



**DES PLAINES PLANNING AND ZONING BOARD MEETING  
November 10, 2020  
MINUTES**

The Des Plaines Planning and Zoning Board Meeting held its regularly-scheduled meeting on Tuesday, November 10, 2020, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

**ZONING BOARD**

Acting Chairman Saletnik called the meeting to order at 7:08 p.m. and read this evening's cases. Roll call was established.

PRESENT: Catalano (via phone), Fowler, Hofherr, Saletnik

ABSENT: Bader, Szabo, Veremis

ALSO PRESENT: Mike McMahon/Director, 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 Fowler, seconded by Board Member Hofherr, to approve the minutes of October 13, 2020, as presented.**

AYES: Catalano, Fowler, Hofherr, Saletnik

NAYES: None

ABSTAIN: None

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

## **OLD BUSINESS**

## **NEW BUSINESS**

**1. Address:** 1495 Howard Avenue

**Case Number:** 20-040-TA-MAP-CU

The petitioner is requesting Text Amendments to the following sections of the 1998 Des Plaines Zoning Ordinance, as amended for: (a) to add “Public Utilities – Antenna Support Structures” to Table 5 under Section 12-7-4(G) in the Zoning Ordinance as a conditional use in the M-2 district with a footnote allowing the maximum height of the structure to exceed 100-feet and the minimum setback from property lines to be less than 50-feet as required for similar structures in the M-2 district pursuant to City Council approval; (b) add new section 12-8-14 with specific language regarding antenna support structure ownership, type of use, height, and operations in Section 12-8 of the Zoning Ordinance; and (c) add a new definition for “Public Utilities – Antenna Support Structures” in Section 12-13-3 of the Zoning Ordinance. (d) The petitioner is also requesting a Map Amendment under Section 12-3-7 to rezone the existing property from R-1, Single Family Residential to M-2, General Manufacturing; (e) a Conditional Use under Section 12-7-4 to allow the installation of a Public Utilities – Antenna Support Structure at the existing electrical substation on the subject property; and (f) approval of any other such variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-29-401-002-0000

**Petitioner:** Commonwealth Edison Company, c/o One South Dearborn Street, Chicago, IL 60603

**Owner:** Commonwealth Edison Company, Three Lincoln Centre, Oakbrook Terrace, IL 60181

Acting Chairman Saletnik swore in the following individuals to provide information regarding the Planning & Zoning Board request:

- Joseph Turnage, External Affairs Manager, Commonwealth Edison Company  
1500 Franklin Blvd, Libertyville, IL 60048
- Scott E Saef, Sidley Austin LLP  
1 S Dearborn, Chicago, IL 60603
- Christopher M Collins, Principal Project Manager, Exelon  
Commonwealth Edison Company, Three Lincoln Centre, Oakbrook Terrace, IL 60181
- Douglas J Gothan, Landscape Architect, Christopher B Burke Engineering LTD  
9575 W Higgins Rd, Rosemont, IL 60018

Acting Chairman Saletnik also swore in Don Miletic, Executive Director for the Des Plaines Park District, 2222 Birch St, Des Plaines, IL 60018.

The applicants provided information about the benefits of the antenna support structure upgrade, including improved reliability of the electric grid through:

- ComEd-only “Smart Grid” Technology
- Coordinated functionality between Substation and Distribution System
- Reduced Distribution Outages
- Decreased Outage Durations
- Increased Voltage Efficiencies for All Users

- Enhanced Operational Effectiveness and Responsiveness

Mr. Chris Collins provided a technical overview of the smart grid infrastructure. Mr. Collins explained how the increase of switches and cap banks along the distribution line limits the amount of outages, duration of outages and voltage along the line.

Member Fowler inquired about the number of current pieces of equipment currently. Mr. Collins stated that there are approximately 12,000 pieces of equipment; they are about 90 flags still to be deployed in the Des Plaines area. ComEd is still deploying switches and cap banks throughout Illinois. Mr. Collins stated that the antennae will only be serving the Des Plaines area.

Mr. Collins went over the structure of the antenna; the structure has five antennas, separated by 15 feet (antennas needs to be at least 10 feet apart). Antennas are five feet tall and the first antenna needs to be approximately 35 feet above grade.

Each of the antennas can handle approximately 40-50 devices.

The pole is approximately 2½ feet in diameter next to the control building, no additional building will be built.

Acting Chairman Saletnik inquired if this ties into the current smartmeters in our homes. Mr. Collins stated that this is a different network, this systems is solely for the electrical distribution system.

Mr. Gotham went over the proposed landscape plan, which includes the planting of White Wood Aster, Northern Bayberry and Blue Muffin Arrowwood Viburnum. The plants will be as close to Howard Street as possible to provide appropriate screening, plants will not top ten feet in height due to ComEd requirements.

Member Fowler asked about screening next to the Park District property next to the baseball field. Mr. Gotham stated there are no plans to add screening to that portion of the property.

Mr. Saef stated that there is very little room between the current property and Park District property line.

Acting Chairman Saletnik asked if the Board had any questions, there were no additional questions.

Acting Chairman Saletnik asked if there were any questions or concerns from the audience.

Park District Director Miletic agreed with the importance of the project. Mr. Miletic asked the Planning & Zoning Board to work with ComEd for burying the east-west power lines and work with the Park District regarding planting on the east side.

Director McMahon stated that he would work with ComEd and the Park District following the meeting, prior to bringing forward to City Council.

Acting Chairman Saletnik stated that the lot line is very close on the east side and is Park District property.

Member Fowler had two questions, 1. Would ComEd be able to bury the power lines and 2. Would ComEd provide additional landscaping.

Mr. Turnage responded that burying power lines is a non-standard function of ComEd and an expense to the municipality. The cost is unknown at this time. ComEd is regulatory utility, therefore, all rate payers would be charged for undergrounding the services in Des Plaines.

Acting Chairman Saletnik asked about the voltage of poles. Mr. Turnage stated that they are low voltage poles.

Mr. Turnage stated that the landscaping not be an issue, but would have be brought back to the ComEd team. Acting Chairman Saletnik stated that an easement or agreement be put in place prior to the planting.

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

**Issue:** The petitioner is requesting Text Amendments to the following sections of the 1998 Des Plaines Zoning Ordinance, as amended for: (a) to add “Public Utilities – Antenna Support Structures” to Table 5 under Section 12-7-4(G) in the Zoning Ordinance as a conditional use in the M-2 district with a footnote allowing the maximum height of the structure to exceed 100-feet and the minimum setback from property lines to be less than 50-feet as required for similar structures in the M-2 district pursuant to City Council approval; (b) add new section 12-8-14 with specific language regarding antenna support structure ownership, type of use, height, and operations in Section 12-8 of the Zoning Ordinance; and (c) add a new definition for “Public Utilities – Antenna Support Structures” in Section 12-13-3 of the Zoning Ordinance. (d) The petitioner is also requesting a Map Amendment under Section 12-3-7 to rezone the existing property from R-1, Single Family Residential to M-2, General Manufacturing; (e) a Conditional Use under Section 12-7-4 to allow the installation of a Public Utilities – Antenna Support Structure at the existing electrical substation on the subject property; and (f) approval of any other such variations, waivers, and zoning relief as may be necessary.

**Analysis:**

**Owner:** Commonwealth Edison Company, c/o Scott Saef, Sidley Austin, LLP, One South Dearborn Street, Chicago, IL 60603

**Petitioner:** Commonwealth Edison Company, c/o Mark Primm, Three Lincoln Centre, Oakbrook Terrace, IL 60181

**Case Number:** 20-040-TA-MAP-CU

**Real Estate Index Numbers:** 09-29-401-002-0000

**Ward:** #6, Alderman Malcolm Chester

**Existing Zoning:** R-1, Single Family Residential District

**Existing Land Use:**

ComEd Substation

**Surrounding Zoning:**

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

**Surrounding Land Use**

North: Single Family Residences  
South: Arndt Park  
East: Arndt Park  
West: Metra Line; Mobil Gas Station; Safeguard Self Storage

**Street Classification**

Howard Avenue is classified as a local street.

**Comprehensive Plan Designation**

The Comprehensive Plan designates this property as Transportation / Utilities / Communication / Other.

**Proposed Text Amendments**

**Project Description**

The petitioner is proposing several text amendments to the Des Plaines Zoning Ordinance, which are as follows:

- Adding “Public Utilities – Antenna Support Structures” to Table 5 under Section 12-7-4(G) in the Zoning Ordinance as a conditional use in the M-2 district with a footnote allowing the maximum height of the structure to exceed 100-feet and the minimum setback from property lines to be less than 50-feet as required for similar structures in the M-2 district pursuant to City Council approval;
- Adding new section 12-8-14 with specific language regarding antenna support structure ownership, type of use, height, and operations in Section 12-8 of the Zoning Ordinance; and
- Adding a new definition for “Public Utilities – Antenna Support Structures” in Section 12-13-3 of the Zoning Ordinance.

The items below are elaborated on in their own respective subsections for ease of following.

**Adding “Public Utilities – Antenna Support Structures” as New Conditional Use for M-2 District**

Currently, the zoning ordinance has specific regulations for antennas, radio transmitting towers for public broadcasting, and commercial mobile radio service facilities as defined in Section 12-13-3. At this time, the proposed 104-foot tall monopole with antennas would be classified as a commercial mobile radio service facility and governed by the regulations in Section 12-8-5. However, the petitioner proposes to classify the structure as a new use identified as a Public Utility – Antenna Support Structure and add it as a new conditional use in the M-2, General Manufacturing district with a footnote that this use could exceed the maximum height and minimum setbacks of similar structures within the M-2, General

Manufacturing district pursuant to City Council approval. The proposed text amendment would allow Public Utility – Antenna Support Structures only in the M-2, General Manufacturing District. The proposed amendment is as follows:

**Add**

**12-7-4.G: Manufacturing Use Matrix:** Adding “Public Utilities – Antenna Support Structures” as a Conditional Use in the M-2, General Manufacturing district.

MANUFACTURING DISTRICT USE MATRIX

	M-1	M-2	M-3
<b>Public Utility – Antenna Support Structures</b>		<u>C'</u>	

**Notes 7. Public Utilities – Antenna Support Structures may exceed the maximum allowable M-2 district height and/or be located within a required M-2 district yard but only when the location and height are approved by the City Council as part of a conditional use.**

**Adding New Section 12-8-14 for Specific Regulations for Public Utilities – Antenna Support Structures**

The petitioner’s proposed text amendments include adding a new, separate section within the zoning ordinance to add specific regulations for the Public Utilities – Antenna Support Structures. The proposed amendments below look to differentiate Public Utilities – Antenna Support Structures from similar telecommunication and utility structures as well as limit their ownership and operation to public utility companies regulated by the Illinois Commerce and/or the Federal Energy Regulatory Commission. The proposed amendments are as follows:

**Add**

**12-8-14: Public Utilities – Antenna Support Structures:** Adding New Section for Public Utilities – Antenna Support Structures

- A. **General Requirements: Public Utilities – Antenna Support Structures shall meet the following requirements:**
  - 1. **Public Utilities – Antenna Support Structures shall be owned and operated by a public utility regulated by the Illinois Commerce Commission and/or Federal Energy Regulatory Commission.**
  - 2. **Public Utilities – Antenna Support Structures shall be considered a secondary use located within the boundaries of an existing substation or other public utility-owned property, which substation or property must be in existence prior to the establishment of the Public Utilities – Antenna Support Structure.**
  - 3. **Each Public Utilities – Antenna Support Structure shall be of no greater height than permitted by the Federal Aviation Authority.**
- B. **Operational Requirements: Every Public Utilities – Antenna Support Structure shall be fully automated. No employees shall be stationed full-time at a structure site to support the**

**structure operation, except when completing periodic or emergency maintenance and repairs.**

### **Adding New Definition for Public Utilities – Antenna Support Structures**

The last proposed text amendment includes the addition of a new definition for Public Utilities – Antenna Support Structures in Section 12-3-3 of the Zoning Ordinance. The intention of this amendment is to fully define Public Utilities – Antenna Support Structures as a new type of structure and use within the Zoning Ordinance. The proposed definition is below:

#### **Add**

**12-13-3: Definitions:** Adding a New Definition for Public Utilities – Antenna Support Structures

**Public Utilities – Antenna Support Structures: A freestanding structure of other than lattice-type construction supporting antennae, which communicate exclusively with public utility transmission and distribution equipment. Such structures may not include third party usage.**

### **Map Amendment & Conditional Use**

#### **Project Description:**

The petitioner has requested a map amendment under Section 12-3-7 to rezone the subject property from R-1, Single Family Residential to M-2, General Manufacturing and a Conditional Use under Section 12-7-4(G) for the proposed Public Utilities – Antenna Support Structure use on the subject property based on the proposed text amendments. The proposed Public Utilities – Antenna Support Structure will exceed both the maximum height and minimum setback restrictions for similar structures within the M-2, General Manufacturing district, which will need to be approved by City Council pursuant to the proposed text amendments.

#### **Compliance with the Comprehensive Plan**

There is a portion of the City of Des Plaines' 2019 Comprehensive Plan that align with the proposed project. Under the Future Land Use Map, this property is marked for Transportation / Utilities / Communication / Other uses. The proposed Public Utilities – Antenna Support Structure will make improvements to the existing electric substation as it will allow it to effectively communicate with other electric substations in the area and increase performance.

**Amendment Findings:** Map and 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 improve transportation, utility, and communication services city-wide in order to improve the quality of life for residents. The subject property contains an existing ComEd electric substation that does not fit the scope or proposed development of the R-1 zoning district for which it is located. While the subject property abuts single family residences to the north, the

other surrounding uses, including the Metra railroad and commercial businesses to the west and Arndt Park to the east and south, the map amendment will not have a negative impact on neighboring properties. The rezoning will bring the entire property under a zoning district tailored towards the existing uses present on the subject property and that is consistent with the nearby manufacturing warehouse development. 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 is surrounded by a mix of commercial, manufacturing, and residentially-zoned properties. However, the properties also directly south of the subject property are zoned M-2, General Manufacturing, which are compatible with the proposed map amendment for the subject property. 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 existing R-1, Single Family Residential District zoned property to enable it to be rezoned to the M-2, General Manufacturing District. See also the petitioner's responses to standards for amendments.

**D. The proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction:**

*Comment:* The proposal would better address the existing uses operating on the subject property and make the subject property zoning consistent with similar M-2 zoned development in the area. This request would also allow for additional uses to be located on site as proposed in the aforementioned text amendments for improve functionality of the existing ComEd electrical substation. 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 additional uses to locate on site to further improve the operation of the existing use on the subject property. See also the petitioner's responses to standards for amendments.

**Conditional Use Findings**

Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended. In reviewing these standards, staff has the following comments:

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

*Comment:* The petitioner is proposing a text amendment to add Public Utilities – Antenna Support Structures as a conditional use in Section 12-7-4(G) of the 1998 City of Des Plaines Zoning Ordinance, as amended, for properties in the M-2, General Manufacturing District. If approved by City Council, Public Utilities – Antenna Support Structures will be a conditional use established within the M-2 zoning district, which the petitioner proposes to rezone the subject property to as part of this request. See also the petitioner's responses to standards for conditional uses.

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

*Comment:* The Comprehensive Plan designates this property as Transportation / Utilities /



Communication / Other given the existing electrical substation on site. The Comprehensive Plan strives to advance transportation, utility, and communication services city-wide in order to improve the quality of life for residents. The proposed Public Utility – Antenna Support Structure will help ComEd upgrade existing equipment on site with newer technology and infrastructure to improve reliability of the electrical grid. See also the petitioner’s responses to standards for conditional uses.

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

*Comment:* The property and existing building has been designed for an electrical substation use. The petitioner proposes to add one Public Utility – Antenna Support Structure on the site to improve the operation and efficiency of the electrical substation. New landscaping proposed along Howard Avenue will help provide additional screening of the site from the residential development located just north of the subject property. See also the petitioner’s responses to standards for conditional uses.

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

*Comment:* The existing electrical substation use located on this site and within the existing building are not hazardous or disturbing to existing neighboring uses. Aside from its visibility from surrounding properties, the proposed Public Utility – Antenna Support Structure will not be hazardous or disturbing to neighboring properties. See also the petitioner’s responses to standards for conditional uses.

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

*Comment:* The current electric substation use on this site is adequately served by essential public facilities and services. Staff does not have concerns that the electric substation with the proposed Public Utility – Antenna Support Structure use will also be adequately served by essential public facilities and services. See also the petitioner’s responses to standards for conditional uses.

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

*Comment:* The current electric substation use does not create a burden on public facilities or become a detriment to the economic well-being of the community. There is no anticipated burden for public facilities or detriment to the community as a result of the Conditional Use Permit for a Public Utility – Antenna Support Structure. See also the petitioner’s responses to standards for conditional uses.

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

*Comment:* The proposed Public Utility – Antenna Support Structure use is not anticipated to create additional traffic compared to the previous auto service repair use. See also the petitioner’s responses to standards for conditional uses.

**H. The proposed Conditional Use provides vehicular access to the property designed so that it does not**

**create an interference with traffic on surrounding public thoroughfares:**

Comment: The proposed Public Utility – Antenna Support Structure use will not create an interference with traffic on surrounding public thoroughfares. There will be no changes to the existing two access points onto the property from Howard Avenue utilized by the existing electrical substation. See also the petitioner’s responses to standards for conditional uses.

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

Comment: The proposed Public Utility – Antenna Support Structure use would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The building and site were already developed for an electrical substation. The petitioner plans to add landscaping and screening to improve the aesthetics of the property. See also the petitioner’s responses to standards for conditional uses.

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

Comment: With the approval of the text amendments, the use will meet the requirements of the Zoning Ordinance for the M-2 zoning District. See also the petitioner’s responses to standards for conditional uses.

**Recommendations:** Staff recommends approval of the following requests from the petitioner: (i) Text Amendments to Sections 12-7-4, 12-8, and 12-13-3 of the Zoning Ordinance; (ii) Map Amendment under Section 12-3-7 to rezone the property from R-1, Single Family Residential to M-2, General Manufacturing, and (iii) Conditional Use under Section 12-7-4 to allow a Public Utility – Antenna Support Structure at 1495 Howard Avenue.

**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 Amendments, Map Amendment, and Conditional Use requests for 1495 Howard Avenue.

**A motion was made by Board Member Hofherr, seconded by Board Member Fowler to approve with the following additional conditions: a) recommendation of landscape planting on the east side of the property and any appropriate easement agreements for Park District maintenance and b) provide information to the City Council regarding the cost of burying lines as requested by the Park District.**

AYES: Hofherr, Fowler, Catalano, Saletnik

NAYES: None

**\*\*\*MOTION CARRIES \*\*\***

**ADJOURNMENT**

The next meeting is scheduled for November 24, 2020.

Acting Chairman Szabo adjourned the meeting by voice vote at 7:48 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

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