Kinsella provided a thorough overview of the property location and proposed sign plan. The proposed signage includes the "Immediate Care and Orthopedics" copy under the North Shore University Healthsystem. Mr. Kinsella stated that the sign is the smallest available that would be able to be fabricating and illuminated. Mr. Kinsella also stated that the signage is a benefit to the community, with the services of the medical facility clearly stated.

Chairman Szabo asked if the Board had any questions, there were no questions.

Chairman Szabo asked that the Staff Report entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting a Major Variation under Section 12-11-6(B) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a total of 166-square feet of wall sign area on an existing building, where the aggregate building sign area maximum allowed is 125-square feet.

Analysis:

Address: 1535 Ellinwood Street
Owner: 1460 Library Plaza, LLC, 15660 Midwest Road, Suite 300
Oakbrook Terrace, IL 60181
Petitioner: Dan Bourbon, 5270 North Lincoln Avenue, Skokie, IL 60077

Case Number: 19-024-V
PIN: 09-17-419-034-0000
Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-5, Central Business District
Existing Land Use: Medical Office (Northshore)
Surrounding Zoning: North: C-5, Central Business District

November 24, 2020

Page 3

South: C-5, Central Business District
East: C-5, Central Business District
West: C-5, Central Business District

Surrounding Land Use: North: Railroad; Commercial (Dotombori restaurant)
South: Multi-family Residential (Library Courte)
East: Commercial (Village Bank & Trust)
West: Commercial (Shopping center)

Street Classification: Ellinwood Street and Pearson Street are classified as local streets.

Comprehensive Plan: The Comprehensive Plan designates the site as Higher Density Urban Mix with Residential.

Project Description: The petitioner, Dan Bourbon on behalf of Northshore University Health System, is requesting a major variation to allow for 166-square feet of wall signage for the existing immediate care and orthopedics clinic at 1535 Ellinwood Street. This address is located within a one-story, multi-unit commercial building off the southwest corner of Pearson Street and Ellinwood Street with access to shared surface parking lots located north and south of the building. The tenant space where Northshore operates is located at the far east end of the shopping center and fronts both Ellinwood Street and Pearson Street. The existing signage at this address includes window signage on the north and east elevations, a 61.36-square foot wall sign on the north and east elevations, and monument sign tenant panel. The subject property is part of the "Library Plaza Redevelopment" Planned Unit Development approved July 6, 1999 pursuant to Ordinance Z-11-99 for a mixed use retail, residential, and public use development, which included parking, a Plat of Subdivision, a Plat of Vacation, and multiple Variations. However, Ordinance Z-11-99 does not allow for additional sign area in excess of the maximum sign area permitted in Section 12-11-6(B) of the Des Plaines Zoning Ordinance.

Per Section 12-11-6(B), building facades that face a street are allowed two (2) wall signs and building facades that do not face a street are allowed one (1) wall sign provided that the total aggregate sign area for the entire building does not exceed 125-square feet. The total wall sign area at this address is currently 122.72-square feet. The petitioner's request to allow a wall sign area of 180-square feet where only 125-square feet is permitted constitutes the need for a major variation to Section 12-11-6(B) of the 1998 Des Plaines Zoning Ordinance.

The petitioner is requesting an addition onto the existing wall signs to identify various services that Northshore provides to the public, similar to the window signage installed on the building's street facing elevations. The proposed wall sign addition would be installed below the existing wall sign on a raceway which matches the color of the building and illuminated like the existing sign, as shown in the Sign Plan. The petitioner does not plan to alter or add any other signage to this address at this time.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

November 24, 2020

Page 4

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

November 24, 2020

Page 5

Recommendation: Staff does not recommend approval or disapproval of the requested aggregate wall sign area variation based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined within the City of Des Plaines Zoning Ordinance, as amended.

Planning and Zoning Board Procedure: Under Section 12-3-6(F) of the Zoning Ordinance (Major Variations), the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or disapprove the above-mentioned variance for aggregate wall sign area within the C-5 Zoning District at 1535 Ellinwood Street. The City Council has the final authority on the proposal.

Member Hofherr commented that the signage explains what the Northshore Healthsystem is offering and provides residents that information.

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to recommend approval requested aggregate wall sign area variation as presented.

AYES: Hofherr, Veremis, Fowler, Saletnik, Szabo

NAYES: None

*****MOTION CARRIES *****

November 24, 2020

Page 6

2. **Address:** 10 E. Golf Road

Case Number: 20-025-FPUD-LASR CU-V

The petitioner is requesting the following: (i) a Preliminary and Final Planned Unit Development under Section 12-3-5-1 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a new fuel station at the existing Mariano's grocery store; (ii) a Conditional Use for a Localized Alternative Sign Regulation (LASR) under Section 12-3-4 to allow a modified monument sign and new canopy signs with price readers; and (iii) approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-18-100-004-0000

Petitioner: Tim Kratz, 3025 Highland Parkway, Suite 850, Downers Grove, IL 60015

Owner: Realty Income Illinois Properties 2, LLC, 11995 El Camino Real
San Diego, CA 92130

Chairman Szabo swore in Tim Kratz, 3025 Highland Parkway, Suite 850, Downers Grove, IL 60015, representing the Petitioner.

Mr. Kratz began his presentation. Mariano's is requesting a preliminary and final planned unit development and a conditional use for a localized alternative sign regulation for a retail fuel center at the Mariano's located at 10 E Golf Rd. The fuel center is located on the current Mariano's property.

Mariano's is part of Kroger, the Kroger brand has approximately 1,600 fuel centers nation-wide and has a very successful fuel savings program. The fuel center at the existing location on Golf Road is intended to support the store investment and provide customers a convenient option for fuel. The fuel center would be open to the Mariano's customers and the public.

The fuel center will consist of dispensers, 10 fueling stations and a small kiosk. The sales kiosk is only open and available to the attendant. There would be one gender-neutral restroom that would be open to customers.

Mr. Kratz provided an overview of the Traffic Impact Study. Highlights include:

- Impact to intersection of Golf Road with Mt. Prospect Road is <2%
- Estimated ADT volume to be generated by the proposed fuel center is compared to the ADT along Golf Road and Mt. Prospect Road, the proposed development ADT is <1% of existing.
- Existing Access points are adequate
- Conclusion from Traffic Engineer: *Overall, the minimal increases in traffic along Golf Road and Mt. Prospect Road indicate that the traffic generated by the proposed fuel center will not have a significant impact on the operations of Golf Road with Mt. Prospect Road or on the overall operations of each roadway.*

The fuel center will generate very little "new" trips, much of the traffic will be existing from Mariano's shoppers.

Mr. Kratz provided an overview of the landscape and elevation plan. The intent is that the structures are cohesive and meet the original intent of the site.

November 24, 2020

Page 7

Mr. Kratz also went over the sign plan, including the monument sign with the price signs and the canopy mounted signs. The Applicant also proposes a price sign facing the store giving customers the information about that day's fuel pricing.

Chairman Szabo asked if the Board had any questions, the following questions were asked:

Member Hoffher inquired about the owner of the property, Realty Income Illinois Properties 2 LLC. Mr. Dan Ferrel, Real Estate Manager for Roundy's dba Mariano's, stated that Mariano's leases their properties. The lease gives Mariano's the option to development the properties.

Member Hoffher inquired about the height of the sign and if it would be visible after a snowstorm. Mr. Kratz was confident in the location of the sign, and low grow plants would be planted and the sign would be maintained appropriately in the snow.

Chairman Szabo inquired about the hours of operation. Mr. Kratz stated that they are proposing that the fuel center would be open 24 hours, with an employee specifically trained for fuel center operation during store hours (the employee would be managed by the store). After hours, the station would be un-manned fueling with credit card.

Chairman Szabo asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting the following: (i) a Preliminary and Final Planned Unit Development under Section 12-3-5 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a new fuel station at the existing Mariano's grocery store; (ii) a Conditional Use for a Localized Alternative Sign Regulation (LASR) under Section 12-3-4 to allow a modified monument sign and new canopy signs with price readers; and (iii) approval of any other such variations, waivers, and zoning relief as may be necessary.

Analysis:

Address: 10 E. Golf Road
Owner: Realty Income Illinois Properties 2, LLC, 11995 El Camino Real
San Diego, CA 92130
Petitioner: Tim Kratz, 3025 Highland Parkway, Suite 850, Downers Grove, IL 60018

Case Number: 20-025-PUD-LASR
PIN: 09-18-100-004-0000
Ward: #4, Alderman Artur Zadrozny

Existing Zoning: C-3, General Commercial Business District
Existing Land Use: Grocery Store (Mariano's)
Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial / R-1, Single Family Residential District
East: R-1, Single Family Residential District
West: R-1, Single Family Residential District

November 24, 2020

Page 8

Surrounding Land Use: North: Single Family Residences
South: Commercial (Animal Hospital) / Single Family Residences
East: Blackhawk Park
West: Single Family Residences

Street Classification: Golf Road and Mount Prospect Road are classified as arterial roads.

Comprehensive Plan: The Comprehensive Plan designates the site as Commercial.

Project Description: The petitioner, Tim Kratz on behalf of Roundy's Supermarkets, is requesting a Preliminary and Final Planned Unit Development (PUD) to allow the construction of a fueling station on the existing Mariano's property and a conditional use for a Localized Alternative Sign Regulation (LASR) to allow a modified monument sign and new canopy signs with price readers at 10 E. Golf Road. The existing 8.62-acre property consists of a 73,680-square foot building, 407-space surface parking lot, and the following signs listed below totaling 384.12-square feet and shown in the Sign Plan:

- Three wall signs, one on the south, east, and west building elevations;
- One monument sign along Mount Prospect Road;
- One monument sign along Golf Road in front of Blackhawk Park; and
- One monument sign located at the corner of the Golf Road/Mount Prospect Road intersection.

The Mariano's building consists of a 60,100-square foot grocery store, 1,680-square foot restaurant, and 265-square foot food preparation and storage area.

The petitioner is requesting the Preliminary and Final PUD in order to allow the proposed fueling station kiosk on the same lot as the existing Mariano's grocery store building without a Plat of Subdivision. Pursuant to Section 12-7-1 of the Zoning Ordinance, a PUD allows for more than one principle building to be located on a zoning lot. The subject property meets the location, ownership, and size prerequisites required for PUDs as specified in Section 12-3-5 as it: (i) is located within the C-3, General Commercial District, which allows PUDs through a conditional use permit; (ii) is under single ownership; and (iii) meets the minimum lot size requirement of two acres as required for PUDs located in the C-3 zoning district. The conditional use for the Preliminary and Final PUD is one of the two conditional uses included in this project.

Mariano's is a brand of Roundy's Supermarkets, Inc., which is a subsidiary of The Kroger Co. The Kroger Co. currently owns and operates approximately 1,500 retail fuel locations nationwide to provide Mariano's customers with loyalty discounts and one-stop conveniences as noted in the Project Narrative. The proposal includes the addition of a new passenger vehicle fueling station with a kiosk on the southwest portion of the property near the Golf Road/Mount Prospect Road intersection as shown on the Site Plan & Truck Turning Analysis Diagram. The proposed five pump fueling station will be an extension of the existing Mariano's grocery store and will be staffed by one grocery store employee at all times. The proposal will utilize the existing access points, approaches, and parking areas to access the proposed

November 24, 2020

Page 9

fueling center. In addition, the site will be modified accordingly to accommodate ingress/egress movements surrounding the fuel station for users and the fuel tanker truck, which will access the site from Mount Prospect Road.

The petitioner is also requesting a LASR to install six new signs to advertise the new fueling station. The petitioner is requesting the following exceptions to Section 12-11-6(B) of the Zoning Ordinance with the LASR request:

- For the three wall signs on the existing building totaling 299.37-square feet, which currently exceed the maximum sign area of 125-square feet permitted on an entire building (including all elevations).
- For the new 2.31-foot tall canopy signs to exceed 12-inches in height.
- To allow two electronic message board signs on the subject property where only one is permitted.

Existing Sign Area			
Sign Type	Qty	Location(s)	Area
Non-Illuminated Wall Sign	3	South, East, and West Store Elevations	99.79 each (299.37 total)
External Illuminated Monument sign	1	Corner of Golf Road/Mount Prospect Road	40.00
External Illuminated Monument sign	1	Along Golf Road in front of Blackhawk Park	30.75
External Illuminated Monument sign	1	Along Mount Prospect Road at west parking lot entrance	15.00
Total Area of Existing Signage on Site			384.12
Proposed Sign Area			
Sign Type	Qty	Location	Area
Non-Illuminated Wall Sign	3	One on South, East, and West Store Elevations	99.79 each (299.37 total)
External Illuminated Monument sign	1	Along Golf Road in front of Blackhawk Park	30.75
External Illuminated Monument sign	1	Along Mount Prospect Road at west parking lot entrance	15.00
<i>New Monument with LED Price Reader*</i>	<i>1</i>	<i>Corner of Golf Road/Mount Prospect Road</i>	<i>66.60</i>
New Wall LED Price Reader	1	Fuel station canopy	43.70
New "Mariano's" Wall	4	Fuel station canopy	14.8 each (59.2 total)
Total Area of New Signage Proposed			514.62

****Existing sign replaced by new monument sign with LED Price Reader***

November 24, 2020

Page 10

LASRs generally allow more signage and flexibility as compared to the Zoning Ordinance due to the size of the property, the configuration of buildings and the variety of uses. In this case, the existing Mariano's building is setback roughly 392-feet from Golf Road and 97-feet from Mount Prospect Road so any signage added to the building for the proposed fueling station would not be clearly visible to the street. Given the subject property's size and unique location near the Golf Road/Mount Prospect Road intersection, staff finds the request necessary to provide visibility for users coming from multiple directions. LASRs are permitted as a conditional use when the subject property is within a PUD. While this property is currently not in a PUD, the petitioner is requesting a PUD for this property as part of this project. The breakdown of the existing and proposed signage is shown below:

The design of the proposed fueling station is intended to utilize the existing impervious surfaces, add supplemental landscaping to address displaced landscaping on site, and utilize the general layout of the existing parking area as indicated on the Landscape Plan. The building materials for the proposed fuel station kiosk and canopy will be vintagewood cedar and ACM fascia to match the existing Mariano's Grocery Store. The addition of the proposed fueling station will decrease the available parking spaces on the subject property from 407 to 337 spaces, totaling a net loss of 70 parking spaces. The existing Mariano's grocery store and proposed fueling station kiosk are 73,680-square feet and 265-square feet, respectively according to the Architectural Plans. The following parking requirements apply pursuant to Section 12-9-7 of the Zoning Ordinance:

- For grocery stores, one space is required for every 300 square feet of gross floor area for grocery stores.
- For restaurants, one space is required for every 50-square feet of net floor area, or one space for every four seats, whichever is greater, plus one space for every three employees.
- For automotive fuel stations, two spaces required per pump, plus one space for every 200 square feet of accessory retail.

Furthermore, the grocery store portion of the Mariano's building will require 201 parking spaces (60,100-square feet / 300-square feet = 201), the restaurant area will require 37 parking spaces (1,680-square feet / 50-square feet plus three employees = 37), the food preparation and storage area is not counted, and the proposed fueling station will require 12 parking spaces (265-square feet / 200-square feet plus two spaces per pump = 12). Thus, staff concludes that a total of 250 parking spaces, including seven handicap accessible parking spaces, are required for the subject property as a whole. The proposal includes 337 parking spaces, which meets and exceeds this requirement.

Compliance with the Comprehensive Plan

There are several parts of the City of Des Plaines' 2019 Comprehensive Plan that align with the proposed project. Those portions are as follows:

- Under Future Land Use Map:
 - The property is marked for commercial. The proposed fueling center will take advantage of a well-located site at the corner of the Golf Road/Mount Prospect Road intersection and general proximity to established residential neighborhoods to improve the existing property and provide an additional service to the community.

November 24, 2020

Page 11

- The proposal would satisfy the goal to expand retail uses that primarily serve the day-to-day needs of local residents along major corridors in Des Plaines.
- Under Economic Development:
 - The Comprehensive Plan recognizes the economic vitality of the surrounding area and its importance to the broader region. The proposed fueling station would be in keeping with prior development efforts and further transform a standalone grocery store building with a restaurant into a multi-use commercial center.
 - This proposal would also further establish this property as a commercial hub for the City of Des Plaines and provide additional retail options for residents that are currently not available in the immediate vicinity of the area.

Conditional Use and PUD Findings: As required, the proposed development is reviewed below in terms of the findings contained in Section 12-3-5(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

A. The extent to which the Proposed Plan is or is not consistent with the stated purpose of the PUD regulations in Section 12-3.5-1 and is a stated Conditional Use in the subject zoning district:

Comment: A PUD is a listed conditional use in the C-3 zoning district. The proposed project meets the stated purpose of the PUD. Additionally, the redevelopment of the subject property will enhance the neighboring area, but also be cognizant of nearby land uses. Please also see the responses from the applicant.

B. The extent to which the proposed plan meets the prerequisites and standards of the planned unit development regulations:

Comment: The proposed development will be in keeping with the City's prerequisites and standards regarding planned unit development regulations. Please also see the responses from the applicant.

C. The extent to which the proposed plan departs from the applicable zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to the density, dimension, area, bulk, and use and the reasons why such departures are or are not deemed to be in the public interest:

Comment: The proposed project is in-line with the intent of a PUD as there is an exception being requested to accommodate a second principle structure on the subject property where the existing Mariano's grocery store and separate restaurant use currently exist. Additionally, the proposed exception would provide additional services and conveniences for Mariano's patrons. Please also see the responses from the applicant.

D. The extent to which the physical design of the proposed development does or does not make adequate provision for public services, provide adequate control of vehicular traffic, provide for, protect open space, and further the amenities of light and air, recreation and visual enjoyment:

Comment: All provisions for public services, adequate traffic control and the protection of open space are being accommodated in the proposed development. The proposed fueling station will be located within the existing paved parking area and will utilize the existing access points and approaches to the site. Please also see the responses from the applicant.

November 24, 2020

Page 12

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

Comment: The proposed development complements existing development to the west and extends the commercial land use, which is designated for this property. Additionally, considerations will be made to reduce any impact on the nearby residential uses from light and noise pollution. Please also see the responses from the applicant.

F. The extent to which the proposed plan is not desirable to physical development, tax base and economic well-being of the entire community:

Comment: The proposed project will contribute to an improved physical appearance within the City by constructing a new fueling station, which will contribute positively to the tax base and economic well-being of the community. Please also see the responses from the applicant.

G. The extent to which the proposed plan is in conformity with the recommendations of the 2019 Comprehensive Plan:

Comment: The proposed development meets the goals, objectives and recommendations of the 2019 Comprehensive Plan. Please also see the responses from the applicant.

Recommendation: Staff recommends approval of the requested Preliminary and Final Planned Unit Development and Conditional Use for a Localized Alternative Sign Regulation in the C-3 zoning district at 10 E. Golf Road.

Planning and Zoning Board Procedure: Under Section 12-3-5-1 of the Zoning Ordinance (Mixed-Use Planned Unit Developments) and Section 12-3-4(G) of the Zoning Ordinance (Conditional Uses), the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or disapprove the above-mentioned Preliminary & Final Planned Unit Development (PUD) and Conditional Use for a Localized Alternative Sign Regulation (LASR) within the C-3 Zoning District at 10 E. Golf Road. The City Council has the final authority on the proposal.

Chairman Szabo asked for clarification of the reduction of 70 parking spaces for the building of the fuel center. Planner Stytz stated that the parking requirements will still be met.

Chairman Szabo asked if anyone present was for or against the case.

Chairman Szabo swore in Mr. Ken Lewis of 120 Harvey. Mr. Lewis stated the following:

- Mr. Lewis had an objection to the building of the gas station. Mr. Harvey stated that he received a letter via certified mail last week and had learned at the meeting that the proposal is for a 24-hour gas station. Mr. Lewis believes that the building of the gas station will affect their property values and daily lives.
- Mr. Lewis stated that he agrees that the Mariano's is an asset to the community, but he will do everything possible to stop the building of the gas station.
- Mr. Lewis inquired whom he should address his concerns regarding this case.
- Mr. Lewis suggested that the vacant Marathon across the street would be a better option for the fuel center.

November 24, 2020

Page 13

- Mr. Lewis also raised concerns about the park and safety concerns involving the storage tanks and general environmental concerns.

Chairman Szabo stated that by attending the Planning & Zoning Board meeting was a good first start. Chairman Szabo stated that specific questions may be addressed to the Director of Community Development, Mike McMahon.

Mr. Lewis stated that he spoke with his Alderman Zadrozny, who did not receive a certified letter and was not in favor of the building of a gas station. Mr. Kratz stated that he received a public notice list from staff, Mariano's stated that approximately 70 letters were sent to property owners. Staff responded that letters are mailed to those within a 300-foot radius.

Mr. Lewis stated that he would like this case delayed for additional input from residents.

Chairman Szabo stated that the Planning & Zoning Board recommends an action to City Council. City Council makes the final decision. This case will be on the December 21st City Council meeting agenda.

Member Saletnik asked Mr. Lewis to point out his home on the map. Mr. Lewis pointed out his home adjacent to the animal hospital, with the back of the home facing Golf Road. Member Saletnik asked Mr. Lewis to address the specific issues of why he does not want the fuel center built. Mr. Lewis stated the following points: the gas station is 24 hours and will have an increase of lights, traffic and noise, concern over having a gas station and gas station odors and that the gas station is in his direct line of sight.

Member Saletnik asked if Mr. Lewis knew of any previous gasoline spills at the Marathon that had adversely affected his property values. Mr. Lewis had no knowledge of any information about the Marathon.

Member Saletnik inquired to staff about the concerns about noise and light due to the nature of the 24 hour operation. Planner Stytz stated that there are codes that need to be met, Member Saletnik reiterated that there are provisions on the code that limit adverse restrictions.

Mr. Lewis stated that his made concern over his property value, he questioned who would compensate him for the reduction in property value. Member Saletnik asked Mr. Lewis what year he purchased the home, he responded that he moved in at 1992. Member Saletnik stated that Golf Road is a major arterial street and that is pre-existing condition. Member Saletnik stated that the fuel station will be very well designed and landscaped and have better curb appeal then several of the surrounding businesses. Mr. Lewis did not have a problem with the design but the use and is objecting to the gas station.

Member Veremis inquired about the Marathon gas station and if homes backed up to that property. Mr. Lewis stated that yes, homes are behind the gas station. Member Veremis asked if it were more acceptable if it was not 24 hours. Mr. Lewis stated that the gas station is not acceptable period. Mr. Lewis stated that applicant, Mariano's, never presented this use at prior meetings.

Member Fowler asked Mr. Ferrel about overnight usage of the fuel center during the overnight hours. Mr. Ferrel responded that approximately a few dozen people use the station during the overnight hours and is mainly for customer convenience and to remain competitive with other fuel centers. The fuel center will not be manned 24-hours, after store hours it will only be on a card payment basis.

November 24, 2020

Page 14

Member Veremis asked that since there is a minimal amount of traffic, would they consider changing the hours of operation. Mr. Ferrel stated that they would be open minded based on the recommendation of the board.

Member Hofherr stated that the gas station on the west side of Golf Road has been vacant, and if Mariano's has looked at using that location as the location (Golf & Mt Prospect Rd) of their fuel center. Mr. Ferrel stated that they have been evaluating the current site, as that is the preference, due to the overlapping customer. Mr. Ferrel stated that there is a financial benefit to staying on the current property as well.

Member Hofherr commented on the former Jewel at Thacker and Elmhurst Road, which has gone out of business and has since been torn down. Member Hofherr also mentioned Sam's Club at Oakton as a major competitor, which is always packed. Member Hofherr also had safety concerns over the pedestrian traffic in the parking lot.

Mr. Ferrel responded that the reason the fuel station is in the corner is to utilize the outside drive aisles and provides good separation of vehicle and pedestrian traffic. He also stated that they looked at the remainder of parking spots and they are comfortable with the remainder of parking spots and that it still meets the standard.

Member Hofherr also expressed concern over the gas station being opened 24/7, he suggested that a reasonable approach would have the gas station have similar hours to the grocery store.

Chairman Szabo asked about the number of parking spots as compared to the store in Arlington Heights. Mr. Ferrel stated that the number of spots would be comparable. Mr. Ferrel stated that the number of stalls they have today was based on the utilization of the site.

Member Veremis has a question about the delivery from the fuel trucks, Mr. Ferrel stated that the delivery can be scheduled for a specific period of time. At the store, you may see several delivery trucks throughout the day, fuel deliveries may happen one or two times per day.

Mr. Saletnik asked about the noise levels in relation to the current noise levels. Also, he asked about the volume of traffic, specifically about the gas price point. Mr. Fennel stated that the gas is not discounting, the discount rate is due to the rewards program. The benefit of the fuel station is having total control of the customer experience and rewarding the Mariano's customers.

Mr. Kratz addressed the noise comments and environmental issues. He stated that gas stations are not normally a noisy operation and not different from the parking lot. Generally, the sound coming from streets is louder than the gas station operation. There will be no gas station TV, music or a PA system; communication is available through a call button with the attendant.

Mr. Kratz also responded to the light concern, all the lights in the fuel center are in the canopy and downward facing which prevents light shining straight ahead. Also, the addition of landscaping provides some light shield as well.

As far as tanks/underground fuel system, Mariano's strictly follows the State and EPA regulations. Kroger does not want any environmental issues and are very cautious when moving forward with a fuel center.

November 24, 2020

Page 15

Mr. Lewis asked if the information would be available on the website. Planner Stytz stated that the plans are available on the City's website.

A motion was made by Board Member Saletnik , seconded by Board Member Veremis to approve with the additional condition that the fuel center is open no more than one hour prior to the opening of the store and closes no later than one hour after the store closing;

AYES: Saletnik, Veremis, Fowler, Hofherr, Szabo

NAYES: None

*****MOTION CARRIES *****

This item will be heard on the December 21, 2020 City Council meeting.

Case 20-047-V

1535 Ellinwood St

Major Variation

Case 20-025-FPUD-LASR-CU-V

10 E Golf Rd

Preliminary/Final PUD, Conditional Use

November 24, 2020

Page 16

ADJOURNMENT

The next meeting is scheduled for December 8, 2020.

Chairman Szabo adjourned the meeting by voice vote at 8:22 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

cc: City Officials, Aldermen, Zoning Board of Appeals, Petitioners



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

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

MEMORANDUM

Date: December 30, 2020
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
Cc: Michael McMahon, Community and Economic Development Director MM
Subject: Consideration of Tentative Plat of Subdivision and Major Variations at 10 S. River Road, Case 20-046-SUB-V (1st Ward)

Issue: The petitioner is requesting: (i) Tentative Plat of Subdivision under Section 13-2 of the Subdivision Regulations to resubdivide and absorb a portion of 1415 Redeker Road located at 09-17-200-044-0000; (ii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a front building setback of 10.28-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a north side building setback of 22.75-feet and south side building setback of 10.53-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iv) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a rear building setback of 25.99-feet in the M-1, Limited Manufacturing District where 60-feet is required; (v) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a lot size of 0.54-acres in the M-1, Limited Manufacturing District where a minimum of 5-acres is required; and (vi) the approval of any other such variations, waivers, and zoning relief as may be necessary.

Analysis:

Address: 10 S. River Road
Owner: Carol A. Damiano Trust & Peter Damiano Trust, 10 S. River Road, Des Plaines, IL 60016
Petitioner: Peter Damiano, Damiano Service Center & Damiano Properties, LLC, 10 S. River Road, Des Plaines, IL 60016
Case Number: 20-046-SUB-V
Real Estate Index Number: 09-17-200-022-0000

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: M-1, Limited Manufacturing District

Existing Land Use: Automotive Repair Shop (Damiano Service Center)

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

Surrounding Land Use: North: Commercial (City Electric Supply)
 South: Commercial (Peter Troost Monument Company)
 East: Cook County Forest Preserve
 West: Manufacturing (Multi-tenant industrial building)

Street Classification: River Road is classified as an arterial road and Redeker Road is classified as a local street.

Comprehensive Plan: The Comprehensive Plan designates the site as Commercial Industrial Urban Mix.

Project Description: The petitioner, Peter Damiano, is requesting a Tentative Plat of Subdivision and Major Variations for building setbacks and lot size for the property located at 10 S. River Road. The subject property is 10,862-square feet (0.249 acres) in size and is comprised of one lot, which is improved with a single building and parking area as shown in the Plat of Survey (Attachment 4). The building on the subject property contains a 100-square foot office area, 3,906-square foot shop/storage area, and a separate 280-square foot mechanical area with restrooms. The petitioner also currently holds a Land Lease with ComEd to park within the ComEd right-of-way located south of the properties at 24 River Road and 1415 Redeker Road.

The petitioner is proposing to resubdivide and absorb a portion of 1415 Redeker Road (Parcel 09-17-200-044-0000) located west of the subject property and behind the properties located at 20 River Road and 24 River Road shown as Lot 2 on the Proposed Site Plan (Attachment 5). Lot 2 is 12,684-square feet (0.291-acres) in size and is comprised of one lot, which is improved with a portion of the multi-tenant manufacturing building located on 1415 Redeker Road and a gravel drive aisle/parking area. The petitioner proposes to improve Lot 2 with a paved, dust-free hard surface and utilize it to access the leased parking area within the ComEd right-of-way. Given the proposed acquisition of Lot 2 by the petitioner, this portion of the building, denoted as the East Annex on the Existing Floor Plan (Attachment 6), will be demolished as part of this request within a year of City Council approval.

The proposal does not include any alterations to the existing building on the subject property. Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, the following parking regulations apply to this request:

- One space for every 250-square feet of gross floor area of office areas; and

- One space for every 1,500-square feet of gross floor area for warehousing areas.

Based on the parking regulations, the total number of parking spaces required is four (100-square foot/250-square foot plus 3,906-square feet/1,500-square feet), including one handicap accessible parking space. The petitioner proposes to add four required parking spaces, including the handicap accessible space, on the proposed Lot 2 as shown on the Proposed Site Plan (Attachment 5).

There are several variations included with this request given that the subject property does not conform to building setback and minimum lot size requirements for the M-1, Limited Manufacturing District and the proposed resubdivision would increase the existing non-conforming building setbacks for the building on 1415 Redeker Road even with the removal of the East Annex building. Thus, the petitioner is also requesting four Major Variations as summarized in the table below:

Bulk Regulations	M-1	Existing	Proposed
Maximum height	50-feet	33-feet	39-feet
Minimum front yard setback	60-feet	30.18-feet	10.28-feet*
Minimum side yard setback	60-feet	2.51-feet (west); 21.75-feet (east)	10.53-feet (south); 20.50-feet (north)*
Minimum rear yard setback	60-feet	0-feet	25.99-feet*
Minimum lot size	5-acres	1.20-acres	0.54-acres*
Maximum building coverage	75%	69%	<75%
Parking (Office & Warehouse)	4 spaces	0 spaces	4 spaces

***Requested Variations**

Tentative Plat of Subdivision Report

Name of Subdivision: Damiano-Merchandise Resubdivision

Address: 10 S. River Road

Requests: Approval of Tentative Plat of Subdivision & Variations

Total Acreage of Subdivision: 0.541 acres

Lot Descriptions and Construction Plans:

The petitioner’s Tentative Plat of Subdivision shows the resubdivision and transfer of ownership of the Lot 2 parcel to the subject property. Lot 2 will have an area of 10,807-square feet and Lot 3 (subject property) will have an area of 8,520-square feet. The Plat shows the existing 8-foot non-exclusive easement on Lot 2, a new 24-foot ingress and egress easement on Lot 2 for use of Lots 1 and 3, and a new parking easement on Lot 2 for use of Lot 3.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

Recommendation: Staff is not making a recommendation of the request for a Tentative Plat of Subdivision pursuant to 13-2 of the Des Plaines Subdivision Ordinance and the Major Variation requests for building setbacks and minimum lot size pursuant to Section 12-3-6 of the Des Plaines Zoning Ordinance.

Planning and Zoning Board Procedure: Under Section 13-2-7 (Approval of Tentative Plat By Planning and Zoning Board) of the Subdivision Ordinance and Section 12-3-6 (Approval of Variations), the Planning and Zoning Board has the authority to approve, approve subject to conditions, or deny the above-mentioned Tentative Plat of Subdivision and Major Variation requests for the property at 10 S. River Road.

Attachments:

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

Memo to City of Des Plaines, PZB

10 S. RIVER ROAD/EAST ANNEX APPLICATION

III. PROJECT NARRATIVE

Damiano Service Center (“Damiano”) is an auto and truck service & repair business with hours of operations from 7:30 a.m. to 6:00 p.m. Monday through Friday.

At any given time during business hours there are 5 employees on the premises; at most 6 customers on any given day are anticipated; most days only 1 customer.

With Damiano’s acquisition of the East Annex property from 1415 Redeker LLC, 10 South River Road will utilize the East Annex for ingress & egress access to the 10 S. River Road property, for the parking of vehicles being serviced.

Damiano will demolish the East Annex structure within 1 year of approval of the Plat of Subdivision, with the required permits; during the pending year all access from 1415 Redeker to the Annex building will be blocked off/permanently removed and there shall be no occupancy of the Annex building with all utilities to the Annex building terminated as of the day of closing from 1415 Redeker LLC to Damiano.

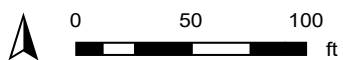
Once the Annex is demolished, Damiano will pave the gravel area with a dust-free hard surface.

Memo to City of Des Plaines, PZB

10 S. RIVER ROAD/EAST ANNEX APPLICATION

II. STANDARDS OF VARIATION

1. For Damiano Service Center (“Damiano”) to adhere to the strict letter of City of Des Plaines' Code would be a **hardship** due to the prohibitive costs as such would require Damiano to demolish all current structures and build new construction to incorporate the East Annex property into the current business.
2. The **Unique Physical Condition** at 10 S. River Road is due to the commercial intersection it is adjacent to, the existing surrounding structures owned by Damiano and other third parties; and the inability to expand beyond the current site. While the proposed use with variances requested is non-conforming, Damiano is not substantially changing the business operations at the site so impact will be low on all surrounding properties, owners and streets, etc.
3. The current physical condition is not the result of any action, inaction or **self-creation** by Damiano. The structures and current layout and footprint have been in existence for a significant amount of time prior to the current ownership rights of Damiano.
4. Without the City PZB’s approval of the requested variances, Damiano will be unable to acquire the property known as 1415 Redeker East Annex, which will deprive Damiano of **substantial rights** specifically from expanding his business operations and space.
5. Damiano’s hardship is more than a monetary hardship, **special privilege** or loss of an additional right; Damiano will be deprived of acquiring additional physical space in which to operate the overflowing business.
6. Damiano’s **title, plan purposes** and variation request for the use of 1415 Redeker East Annex will be in harmony with the current use and purpose Damiano has made of 10 South River Road and the business operations currently located there.
7. Damiano has **no other means** available to it other than the requested variation, so Damiano can acquire the 1415 Redeker East Annex for use in the Damiano Service Center on the existing site.
8. Damiano’s variation requests constitute the bare **minimum relief** needed for the acquisition of the 1415 Redeker East Annex and its incorporation into the current business operations of Damiano Service Center at 10 South River Road.



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.

Notes

PLAT OF SURVEY

BY
JOHN M. HENRIKSEN
 58 BROADWAY DES PLAINES, ILLINOIS 60016
 847-791-0301
 OF

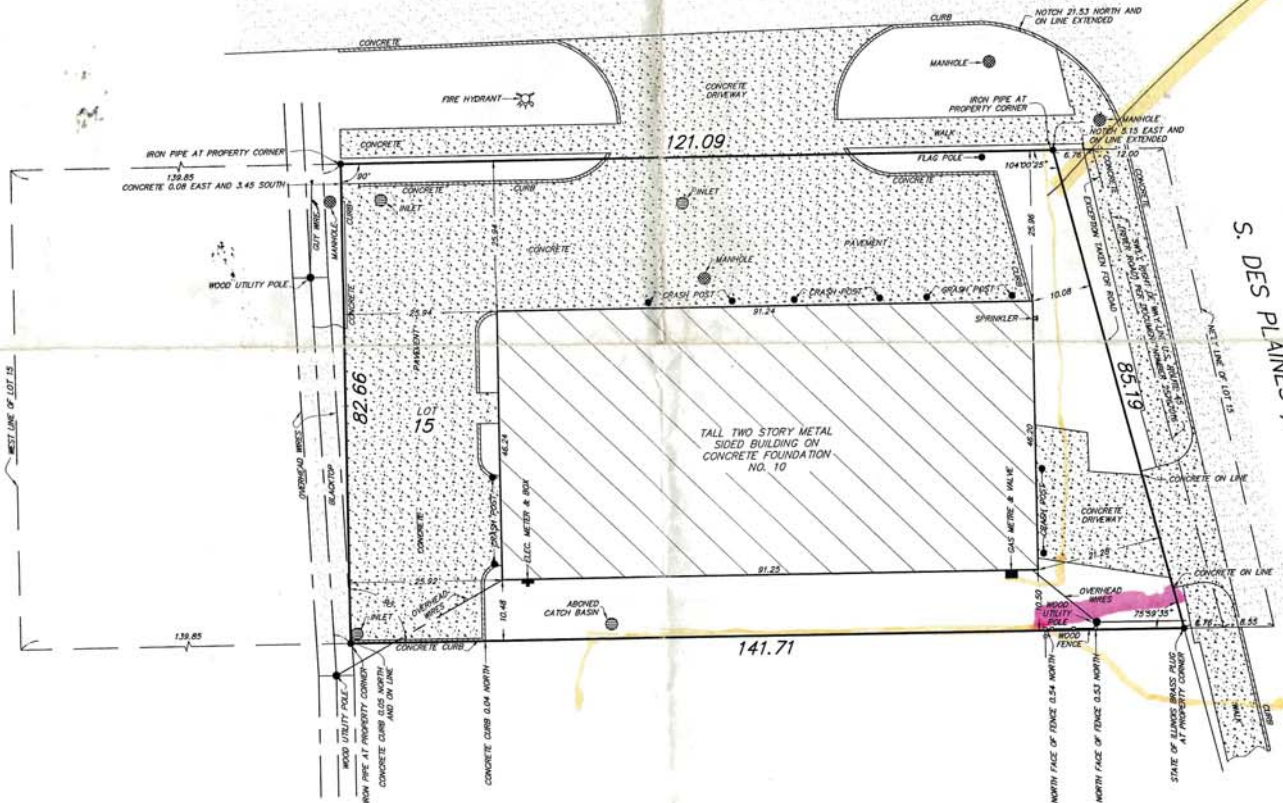
LOT 15 (EXCEPT THE WEST 139.85 FEET THEREOF AND EXCEPT THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES) IN REDEKER'S GARDEN ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOTS 6 AND 7 (EXCEPT THE SOUTH 4 ACRES THEREOF) IN REDEKER'S ESTATE, A SUBDIVISION OF PARTS OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



E. REDEKER ROAD

GAS LINE

S. DES PLAINES / RIVER ROAD



ORDER NUMBER: **020450-FINAL**

SCALE: 1 INCH = 15 FEET

ORDERED BY: **PETER DAMIANO**

BUILDING LINES, IF ANY, SHOWN HEREON ARE BUILDING LINES SHOWN ON THE RECORDED SUBDIVISION PLAT. CONSULT LOCAL AUTHORITIES FOR BUILDING LINES ESTABLISHED BY LOCAL ORDINANCES.

PLEASE CHECK LEGAL DESCRIPTION WITH DEED.

COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DISCREPANCY IMMEDIATELY.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

FRACTIONAL INCH EQUIVALENTS OF DECIMAL PARTS OF A FOOT

0.01-1.8"	0.25-3"
0.02-1.4"	0.31-4"
0.03-1.0"	0.37-4.2"
0.04-1.2"	0.38-4.2"
0.05-1.0"	0.42-5"
0.06-1.4"	0.50-6"
0.07-1.5"	0.58-7"
0.08-1.7"	0.62-7.2"
0.09-1.8"	0.63-7.2"
0.10-1.8"	0.7-8"
0.11-1.9"	0.75-9"
0.12-1.9"	0.83-9.6"
0.13-1.9"	0.87-10.2"
0.14-1.9"	0.88-10.2"
0.15-1.9"	0.92-11"
0.16-1.9"	1.00-12"
0.17-2"	

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STATE OF ILLINOIS
 COUNTY OF COOK

I, JOHN M. HENRIKSEN, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET DECIMAL PARTS THEREOF.

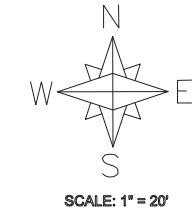
DES PLAINES, ILLINOIS NOVEMBER 16, 2004

John M. Henriksen
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2668
 LICENSE EXPIRES NOVEMBER 30, 2004



SITE PLAN WITH PARKING & LANDSCAPING

PROPOSED LOTS 2 & 3 IN DAMIANO-MERCHANDISE RESUBDIVISION



PROPOSED LOT 2 BULK REGULATION TABLE				
Bulk Controls	M-1	Existing	Variation Needed	
			Yes	No
Maximum Height	50 ft			X
Minimum Front Yard				
Adjacent manufacturing, not on major thoroughfare	60 ft			
Adjacent other, or on major thoroughfare	60 ft			X
Minimum Side Yard				
Adjacent manufacturing	60 ft			
Adjacent other	60 ft			X
Minimum Rear Yard				
Adjacent manufacturing	60 ft			
Adjacent other	60 ft			X
Minimum Lot Size	5 acres	0.29 acres	X	
Maximum Building Coverage	75%	N/A		X

PROPOSED LOT 3 BULK REGULATION TABLE				
Bulk Controls	M-1	Existing	Variation Needed	
			Yes	No
Maximum Height	50 ft	39 ft		X
Minimum Front Yard				
Adjacent manufacturing, not on major thoroughfare	60 ft			
Adjacent other, or on major thoroughfare	60 ft	10.28'	X	
Minimum Side Yard				
Adjacent manufacturing	60 ft			
Adjacent other	60 ft	10.53'	X	
Minimum Rear Yard				
Adjacent manufacturing	60 ft			
Adjacent other	60 ft	25.99'	X	
Minimum Lot Size	5 acres	0.25 acres	X	
Maximum Building Coverage	75%	38%		X

Proposed Lot 2 - Site Data

Total Site Area = 0.29 ac.

Building & Parking Data

No Building (existing building being demolished)

Total Parking Req'd = 0 parking spaces req'd

Total Parking Provided = 4 parking spaces

Proposed Lot 3 - Site Data

Total Site Area = 0.25 ac.

Building & Parking Data

Office

100 sq. ft.

Parking Req'd = 100 sq. ft. x 1 space/250 sq. ft. = 0.4 parking spaces req'd

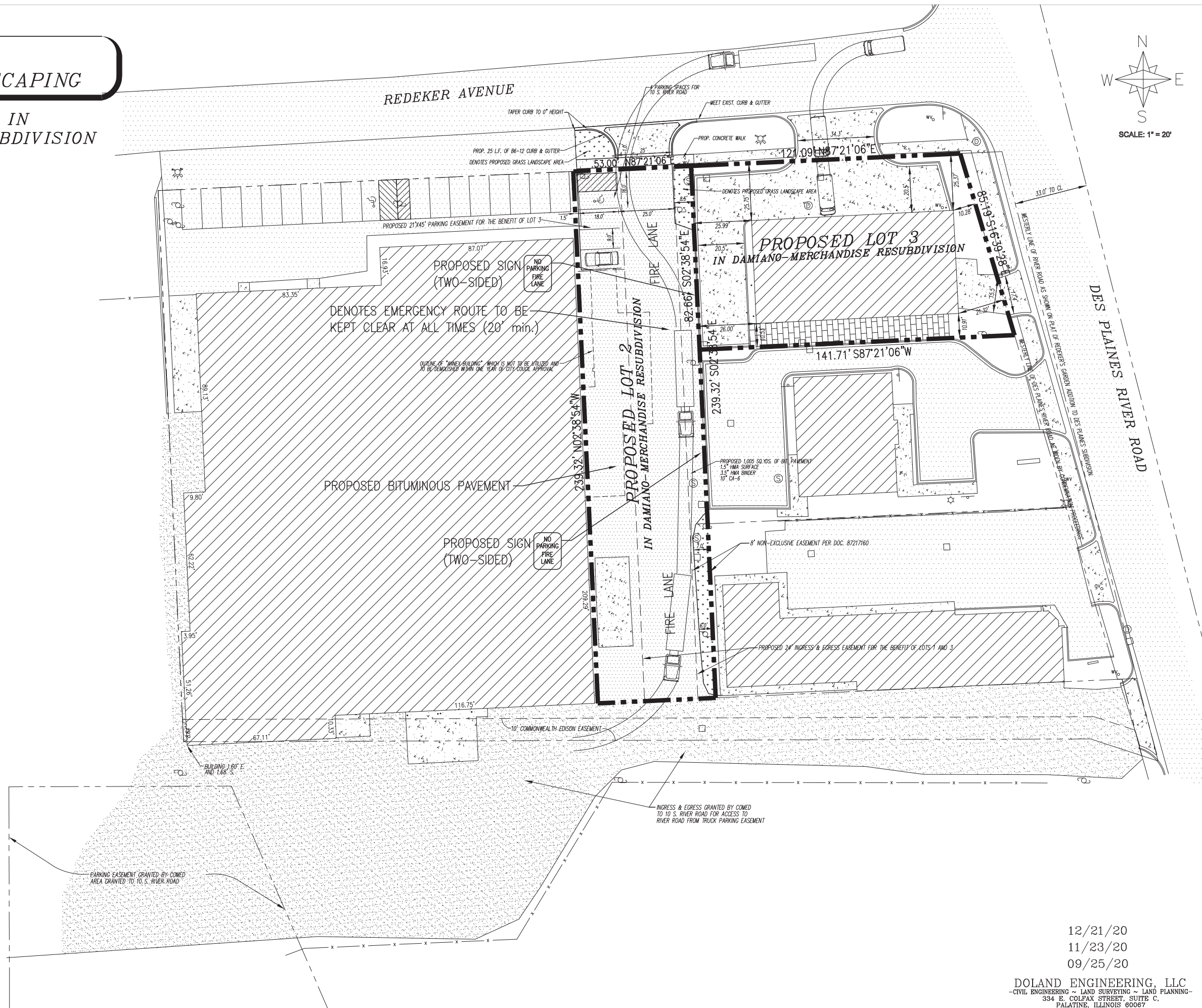
Warehouse / Auto Shop

3,906 sq. ft.

Parking req'd = 3,906 sq. ft. x 1 space/1,500 sq. ft. = 2.6 parking spaces req'd

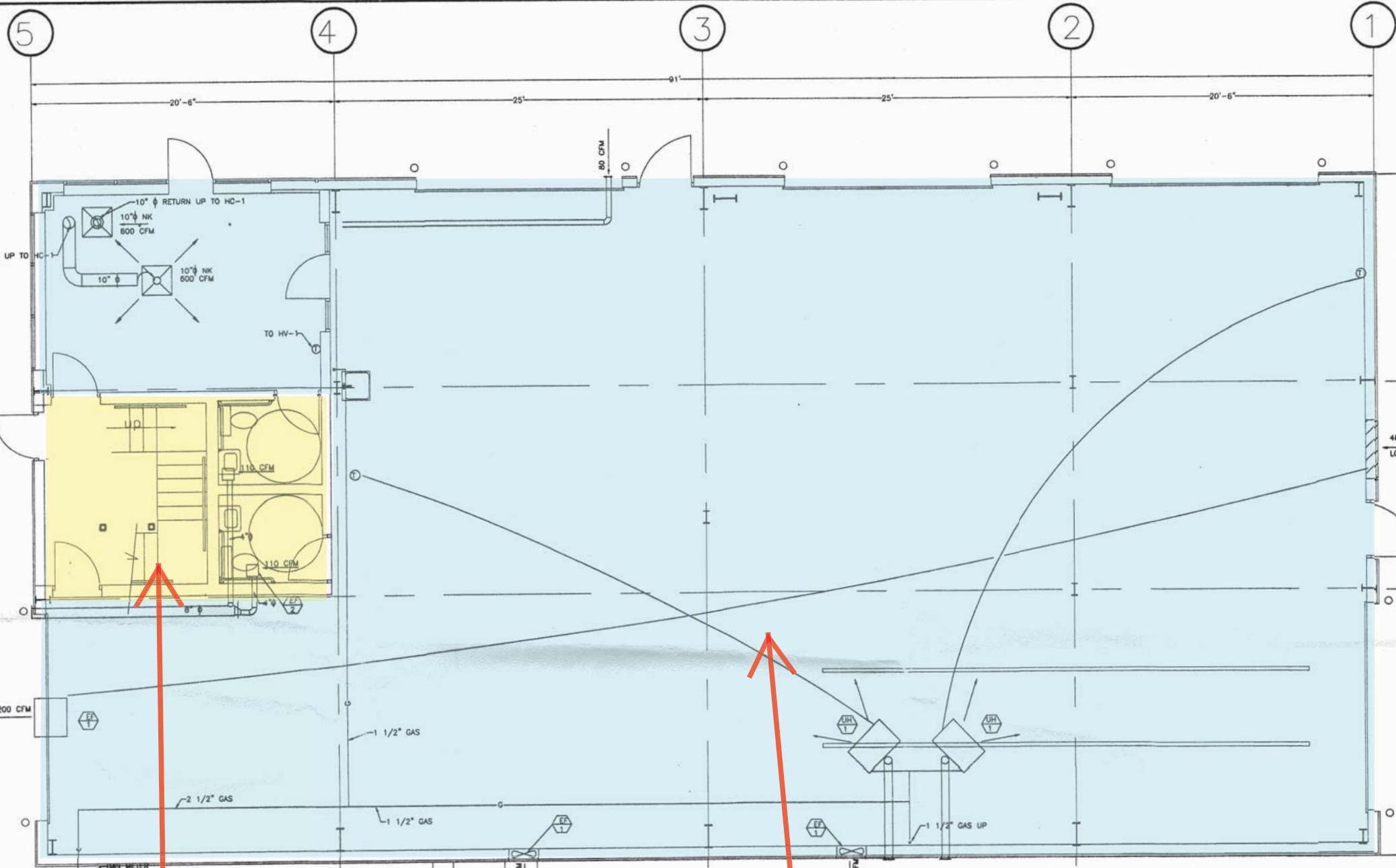
Total Parking Req'd = 0.4 + 2.6 = 3; Therefore, there are 3 parking spaces req'd

Total Parking Provided = Excessive amount of parking area provided in ComEd esmt.



12/21/20
11/23/20
09/25/20

DOLAND ENGINEERING, LLC
- CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING -
334 E. COLFAX STREET, SUITE C,
PALATINE, ILLINOIS 60067
(847) 991-5088 (847) 934-3427-FAX



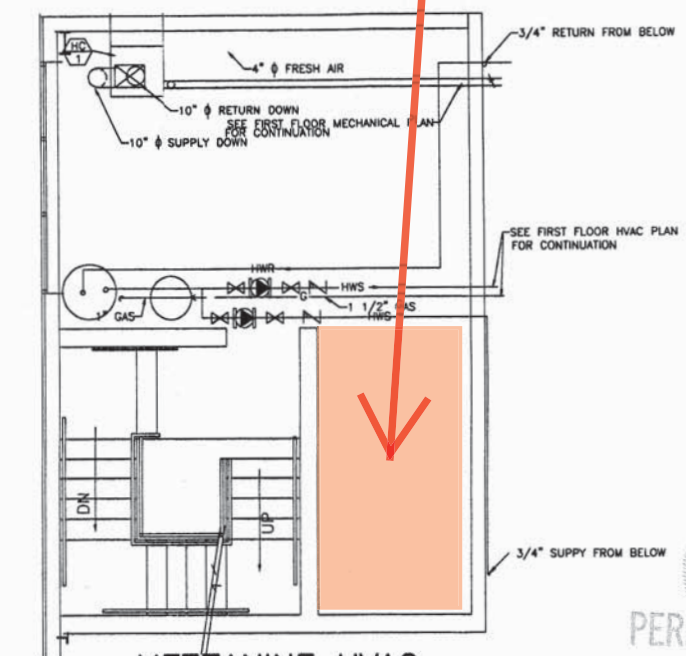
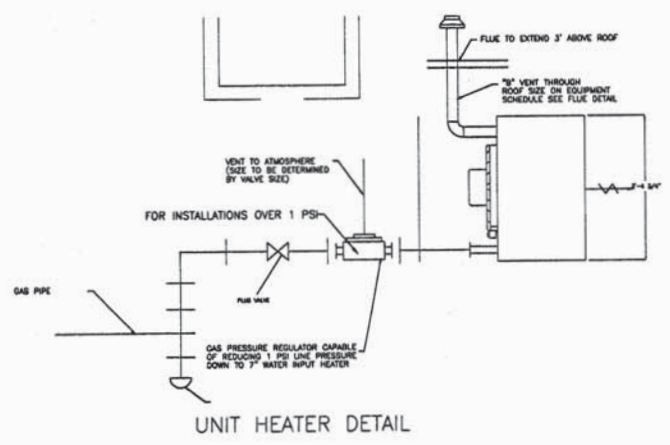
- AMSTRONG AMGIC PAK 64HW183 GAS FIRED COMBINATION HEAT COOL DIRECT VENT IN THE WALL UNIT. 18,000 BTUH COOLING CAPACITY, 64,000 BTUH INPUT 50,000 BTUH HEATING CAPACITY, 800 CFM @.25"ESP 208V 1 PHASE 14.6 AMPS, 20 AMP CIRCUIT BREAKER
- TWIN CITY TB-24E24 TUBEAXIAL BELT DRIVE POWER WALL EXHAUST FAN 7,200 CFM @.125" ESP .90 BHP 1 HP MOTOR UNIT TO HAVE BELT GUARD, MOTOR COVER, INLET SCREEN, WALL ANODIZED BRONZ LOUVER AND BACKDRAFT DAMPER
- BROAN 676 POWER CEILING FAN 110 CFM @.2" ESP.
- BROAN 503 POWER CEILING FAN 160 CFM @.2" ESP.
- 48" X 48" MOTORIZED LOUVER INTERLOCK WITH EF-1 LOUVER TO BE ANODIZED BRONZ
- GAS FIRED 300,000 BTUH UNIT HEATER BY OWNER
- STATE ULTRA FORCE SUP100 150 GAS FIRED HYDRONIC CERTIFIED HOT WATER HEATER 150,000 BTUH INPUT 141,000 BTUH OUTPUT 100 GAL CAPACITY

FIRST FLOOR HVAC
SCALE 1/4" = 1'-0"

280 sq.ft.
Mechanicals
& Stairs

3,906 sq.ft.
Shop & Storage

100 sq.ft.
Office



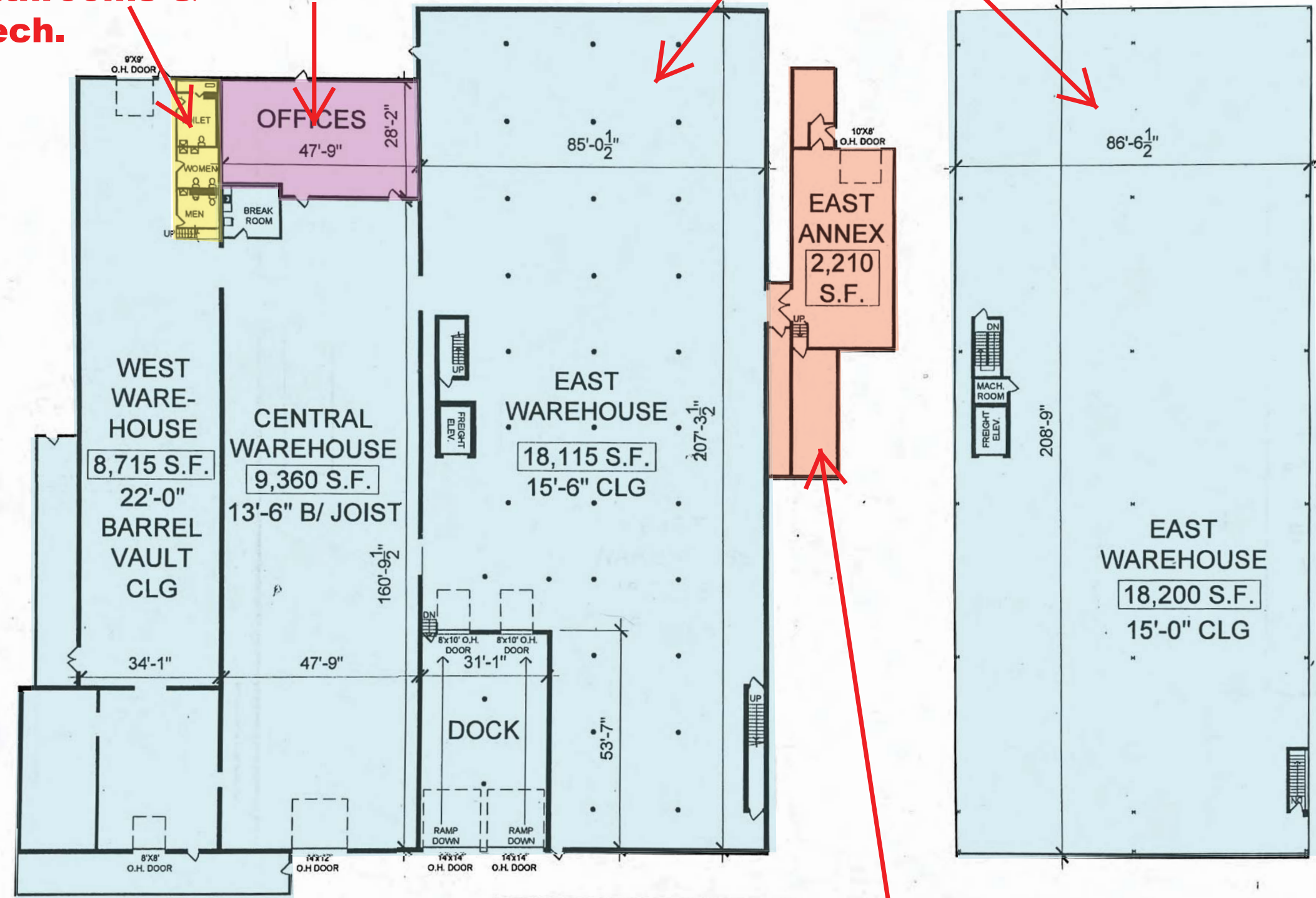
MEZZANINE HVAC
SCALE 1/4" = 1'-0"



**400 sq.ft.
Bathrooms &
Mech.**

**1,345 sq.ft.
Offices**

52,645 sq.ft. Warehouse



FIRST FLOOR
TOTAL AREA: +/-38,400 S.F.

1415 REDEKER RD,
DES PLAINES, IL
TOTAL AREA: 56,600 S.F.



SECOND FLOOR
TOTAL AREA: +/-18,200 S.F.

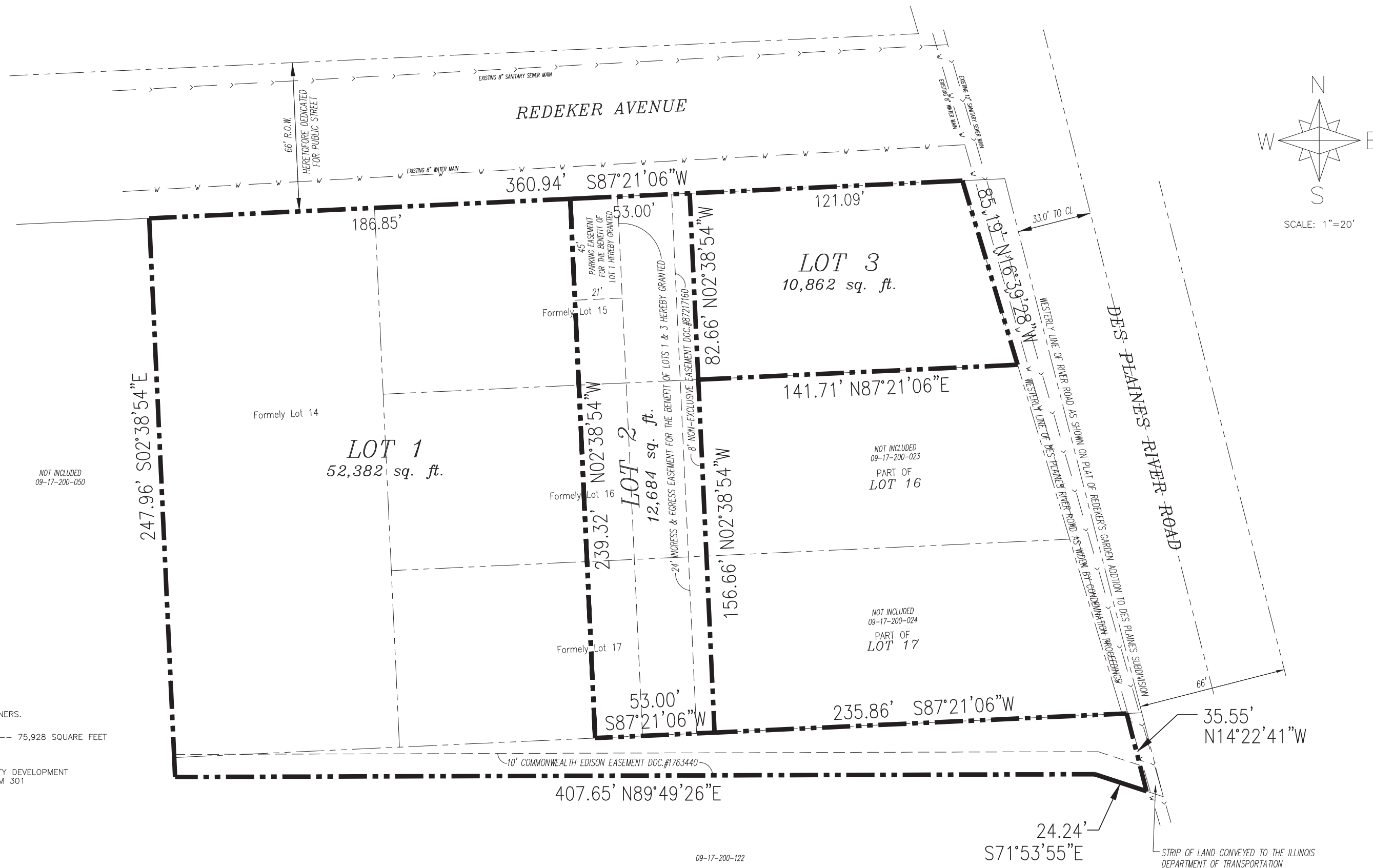
**2,210 sq.ft. Annex Warehouse
(counted with 10 S. River Bldg.)**

TENTATIVE PLAT OF SUBDIVISION DAMIANO-MERCHANDISE RESUBDIVISION

DOLAND ENGINEERING, LLC
 - CIVIL ENGINEERING ~ LAND SURVEYING ~ LAND PLANNING -
 334 E. COLFAX STREET, SUITE C,
 PALATINE, ILLINOIS 60067
 (847) 991-5088 (847) 934-3427-FAX

BEING A SUBDIVISION OF LOTS 14, 15, 16, 17 & PART OF 18 IN REDEKER'S GARDEN ADDITION TO DES PLAINES, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SEPTEMBER 24, 2020
 DECEMBER 21, 2020



NOTES

- 1) IRON PIPES SET AT LOT CORNERS.
- 2) TOTAL AREA OF SUBDIVISION --- 75,928 SQUARE FEET
- 3) RETURN THE PLAT LINES TO:
 CITY OF DES PLAINES
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 1420 MINER STREET, ROOM 301
 DES PLAINES, IL. 60016
- 4) EXISTING P.I.N.'S
 09-17-200-051-0000
 09-17-200-045-0000
 09-17-200-044-0000
 09-17-200-022-0000
 09-17-200-106-0000



10 S. River Rd – Looking Southeast at Front of Site



10 S. River Rd – Looking Northwest at Side Yard



10 S. River Rd – Public Notice



10 S. River Rd – Looking Northeast at Property



MEMORANDUM

Date: December 30, 2020
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
Cc: Michael McMahon, Community and Economic Development Director MM
Subject: Consideration of Major Variations at 1415 Redeker Road, Case 20-045-V (1st Ward)

Issue: The petitioner is requesting the following: (i) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a front building setback of 30.18-feet in the M-1, Limited Manufacturing District where 60-feet is required; (ii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a west side building setback of 2.51-feet and an east side building setback of 0-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iii) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a rear building setback of 0-feet in the M-1, Limited Manufacturing District where 60-feet is required; (iv) a Major Variation under Section 12-9-7 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow eighteen parking spaces on site where 41 parking spaces are required; (v) a Major Variation under Section 12-7-4(H) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a lot size of 0.54-acres in the M-1, Limited Manufacturing District where a minimum of 5-acres is required; and (vi) the approval of any other such variations, waivers, and zoning relief as may be necessary.

Analysis:

Address: 1415 Redeker Road
Owner: 1415 Redeker, LLC, 1415-1419 Redeker Road, Des Plaines, IL 60016
Petitioner: 1415 Redeker, LLC, 1415-1419 Redeker Road, Des Plaines, IL 60016
Case Number: 20-045-V
Real Estate Index Numbers: 09-17-200-044-0000; -045; -051; -106
Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: M-1, Limited Manufacturing District

Existing Land Use: Manufacturing (Multi-tenant industrial building)

Surrounding Zoning: North: C-2, Limited Office Commercial District / C-3, General Commercial District
 South: C-3, General Commercial District
 East: M-1, Limited Manufacturing District / C-3, General Commercial District
 West: M-1, Limited Manufacturing District

Surrounding Land Use: North: Commercial (City Electric Supply / Golf River)
 South: Utilities (ComEd)
 East: Automotive Repair Shop (Damiano Service Center)
 West: Commercial (X-pert Landscaping)

Street Classification: Redeker Road is classified as a local street.

Comprehensive Plan: The Comprehensive Plan designates the site as Commercial Industrial Urban Mix.

Project Description: The petitioner Jay Lazar, on behalf of 1415 Redeker, LLC, is requesting Major Variations for building setbacks, parking, and lot size for the property located at 1415 Redeker Road. The subject property is 52,382-square feet (1.203 acres) in size and is comprised of four lots, which are improved with a single 2-story building, surface parking areas on the north and east side of the building, and a drive aisle along the east side of the building that connects to River Road as shown in the Plat of Survey (Attachment 4). The first floor of the building on the subject property contains a 1,345-square foot office area, an 18,115-square foot east warehouse area, an 8,715-square foot west warehouse area, and 9,360-square foot central warehouse area, a 400-square foot mechanical area with restrooms, and an 2,210-square foot east annex. The partial second floor located over the east warehouse area contains an 18,200-square foot warehouse space. In total, the building contains 52,645-square feet of warehouse area.

The petitioner wishes to sell off one of the four parcels to the property owner of 10 S. River Road who is proposing to resubdivide and absorb the easternmost portion of the property (Parcel 09-17-200-044-0000) located at 1415 Redeker Road. This request is tied with a Tentative Plat of Subdivision and Major Variation request at 10 S. River Road (Case #20-046-SUB-V). The parcel in question is located behind the properties at 10 River Road, 20 River Road and 24 River Road and is shown as Lot 2 on the Proposed Site Plan (Attachment 5). Lot 2 is 12,684-square feet (0.291-acres) in size and is comprised of one lot, which is improved with a portion of the multi-tenant manufacturing building located on 1415 Redeker Road and a gravel drive aisle/parking area. A portion of the multi-tenant manufacturing building is located on Lot 2, denoted as the East Annex on the Existing Floor Plan (Attachment 6). Since the east annex structure is located entirely on Lot 2 and is attached with the rest of the multi-tenant building, the east annex structure would not meet current building and fire codes. Thus, the property owner of 10 River Road plans to demolish the east annex structure and replace it with a dust-free hard surface.

Aside from the portion of 1415 Redeker Road (Lot 2) being sold to the owner of 10 River Road, the proposal does not include any alterations to the existing building or site as a whole. Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, the following parking regulations apply to this request:

- One space for every 250-square feet of gross floor area of office areas; and
- One space for every 1,500-square feet of gross floor area for warehousing areas.

Based on the parking regulations, the total number of parking spaces required is 41 (1,345-square foot/250-square foot plus 52,645-square feet/1,500-square feet equals 41 spaces), including two handicap accessible parking spaces. Given the loss of the parking and drive aisle area on Lot 2, the petitioner proposes to designate 18 parking spaces, including two handicap accessible parking spaces, at the front of the building located along Redeker Road for use of the subject property (Lot 1) as shown on the Proposed Site Plan (Attachment 5). Since the provided parking count results in a 23 parking space deficit to the minimum parking space requirements pursuant to Section 12-9-7, the petitioner is requesting a parking variation.

There are several variations included with this request given that the subject property does not conform to building setback, parking, and minimum lot size requirements for the M-1, Limited Manufacturing District and the proposed resubdivision would increase the existing non-conforming building setbacks and parking availability for the building on 1415 Redeker Road, even with the removal of the east annex structure. Thus, the petitioner is also requesting five Major Variations as summarized in the table below:

Bulk Regulations	M-1	Existing	Proposed
Maximum height	50-feet	33-feet	33-feet
Minimum front yard setback	60-feet	30.18-feet	<i>30.18-feet*</i>
Minimum side yard setback	60-feet	2.51-feet (west); 21.75-feet (east)	<i>2.51-feet (west); 0-feet (east)*</i>
Minimum rear yard setback	60-feet	0-feet	<i>0-feet*</i>
Minimum lot size	5-acres	<i>1.20-acres</i>	<i>1.20-acres*</i>
Maximum building coverage	75%	69%	69%
Parking (Office & Warehouse)	41 spaces	18 spaces	<i>18 spaces*</i>

****Requested Variations***

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

- 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: Please see the Petitioner’s responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

- 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: Please see the Petitioner's responses to Standards for Variations.

Recommendation: Staff is not making a recommendation of the Major Variation requests for building setbacks, parking, and minimum lot size pursuant to Section 12-3-6 of the Des Plaines Zoning Ordinance.

Planning and Zoning Board Procedure: Under Section 12-3-6 (Approval of Variations), the Planning and Zoning Board has the authority to recommend approval, approval subject to conditions, or denial of the above-mentioned Major Variation requests for the property at 1415 Redeker Road.

Attachments:

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

Memo to City of Des Plaines, PZB

1415 Redeker Warehouse Application

III. PROJECT NARRATIVE

1415 Redeker LLC leases the buildings to Merchandise USA and Jonas Sales who each utilize the property and buildings as warehouse storage and office space with business operating hours of 8:00 – 4:00 p.m.

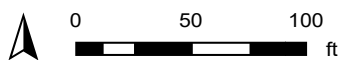
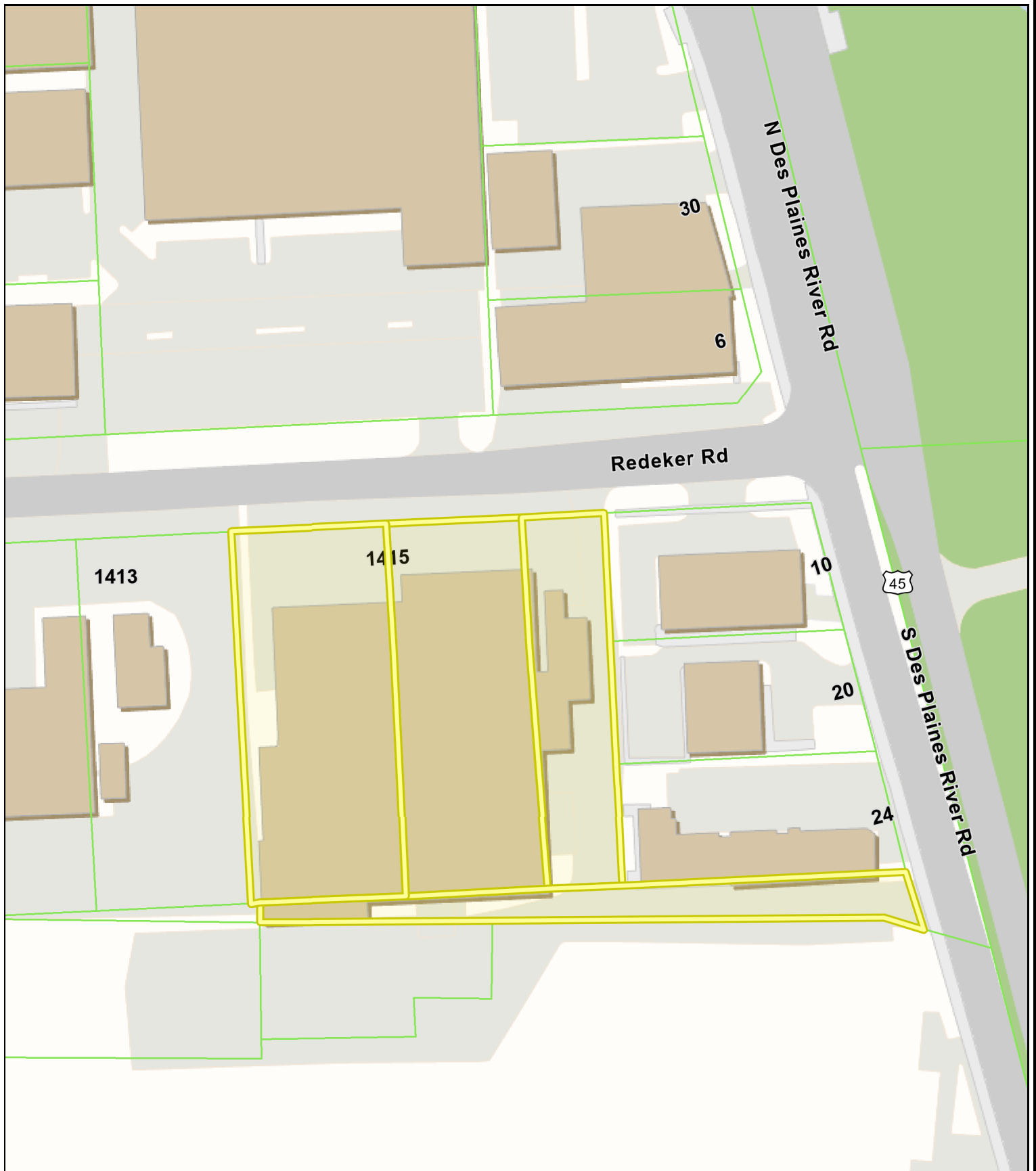
At any given time 6 employees are on the premises; Only 2 times a month do customers visit the property.

Memo to City of Des Plaines, PZB

1415 Redeker Warehouse Application

II. STANDARDS OF VARIATION

1. For 1415 Redeker LLC to adhere to the strict letter of the City of Des Plaines' Code after selling the East Annex property by bringing the 1415 buildings into compliance with the regulations for setbacks and parking spaces would be **physically impossible as a practical difficulty** due to the footprint of the buildings in relation to all surrounding buildings, properties and the streets and easements, as they all currently exist.
2. The **unique physical conditions** at 1415 Redeker are so due to its proximity to River Road and surrounding structures owned by third parties and the inability to expand the footprint of 1415; the proposed use with variances requested is non-confirming, yet the business within 1415 Redeker is not changing so there should be no impact on all surrounding properties, owners and the streets and easements.
3. 1415 Redeker LLC has **not self-created** the unique physical condition at the property by action or inaction; the structures and current layout have been in existence for a significant amount of time prior to the current ownership rights and the surrounding ownership rights.
4. Without the requested variance 1415 Redeker LLC will be unable to continue business operations – thus a **deprivation of a substantial right** currently held -- at the property because it would be forced to demolish portions of the buildings and property to come into compliance with the setback and parking space requirements.
5. 1415 Redeker LLC's hardship will be **more than a monetary hardship or loss of an additional right**; It will be deprived of continuing its business operations in the property as it would have to shut down to demolish portions of the warehouse to provide land for the setbacks and parking spaces required.
6. 1415 Redeker LLC's **plan purposes and title** with the variations requested for the use of 1415 Redeker will be in harmony with the current use and purpose as a warehouse and office space.
7. There is **no other means available** to 1415 Redeker LLC other than the requested variation, so it can sell the East Annex to Damiano Properties LLC for use in the Damiano Service Center without giving up currently utilized warehouse space for setback and parking space requirements.
8. 1415 Redeker LLC's variation requests constitute the bare **minimum relief** needed to sell the East Annex to Damiano Properties LLC for use in the Damiano Service Center's business operations.



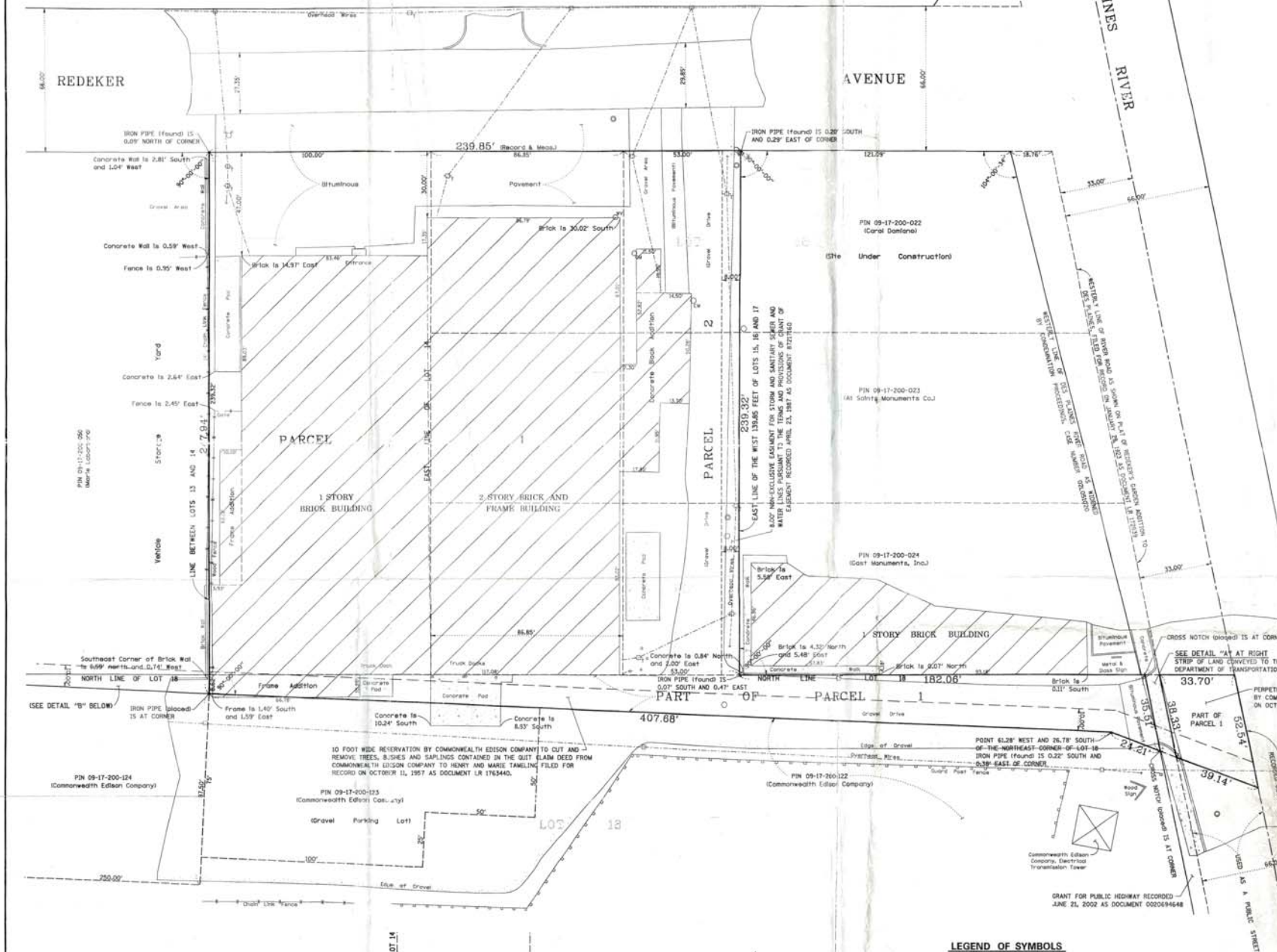
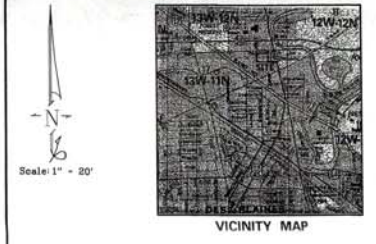
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently 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.

Notes

ALTA / ACSM LAND TITLE SURVEY

of
PROPERTY LOCATED AT 1415 REDEKER
AVENUE, DES PLAINES, ILLINOIS.

LEGAL DESCRIPTIONS



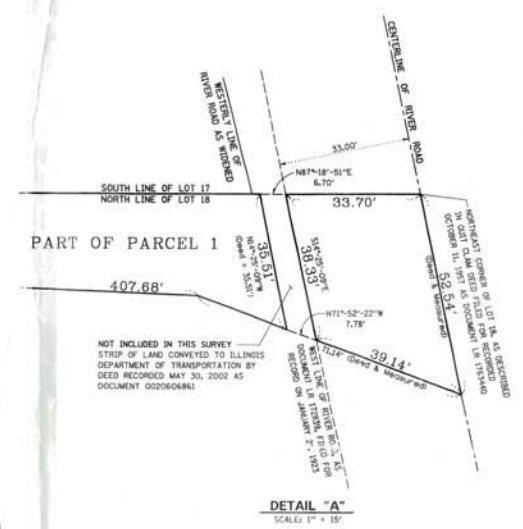
PARCEL 1:
LOT 14, THE WEST 86.85 FEET OF LOTS 15, 16 AND 17, THAT PART OF LOT 18 LYING NORTH OF A LINE EXTENDING FROM A POINT IN THE NORTH LINE OF SAID LOT 18, WHICH IS 68.11 FEET WEST OF THE NORTHEAST CORNER OF LOT 18, THENCE SOUTHWESTERLY 60.746 FEET TO AN ANGLE POINT WHICH IS 62.29 FEET WEST OF AND 26.78 FEET SOUTH OF SAID NORTHEAST CORNER OF LOT 18 MEASURED ALONG LINES PARALLEL TO SAID NORTH LINE AND THE EAST LINE OF SAID LOT 18, THENCE SOUTHWESTERLY 17.4 FEET TO A POINT IN THE EAST LINE OF SAID LOT 18 BEING THE CENTER LINE OF RIVER ROAD, WHICH IS 52.54 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 18, EXCEPTING FROM SAID TRACT THAT PART THEREOF LYING WEST OF THE WEST LINE EXTENDED SOUTH OF LOT 14 AND ALSO THAT PART OF THE LOT 18 DESCRIBED AS FOLLOWS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 18 AND THE WESTERLY RIGHT OF WAY LINE OF DES PLAINES RIVER ROAD PER DOCUMENT 172839 RECORDED JANUARY 29, 1929; THENCE NORTH 14 DEGREES 25 MINUTES 09 SECONDS EAST 11.683 METERS (38.33 FEET) BEARINGS BASED ON STATE PLANE COORDINATES; ILLINOIS - EAST ZONE; THENCE NORTH 73 DEGREES 52 MINUTES 22 SECONDS WEST 2.371 METERS (7.78 FEET); THENCE NORTH 14 DEGREES 25 MINUTES 09 SECONDS WEST 10.823 METERS (35.51 FEET) TO THE NORTH LINE OF SAID LOT 18; THENCE NORTH 87 DEGREES 18 MINUTES 51 SECONDS EAST 2.242 METERS (6.30 FEET) AS MEASURED ALONG SAID NORTH LINE TO THE POINT OF BEGINNING; ALL IN REDEKER'S GARDEN ADDITION TO DES PLAINES IN SECTIONS 8 AND 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA - 52,365 SQ. FT. (1.2021 ACRES)
NOT INCLUDING PART LYING IN DES PLAINES RIVER ROAD

PARCEL 2:
THE EAST 33.00 FEET OF THE WEST 128.85 FEET OF LOT 15, 16 AND 17 ALL IN REDEKER'S GARDEN ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOT 6 AND 7 EXCEPT THE SOUTH 4 ACRES THEREOF IN REDEKER'S ESTATE (A SUBDIVISION OF PARTS OF SECTION 8, 9, 16 AND 17, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS).

AREA - 12,684 SQ. FT. (0.2912 ACRES)

NOTE: 1 METER = 3.2808 US SURVEY FEET



DATE: JULY 21, 2004
JOB NO. 02068
PREPARED FOR: SACHOFF & HEAVER, LTD.
PREPARED BY: ie consultants



- LEGEND OF SYMBOLS**
- = MANHOLE
 - B = CATCH BASIN OR INLET
 - ⊥ = FIRE HYDRANT
 - ⊥ = ELECTRIC METER
 - ⊥ = GAS METER
 - ⊥ = WATER VALVE
 - ⊥ = UTILITY POLE
 - ⊥ = UTILITY POLE WITH TRANSFORMER
 - ⊥ = GUY WIRE
 - ⊥ = GUARD POST

FLOOD HAZARD NOTE:
THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE X2 AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY NUMBER 17008, MAP NUMBER 170302027 F, EFFECTIVE DATE NOVEMBER 4, 2000.

NOTE:
NAMES SHOWN IN PARENTHESES UNDER THE PROPERTY IDENTIFIERS ARE THE ENTITIES TO WHOM PROPERTY TAX BILLS ARE MAILED, ACCORDING TO THE CURRENT ASSESSMENT RECORDS, BUT MAY NOT REFLECT RECENT REAL ESTATE TRANSACTIONS.

TO:
LASALLE BANK NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 18, 1989 AND KNOWN AS TRUST NO. 10825-008
MERCHANTS U.S.A., INC., ILLINOIS CORPORATION
CHICAGO TITLE INSURANCE COMPANY
STATE OF ILLINOIS
COUNTY OF COOK

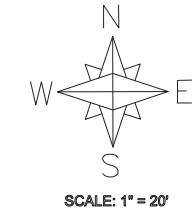
I, DALE V. HEAVEN, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT (1) A SURVEY HAS BEEN MADE UNDER MY DIRECTION AND SUPERVISION OF THE PROPERTY DESCRIBED ABOVE AND THAT BOTH THE SURVEY AND PLAT HEREON DRAWN HAVE BEEN PREPARED IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NPSA IN 1994, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, AND 13 OF TABLE "A" THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NPSA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. THE UNDERSIGNED FURTHER CERTIFIES THAT PROPER FIELD PROCEDURES, INSTRUMENTATION, AND ADEQUATE SURVEY PERSONNEL WERE EMPLOYED IN ORDER TO ACHIEVE RESULTS COMPARABLE TO THOSE OUTLINED IN THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

CHICAGO ILLINOIS
DATE: JULY 21, 2004
BY: *[Signature]*
Professional Land Surveyor
ILLINOIS
MY LICENSE RENEWAL: 11/30/04



SITE PLAN WITH PARKING & LANDSCAPING

PROPOSED LOT 1 IN DAMIANO-MERCHANDISE RESUBDIVISION



PROPOSED LOT 1 BULK REGULATION TABLE				
Bulk Controls	M-1	Existing	Variation Needed	
			Yes	No
Maximum Height	50 ft	33 ft		X
Minimum Front Yard				
Adjacent manufacturing, not on major thoroughfare	60 ft			
Adjacent other, or on major thoroughfare	60 ft	30.18	X	
Minimum Side Yard				
Adjacent manufacturing	60 ft			
Adjacent other	60 ft	0.00' (crosses line)	X	
Minimum Rear Yard				
Adjacent manufacturing	60 ft			
Adjacent other	60 ft	0.00' (crosses line)	X	
Minimum Lot Size	5 acres	1.20 acres	X	
Maximum Building Coverage	75%	69%		X

Proposed Lot 1 - Site Data

Total Site Area = 1.20 ac.

Building & Parking Data

Office

1,345 sq.ft.

Parking Req'd = 1,345 sq.ft. / 1 space/250 sq.ft. = 5.4 parking spaces req'd

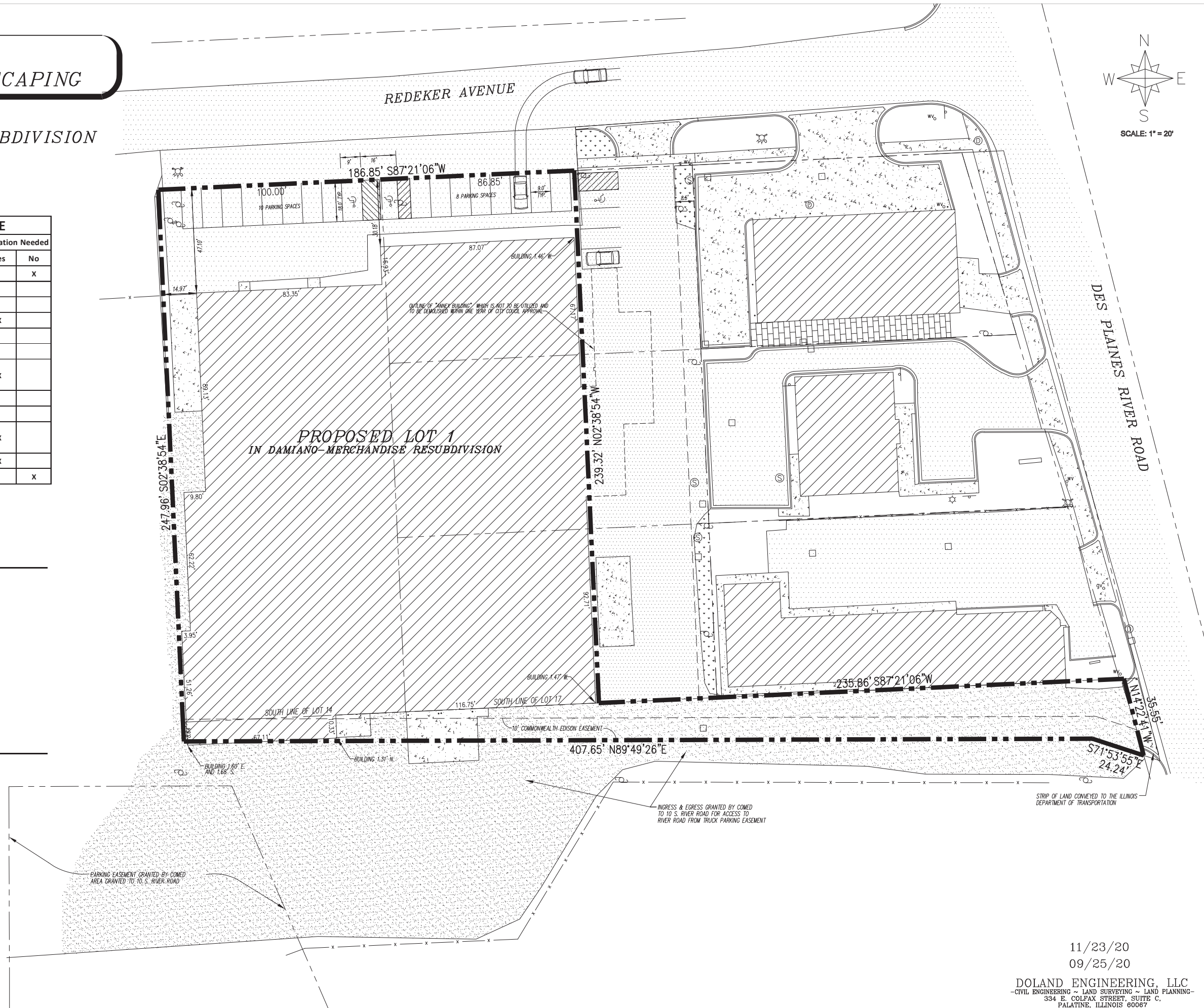
Warehouse / (excluding 400 sq.ft. bathrooms and excluding "East Annex" Bldg.)

52,645 sq.ft.

Parking req'd = 52,645 sq.ft. x 1 space/1,500 sq.ft. = 35.1 parking spaces req'd

Total parking Req'd = 5.4 + 35.1 = 40.5; Therefore, there are 41 parking spaces req'd

Total Parking Provided = 18 parking spaces (including 2 hndc. space)



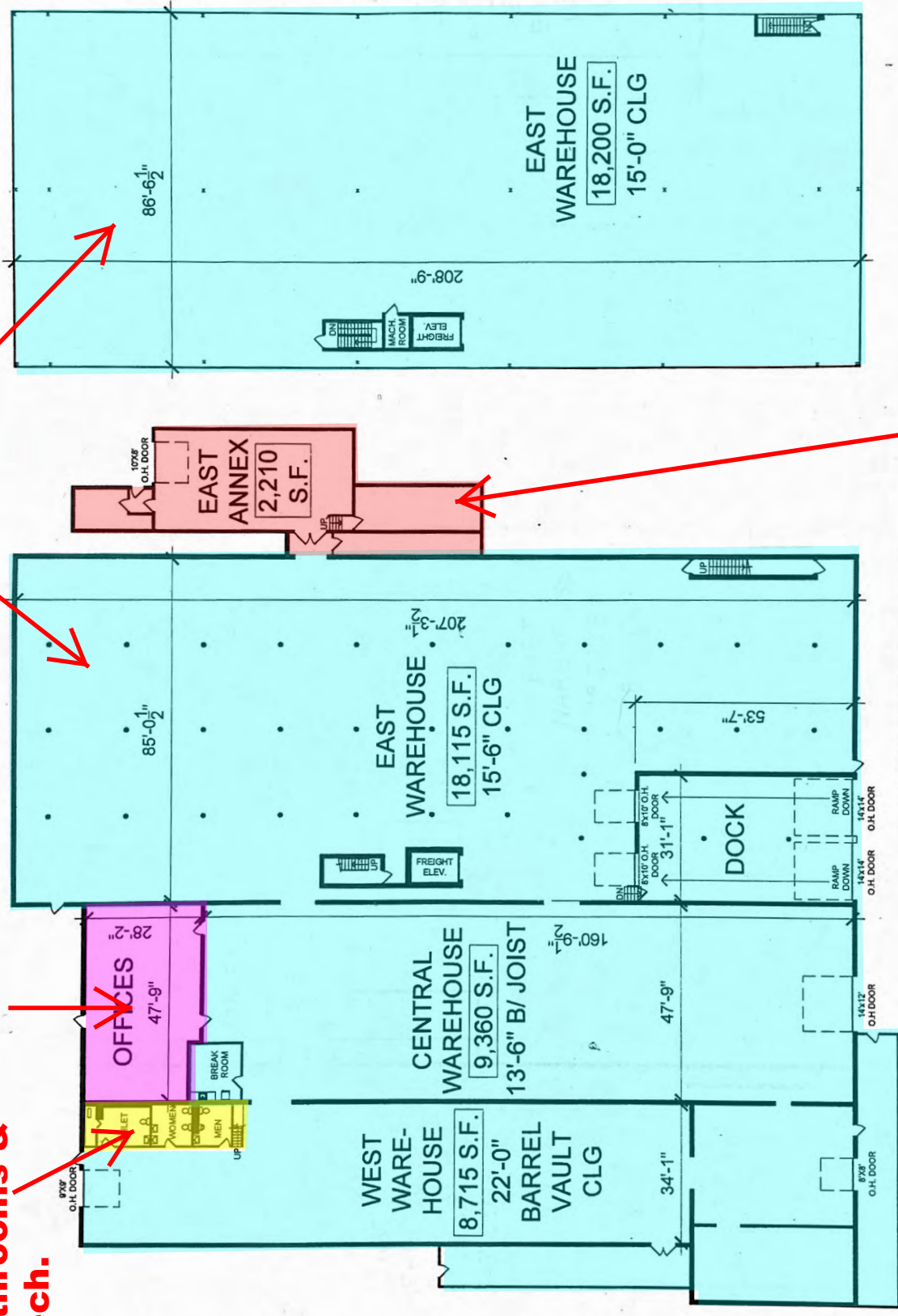
11/23/20
09/25/20

DOLAND ENGINEERING, LLC
- CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING -
334 E. COLFAX STREET, SUITE C,
PALATINE, ILLINOIS 60067
(847) 991-5088 (847) 934-3427-FAX

52,645 sq.ft. Warehouse

1,345 sq.ft. Offices

400 sq.ft. Bathrooms & Mech.



1415 REDEKER RD,
DES PLAINES, IL
TOTAL AREA: 56,600 S.F.

FIRST FLOOR
TOTAL AREA: +/-38,400 S.F.

SECOND FLOOR
TOTAL AREA: +/-18,200 S.F.

**2,210 sq.ft. Annex Warehouse
(counted with 10 S. River Bldg.)**



1415 Redeker Rd – Public Notice



1415 Redeker Rd – Looking Southeast at Front of Site



1415 Redeker Rd – Looking South at Property



1415 Redeker Rd – Looking Northwest at Side Yard



MEMORANDUM

Date: December 23, 2020
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
CC: Michael McMahon, Community and Economic Development Director mm
Subject: Consideration of a Text Amendment to Increase the Allowable Area for Office Uses in the C-4, Regional Shopping District. Case #20-051-TA (City-wide)

Issue: The petitioner is requesting a Text Amendment to Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended to increase the total allowable contiguous area for Office uses in the C-4, Regional Shopping District from 2,500-square feet to 5,000-square feet and approval of any other such variations, waivers, and zoning relief as may be necessary.

Analysis:

Owner: PJR Properties, LLC, 1153 Lee Street, Suite 109, Des Plaines, IL 60016
Petitioner: PJR Properties, LLC, 1153 Lee Street, Suite 109, Des Plaines, IL 60016
Case Number: 20-051-TA
Real Estate Index Numbers: 09-20-400-051-0000; -052
Ward: #5, Alderman Carla Brookman
Existing Zoning: C-4, Regional Shopping District
Existing Land Use: Shopping Center
Surrounding Zoning: North: C-4, Regional Shopping District
South: R-1, Single-Family Residential District
East: Railroad; C-3, General Commercial District / R-1, Single Family Residential District
West: C-3, General Commercial District / C-4, Regional Shopping District

Surrounding Land Use North: Shopping Center
 South: Single Family Residences
 East: Railroad; Single Family Residences / Vacant Commercial Property
 West: Jewel (Commercial) / Shopping Center

Street Classification Lee Street and Oakton Street are classified as arterial streets.

Comprehensive Plan Designation The Comprehensive Plan designates this property as Commercial.

Project Description The petitioner is proposing a Text Amendment to Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended to increase the total allowable contiguous area for Office uses in the C-4, Regional Shopping District from 2,500-square feet to 5,000-square feet.

Amending Section 12-7-3(K) of the Zoning Ordinance to Allow for Increased Office Area in the C-4 Zoning District

Prior to 2018, the Zoning Ordinance did not allow office uses in the R-4, Regional Shopping District. Ordinance Z-28-18 was approved by City Council on September 4, 2018 to allow office uses up to 2,500-square feet in area in the C-4, Regional Shopping District provided that they are not contiguous to another office use. The petitioner owns the Oak Shopping Center and is looking to fill vacant space within the existing shopping center. Recently, various businesses that are classified under office uses have been interested in occupying space within the shopping center in excess of 2,500-square feet. Thus, the proposed text amendment would allow office uses up to 5,000-square feet of contiguous space within the C-4, Regional Shopping District. The proposed amendment is as follows:

Amend

12-7-3.K: Commercial Use Matrix: Amending Office Use footnote to Allow Additional Contiguous Office Area in the C-4, Regional Shopping District.

COMMERCIAL DISTRICT USE MATRIX

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Offices	C	P	P	P ¹⁷	P		P

Note 17. Each office use in the C-4 Regional Shopping District shall be limited to ~~2,500~~ **5,000 square** feet of area and shall not be contiguous to another office use.

Amendment Findings: Text Amendment requests are subject to the standards set forth in Section 12-3-7(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended. In reviewing these standards, staff has the following comments:

A. 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 strives to expand the range of commercial uses along major Des Plaines corridor. The subject property is located along the Lee Street/Mannheim Road corridor and near the Oakton Street corridor and is surrounding by different types of commercial development. The proposed text amendment would help expand the types of office uses permitted in the C-4 zoning district and provide additional services to Des Plaines residents. See also the petitioner’s responses to standards for amendments.

B. The proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property:

Comment: The subject property consists of a shopping center that is surrounded by a mix of commercially-zoned properties. The proposed text amendment allowing additional office space in the C-4 zoning district would not alter the current conditions or overall character of existing development in the immediate vicinity as the development in this area already contains a mixture of retail, service, and office uses. See also the petitioner's responses to standards for amendments.

C. The proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property:

Comment: There are currently adequate public facilities for the subject property and the proposed text amendment will not alter the public facilities in any way. See also the petitioner's responses to standards for amendments.

D. The proposed amendment will not have an adverse effect on the value of properties throughout the jurisdiction:

Comment: The proposed text amendment would assist in boosting the economy in Des Plaines by filling vacant spaces in the C-4 zoning district that have been vacated by a retail use or do not fit the needs of a retail use. This request would allow for office uses of larger sizes to be located in the C-4 zoning district, which may attract larger businesses to Des Plaines. See also the petitioner's responses to standards for amendments.

E. The proposed amendment reflects responsible standards for development and growth:

Comment: The proposal strives to meet and exceed the responsible standards required for development and growth as it would allow for larger office uses to locate on site to attract new businesses and further expand the services available to Des Plaines residents. See also the petitioner's responses to standards for amendments.

Recommendations: Staff recommends approval of the proposed Text Amendment to Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended to increase the total allowable contiguous area for Office uses in the C-4, Regional Shopping District from 2,500-square feet to 5,000-square feet and approval of any other such variations, waivers, and zoning relief as may be necessary.

Planning and Zoning Board Procedure:

The Planning and Zoning Board may vote to *recommend* approval, approval with modifications, or disapproval. The City Council has final authority over the proposed Text Amendment request.

Attachments:

Attachment 1: Project Narrative

Attachment 2: Petitioner's Responses to Standards

Attachment 3: Proposed Text Amendment



December 8, 2020

Jonathan Stytz, Planner
City of Des Plaines
1420 Miner Street
Des Plaines, IL 60016

Re: Text Amendment Request relating to Chapter 12-7-3.K, Table 3, footnote #17
The Oaks Shopping Center, 1515-1591 Lee Street, Des Plaines – C-4 Zoning District

Dear Mr. Stytz,

I am writing on behalf of applicant PJR Properties, LLC (“PJR”), which is the current owner of The Oaks Shopping Center (“The Oaks”). PJR is requesting consideration from the City of Des Plaines (“City”) Planning and Zoning Board and the City Council for a Text Amendment to Chapter 12-7-3.K, Table 3, footnote #17 as it relates to the C-4 Regional Shopping District. Presently, footnote #17 reads, “Each office¹ use in the C-4 Regional Shopping District shall be limited to 2,500 square feet of area and shall not be contiguous to another office use.” PJR is requesting the text be amended to read, “Each office use in the C-4 Regional Shopping District shall be limited to 5,000 square feet of area and shall not be contiguous to another office use.” PJR believes that allowing additional square footage to be occupied by office uses at The Oaks will generate increased investment and activity for the commercial development and an increased demand for the services offered. Furthermore, we feel that this text amendment is consistent with the goals, objectives, and polices of the City’s 2019 Comprehensive Plan (“Plan”).

PJR acquired The Oaks in June of 2016 out of bankruptcy from the previous property owner. At that time, the grocery anchor space of approximately 64,000 square feet sat empty in addition to other small shop vacancies, which brought the total center vacancy to just over 85,000 square feet or about 64% of the leasable area of the center. Through investment from PJR and the Butera family, as well as with the support of the City, we have been able to lease up the vacant grocery anchor space with a Butera Fruit Market grocery store as well as a Planet Fitness gym bringing life back to The Oaks. Unfortunately, during this time we also experienced just over 10,000 square feet of tenancy vacate, bringing the total remaining vacancy to approximately 31,000 square feet, or 23% of leasable area. The property is being actively marketed by CBRE and while we have received leasing inquiries over the past 4 years, completed deals for the remaining vacancies have not come to fruition.

The Oaks is not alone in this retail vacancy dilemma. It has become quite evident that the retail real estate landscape is in a period of transformation. Retailers are struggling to remain relevant and a significant and sizable number have either left the marketplace, or worse, have completely ceased operations. The closures are the result, at least in part, of the big box and internet pressures and influence. In order for traditional shopping centers to not only survive and remain relevant but to thrive and continue to contribute to the community, the trend has been the diversification of uses within these centers. Service oriented uses and tenancies are a growing category in this diversification trend, since in part, the service community has shown to be more resistant to internet competition. It is now quite common to see formerly exclusive retail oriented shopping centers become fully leased as mixed-use centers, offering a balance of retail, office and service oriented uses to better and more fully serve visitors with tenants such as: grocery stores, fitness centers, restaurants, chiropractors, student tutoring centers, financial and real estate services, weight loss centers, physical therapy, dentists, medical centers, clinics, to name a few.

As mentioned, PJR believes that this request is consistent and in keeping with the goals, objectives and policies of the current Comprehensive Plan. The Plan notes as an Overarching Principle the expansion of mixed-use development, particularly along the Oakton Street Corridor. Section 3.2.1 notes that the City should consider permitting more intense, non-commercial and mixed-use projects along the Oakton Street Corridor that can generate activity for existing commercial development and increase demand for services. This section then provides a number of recommendations to remove, replace or relax current zoning restrictions along the corridor to achieve the objective. With The Oaks being a major shopping center along the Oakton Street Corridor, allowing for increased square footage to be occupied by office use tenants would help put the center in a better position to be able to offer a balance of uses and services that a revitalized Oakton Street Corridor would demand.

To that end, PJR respectfully requests that footnote #17 of Table 3, Section 12-7-3.K be amended to read, "Each office use in the C-4 Regional Shopping District shall be limited to 5,000 square feet of area and shall not be contiguous to another office use." The City's continued support is greatly appreciated and we thank you for your consideration in this matter.

Sincerely,

Brian R. Bucaro
PJR Properties, LLC

¹ The City's current definition of "Office" pursuant to Section 12-13-3 includes professional services made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, medical clinics and laboratories, dental laboratories, psychological counseling, real estate and securities brokering, and professional consulting services.

Responses to Standards for Amendments – December 8, 2020

The Oaks (1515 – 1591 Lee Street)
PJR Properties, LLC (Applicant)

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;

This requested text amendment is consistent and in keeping with the goals, objectives and policies of the 2019 Comprehensive Plan (the “Plan”). The Plan notes as an Overarching Principle the expansion of mixed-use development, particularly along the Oakton Street Corridor. Section 3.2.1 notes that the City should consider permitting more intense, non-commercial and mixed-use projects along the Oakton Street Corridor that can generate activity for existing commercial development and increase demand for services. This section then provides a number of recommendations to remove, replace or relax current zoning restrictions along the corridor to achieve the objective. With The Oaks being a major shopping center along the Oakton Street Corridor, allowing for increased square footage to be occupied by “Office” use tenants would help put the center in a better position to be able to offer a balance of uses and services that a revitalized Oakton Street Corridor would demand.

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

The Oaks is bounded by C-3 zone areas to the north, east, south and west, excluding only a portion of south of The Oaks which is residential, and the M-2 zoning to the north (see attachment). Accordingly, increasing the square footage allowable for “Offices”, which is already a Permitted Use in Zone C-3, is clearly compatible.

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

It is not expected that the changes in use as proposed in the text amendment would have any impact on the adequacy of public facilities and services available to The Oaks.

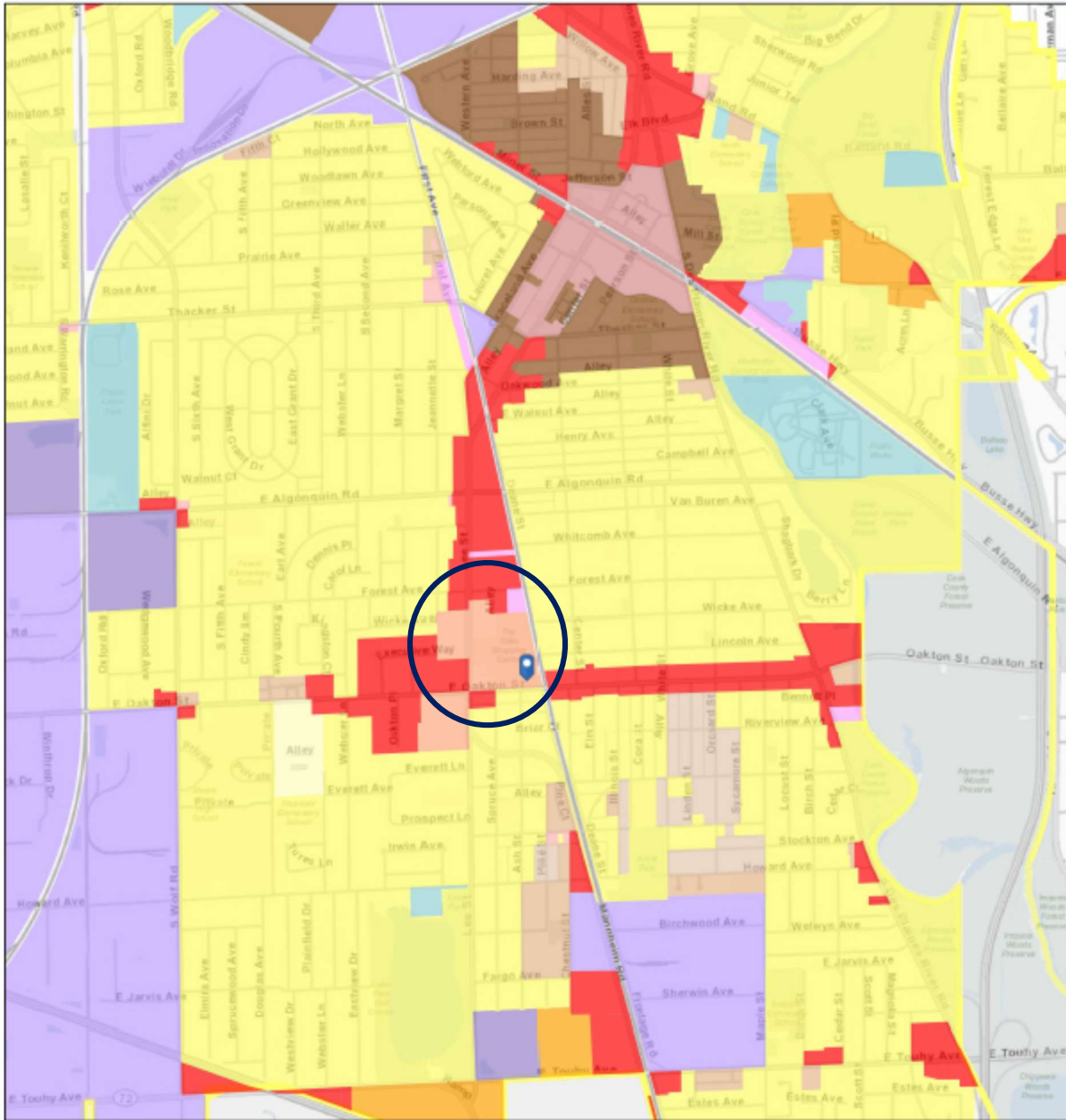
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction;

Being that The Oaks is primarily surrounded by other commercial oriented uses, simply increasing the allowable square footage for the “Office” use is unlikely to have an adverse effect on the value of surrounding properties. It is more likely to have a positive effect on the surrounding area should the proposed amendment have the desired effect of fostering additional investment and activity at The Oaks.

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

Increasing the allowable square footage for the “Offices” use at The Oaks would be aligned with the continuing development trend for the expansion of mixed-use centers. The proposed text amendment reflects responsible standards for development and growth by allowing for a greater balance of retail, office and service oriented uses to better and more fully serve the public

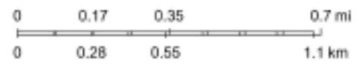
ArcGIS Web Map



May 7, 2018

Zoning		
 C-4	 M-2	 R-2
 C-1	 M-3	 R-3
 C-2	 I-1	 M-H
 C-3	 M-1	 R-4
	 R-1	

1:16,000



PROPOSED TEXT AMENDMENT

K. Commercial Use Matrix:

TABLE 3

COMMERCIAL DISTRICTS USE MATRIX

P = Permitted use

C = Conditional use permit required

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Offices	C	P	P	<u>P¹⁷</u>	P		P

Notes:

17. Each office use in the C-4 Regional Shopping District shall be limited to ~~2,500~~ **5,000** square feet of area and shall not be contiguous to another office use.