



## Planning and Zoning Board Agenda

October 26, 2021

Room 102 – 7:00 P.M.

**Call to Order:**

**Roll Call:**

**Approval of Minutes:** September 28, 2021

**Public Comment:** For matters that are not on the Agenda

**Old Business:**

**New Business:**

**1. Address:** 543 S. Fifth Avenue

**Case Number:** 21-043-V  
Public Hearing

The petitioner is requesting a Standard Variation from Section 12-7-2(J) of the Des Plaines Zoning Ordinance, as amended, to install a front porch addition that will extend more than 5 feet and 50 square feet into the required front yard and be setback less than 25 feet from the front property line, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

**PIN:** 09-18-404-004-0000

**Petitioner:** Anna Szybowska, 543 S. Fifth Avenue, Des Plaines, IL 60016

**Owner:** Anna Szybowska, 543 S. Fifth Avenue, Des Plaines, IL 60016

**2. Address:** 580 S. Wolf Road

**Case Number:** 21-044-CU-V  
Public Hearing

The petitioner is requesting the following items: (i) a Conditional Use from Section 12-7-3(K) of the Des Plaines Zoning Ordinance, as amended, to allow a livery service in the M-2 zoning district; (ii) Major Variations from Section 12-10-8(A) to provide relief from the interior parking lot landscaping requirements; (iii) a Major Variation from Section 12-10-8(B) to provide relief from the perimeter parking lot landscaping requirements; (iv) a Major Variation from Section 12-10-10 to provide relief from the foundation landscaping requirements; (v) a Major Variation from Section 12-10-9 to provide relief from the landscape buffer requirements; and (vi) the approval of any other such variations, waivers, and zoning relief as may be necessary.

**PIN:** 09-18-400-006-0000  
**Petitioner:** Transport Properties, LLC, 980 N. Michigan Avenue, Suite 1280,  
Chicago, IL 60611  
**Owner:** Chicago Title Land Trust Company, 1701 Golf Road, Suite 1-102,  
Rolling Meadows, IL 60008

**3. Address:** Citywide Text Amendment **Case Number:** 21-038-TA  
Public Hearing (Continued from September 14, 2021)

The City of Des Plaines requests consideration of text amendments to the Des Plaines Zoning Ordinance to add limitations to the eligibility for collective parking under Section 12-9-3 and any other amendments as may be necessary.

**PIN:** Citywide  
**Petitioner:** City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016  
**Owner:** City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Next Agenda – November 9, 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.

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**DES PLAINES PLANNING AND ZONING BOARD MEETING  
September 28, 2021  
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, September 28, 2021, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

Acting Chairman Saletnik called the meeting to order at 7:00 p.m. and read this evening's cases. Roll call was established.

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

ABSENT: Bader, Szabo

ALSO PRESENT: John T. Carlisle, AICP, Director/Community & Economic Development  
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 Catalano, to approve the minutes of September 14, 2021, as presented.**

AYES: Hofherr, Catalano, Fowler, Veremis, Saletnik

NAYES: None

ABSTAIN: None

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

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**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Address:** 110 S. River Road

**Case Number:** 21-037-CU

**Public Hearing**

The petitioner is requesting a Conditional Use as required by Section 12-7-3(K) of the Zoning Ordinance for a trade contractor use at 110 S. River Road, and the approval of any other variations, waivers, and zoning relief as may be necessary.

**PIN:** 09-17-200-089-0000  
**Petitioner:** Neil Hansen, 110 S. River Road, Suite 5, Des Plaines, IL 60016  
**Owner:** Amarex Real Properties Co., 700 Busse Hwy, Suite #L2, Park Ridge, IL 60068

Acting Chairman Saletnik swore in Neil Hansen, Petitioner for the property located at 110 S. River Road, Suite 5, Des Plaines. Mr. Hansen stated that he has been in business for over 28 years, including 14 years in Wilmette and 7 years in Northbrook. The Petitioner stated that he was moving to Des Plaines to secure a larger space.

Acting Chairman Saletnik asked if the Board had any questions.

Member Fowler inquired about the nature of his business. Mr. Hansen stated that his business includes power washing, and carpet and upholstery cleaning and commercial and residential sites.

Acting Chairman Saletnik reiterated that the location would serve as the employee headquarters and provide office space. Acting Chairman Saletnik inquired about vehicles and outdoor storage. The Petitioner stated that two vans, a pick-up truck and a small trailer will be parked outdoors. The remainder of the equipment will be stored indoors, including portable carpet cleaning equipment, files, and cleaning supplies.

The Petitioner stated that he has outgrown his current location and is therefore interested in the Des Plaines location.

Member Hofherr stated that he is familiar with the condition of the parking lot and understands that the paving and striping is a condition of the conditional use. The Petitioner, Mr. Hansen, stated that the condition of the parking lot has nothing to do with him and should be directed to the owner of the property. Planner Stytz stated that he is working with the property owner regarding the repair and restriping of the existing parking lot.

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Member Veremis inquired about the cleaning of rugs at the facility. Mr. Hansen replied that sometimes rugs are brought to the office to be cleaned to protect customers' homes.

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

**Issue:** The petitioner is requesting a Conditional Use under Section 12-7-3(F)(3) of the Des Plaines Zoning Ordinance to allow for a trade contractor use in the C-3 zoning district.

**Address:** 110 S. River Road  
**Petitioner:** Neil Hansen, 110 S. River Road, Suite 5, Des Plaines, IL 60016  
**Owner:** Amarex Real Properties, 110 S. River Road, Suite 5, Des Plaines, IL 60016

**Case Number:** 21-037-CU  
**PIN:** 09-17-200-089-0000

**Ward:** #1, Alderman Mark A. Lysakowski

**Existing Zoning:** C-3, General Commercial

**Existing Land Use:** Multi-Tenant Commercial Building

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

**Surrounding Land Use:** North: Rand Road Community (Residential)  
South: Rand Road Community (Residential) / Pesche's (Commercial)  
East: Lions Woods Park (Recreational)  
West: Rand Road Mobile Home Park (Residential)

**Street Classification:** River Road is classified as a principal arterial road.

**Comprehensive Plan:** The Comprehensive Plan illustrates this site as Commercial Industrial Urban Mix.

**Project Description:** The petitioner, Neil Hansen, has requested a Conditional Use Permit to operate a carpet, upholstery, and air duct cleaning business, The Bright Side, INC., at 110 S. River Road, Suite 5. The subject property contains a multi-tenant building with a surface parking area as shown in the Plat of Survey. The subject property is located along River Road east of the Rand Road Community Mobile Home Park and north of Pesche's Flowers. The subject property is currently accessed by two curb cuts off River Road. The petitioner began operating The Bright Side, INC. out of this location in May 2021 without a

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business license. Thus, the petitioner is requesting a conditional use permit to bring his trade contractor use into compliance with the Des Plaines Zoning Ordinance.

The existing one-story, 26,320-square-foot building is made up of five suites with a front customer entrance and service entrance with garage door at the rear of the unit. Suite 5 has its main entrance on the south side of the building and consists of approximately 2,573 square feet. The existing suite is mostly open with one frame partition separating the main entrance, offices, and restrooms from the open shop floor. Based on the Floor Plan, the petitioner proposes to utilize the existing frame partition area as an office and waiting area with the restrooms, totaling approximately 1,294 square feet. The remaining area, totaling approximately 1,279 square feet, will be utilized for storage and open shop area. The petitioner's proposal does not include any changes to the building. The dumpster for this suite will be stored inside the building at all times with the exception of trash pickup days in compliance with Section 12-10-11 of the Zoning Ordinance.

Pursuant to Section 12-9-7 of the Zoning Ordinance, the following off-street parking requirements apply:

- 1 parking space for every 200 square feet of gross floor area for office spaces; and
- 1 parking space for every 1,500 square feet of gross floor area for warehouse space (i.e., accessory storage).

Thus, a total of six parking spaces, including one handicap accessible parking space, are required. The Site Plan, in coordination with the property owner, indicates all of the available parking on for the entire site totaling 78 parking spaces and four handicap accessible spaces with unloading areas. The available parking on the property meets the parking requirement for the proposed trade contractor use. The Bright Side, INC. will be open on Monday through Friday from 7 am to 7 pm, Saturday from 9 am to 12 pm, and closed on Sundays. Their services will include the cleaning of carpets, upholstery, and air ducts off-site at customer's houses. There are total of six employees including the owner. However, a maximum of two employees will be present on site at a given time. Please see the Project Narrative for more details.

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

The proposed project, including the proposed the site improvements, address various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

- **Future Land Use Plan:**
  - This property is illustrated as Commercial Industrial Urban Mix on the Future Land Use Plan. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial and industrial uses. While the current use is commercial and the existing building contains multiple tenant spaces, the petitioner will work to enhance the subject tenant space with general maintenance. All activities and items stored will be inside to reduce any negative impacts.

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- The subject property is located along the defined River Road commercial corridor with a mobile home community to the north and west, commercial development to the south, and park to the east. The subject property contains a multi-tenant building with a variety of different commercial uses and is located in between large, established commercial developments along River Road. The request would assist in the retention of a new commercial business at this location and provide additional cleaning services for the residents of Des Plaines.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on improving existing commercial developments and enhancing commercial corridors throughout Des Plaines.

**Conditional Use Findings:** Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance. 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:* Please see 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:* Please see 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:* Please see the petitioner's responses to Standards for Conditional Uses.
- D. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:**  
*Comment:* Please see 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:* Please see 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:* Please see the petitioner's responses to Standards for Conditional Uses.

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**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:* Please see 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:* Please see 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:* Please see 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:* Please see the petitioner's responses to Standards for Conditional Uses.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use for a Trade Contactor use at 110 S. River Road. City Council has final authority on the proposal.

Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4(E) (Standards for Conditional Uses) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the condition that the parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.



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**A motion was made by Board Member Hofherr, seconded by Board Member Fowler, to recommend approval of a Conditional Use as required by Section 12-7-3(K) of the Zoning Ordinance for a trade contractor use at 110 S. River Road, and the approval of any other variations, waivers, and zoning relief as may be necessary; with the condition that the parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan.**

AYES: Hofherr, Fowler, Catalano, Veremis, Saletnik

NAYES: None

ABSTAIN: None

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

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**2. Address: 2071 Pine Street**

**Case Number: 21-039-V  
Public Hearing**

The petitioner is requesting variations as required by Sections 12-7-1 and 12-9-6 of the Zoning Ordinance to allow the construction of a driveway and parking pad at 2071 Pine Street, and the approval of any other variations, waivers, and zoning relief as may be necessary.

**PIN:** 09-29-409-073-0000  
**Petitioner:** Jayantkumar Sheth, 2071 Pine Street, Des Plaines, IL 60018  
**Owner:** Jayantkumar Sheth, 2071 Pine Street, Des Plaines, IL 60018

Acting Chairman Saletnik swore in Jayantkumar Sheth, Petitioner for the property located at 2071 Pine Street. Mr. Sheth stated that he has been the owner of the townhouse for a long time; he is requesting a parking pad in front of his home due to safety and mobility issues.

Acting Chairman Saletnik asked if there was a Homeowners Association (HOA) as part of this townhome development. The Petitioner stated that there is not an HOA and confirmed that parking spaces are owned by individual property owners; tied to the individual townhome.

Acting Chairman Saletnik asked if the Board had any questions.

Member Hofherr drove by the property, and reviewed the driveway configuration. He noticed that the townhomes on the end have driveway access, but his unit does not have a driveway. Member Hofherr mentioned that installing a hard surface as suggested would eliminate all the green space on the property. Member Hofherr also mentioned that the portion of Pine Street where the Petitioner lives is currently being redone with new curb and gutter; Member Hofherr's main concern is that several others may be interested in installing a hard surface/parking pad in the front yard.

The Petitioner explained that the current location of his parking space is unsafe and the parking pad is necessary.

Member Catalano stated that there are four units of the townhome building. Director Carlisle confirmed that those driveways are the property of the end townhomes. The dedicated parking for the middle units is in the parking lot, accessible off Chestnut Street for one parking space.

The site plan was discussed.

Director Carlisle stated that that in standard townhome developments, parking would be considered a deeded element and not deeded to individual owners.

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Member Hofherr stated that the current parking lot is a gravel parking lot and questioned Staff if there would be a requirement to repave the area to a hard surface. Director Carlisle stated that due to the lack of a Homeowners Association, there is no feasible way to require that the space be paved.

Member Catalano inquired about the plat of survey and dimensions. Director Carlisle provided some explanation of the plat of survey and the general site configuration regarding the location of the parking area and the townhome.

Acting Chairman Saletnik commented on the uniqueness of this request with parking being assigned to an owner without a Homeowners Association.

Member Catalano asked the Petitioner if he was aware that one of the conditions of approval is the removal of the front fence. The Petitioner stated he plans on removing and re-fencing the yard appropriately.

Member Fowler inquired if the Board can add a condition that the driveway is constructed with a permeable service; there was a concern about setting a precedent on type of materials.

Member Veremis asked if it would be possible to pour concrete for the tire locations. Director Carlisle interjected that due to City Code, parking is only available on hard dust-free surfaces.

Acting Chairman Saletnik inquired about the economics and practicality of requiring the Petitioner to use a permeable surface. Member Catalano stated that it may the project may need to be tied appropriately with plants providing the materials.

Acting Chairman Saletnik agreed that a permeable surface would be best for flood and water control efforts.

Member Fowler expressed concern that nearby neighbors would be interested in placing parking pads in the front yards. Member Veremis seconded the concern that there are additional townhomes to the north with similar layouts.

Director Carlisle stated that the Board was able to add the condition of the permeable service if they wished.

Acting Chairman Saletnik asked the Petitioner his thoughts about using a permeable surface for the driveway. The Board explained what a permeable surface was and provided examples.

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

Todd Schaeffer, with Hager Engineering and Engineer for River's Casino, provided some insight about permeable pavers in this area as there is a lack of an underdrain to drain into storm sewers. Mr. Schaeffer

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suggested that if a condition is included in the approval, per the feasibility of the City Engineer. The Board thanked Mr. Schaeffer for his suggestion.

Acting Chairman Saletnik asked that the Staff Report entered into record. Director Carlisle provided a summary of the following report:

**Issue:** The petitioner is requesting variations (major and minor) from the Zoning Ordinance to allow a parking pad and to reduce the minimum side yard at 2071 Pine Street.

- Address:** 2071 Pine Street
- Owner:** Jayantkumar (Jay) Sheth, 2071 Pine Street, Des Plaines, IL 60018
- Petitioner:** Jayantkumar (Jay) Sheth, 2071 Pine Street, Des Plaines, IL 60018
- Case Number:** 21-039-V
- PIN:** 09-29-409-073-0000
- Ward:** #5, Alderman Carla Brookman
- Existing Zoning/Land Use:** R-3, Townhouse Residential District (Townhouse)
- Surrounding Zoning:**  
North: R-3, Townhouse Residential District  
South: R-3, Townhouse Residential District  
East: R-3 Townhouse Residential District  
West: R-3 Townhouse Residential District
- Surrounding Land Use:**  
North: Single Family Attached (Townhouse) Residences  
South: Single Family Attached (Townhouse) Residence  
East: Single Family Attached (Townhouse) Residences and Accessory Parking Lot  
West: Multifamily Residences
- Street Classification:** Pine Street is a local road.
- Comprehensive Plan:** The Comprehensive Plan illustrates the site as single-family residential (attached or detached).

**Project Description:**

The petitioner, Jay Sheth, is requesting variations to install one off-street parking space, defined by the Zoning Ordinance as a “parking pad,” of approximately 200 square feet in the front of his townhouse unit at 2071 Pine Street. For access, the parking pad will require a short “residential driveway,” also defined

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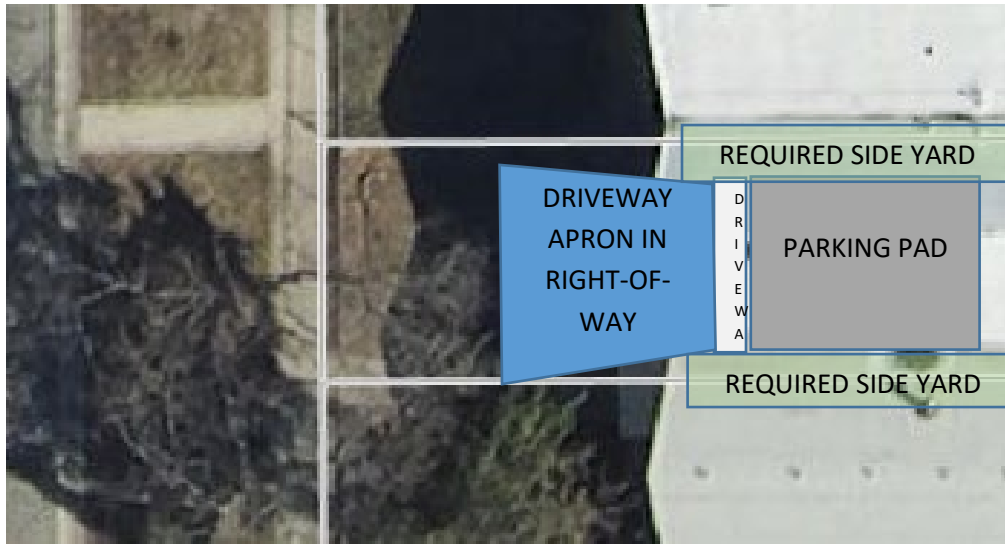
by the Ordinance, as well as a driveway apron in the public right-of-way to connect the parking pad with the street. The subject property is 1,314 square feet in area and 18 feet wide. It is improved with the petitioner’s townhouse unit, which is adjoined under one roof with three other townhouse units, all of which are separated by vertical walls and individually owned. The existing residence is set back 25 from the west (front) property line and built to the north and south (side) lot lines, where it adjoins other townhouse units. Therefore, it is nonconforming with the minimum side yard setback (5 feet), as well as the minimum lot area per unit of 2,800 square feet. Per the Ordinance, each of townhouse units, including the subject property, is its own zoning lot. See the Plat of Survey. The subject property includes one deeded parking space in the parking lot to the east, accessible from Chestnut Street. With only one space, the property is nonconforming, as two off-street spaces are required per townhouse unit per Section 12-9-7. The front yard is currently landscaped with grass and plantings, and is delineated by a chain-link fence, evident in the site photos.

In Section 12-9-6.C., the Ordinance states that off-street parking spaces may be located “on *surface lots*, underground, under a building, or in parking structures.” “Parking pad” is defined in the Ordinance as exactly the kind of facility the petitioner is proposing: adjacent to a driveway, providing access to a *single* motor vehicle (Section 12-13-3). But a parking pad is distinct from a surface lot, which refers to a parking facility with more than one space. In 2019 the City adopted text amendments aimed at mostly eliminating parking pads for single-family detached properties. However, “parking pad” was not stricken entirely from the Ordinance, signaling that it may be appropriate for some districts or uses. Nonetheless, the lack of mention of parking pad in 12-9-6 necessitates a major variation in this case.

Furthermore, Section 12-7-1.C. contains a table of permitted obstructions in required yards. The table refers to driveways multiple times but does not identify them as a permitted obstruction. Therefore, strict adherence to the Ordinance requires a maximum eight-foot-wide driveway – to allow five feet on each side – which would be substandard. Instead, as shown on the site plan, the petitioner is proposing a 11-foot-wide by 18-foot-long parking pad, which would reasonably accommodate the bumper-to-bumper length and door swing of a sedan vehicle. The parking pad would be accessed by a short residential driveway that is part of the same surface. See the following diagram of the site plan.

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*Not to scale*

To accommodate the project, the petitioner also seeks a reduction of the required side yard to 3.5 feet from the minimum five. This is a 30 percent reduction and falls under a minor variation that may be granted by the Zoning Administrator per Section 12.3.6. While the yard reductions are required for the driveway, they are not required for the parking pad because Section 12-9-6.C allows off-street parking in any required yard in the R-3 district.

**Alignment with the Comprehensive Plan**

The proposed project is not well aligned with the Comprehensive Plan. While the Plan makes no reference to the need to provide ample off-street parking to residents, it does in Chapter 7: Water Resource Management call for “educating homeowners” on stormwater best management practices. These include minimizing the amount of impervious surface on properties instead of adding to it. In addition, the Plan calls for protecting the existing tree canopy, and this project would almost certainly require the removal of one parkway tree.

**Variation Findings:**

Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance, as amended. Staff comments on the proposal are included below. In summary, there appears to be a practical difficulty experienced by the petitioner without easily achieved alternatives to rectify. However, allowing the project to assuage the practical difficulty may work against community goals to preserve or expand pervious, natural surfaces for the purposes of absorbing stormwater runoff, not to mention preserving the urban tree canopy. The issue presents a trade-off between preserving front yard green space/planting areas, for their aesthetic and functional value, and allowing an option to get an additional car off the street. The PZB and City Council should review the petitioner’s responses to the variation standards to determine each of the following standards is met.

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

*Comment:* The petitioner submits that it is impractical to enforce the use of the one surface parking space to which his property is entitled: in the parking lot accessible from Chestnut Street. The parking lot, which is not managed by any association, is in poor condition. Striping is very inconsistent. As a single entity, he does not believe he can carry out the necessary project on that parking space to improve it and clearly reserve it, as it is commingled with other parking spaces. The petitioner also cites personal challenges with age and mobility, as the single parking space that he owns is somewhat far from his unit. Mr. Sheth provided with his application documentation for Illinois mobility impaired accessible parking placard. Additionally, walking between the parking space and the back door to his unit requires walking through a narrow gangway.

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

*Comment:* The lot's nonconformities are somewhat unique, although in the neighborhood there are other properties experiencing the same or similar nonconformities. The single assigned parking space is about 100 feet from an entrance to the unit, which is longer than one would normally find in a townhouse development. Further, the lack of a homeowners' association to manage a shared parking lot is also somewhat unique.

- 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:* The development was obviously created by a "predecessor in title," but its design and functionality may not have been contemplated by the current owners before the petitioner purchased the unit. The PZB and/or City Council may wish to ask the petitioner about how a lack of parking did or did not factor in to the decision at that time. Has the owner attempted to work with other owners to form an association or pose another collective solution to the parking management problem? The PZB and City Council finding may be reached that the practical hardship is not self-created.

- 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.**

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*Comment:* Carrying out the strict letter of the Zoning Ordinance would negate the ability to correct a nonconformity—to have two parking spaces instead of one. The residents at 2063 Pine and 2075 Pine – the end units in the four-unit townhouse building that houses the subject property – have side driveways and enough space to park two vehicles. On the other hand, generally speaking some properties are simply not built to accommodate front or side driveways while others are.

- 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:* For the entire block on the east side of Pine Street between Howard and Apache Park, there are eight “interior” units, including the petitioner’s. These units all have the predicament that they each rely on only one assigned parking space in the parking lot next to Chestnut Street. Allowing the petitioner to construct the proposed parking pad would set a precedent and signal a policy direction – to allow parking pads in townhouse front yards – that the decision makers are comfortable with. If that is, indeed, the desired direction, the variation would not be special privilege but instead address an Ordinance shortcoming that is problematic for this homeowner and perhaps should be amended.

- 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:* On the face, there is a practical difficulty, so the request falls under the purpose for variations in the Zoning Ordinance. The Ordinance as currently amended does not do away with parking pads entirely, despite amendments in 2019 that were designed to cut back on their frequency and use. On the other hand, the proposed project would trade off more than 200 square feet of green space – the vast majority of the front lawn – for a hard surface. This is not engineering or stormwater best management practice, nor is it in harmony with the Comprehensive Plan.

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

*Comment:* Better collective management of the Chestnut parking lot could serve the petitioner, so the PZB and/or City Council may wish to ask the petitioner what challenges with the neighbors preclude this collective action. However, even if the parking lot were in better shape and one space was reliably available, that would not resolve that only one space, not the required two spaces, are available for this development. The only possible location for a second off-street parking space for the property is where the petitioner is proposing it. There is no on-street parking on the east side of the street (i.e. in front of the unit).



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**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: If the concept of having a parking pad in the front yard for this townhouse is deemed to be appropriate, this design is not excessive in its dimensions to provide the parking pad.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-6(G)(2) (Procedure for Review and Decision for Major Variations) of the Zoning Ordinance, the PZB should recommend that the City Council approve, approve subject to conditions, or deny the above-mentioned major variation for a parking pad at 2071 Pine Street. The City Council has final authority on the proposal. Consideration of the request should be based on a review of the information presented by the applicant and the findings analyzed above, as specified in Section 12-3-6(H) (Standards for Variations) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions:

1. The front segment of chain-link fence is removed to accommodate the project;
2. The parking pad, driveway, and driveway apron cannot obstruct access to any utilities, with modifications to the final project design as necessary to comply, while still complying with all other City regulations; and
3. On-site landscaping shall be installed at the north and eastern edges of the parking pad.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

**A motion was made by Board Member Catalano, seconded by Board Member Fowler, for approval of the request for a variations as required by Sections 12-7-1 and 12-9-6 of the Zoning Ordinance to allow the construction of a driveway and parking pad at 2071 Pine Street, and the approval of any other variations, waivers, and zoning relief as may be necessary, with the following conditions; (1) the front segment of chain-link fence is removed to accommodate the project; (2) the parking pad, driveway, and driveway apron cannot obstruct access to any utilities, with modifications to the final project design as necessary to comply, while still complying with all other City regulations; (3) on-site landscaping shall be installed at the north and eastern edges of the parking pad; and (4) that the a permeable material be used for the parking surface subject to feasibility by the City Engineer.**

AYES: Catalano, Fowler, Hofherr, Veremis, Saletnik

NAYES: None

ABSTAIN: None

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

A point of clarification was made by Director Carlisle, the Board still recommends approval if a permeable surface is not feasible.

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**3. Address:** 2980-3000 S. River Road

**Case Number:** 21-040-CU-LASR  
**Public Hearing**

The petitioner is requesting to amend a Conditional Use for a Localized Alternative Sign Regulation (LASR) as required by Section 12-11-8 of the Zoning Ordinance at 2980-3000 S. River Road, commonly known as Rivers Casino, and the approval of any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-34-300-032-0000; 09-34-300-045-0000; 09-34-300-046-0000; and 09-34-300-047-0000  
**Petitioner:** Midwest Gaming & Entertainment LLC, 900 M. Michigan Ave, Suite 1600, Chicago, IL 60611  
**Owner:** Midwest Gaming & Entertainment LLC, 900 M. Michigan Ave, Suite 1600, Chicago, IL 60611

Acting Chairman Saletnik swore in the Petitioners for the case; Michael Tobin, Todd Schaeffer and Chris Wong.

Mr. Wong provided a detailed overview of the sign plan amendment request. The request includes static signs and LED signs, each broken into three categories; existing sign, new sign and existing sign to be replaced. Additional sign elevation information and sign type/listing are included in the informational packet.

Acting Chairman Saletnik asked if the Board had any questions.

Member Catalano asked if there was information on the amount of new sign square footage versus the total sign square footage; Planner Stytz referred to the informational packet tables, number of existing square footage versus new square footage is not available at this time. Planner Stytz stated that the new sign square footage, LED and static, is approximately 6,000 square feet.

Acting Chairman Saletnik asked Mr. Wong to provide additional information on sign 54, the LED sign at the intersection, regarding illumination and safety concerns. Mr. Wong stated that the sign currently exists, and any improvements will need to meet or exceed timing and lumen standards per the Department of Transportation (DOT) and City code.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

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

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**Issue:** The petitioner is requesting a Conditional Use Amendment for an existing Localized Alternative Sign Regulation (LASR) under Sections 12-3-4 and 12-11-8 of the Zoning Ordinance to allow for an increase in signage on the property located at 2980-3000 S. River Road.

- Address:** 2980-3000 S. River Road
- Owner:** Gregory A. Carlin, Midwest Gaming & Entertainment, LLC,  
900 N. Michigan Avenue, Suite 1600, Chicago, IL 60611
- Petitioner:** Michael Tobin, Midwest Gaming & Entertainment, LLC  
900 N. Michigan Avenue, Suite 1600, Chicago, IL 60611
- Case Number:** 21-040-LASR CU
- PINs:** 09-34-300-032; -045; -046; & -047
- Ward:** 6, Alderman Malcolm Chester
- Existing Zoning:** C-6, Casino District
- Existing Land Use:** Casino, Parking Garage, Office Building, and Surface Parking
- Surrounding Zoning:** North: C-2, Limited Office Commercial District  
South: D, Commercial (Village of Rosemont)  
East: P-1, Public Land District (Cook County)  
West: C-7, High Density Campus District
- Surrounding Land Use:** North: Multi-Unit Office Building (Commercial)  
South: Hotel / Restaurants (Commercial)  
East: Recreation  
West: Multi-Unit Office Building (Commercial)
- Street Classification:** River Road and Devon Avenue are classified as minor arterials.
- Comprehensive Plan:** The Comprehensive Plan illustrates the site as commercial.

**Project Description:** The applicant, Michael Tobin on behalf of Midwest Gaming & Entertainment, has requested a Conditional Use Amendment for an existing LASR to allow for increased signage on the property located at 2980-3000 S. River Road. The existing property contains a 140,363-square-foot casino building, a four-story parking garage with a pedestrian bridge connecting from the second level of the garage to the casino building, and a two-story office building with a surface parking lot. A casino expansion is underway that will result in an approximately 225,000-square-foot building with an expanded number of gaming positions (from 1,200 to 2,000), as well as an enlarged parking structure (now 3,063 total

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parking spaces). The two-story expansion of the casino building has led to new gaming space, a small food and beverage outlet, and a more than 10,000-square-foot multipurpose event area, with associated back-of-house areas.

With all lots combined, the property encompasses 20.017 acres in land area. This request comes after the previous two Planned Unit Development Major Amendment requests to expand the existing parking garage (approved December 2, 2019 through Ordinance Z-33-19) and expand the existing casino building (approved March 15, 2021 through Ordinance Z-31-21) to accommodate necessary floor area and parking for the expansion. The most currently approved LASR was embedded into the approval of Ordinance Z-33-19. Pursuant to Section 12-11-8 of the Zoning Ordinance, Planned Unit Developments may establish a LASR plan via a conditional use for their property subject to review and approval from the Planning and Zoning Board pursuant to the procedures for conditional uses.

The existing building and site as a whole currently contain a variety of different building and freestanding signage ranging from directional to video signs with a total count of 95 signs, as shown in the Sign Plan Amendment (Attachment 6). However, the petitioner is requesting to add 20 new static signs, replace 15 existing static signs, add eight new LED signs, and replace one existing LED sign totaling 28 new signs altogether:

- **Static Signs:** The new static signs consist of identity, directional, and clearance bar signs proposed at and around vehicle/pedestrian entrances/access drives and bus stop/rideshare pickup/drop-off areas. The existing static signs to be replaced are directional signs to assist motorists and pedestrians in navigating the property.
- **LED Signs:** The new LED signs consist of identification signs positioned in high visible areas to attract motorists and pedestrians to the property. There is one new LED sign proposed for the east elevation facing the main entrance. However, the remainder of the new LED signs are located on the west elevation facing I-294. The existing LED sign at the northwest corner of the River Road/Devon Avenue intersection is the only LED sign being replaced as part of this request.

All proposed signage is shown below. The Project Narrative and Sign Plan Amendment provide additional information.

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<b>Static Signs*</b>		
<b>Sign Type</b>	<b>Location</b>	<b>Area of Signage</b>
Window Vinyl	South Office Building Façade at 2980 River Rd	168 SF
Wall - Identity	Northeast Property Entrance	6 SF
Clearance Bars x 3	Northwest Property Entrance	5 SF each
Directional x 2 (Valet/Self-Park)	Near East Property Entrance (Overhead)	11 SF each
Wall - Identity	Near East Property Entrance	419 SF
Directional – Vehicle x 2	Near East Property Entrance (Wall Mounted)	97 SF
Wall – Parking Entrance	Parking Garage – North Entrance	53 SF
Wall – Valet Drop-off	East Casino Entrance (covered drop- off area)	11 SF (one-sided)
Wall – Bus/Valet Drop-off x 2	East Casino Entrance (covered drop-off area)	24 SF (two-sided)
Directional – Vehicle x 2	Southeast & Northeast Property Entrances	75 SF each
Directional – Pedestrian x 2	Northeast Property Entrance	29 SF each
Wall – Bus Drop-off x 2	East Casino Entrance (covered drop-off area)	10 SF each
Directional – Pedestrian x 2	Northwest Property / North Garage Entrances	29 SF each
Directional – Pedestrian	Far Northeast Access Drive Entrance	29 SF
	<b>TOTAL</b>	<b>1,125 SF</b>
<b>LED Signs*</b>		
<b>Sign Type</b>	<b>Location</b>	<b>Area of Signage</b>
LED Video Wall	West Building Façade (#6)	426 SF
LED Video Wall	West Building Façade (#8)	426 SF
LED Video Wall	West Building Façade (#73)	884 SF
LED Video Wall	East Building Façade (#74)	1,535 SF
LED Video Wall	West Building Façade (#75)	455 SF
LED Video Wall	West Building Façade (#17)	319 SF
LED Video Wall	West Building Façade (#15)	310 SF
LED Video Wall	West Building Façade (#16)	588 SF
	<b>TOTAL</b>	<b>4,943 SF</b>
<b>GRAND TOTAL</b>		<b>6,068 SF</b>

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***\*Sign requests are proposed for the property at 3000 S. River Road unless otherwise noted. See Sign Plan Amendment for more information.***

### **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 identified for commercial use. The casino complex will be able to increase visibility and take advantage of existing, well-traveled public roadways, such as I-294, with the approval of the amended LASR request.
- Under Economic Development:
  - The Comprehensive Plan recognizes the economic vitality of the subject property and its benefit to the surrounding area. The existing development of this site provides additional revenue, job opportunities, and services for the region as a whole and continues development trends already established in this area.

While the aforementioned bullet points are only a small portion of the Comprehensive Plan, there is a large emphasis on developing and enhancing our commercial corridors. This casino complex is adding additional services for the community and further enhancing the River Road corridor. The proposed signage will assist in the continued promotion of the existing development for residents and visitors while also potentially attracting new development proposals in the future.

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

1. **The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:**  
Comment: A Localized Alternative Sign Regulation is a Conditional Use, as specified in Section 12-11-8 of the 1998 City of Des Plaines Zoning Ordinance, as amended. Please see the Petitioner's responses for Conditional Uses.
2. **The proposed Conditional Use is in accordance with the objectives of the City's Comprehensive Plan:**  
Comment: The use of the site is a casino, which consists of large casino building, surface and covered parking areas, and office building. The development of the subject property and its location in close proximity to I-294 allows for expanded commercial development opportunities. The proposed signage for the site is intended to help further identify the casino complex and assist both residents and visitors alike in navigating the site. Please see the Petitioner's responses for Conditional Uses.

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

*Comment:* The proposed Conditional Use for a Localized Alternative Sign Regulation requests additional signage to assist in the identification of the casino complex and help both residents and visitors navigate the property. The petitioner has designed the sign plan to match the character of the apartment complex building and blend with the existing character of the development within the surrounding area. Please see the Petitioner's responses for Conditional Uses.

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

*Comment:* The proposed signs are not hazardous or disturbing to the existing neighboring uses. All signs will meet all required performance standards as outlined in Section 12-11-6(B) of the Zoning Ordinance. Please see the Petitioner's responses for Conditional Uses.

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

*Comment:* The proposed signs have no effect on essential public facilities and services. Please see the Petitioner's responses for Conditional Uses.

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

*Comment:* The proposed signs would not create a burden on public facilities, nor would they be a detriment to the economic well-being of the community. The signs are intended to share information and help customers safely and easily access the site. Please see the Petitioner's responses for Conditional Uses.

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

*Comment:* The proposed signs will not create additional traffic or noise that could be detrimental to surrounding land uses. Please see the Petitioner's responses for Conditional Uses.

**8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:**

*Comment:* The proposed signs will not create an interference with traffic on surrounding public thoroughfares but rather establish building identification for both motorists and pedestrians. Please see the Petitioner's responses for Conditional Uses.

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

*Comment:* The proposed new signs would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The signs will be used to enhance a site that has already been developed. Please see the Petitioner’s responses for Conditional Uses.

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

*Comment:* All signs do comply with setback requirements as stated in the Zoning Ordinance. Please see the Petitioner’s responses for Conditional Uses.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use amendment for a LASR at 2980-3000 S. River Road. City Council has final authority on the proposal.

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

1. A three-foot landscape bed in all directions be provided at the base of all freestanding signs, per the standards set forth in Section 12-11-4(G). This landscaping shall be comprised of low-lying evergreen shrubs, perennials, and annuals.
2. That structural design plans shall be provided for all signage at time of permit.
3. The applicant shall provide sight line analysis for vehicle-to-vehicle sightlines and vehicle-to-pedestrian/bicycle sightlines showing that the sign position does not intrude upon the AASHTO Green Book sight triangles for the freestanding signs proposed along the roadway driveways and site access drives. The location of the freestanding signs may have to be slightly adjusted at the time of building permit review to comply with AASHTO site triangle clearance.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

**A motion was made by Board Member Hofherr, seconded by Board Member Catalano, is requesting a Conditional Use Amendment for an existing Localized Alternative Sign Regulation (LASR) under Sections 12-3-4 and 12-11-8 of the Zoning Ordinance to allow for an increase in signage on the property located at 2980-3000 S. River Road, with the three conditions: (1) a three-foot landscape bed in all directions be provided at the base of all freestanding signs, per the standards set forth in Section 12-11-4(G). This landscaping shall be comprised of low-lying evergreen shrubs, perennials, and annuals; (2) that structural design plans shall be provided for all signage at time of permit; (3) The applicant shall provide sight line analysis for vehicle-to-vehicle sightlines and vehicle-to-pedestrian/bicycle sightlines showing that the sign position does not intrude upon the AASHTO Green Book sight triangles for the freestanding**



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**signs proposed along the roadway driveways and site access drives, the location of the freestanding signs may have to be slightly adjusted at the time of building permit review to comply with AASHTO site triangle clearance.**

AYES: Hofherr, Catalano, Fowler, Veremis, Saletnik

NAYES: None

ABSTAIN: None

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

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**4. Address:** 2805-2845 Mannheim Road

**Case Number:** 21-041-MAP-TSUB-V  
**Public Hearing**

The petitioner is requesting the following from the Zoning Ordinance: (i) a Map Amendment from C-2 Limited Office Commercial to C-3 General Commercial to allow a mix of Class A and B restaurants and retail, as required by Section 12-7-3; (ii) a Major Variation to allow more than one principal building on a zoning lot as required by Section 12-7-1; and (iii) the approval of any other variations, waivers, and zoning relief as may be necessary. In addition, the petitioner is requesting approval of a Tentative Plat of Subdivision per Section 13-2-2 of the Subdivision Regulations.

**PINs:** 09-33-300-001-0000; 09-33-300-002-0000; 09-33-300-003-0000; 09-33-300-004-0000; 09-33-300-005-0000; 09-33-300-006-0000; 09-33-300-007-0000; 09-33-300-008-0000; 09-33-300-009-0000; 09-33-301-008-0000; 09-33-301-014-0000

**Petitioner:** Image Des Plaines, LLC, 5101 Darmstadt Road, Suite A, Hillside IL 60142, in partnership with GW Properties, 2211 N. Elston Ave, Suite 400, Chicago, IL 60614

**Owner:** Prominence Des Plaines LLC, 1375 Remington Road, Suite E, Schaumburg IL, 60173

Acting Chairman Saletnik swore in Mitch Golz, GW Properties, the developer of record for the property. Mr. Golz provided an overview of GW Properties and highlighted local projects. The Petitioner provided an overview of the proposed site plan, with a sit-down restaurant (Outback Steakhouse) and three retail/restaurant spaces, with outdoor dining spaces. The landscape plan was also addresses along with stormwater management improvements.

Acting Chairman Saletnik asked if the Board had any questions.

Member Hofherr inquired about remediation on the property; staff was not able to provide additional information and was not aware of any recent remediation. Mr. Golz is aware of the remediation measures and assured the Board that the developers were not coming to the City and asking for subsidies or TIF monies.

Acting Chairman Saletnik stated that he believed the development would do well, especially with the proximity to O'Hare airport. He expressed some disappointment that the current project is at a lesser scale that previous projects in the area; Mr. Golz stated that the smaller scale projects can be executed and get tenants in those spaces.

Member Hofherr stated he was impressed with the improvements and believes they will have much success at that location.

Member Veremis inquired if any of the smaller tenants have drive-through windows or the ability to add them into the plan. Mr. Golz stated that the final tenants in those spaces do not have drive-through

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windows, but may have pick-up windows. A pick-up window does not have a menu board, strictly for mobile, pick-up orders.

Member Catalano inquired about traffic, he briefly reviewed the traffic study and believes this use will not generate additional traffic. Mr. Golz agreed with that statement and that most cards will enter on Pratt Ave, no major changes to the traffic pattern. Mr. Golz also stated that Mannheim Road is for all intent and purposes is a highway, and deemed accurate.

Acting Chairman Saletnik asked about the other restaurants, as it is known Building A will be Outback Steakhouse, and stated that since there is ample parking in the area if it is possible to get additional full service restaurants. Mr. Golz replied that they are in talks for 4,000 square foot tenant for a full service breakfast/lunch establishment. Mr. Golz also stated that tenants often have stronger parking demands than municipal codes require.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

Acting Chairman Saletnik asked that the Staff Report entered into record. Director Carlisle provided a summary of the following report:

**Issue:** The petitioner, contract purchaser Image Des Plaines LLC, in partnership with developer GW Properties, is requesting the following from the Zoning Ordinance to allow a restaurant and retail development: (i) a Map Amendment from C-2 Limited Office Commercial to C-3 General Commercial as required by Section 12-7-3 and (ii) a Major Variation to allow more than one principal building on a zoning lot as required by Section 12-7-1. In addition, the petitioner is requesting approval of a Tentative Plat of Subdivision per Section 13-2-2 of the Subdivision Regulations.

**PINs:** 09-33-300-001-0000; 09-33-300-002-0000; 09-33-300-003-0000; 09-33-300-004-0000; 09-33-300-005-0000; 09-33-300-006-0000; 09-33-300-007-0000; 09-33-301-008-0000; 09-33-300-009-0000; 09-33-301-014-0000; 09-33-301-015-0000

**Petitioner:** Image Des Plaines LLC (Contact: Mike Scheid, Image Media, 5101 Darmstadt Rd. Suite A Hillside, IL), in partnership with GW Properties, 2211 N. Elston Ave, Suite 400, Chicago, IL 60614

**Owner:** Prominence Des Plaines LLC, 1375 Remington Rd, Suite E, Schaumburg, IL 60173

**Existing Zoning:** C-2 Limited Office District (proposed as C-3 General Commercial District)

**Surrounding Zoning:** North: C-3, General Commercial District  
 South: C-3, General Commercial District  
 East: C-3, General Commercial District  
 West: Commercial (Village of Rosemont)

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**Surrounding Land Use** North: Commercial (banquet hall)  
South: Tollway; Orchards at O’Hare commercial development  
East: Railroad; ComEd facility  
West: Commercial (hotel)

**Street Classification** Mannheim Road is an arterial road, and Pratt Avenue is a local road.

**Comprehensive Plan** Commercial is the recommended use of the property.

**Project Summary:**

Image Des Plaines LLC is contract purchaser of the approximately 3.8-acre site at the southeast corner of Mannheim Road and Pratt Avenue, roughly bordered by the Canadian National rail line on the east and I-90/Tollway on the south. Aside from an existing electronic message board billboard in the southwest corner, the site is currently vacant, despite having received redevelopment interest in the past (most notably for a La Quinta Inn motel that did not materialize). Image Des Plaines is partnering with Chicago-based GW properties to propose a full redevelopment of the largely vacant site with the following concepts:

- A 5,000-square-foot building, currently envisioned as a Class A restaurant
- A 10,500-square-foot multi-tenant commercial building containing a mix of restaurants and retail
- 212 surface parking spaces, including eight mobility impaired accessible spaces
- A 19,000-square-foot above-ground basin for stormwater
- A new electronic message board billboard in the southeast corner of the site (a separate application has been filed regarding the billboard: Case 21-042-TA-V)

The existing zoning designation, C-2, allows restaurants and retail only when they are accessory to an office or hotel. A map amendment to C-3 would entitle both restaurants and retail as permitted uses. Developer GW Properties has begun negotiations with multiple national-brand chain restaurant tenants, as well as a retailer.

The Tentative Plat of Subdivision shows the land being delineated into four lots of record: Lot 1 (northernmost) is the standalone restaurant with parking, Lot 2 is the multi-tenant restaurant-retail development with parking and stormwater basin, and Lots 3 and 4 are for billboards. Lots 3 and 4 will not meet minimum lot dimensions, and Lot 4 will not front on a public street, requiring variation at the time of approval of the Final Plat of Subdivision. Otherwise, the Tentative Plat meets the requirements as expressed in Section 13-2-2. Of note, the Plat labels a 12-inch sanitary sewer running north-south and bisecting the property, which the City’s Public Works and Engineering Department will require to be maintained via an easement indicated on the Final Plat. Other underground infrastructure on site may be abandoned, as the previous Alger Street and Railroad Avenue were vacated many years ago. The Site Plan

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indicates an easement and access drive from the parking lot area in Lot 2 to the billboard area, which will be necessary for maintenance and repair to the billboard.

Although the full 3.8-acre development after subdivision is likely to exist eventually under separate ownership, it will be built upon as a unit under common ownership, which makes it one zoning lot at this time of initial review. Section 12-7-1 limits zoning lots to one principal building except in instances of planned unit development (PUD), C-4-zoned regional shopping centers, and other large-lot institutional and industrial development. The petitioner is not applying for a PUD nor do they propose joining all of the potential commercial tenants under one roof, in large part because of the site-selection demands of the potential tenants they are forming agreements with. Therefore, the petitioner is seeking a variation from this provision.

The following is an estimated application of the parking requirements (Section 12-9-7) to the various uses, with some assumptions based on the potential use mix. All assumed uses would be permitted under C-3 zoning:

- **Restaurant (Class A) / North Building:** 1 space for every 100 square feet of net floor area, or 1 space for every 4 seats, whichever is greater, plus 1 space for every 3 employees.
  - *Comment:* Employee counts and detailed floor plans are not yet available, but Lot 1 of the subdivision is shown with 97 parking spaces. Assuming 4,000 square feet of net floor area and 30 employees (restaurant staff working at one time), the requirement would be around 50 spaces. The parking appears to be ample and, in fact, much could be utilized by the uses in the other building if necessary.
- **Restaurants (Class B) / South Building:** 1 space for every 50 square feet of net floor area, or 1 space for every 4 seats, whichever is greater, plus 1 space for every 3 employees.
  - *Comment:* Employee counts are not yet available, but Lot 2 of the subdivision is shown with 115 parking spaces. Assuming 5,000 square feet of net area plus 15 employees, the requirement is 105 spaces.
- **Retail establishment / South Building:** 1 space for every 250 square feet of gross floor area.
  - *Comment:* The estimated requirement would be 16 spaces, although there are specific types of retail establishments that have separate ratios than the general one used here.

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In summary, the total parking requirement is estimated around 170-175 spaces, so the parking would likely be more than sufficient. Regarding traffic, the petitioner submitted a study conducted by Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA, Inc.). The study concludes that while the development and uses can be expected to generate additional traffic, the existing roadway system can accommodate the traffic without the need for additional signals, lanes (e.g. turn or deceleration lanes), or other substantial changes to either Mannheim or Pratt. The study also concludes the site layout allows for efficient internal circulation and access. See Attachment 10 for the report. While the conclusions generally seem reasonable, the Illinois Department of Transportation will need to permit the proposed driveway to Mannheim. IDOT may require this to be altered to a “right-in, right-out” configuration.

**Standards for Map Amendment:**

The standards for amendments are contained in Section 12-3-7.E of the Zoning Ordinance. The following is a discussion of those standards.

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

*Comment:* The Comprehensive Plan calls for commercial development on the site; however, the current zoning (C-2) is quite restrictive in its allowance of uses, as it has a specific vision for primarily hotel and office development. Changing to C-3 will open up a much wider range of uses, including the desirable ones proposed through the concept of this application.

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

*Comment:* C-3 zoning is proximate to the subject property. In fact, its current designation of C-2 makes the property stick out. Changing to C-3 actually brings it more in line with the property to the north (Café La Cave, 2777 Mannheim Road) and the south (Orchards at O’Hare). Both of these are zoned C-3.

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

*Comment:* The roadway and other infrastructure access is adequate to serve the range of uses possible under C-3 zoning. See the conclusions of the traffic report.

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

*Comment:* Amending the zoning to C-3 would enable and attract greater commercial development, making Des Plaines and the neighborhood more desirable and likely having a positive effect on property values.

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

*Comment:* C-3 is the most common commercial zoning designation, so adding it to the map at the subject property would be in line with the City’s current process for managing growth.

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**Standards for Variation:**

The standards for variations contained in Section 12-3-6.H of the Zoning Ordinance are discussed below.

**1. Hardship: Carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty;**

*Comment:* The petitioner could have applied for a PUD to avoid the limitation to only one principal building on the zoning lot. However, because no bulk exceptions are expected for the development (e.g. setback, height, parking), and while important an important commercial investment, the project is not especially unique or innovative, which is the underlying purpose of PUDs. A PUD process may be unnecessarily onerous. Alternatively, the petitioner could lump all of the uses together in one building, but the interest from various users necessitates that one of them be in a freestanding building.

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

*Comment:* The site's boundary with the Tollway is a diagonal line, as is its boundary with the railroad, creating an irregular shape. Further, the site has an existing billboard. These are design constraints the petitioner must work around.

**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:* The shape of the site was dictated by the infrastructure-related actions of public and private entities (e.g. City, Department of Transportation, railroads).

**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:* Forcing the project into a PUD process or to be redesigned to be under one roof would hamper the development potential, when similar styles of development are quite common and the deals with potential tenants are time-sensitive. The PZB and City Council are welcome to ask the petitioner about the negotiations with users, their space and design needs, and their target timelines.

**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:* Allowing a two-building restaurant-and-retail development outside of the PUD process would be a reasonable request by any potential developer of a similar site.

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

*Comment:* The variation would make feasible the proposed commercial development, which is the vision of the Comprehensive Plan for the site.

**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:* Forcing the process into a PUD or a redesign would risk losing tenants, in particular the tenant who demands a freestanding building.

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

*Comment:* The total number of principal buildings is only two instead of a greater number.

**PZB Procedure and Recommended Conditions:** Pursuant to Sections 12-3-7.D.3 of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or disapproval. The City Council has final authority over the map amendment and variation regarding the number of principal buildings. The map amendment may be suitable to approve without conditions, However, should the PZB recommend and/or the City Council approve the variation, staff suggests the following conditions:

1. A landscape plan showing perimeter, interior, and foundation plantings to fulfill all requirements of Section 12-10 must be approved before issuance of a building permit.
2. All proposed ground and building-mounted signs must comply with all provisions of Section 12-11, or the petitioner must obtain variation or approval of a conditional use for localized alternative sign regulations (LASR).
3. A lighting plan labeling all building-mounted and freestanding light fixtures and proving photometric details must be submitted and approved with the building permit.
4. Grading/drainage and other on-site infrastructure details are provided to the satisfaction of the Public Works and Engineering Department with the submission of the Final Plat of Subdivision.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

**A motion was made by Board Member Hofherr, seconded by Board Member Fowler, for approval of the request for a (i) a Map Amendment from C-2 Limited Office Commercial to C-3 General Commercial to allow a mix of Class A and B restaurants and retail, as required by Section 12-7-3; (ii) a Major Variation to allow more than one principal building on a zoning lot as required by Section 12-7-1; and (iii) the approval of any other variations, waivers, and zoning relief as may be necessary. In addition, the request for a Tentative Plat of Subdivision per Section 13-2-2 of the Subdivision Regulations was approved, with the following conditions: (1) A landscape plan showing perimeter, interior, and foundation plantings to**



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**fulfill all requirements of Section 12-10 must be approved before issuance of a building permit; (2) All proposed ground and building-mounted signs must comply with all provisions of Section 12-11, or the petitioner must obtain variation or approval of a conditional use for localized alternative sign regulations (LASR); (3) A lighting plan labeling all building-mounted and freestanding light fixtures and proving photometric details must be submitted and approved with the building permit; and (4) Grading/drainage and other on-site infrastructure details are provided to the satisfaction of the Public Works and Engineering Department with the submission of the Final Plat of Subdivision.**

AYES: Hofherr, Fowler, Catalano, Veremis, Saletnik

NAYES: None

ABSTAIN: None

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

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5. 2805-2845 Mannheim Road

**Case Number:** 21-042-TA-V  
**Public Hearing**

The petitioner is requesting text amendments to Section 12-11-5 of the Zoning Ordinance to allow the initial installation of an electronic message board billboard and Section 12-11-6 to increase the total number of allowable billboards across the City from 12 to 13. The petitioner is also requesting a major variation, as required by Section 12-11-6, for a portion of a proposed billboard to be less than the minimum 300 feet away from a residential property line, as well as any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-33-300-001-0000; 09-33-300-002-0000; 09-33-300-003-0000; 09-33-300-004-0000; 09-33-300-005-0000; 09-33-300-006-0000; 09-33-300-007-0000; 09-33-300-008-0000; 09-33-300-009-0000; 09-33-301-008-0000; 09-33-301-014-0000  
**Petitioner:** Image Des Plaines, LLC, 5101 Darmstadt Road, Suite A, Hillside IL 60142  
**Owner:** Prominence Des Plaines LLC, 1375 Remington Road, Suite E, Schaumburg IL, 60173

Acting Chairman Saletnik swore in Dan Dowd, attorney representing, Image Des Plaines, LLC, the Petitioner. Mr. Dowd provided an overview of the draft amendments, which are site specific to the site. Mike Schied provided information on the location of the billboard, along with lighting and illumination specifications and City requirements. Mr. Schied also stated that Illinois Department of Transportation (IDOT) and Federal Aviation Administration (FAA) approvals have been secured.

Acting Chairman Saletnik asked if the Board had any questions. There were no questions or comments.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

Acting Chairman Saletnik asked that the Staff Report entered into record. Director Carlisle provided a summary of the following report:

**Issue:** The petitioner and contract purchaser of 3.8 acres at the southeast corner of Mannheim Road and Pratt Avenue (2805-2845 Mannheim Road) proposes erecting a new electronic message board billboard in concert with a proposal for a restaurant-retail development (Case 21-041-MAP-TSUB-V). The petitioner is requesting approval of text amendments to two Sections of the Zoning Ordinance to allow the project: 1.) To Section 12-11-5.H, which currently allows electronic message board billboards only through the conversion of existing static billboards, and 2.) to 12-11-6.B to increase the maximum number of billboard permits that can be issued citywide from 12 to 13, as well as an exemption from the 600-square-foot limitation for all signage on lots of 5 acres or less. Finally, the petitioner is seeking a variation to allow a portion of a billboard to be within 300 feet of a residential property line (approximately 127 feet).

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**Petitioner:** Image Des Plaines LLC

**Owner:** Prominence Des Plaines LLC, 1375 Remington Rd, Suite E, Schaumburg, IL 60173

**Existing Zoning:** C-2 Limited Office District (proposed as C-3 General Commercial District)

**Surrounding Zoning:** North: C-3, General Commercial District  
 South: C-3, General Commercial District  
 East: C-3, General Commercial District  
 West: Commercial (Village of Rosemont)

**Surrounding Land Use** North: Commercial (banquet hall)  
 South: Tollway; Orchards at O'Hare commercial development  
 East: Railroad; ComEd facility  
 West: Commercial (hotel)

**Street Classification** Mannheim Road is an arterial road, and Pratt Avenue is a local road.

**Comprehensive Plan** Commercial is the recommended use of the property.

**Project Description:**

Image Des Plaines LLC is contract purchaser of the approximately 3.8-acre site at the southeast corner of Mannheim Road and Pratt Avenue, roughly bordered by the Canadian National rail line on the east and I-90/Tollway on the south. Aside from an existing electronic message board billboard in the southwest corner of the site, it is currently vacant, despite having received redevelopment interest in the past (most notably for a La Quinta Inn motel that did not materialize). As depicted in Attachment 6, in the southeast corner of the site the petitioner intends to erect a new electronic message board billboard, not to exceed 99 feet in height, with two 1,200-square-foot sign faces aimed at both directions of I-90 traffic. The last new, additional billboard permitted by the City was in 2005 by Ordinance Z-24-05. The new billboard would be wholly part of Lot 4 in the subdivision proposed in the Tentative Plat that is part of the application for Case 21-041-MA-TSUB-V. Permitting and erecting the billboard is integral to the financing for the restaurant-and-retail proposal inherent to that application.

However, permitting the billboard requires 1.) a text amendment to Section 12-11-5 to allow an electronic message board as an *initial* installation, as currently they may only occur through conversions of existing static, non-electronic billboards; 2.) a text amendment to Section 12-11-6 to increase the maximum number of total billboard permits (both static and electronic message board) within the City from 12 to 13; 3.) another text amendment to 12-11-6 to exempt all billboards from the signage limitation of 600 square feet on lots of less than 5 acres; and 4.) a variation from the provision that requires at least 300 feet between any portion of a billboard and a residential property line. The closest portion of the proposed

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billboard “V” (i.e. two sign faces) is the northeast corner. Per the measurement method of the Ordinance, the billboard is 127 feet from residentially zoned property, which is PIN 09-33-302-002, an unimproved, wooded property owned by ComEd. However, the closest lot line of a property improved with a residence is 316 feet away. Based on staff review, the proposed billboard would meet the other zoning and location requirements, which generally include:

- The proposed location must be on a lot zoned C-1, C-2, C-3, M-1 M-2 or M-3 (the subject site is currently zoned C-2 and proposed as C-3);
- The billboard must be within 660 feet of I-90 or I-294
- The proposed billboard must satisfy the spacing requirements of the Illinois Advertising Control Act
- All third-party government approvals must be obtained

The applicant has already sought approval from the Illinois Department of Transportation and the Federal Aviation Administration. However, no billboard can be constructed on this property without first obtaining approval from the City of Des Plaines.

**Standards for Text Amendments:**

The standards for amendments are contained in Section 12-3-7.E of the Zoning Ordinance. The following is a discussion of those standards.

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

*Comment:* The Comprehensive Plan does not specifically mention billboards but does call out an economic development vision for “a variety of retail, dining, and entertainment options, with special focus on major commercial corridors...” These amendments, which are narrowly aimed at a specific sign on a specific site.

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

*Comment:* Allowing only one additional billboard, in the proposed location, would be compatible with the general character of commercial properties directly next to the Tollway, where billboards are common.

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

*Comment:* The petitioner’s site plan shows an access easement to get to the proposed billboard for maintenance or emergency purposes. Further, the property overall is easy for public safety or Public Works crews to access because it is at the visible corner of Mannheim and Pratt. The billboard structure will not be permitted to interfere with any infrastructure, above- or underground.

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

*Comment:* The proposed amendments enable the installation of only one new billboard in a specific location, so the only properties across the city that would be affected are those with residents who may

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be able to see it. However, the many trees and railroad area that separate the proposed billboard from the single-family residential development along Central Avenue and Sycamore Street are likely to provide adequate screening. Further, the rules in the existing ordinance limit the luminescence level detectable outside of the property line, and these are not proposed to change. The petitioner has submitted a lighting study, which indicates compliance with the luminescence limitations.

It appears more likely that the reactivation of a long-vacant site – which is generally a drag on property values – may be more beneficial to the property values of the area than any concerns generated by the billboard.

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

*Comment:* The amendments are deliberate and narrow, particularly by extending the allowance for new billboards by only one. They would not lead to an over-proliferation of billboards.

**Standards for Variation:**

The standards for variations contained in Section 12-3-6.H of the Zoning Ordinance are discussed below.

**1. Hardship: Carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty;**

*Comment:* For the new proposed billboard to be the minimum distance according to state spacing requirements from the existing on-site billboard, it must be located in the far southeast corner of the subject property. Further, the southeast portion of the site least intrusive with the affiliated proposed restaurant-and-retail development. Those factors necessitate locating the sign within 300 feet of a residential property line.

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

*Comment:* The site’s boundary with the Tollway is a diagonal line, as is its boundary with the railroad. With respect to billboards, they are only logical and permissible when directly next to an expressway. Further, as addressed under the “hardship/practical difficulty” standard, because of the location of the existing billboard on the site, a second billboard would have to be sited in the southeast corner, where it would run afoul of the 300-foot-minimum distance. There is also underground public sanitary sewer, access to which must be maintained.

**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.**

Case 21-037-CU	110 S River Road	Conditional Use
Case 21-039-V	2071 Pine Street	Variation
Case 21-040-CU-LASR	2980-3000 S River Road	Conditional Use/LASR
Case 20-041-MAP-TSUB-V	2805-2845 Mannheim Road	Map Amend/Maj Var/Tent Plat
Case 20-042-TA-V	2805-2845 Mannheim Road	Text Amendment/Maj Variation

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Comment: The location of all infrastructure was established by other public and private entities, and necessitates the location of the billboard in its proposed location.

**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: The strict letter of the provision does not take into consideration a residentially zoned piece of land that is unlikely to actually be developed and inhabited by residents. The location of the billboard at 316 feet from the lot line of the nearest actual house meets the intent of the Ordinance. Other billboard permittees in the past likely did not have a scenario similar to the one necessitating a variation in this case.

**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: While the strict application encompasses all residentially zoned property, the intent of the 300-foot-rule is to provide ample space between a residence and a billboard. Granting this variation would not compromise that intent and therefore not grant a special privilege compared to other billboard owners.

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

Comment: The variation would enable the billboard, which would enable a restaurant-and-retail development on the site, which is supported by the Comprehensive Plan.

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

Comment: Because of regulatory and practical factors, this proposed location of the billboard is the only reasonable location.

**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: Only the moving of the billboard to the west and north would lessen the need for relief, and for reasons stated under other standards, this move would not be practical.

**PZB Procedure and Recommended Conditions:** Pursuant to Sections 12-3-7(D)3 of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or disapproval. The City Council has final authority over the text amendments and variation.

Case 21-037-CU	110 S River Road	Conditional Use
Case 21-039-V	2071 Pine Street	Variation
Case 21-040-CU-LASR	2980-3000 S River Road	Conditional Use/LASR
Case 20-041-MAP-TSUB-V	2805-2845 Mannheim Road	Map Amend/Maj Var/Tent Plat
Case 20-042-TA-V	2805-2845 Mannheim Road	Text Amendment/Maj Variation

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Should the PZB recommend and/or the City Council approve the request, staff suggests the following conditions for the variation:

1. The billboard permit shall not be issued until and unless construction has commenced for the proposed restaurant and retail development at 2805-2845 Mannheim, proposed through Case 21-041-MAP-TSUB-V.
2. The elevation drawing is revised so the billboard will not exceed 99 feet in height.
3. All required IDOT and FAA approvals are completed and obtained for the current, up-to-date proposal. Approvals from previous proposals will not be accepted by the City if no longer valid.

Director Carlisle provided clarification on the amendments in question. The clarification and corrections are as follows:

- Only 12 billboard structures *permits* are issued by the City. The proposal is to expand the permit count to 13. There are other billboards that do not have a City permit but are either conforming structures because they meet all rules of the Ordinance or are nonconforming.
- The last time the City increased the number of possible billboard *permits* was in 2005 by Ordinance Z-24-05.

Director Carlisle went over the previous licensing fees and the current revenue structure.

Per the City Attorney, if the Board chose to recommend approval, the portion of the draft amendments under Section 12-11-6 should be revised to state:

“The city shall cause to be permitted no more than ~~12~~**13** permits for outdoor advertising structures (billboards) under subsection 12-11-3C3, "Billboard Permits", of this chapter. **The 13th billboard permit shall be issued only in accordance with Ordinance Z-XX-21.** ~~As of amandatory ordinance Z-24-05, all 12 permits have been allocated to permittees. (This Ordinance number will be updated if the text amendment and variation for Case 21-042-TA-V is successful.)”~~

The Planning and Zoning Board chose to break out the approval into two motions.

**A motion was made by Board Member Hofherr, seconded by Board Member Catalano for approval of the revised text amendments, per City Attorney, to Section 12-11-5 of the Zoning Ordinance to allow the initial installation of an electronic message board billboard and Section 12-11-6 to increase the total number of billboard permit across the City, with the additional permit to be issued in accordance with a future ordinance, and with the condition that the billboard permit shall not be issued until and unless construction has commenced for the proposed restaurant and retail development at 2805-2845 Mannheim, proposed through Case 21-041-MAP-TSUB-V.**

Case 21-037-CU	110 S River Road	Conditional Use
Case 21-039-V	2071 Pine Street	Variation
Case 21-040-CU-LASR	2980-3000 S River Road	Conditional Use/LASR
Case 20-041-MAP-TSUB-V	2805-2845 Mannheim Road	Map Amend/Maj Var/Tent Plat
Case 20-042-TA-V	2805-2845 Mannheim Road	Text Amendment/Maj Variation

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AYES: Hofherr, Catalano, Fowler, Veremis, Saletnik  
NAYES: None  
ABSTAIN: None

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

**A motion was made by Board Member Catalano, seconded by Board Member Fowler, for approval of a major variation, as required by Section 12-11-6, for a portion of a proposed billboard to be less than the minimum 300 feet away from a residential property line, as well as any other variations, waivers, and zoning relief as may be necessary, with the following conditions: (1) The billboard permit shall not be issued until and unless construction has commenced for the proposed restaurant and retail development at 2805-2845 Mannheim, proposed through Case 21-041-MAP-TSUB-V; (2) The elevation drawing is revised so the billboard will not exceed 99 feet in height; and (3) All required IDOT and FAA approvals are completed and obtained for the current, up-to-date proposal. Approvals from previous proposals will not be accepted by the City if no longer valid.**

AYES: Catalano, Fowler, Hofherr, Veremis, Saletnik  
NAYES: None  
ABSTAIN: None

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

### **ADJOURNMENT**

The next scheduled Planning & Zoning Board meeting is Tuesday, October 26, 2021.

Acting Chairman Saletnik adjourned the meeting by voice vote at 8:41 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

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





MEMORANDUM

Date: October 18, 2021  
To: Planning and Zoning Board (PZB)  
From: Davorka I. Kirincic, AICP, Associate Planner  
Cc: John T. Carlisle, AICP, Director of Community and Economic Development  
Subject: Consideration of a Standard Variation to reduce the required front yard for a proposed front porch on a single-family detached home at 543 S. Fifth Avenue, Case #21-043-V (3<sup>rd</sup> Ward)

**Issue:** The petitioner is requesting a Standard Variation to install a front porch addition that will extend more than 5 feet and 50 square feet into the required front yard and be set back less than 25 feet from the front property line, as required by Sections 12-7-1 and 12-7-2 of the Zoning Ordinance.

**Address:** 543 S. Fifth Avenue  
**Owner:** Anna Szybowksa, 543 Fifth Avenue, Des Plaines, IL 60016  
**Petitioner:** Anna Szybowksa, 543 Fifth Avenue, Des Plaines, IL 60016  
**Case Number:** 21-043-V  
**PIN:** 09-18-404-004-0000  
**Ward:** #3, Alderman Sean Oskerka  
**Existing Zoning:** R-1, Single Family Residential District  
**Existing Land Use:** Single Family Residence  
**Surrounding Zoning:** North: R-1, Single Family Residential District  
South: R-1, Single Family Residential District  
East: R-1, Single-Family Residential District  
West: R-1, Single Family Residential District  
**Surrounding Land Use:** North: Single Family Residence  
South: Single Family Residence  
East: Single Family Residence

West: Single Family Residence

**Street Classification:** Fifth Avenue is classified as a local street.

**Comprehensive Plan:** The Comprehensive Plan illustrates the site as single-family residential.

**Project Description:** The petitioner, Anna Szybowksa, is requesting a Standard Variation to install a front-porch addition on a single-family detached house on the east side of South Fifth Avenue. The existing house is a nonconforming structure that does not meet the minimum 25-foot front yard setback for principal structures in the R-1 zoning district. The lot is also nonconforming at 6,191 square feet in area and 46.55 feet wide. The home is currently about 7 feet from the front (west) lot line, with an existing enclosed front room encroaching about 105 square feet. Unlike most single-family properties, the front lot line is not near the sidewalk or curb but instead quite far back from the curb (there is no sidewalk on the east side of the street in this block of Fifth Avenue). The Existing Condition Photo (Attachment 6) shows the current access to the residence. The petitioner is also proposing a set of stairs and landing on the north and west sides of the porch, as well as a front sidewalk leading from the porch to the curb as illustrated on the Site Plan (Attachment 4). The open porch and landing will project 3.5 feet from the existing building front building wall.

By building closer to the front lot line, the nonconformity is extended, which is not allowed by Section 12-5-6 of the Zoning Ordinance because it increases the degree of the nonconformity. Further, Section 12.7.1 limits the amount a front porch may extend into the required front yard: 5 feet and 50 square feet. As proposed, the porch would be 21.25 feet into the required yard. However, a variation that reduces the required front yard from 25 feet to 3.75 feet would solve both issues and permit the project. Reducing a required yard by more than 30 percent falls within the purview of the PZB and a standard variation per Section 12-3-6. Aside from the addition of open porch, stairs, landing, and new front sidewalk, the proposal does not include any other changes to the existing house.

### **Alignment with the Comprehensive Plan**

The proposed project, including the proposed site improvements, addresses various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

- **Future Land Use Plan:**
  - The property is marked for single-family residential land use. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of residential uses. The petitioner strives to make functional and aesthetic improvements to the existing property in an effort to utilize existing space in the building while still maintaining the character of the single-family residence.
  - The request provides functional and appearance altering improvements to the front of the existing residence to similar to surrounding residential properties along Fifth Avenue to provide safer access to the front of the residence.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on encouraging reinvestment in residential properties in order to enhance the residential corridors throughout Des Plaines and to increase the quality of life for residents.

**Variation Findings:** Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Staff has the following comments based on the standards.

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

*Comment:* The physical constraints of the property's current configuration, including the location of buildings, prevent the petitioner from realistically complying with the Zoning Ordinance. The existing single-family residence was constructed less than 25 feet from the front property line. Requiring the petitioner to relocate the existing residence to allow for a compliant front porch could create a financial and physical hardship for the petitioner. Please see the responses to standards from the Petitioner.

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

*Comment:* The existing house being seven feet from the front lot line is unique. The existing residence location and configuration limit the optimal locations for a proposed porch, making it difficult for the petitioner to comply with all applicable zoning regulations. Please see the responses to standards from the Petitioner.

- 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:* The size and shape of the property have not changed due to any action of the petitioner. The unique physical constraints of the property are unavoidable due to the fact that the property is land-locked. Please see the responses to standards from the Petitioner.

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

*Comment:* Carrying out of the strict letter of the Zoning Ordinance would not allow the petitioner to adequately and intuitively provide adequate access to the residence. In addition, surrounding residences are also located closer to the front property line and many have front porches not in compliance with this regulation. Please see the responses to standards from the Petitioner.

- 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:* The approval of this variation would not provide the petitioner with any special privilege or additional right, as these exact circumstances occurring on a different property would warrant similar consideration. The proposal would allow the petitioner to make improvements to an existing property by improving the existing access of the residence with a new porch area and walkway. Please see the responses to standards from the Petitioner.

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

*Comment:* The approval of this variation would contribute to a harmonious neighborhood by accommodating a proposed investment in a single-family residence that upon completion will be in context with the surrounding area. Reinvestment in and retention of the illustrated single-family neighborhoods is supported by the Comprehensive Plan. Please see the responses to standards from the Petitioner.

- 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:* It would be impractical for the applicant to design the open porch and landing in a way that maintained the 25-foot minimum front yard. The location of the existing residence is nonconforming with the current front yard, so reducing the front yard to allow for the proposed project is the most reasonable way to encourage and support the planned reinvestment in the property. Please see the responses to standards from the Petitioner.

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

*Comment:* The approval of this variation would be the minimum measure of relief for the petitioner to overcome the existing physical hardship on the property and make improvements to the existing residence. Please see the responses to standards from the Petitioner.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-6(F) of the Zoning Ordinance (Standard Variations), the PZB has the authority to approve, approve subject to conditions, or deny the request: A variation allowing a 3.5-foot front yard setback from front (west) lot line to accommodate the proposed open porch and landing for an existing single-family residence at 543 S. Fifth Avenue. The decision should be 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 in the Zoning Ordinance.

If the PZB supports approving the request, staff recommends the following conditions:

1. No easements are affected or drainage concerns are created with the construction of the new porch and walkway.
2. All debris shall be removed from the property.
3. That all appropriate building permit documents and fire-rated separation details are submitted as necessary depending on the use classification of the proposed space. All permit documents shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.

**Attachments:**

- Attachment 1: Petitioner's Responses to Standards for Variation
- Attachment 2: Location Map
- Attachment 3: Plat of Survey
- Attachment 4: Site Plan
- Attachment 5: Porch Addition Elevations
- Attachment 6: Existing Condition Photo
- Attachment 7: Site & Context Photos

Legal description of the property:

THE NORTH ONE THIRD (1/3) OF THE WEST ONE HALF (1/2) OF LOT THREE (3) IN BLOCK THIRTY-SIX (36) IN DES PLAINES MANOR TRACT NO. 3, IN THE SOUTHWEST QUARTER (1/4) OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT RECORDED

#### RESPONSE TO STANDARDS

The owner is requesting a standard variation from the Des Plaines Zoning Ordinance to build a new front stair and landing extending an additional 3.5 ft. towards the front property line as compared to the current condition and the approval of any other such variations, waivers, and zoning relief as may be necessary.

The current front stairs are old and deteriorating. The front landing is not adequately sized as it does not provide a 5 foot clear area in front of the out-swinging door to allow a person to stand on the landing while the door is opened. The owner is requesting a standard variation to reduce the setback from the front property line from 7 feet to 3.5 feet for this existing non-conforming home. It is significant to note that there is no sidewalk on the side of the street that the house sits and that even under the requested variance, the house would remain over 25 feet from the front curb and would not be the proudest property on the street.

This variation request conforms to the standards set for in Section 12-3-6(h) of the Zoning Ordinance for the following reasons:

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.

*Response:* The physical constraints of the property's current configuration, including the current setback of the building from the front property line and the driveway extending along the side of the house prevent the petitioner from replacing the stairs and increasing the landing while realistically complying with the Zoning Ordinance.

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.

*Response:* The existing structure is unique in that it was built 7 feet from the front property line. It is also unique in that both adjacent lots, as well as several of the lots on the same side of the block, are also non-conforming with respect to their setback from the front property line. This unique condition limits the optimal layouts for a new front stairs with an enlarged landing making it difficult for the owner to comply with all applicable zoning regulations. The existing structure and its adjacent properties are

also unique in that there are no sidewalks in the front yards and the structures (including the requested variance) are over 25 feet from the curb. This unique condition allows the owner's proposed project to conform to the "spirit" of the front yard setback requirements.

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.

*Response:* The size, shape and location of the property have not changed due to any action of the owner and the property's non-conforming status is not self-created. The owner wishes to maintain and improve this traditional home which is so important to this area of Des Plaines.

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

*Response:* Other owners of historic properties in Des Plaines are able to maintain and replace their properties by replacing their front stairs and expanding an inadequately-sized landing. However, carrying out of the strict letter of the Zoning Ordinance would not allow the owner to adequately and intuitively replace the front stairs and expand the landing.

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.

*Response:* The approval of this variation would not provide the owner with any special privilege or additional right as these exact circumstances occurring on a different property would warrant similar consideration. The proposal would allow the owner to make improvements to an existing property by replacing the front stairs and expanding the landing. The hardship and proposed solution above is not merely some special privilege and would not allow the owner to make more money from the subject lot.

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.

*Response:* The variation will result in the same use as exists currently – a family residence. The approval of this variation would contribute to a harmonious neighborhood by accommodating a proposed improvement in a family residence that upon completion will remain in context with the surrounding area. Reinvestment in and retention of the neighborhood is supported by the Comprehensive Plan.

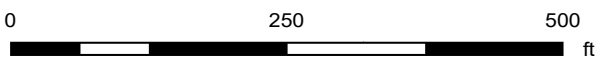
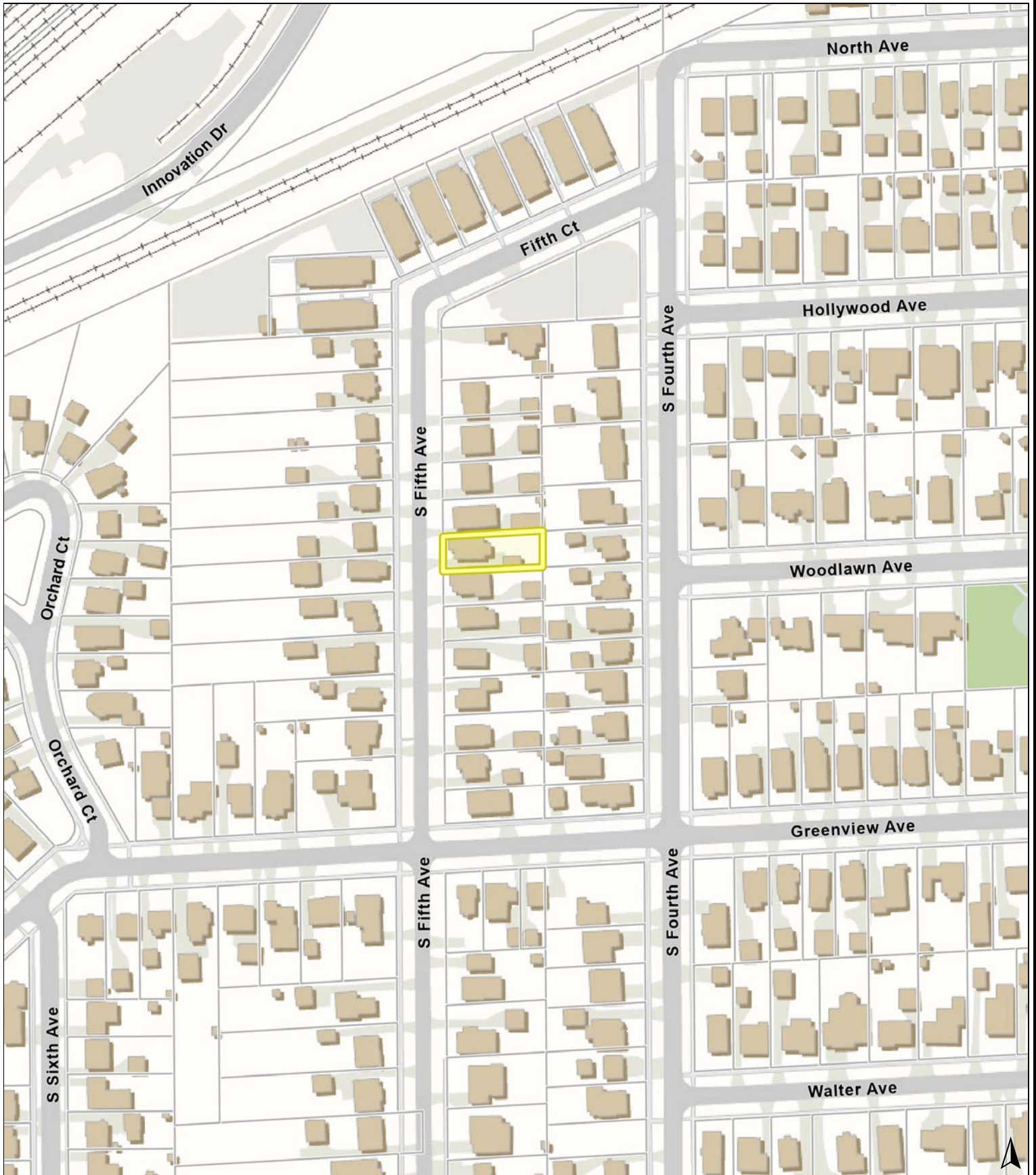
7. **No Other Remedy:** There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

*Response:* It would be impractical for the owner to design the new front stairs with expanded landing in a way that maintained the current 7 foot front setback. The location of the existing residence is

nonconforming with the current front setback, so reducing the setback to allow for the proposed project is the most reasonable way to encourage and support the planned improvement of the property.

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.

*Response:* The approval of this variation would be the minimum measure of relief for the owner to overcome the existing physical hardship on the property and make improvements to the existing residence.



Print Date: 10/14/2021

Notes

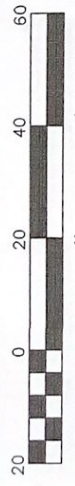
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



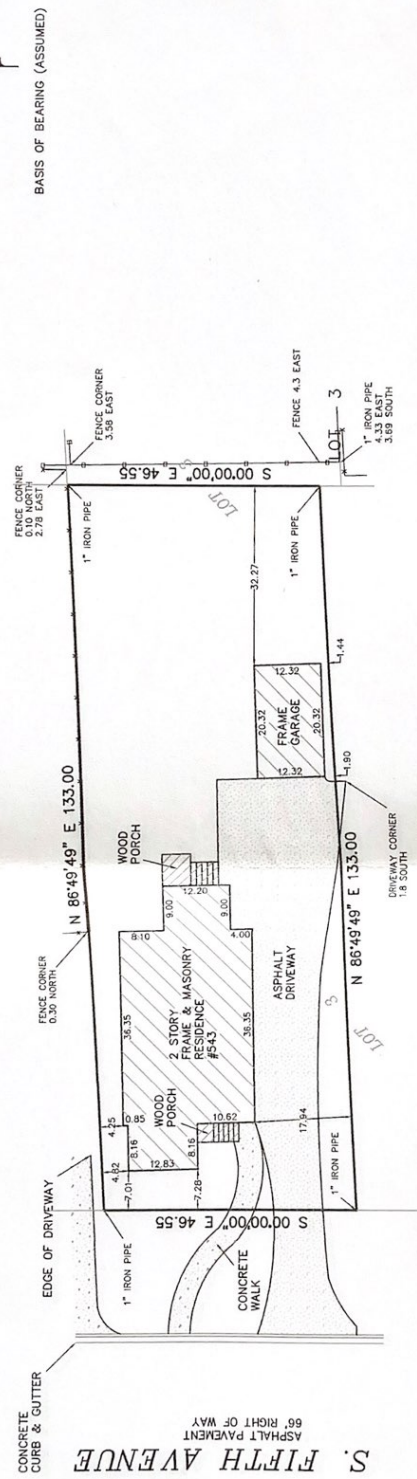
**T.K.D. Land Surveyors, Inc.**  
 P.O. BOX 1463, Arlington Heights, IL 60006  
 Phone: (847) 702-1845 (847) 997-3292  
 tkd@tkdland.com tkd.net

# PLAT OF SURVEY

THE NORTH ONE THIRD OF THE WEST HALF OF LOT THREE IN BLOCK 36 IN DES PLAINES MANOR TRACT NO. 3, IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 12 EAST, COUNTY OF COOK, STATE OF ILLINOIS, ACCORDING TO THE PLAT RECORDED ON MARCH 14, 1911, AS DOCUMENT NUMBER 4788942, IN COOK COUNTY, ILLINOIS.



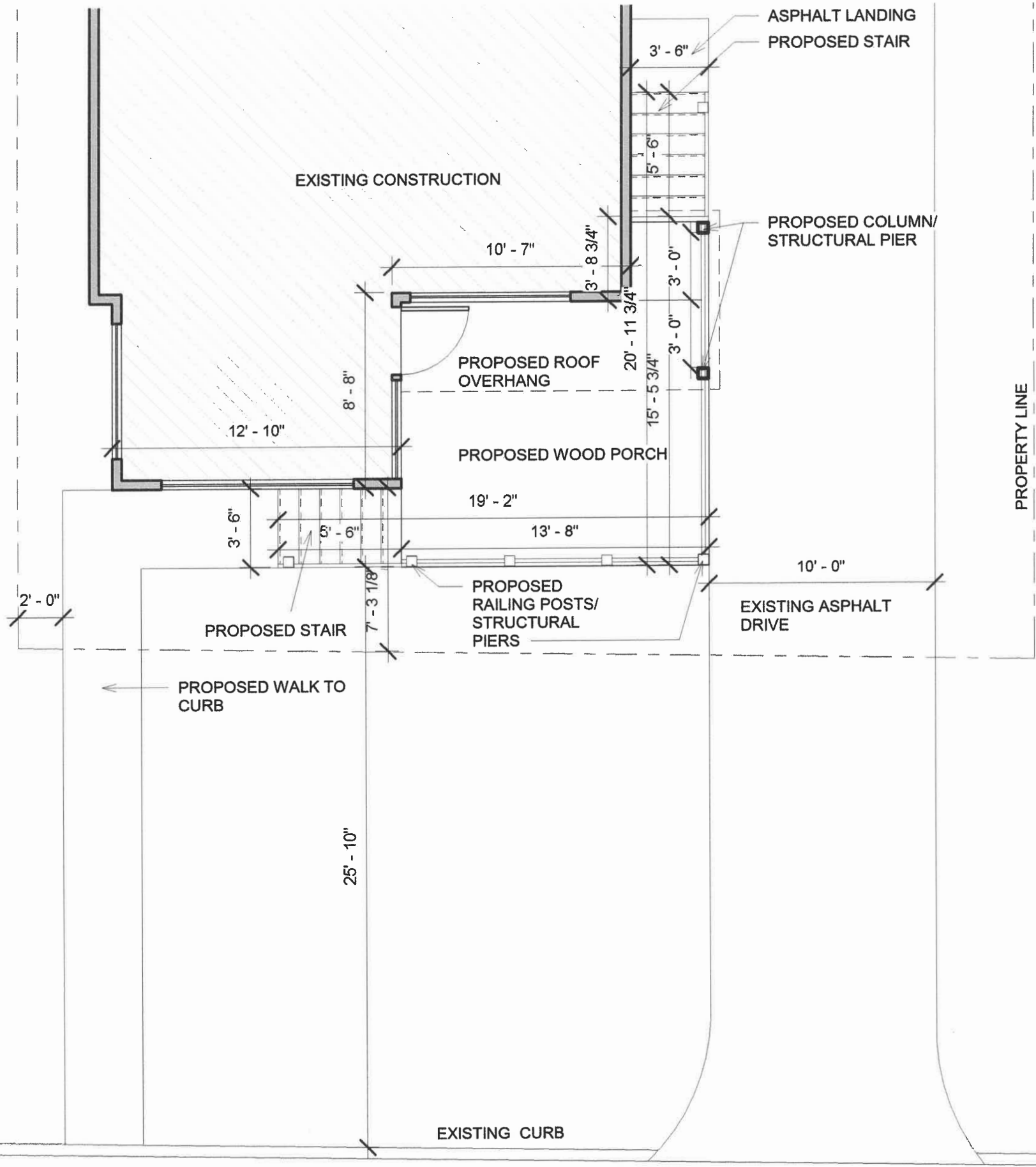
Scale 1" = 20'



STATE OF ILLINOIS )  
 COUNTY OF COOK ) SS.  
 I, Thomas R. Knauber, an Illinois Professional Land Surveyor do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey.

Thomas R. Knauber  
 Illinois P.L.S. #035-003405  
 Dated: July 2, 2015  
 Field work completed: July 2, 2015  
 Professional Design Firm No. 84,005204  
 This professional service conforms to the current Illinois minimum standards for a boundary survey.

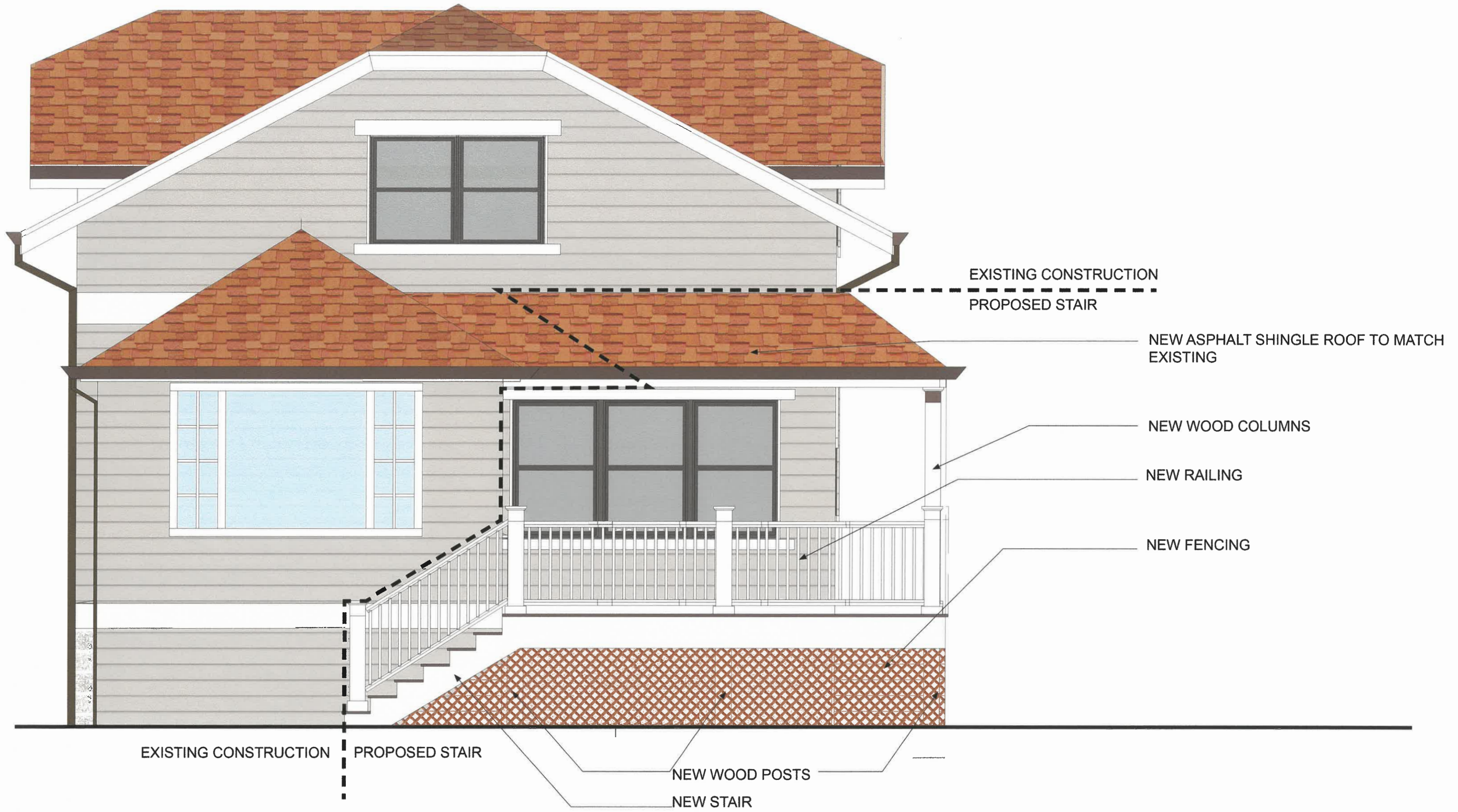
THIS SURVEY IS VALID ONLY WITH EMBOSSED SEAL



543 S. 5TH AVE.  
 DES PLAINES, IL 60016  
 Attachment 4

# SITE PLAN

SEPT 10TH 2021  
 Scale 3/16" = 1'-0"



# FRONT ELEVATION

PAINTED AND REPAIRED CEDER SIDING

NEW WINDOW TRIM

NEW ACCENT BAND

NEW ASPHALT SHINGLE ROOF TO MATCH EXISTING

NEW STAIR

NEW WOOD COLUMNS

EXISTING CONSTRUCTION

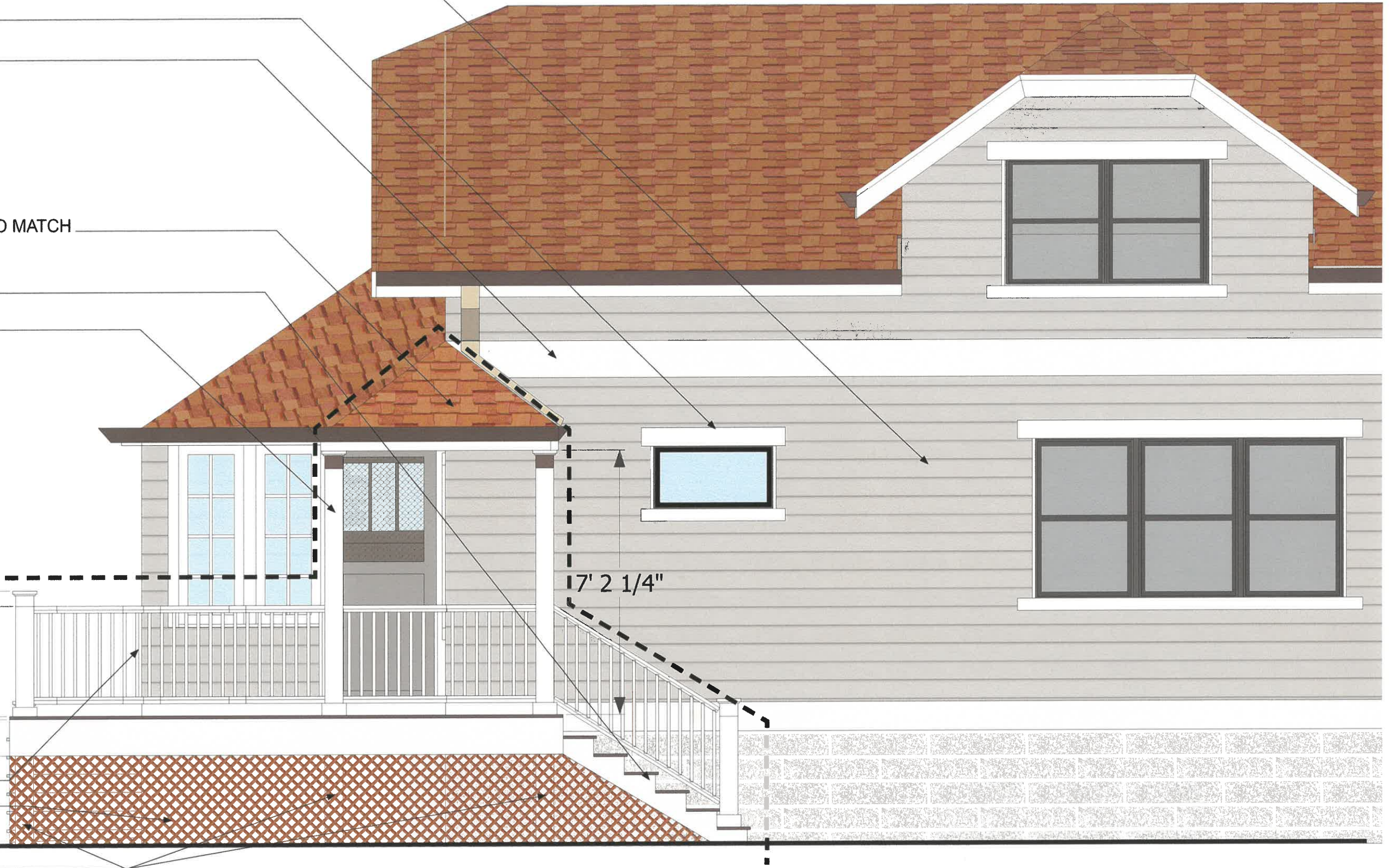
PROPOSED STAIR

3' 5" 3'

NEW RAILING

NEW FENCING

NEW WOOD POSTS







543 S. Fifth Avenue – Public Notice Sign on Site



543 S. Fifth Avenue – Looking Northwest at Front of Site



543 S. Fifth Avenue – Looking Southwest at Front of Site



543 S. Fifth Avenue – Looking West at Site -Front of House



MEMORANDUM

Date: October 14, 2021  
To: Planning and Zoning Board (PZB)  
From: Jonathan Stytz, Planner JS  
John T. Carlisle, AICP, Director of Community and Economic Development JTC  
Subject: Consideration of Conditional Use and Variations for a Livery Service Use at 580 S. Wolf Road, Case 21-044-CU-V (4<sup>th</sup> Ward)

**Issue:** The petitioner is requesting the following items: (i) a Conditional Use as required by Section 12-7-3(K) of the Zoning Ordinance to allow a livery service in the M-2 zoning district; (ii) Major Variations from Section 12-10-8(A) to provide relief from the interior parking lot landscaping requirements; (iii) a Major Variation from Section 12-10-8(B) to provide relief from the perimeter parking lot landscaping requirements; (iv) a Major Variation from Section 12-10-10 to provide relief from the foundation landscaping requirements; and (v) a Major Variation from Section 12-10-9 to provide relief from the landscape buffer requirements

**Address:** 580 S. Wolf Road  
**Petitioner:** Transport Properties, LLC, 980 N. Michigan Avenue, Suite 1280, Chicago, IL 60611  
**Owner:** Chicago Title Land Trust Company, as Trustee of the Chicago Land Trust Company Trust #53278  
**Case Number:** 21-044-CU-V  
**Real Estate Index #:** 09-18-400-006-0000  
**Ward:** #4, Alderman Artur Zadrozny  
**Existing Zoning:** M-2, General Manufacturing District  
**Existing Land Use:** Vacant; was last Meyer Material former concrete batch plant  
**Surrounding Zoning:** North: M-2, General Manufacturing District  
South: R-1, Single Family Residential District  
East: R-1, Single Family Residential District / M-2, General Manufacturing

West: R-1, Single Family Residential District

**Surrounding Land Use:** North: ComEd (Utilities) / Industrial Building  
South: Single Family Residences (Residential)  
East: Industrial Building / Single Family Residences (Residential)  
West: Railroad; Single Family Residences (Residential)

**Street Classification:** Wolf Road is classified as a minor arterial.

**Comprehensive Plan:** The Comprehensive Plan illustrates this site as industrial.

### Conditional Use

**Project Description:** The petitioner, Transport Properties, LLC, has requested a Conditional Use for a Livery Service Use and several variations for landscaping and screening at 580 S. Wolf Road. The 8.5-acre subject property is situated in between two separate railroads to its west and south, and is within the M-2 General Manufacturing district, where a Livery Service is a conditional use. The Plat of Survey (Attachment 4) shows a main building on the northeast side of the lot and multiple other structures throughout the remainder of the site, most notably a concrete production tower (“batch plant”). These are surrounded by paved, semi-paved, and gravel areas. Access to the subject property is available off Wolf Road only. At one time, there was a southern access road utilized off Thacker Street. However, this access point would be closed off and not be utilized for this use.

The petitioner wishes to remove all structures on site with the exception of the existing main building: a one-story warehouse building with the two-story attached office space located on the northeast corner of the site and fill the remainder of the lot with 16 passenger vehicle and 236 bus parking spaces as noted in the Site Plan Exhibit (Attachment 5). The petitioner wishes to utilize the existing 24,690-square-foot, one-story warehouse portion of the building for bus maintenance and storage, and use the two-story office portion (6,430-square foot first level and 2,433-square foot second level) of the building for all office activities. The proposal does not include changes to the exterior of the building, as the petitioner is interested in utilizing the existing doors, windows, building materials, and finishes as indicated in the Building Plans (Attachment 6). The petitioner’s proposal also includes site improvements such as the addition of a new paved and striped parking area, landscaping along the perimeter of the parking lot area, new interior parking lot landscape beds, new turf areas, a 5,000-gallon fuel tank, and proposed screening with an eight-foot-tall fence around the entire site as shown on the Site Plan Exhibit (Attachment 5). Staff has added a condition that the dumpster shall be stored inside the building except during trash pickup days.

The proposed floor plan includes a 5,570-square-foot first-floor office area, 2,212-square-foot second floor office area, an 8,407-square-foot service bay area, and a 15,568-square-foot bus equipment and storage area, totaling 27,123 square feet. Note that the floor area calculation excludes bathrooms, mechanical rooms, hallways, stairwells, and storage areas up to ten percent of the entire combined floor area. The Livery Service use follows the off-street parking



regulations for offices to accommodate employee, guest, and livery service related vehicle parking. Pursuant to Section 12-9-7 of the Zoning Ordinance, one parking space is required for every 250 square feet of gross floor area. A total of 109 off-street parking spaces are required, including five handicap accessible parking spaces. The Site Plan Exhibit (Attachment 5) provides 16 personal vehicle spaces, including one handicap parking space, and 236 bus parking spaces totaling 252 total spaces. However, the site plan does not designate all five required accessible parking spaces. Staff has added a condition that the petitioner's site plan submitted at the time of building permitting contain all required accessible parking with the required striping and dimensions.

The initial tenant for the livery service, First Student, anticipates having approximately 150 school buses parked on the subject property with an additional 10-15 buses typically in service for maintenance or repair. Roughly 20-25 office, dispatch, and maintenance employees will be on the subject property during a.m. and p.m. shifts. For the a.m. shift, maintenance employees arrive starting at 5 a.m., and shift bus drivers will arrive starting at 6:15 a.m. for 6:30 a.m. departures. Bus service during the morning shift will be staggered starting at 6 a.m. and ending around 9:30 am. The shift cross-over is between 11 and 12 a.m. For the p.m. shift, bus service shift will be staggered starting at 1 p.m. with buses returning by 5:30 pm. Afternoon shift workers will leave at 5:30 pm. A majority of the bus operations will occur during the regular school year from mid-August through early June. However, roughly 20-25 buses will be utilized during the summer months for the summer school season. See the Project Narrative (Attachment 1) for more details.

The petitioner submitted a traffic study by KLOA, Inc. to assess the anticipated impact of the new livery service on the subject property and surrounding infrastructure. The traffic study concludes that the anticipated traffic volumes of this use would be primarily generated outside of peak hours of adjacent roadway traffic on Wolf road and would generate less overall traffic than the previous concrete batch plant did. There were no concerns that the existing access system is sufficient to handle the proposed livery service. However, it was noted that "additional evaluation" should occur regarding the at-grade railroad crossing on Wolf Road, just south of the entrance to the subject property (in other words, there is some concern about bus queueing and backup around the tracks). It was suggested that bus routing and/or departure time could be adjusted to limit the number of buses utilizing the railroad crossing on Wolf Road—meaning that buses could be routed mostly to the north (left) when leaving the property and would return from the same direction, generally avoiding the tracks. Consider, however, that this would add to traffic that would likely come to the Golf-Wolf intersection approximately a half-mile to the north.

Whether buses are required to come to a complete stop each and every time they cross the tracks is a question the petitioner should be prepared to address. The PZB should evaluate during the public hearing and may consider an additional condition that a routing plan should be added to the submittal prior to consideration of the City Council.

Regarding sound impacts, consider the proposed user (First Student) will consist of many school vehicles that have an audible backing sound/beep. The petitioner writes in the Project Narrative that upon returning to the facility each night, vehicles would be backed in, causing the concentration of the sound to occur in mid-to-late afternoons instead of early in the morning. In addition, like all vehicles, there is sound from engine start-up. Transport Properties would discourage First Student from idling, except when required for vehicle maintenance. See Attachment 1 for more details.

**Major Variations**

**Project Description:**

The petitioner is also requesting several variations with the conditional use request regarding landscape requirements. The original request included a variation to reduce the required number of off-street parking spaces on the subject property from 31 to sixteen. However, as stated above and noted in the Livery Service definition in Section 12-13-3 of the Zoning Ordinance, the livery service use shall follow the parking regulation for offices to accommodate employee, guest, *and livery service related* vehicle parking. This allows the proposed bus parking spaces to be factored into the total off-street parking space calculation, negating the need for a variation. However, it is important to note that the Site Plan Exhibit (Attachment 5) will still need to be revised to provide the five required mobility impaired parking spaces pursuant to Section 12-9-8(A) of the Zoning Ordinance.

The petitioner has also requested several variations pertaining to landscape requirements as summarized in the table below. Due to the nature of the use, the requested variations for relief from interior parking lot landscaping requirements—specifically quantity of trees and location of landscape areas—could be warranted based on design, as the request does intend to provide a substantial amount of landscaping throughout the site where there is currently none. Conversely, perimeter parking lot landscaping, landscape buffering, and foundation landscaping are paramount to bringing the existing property closer to conformance with the Zoning Ordinance and are arguably achievable given the layout of the subject property, the existing building, and the property’s close proximity to single-family development on three of its four sides. Discussion of the variation standards are addressed by the petitioner in the Responses to Standards (Attachment 2).

<b>Request</b>	<b>Requirement</b>	<b>Proposal</b>
Interior Parking Lot Landscaping – Quantity of Trees	161	125
Interior Parking Lot Landscaping – Location of Landscaped Areas	Located every 30 parking spaces and at the end of all parking rows.	Landscape area after 34 spaces and no areas at the end of two parking rows.
Perimeter Parking Lot Landscaping – # of Trees	7	4
Foundation	Min. 3’ wide landscape bed covering 25% of	Existing Foundation Landscaping Without

Landscaping	building's foundation	Additions
Landscape Buffers (i.e., screening)	8' Solid wood, vinyl, or masonry fence along 100% of yard length	6' solid wood fence along Wolf Road and 6' chain link for rest of site.

**Conditional Use Findings:** Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance. The petitioner provided responses to standards, which the PZB should read and evaluate, deciding whether or not to adopt as findings. Holistically, staff views this potential use as one that is not free from neighbor impacts, particularly around traffic and sound. However, the impacts may be more preferable than a concrete-production user (e.g. smell, sound) or a large vacant site (e.g. fly dumping, property maintenance, eyesore/aesthetics, drag on property values). If approved, this project would return a vacant site to productive use. Stormwater management requirements would necessitate the installation of on-site detention (currently planned to be installed underground), which would improve drainage. The site is constrained from redevelopment with, for example, a modern industrial user because the overhead power lines limit building height (floor-to-ceiling), which is a crucial consideration in industrial site selection.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

- 8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:**

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

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

*Comment:* Please see the petitioner's responses to Standards for Conditional Uses.

**Variation Findings:** Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. The petitioner provided responses to standards, which the PZB should read and evaluate, deciding whether or not to adopt as findings.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

- 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 responses to standards from the Petitioner.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) and Section 12-3-6(G) (Standards for Review for Major Variations) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use and variations for a Livery Service Use at 580 S. Wolf Road. City Council has final authority on the proposal.

Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4(E) (Standards for Conditional Uses) and Section 12-3-6(H) (Standards for Variations) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions.

#### **Conditions of Approval:**

1. That a public sidewalk is installed across the subject property's frontage along Wolf Road to the applicable specifications of the Des Plaines Municipal Code and additional governmental agency regulations as necessary.
2. The dumpster shall be stored inside the building except during trash pickup days. If a future trash enclosure is pursued, a building permit with plans for the dumpster enclosure in compliance with Section 12-10-11 of the Zoning Ordinance shall be submitted to staff.
3. The Site Plan shall be revised to contain all required accessible parking spaces with the required striping and dimensions and resubmitted at the time of building permitting.
4. A Photometric Plan in compliance with Section 12-12-10 of the Zoning Ordinance shall be submitted to staff at time of building permit.
5. The use shall be monitored regularly for compliance with the Environmental Performance Standards in Chapter 12 of the Zoning Ordinance, particularly regarding sound/noise. Sufficient documentation regarding the proposed fuel tank shall be submitted with the application for a building permit to suffice for a Fire and life safety approval, pursuant to Sections 12-12-3 and 12-12-4.

#### **Attachments:**

- Attachment 1: Project Narrative
- Attachment 2: Petitioner's Responses to Standards
- Attachment 3: Aerial Location Map with Zoning
- Attachment 4: Plat of Survey

- Attachment 5: Site Plan Exhibit
- Attachment 6: Building Plans
- Attachment 7: Landscape Plan
- Attachment 8: Traffic Study<sup>1</sup>
- Attachment 9: Photos of Existing Conditions & Fuel Tank Example
- Attachment 10: Site Photos by Staff

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<sup>1</sup> Without appendices. Full report available upon request to City staff.

**580 S. Wolf Road - Project Narrative**

The Applicant, Transport Properties LLC, is the contract purchaser of the subject property. Transport Properties LLC will be leasing the entire property to First Student, Inc., a national school bus operator, for a bus dispatch, maintenance and parking facility serving the needs of schools and students in the Des Plaines area. Applicant requests a conditional use permit for “Livery Service” to enable First Student to operate at this location.

Subject Property and Existing Conditions:

The site is 8.468 acres located in the M-2 General Manufacturing District. The property has been operated for several decades as a large-scale concrete and aggregate manufacturing plant by Lafarge/Meyer Material Corporation. There are several buildings and industrial conveyors and other structures on the site associated with the concrete manufacturing operations. Aggregate materials storage areas and piles are located throughout the site. Most of the site is unpaved gravel, crushed stone and dirt.

The site is bounded by South Wolf Road to the east, Union Pacific freight train tracks and right of way to the south and west, and a paved parcel owned by Nicor Gas to the north. Warehouse and manufacturing land uses are located north and east of the site. Residential neighborhoods exist on the far sides of the Union Pacific rights of way west and southeast of the site. Park District basketball and baseball facilities are to the east across Wolf Road. High tension electric transmission lines cross over a large wide portion of the site.

A high masonry wall within the westerly railroad right of way provides sound and visual buffering and screening of the site for the residences west of the site on the far side of the railroad tracks.

The concrete plant was a heavy industrial use that operated Monday through Friday from 6:30 AM to 5:00 PM, with occasional weeknight operations extending into the evening past 7:00 PM, and occasional weekend operations from 7:00 AM to 2:00 PM. The cement plant operations sent daily heavy equipment vehicles (concrete mixers and aggregate materials trucks) onto Wolf Road at an average daily rate of nearly 900 truck movements into and out of the site throughout the entire day.

Site Improvements:

Applicant proposes to demolish all existing buildings and structures other than the main building, a two-story office and one-story storage building located along the north property line. This main building will be repurposed for office space and bus maintenance and repair. Applicant will pave all parking and drive aisles and install perimeter fencing, perimeter landscaping and parking lot landscaping. Drainage improvements include an underground stormwater storage facility. All vehicles will enter and exit the site at the existing entry on South Wolf Road. A new rolling gate will be installed at the entrance drive. Applicant will close off the southerly access road that leads to Thacker Street.

The site will be improved with capacity for parking up to 236 school bus vehicles (a combination of 84- and 72-passenger large buses, 20-passenger small buses, and mini-vans). 16 parking spaces are provided adjacent to the office building for office and maintenance employee parking.

No exterior modifications or changes are planned for the office/maintenance building. Applicant will be performing exterior and interior maintenance, including tuckpointing, window replacement, repair and replacement of overhead doors, roof repairs, and bringing the building into compliance with current applicable codes.

#### School Bus Operations:

First Student anticipates having approximately 150 school buses parked at the site to meet current levels of daily contractual service operations from the site, with an additional 10-15 buses typically in service for maintenance or repair. The Applicant's site plan proposes 236 bus parking stalls to provide sufficient capacity to allow First Student the flexibility to increase its service level from this location.

Office, dispatch and maintenance employees will be on site for AM and PM shifts. Some AM shift maintenance employees will arrive starting at 5:00 AM. The earliest shift bus drivers arrive at 6:15 AM for 6:30 departures. PM shift employees finish by 5:30 PM. First Student anticipates having approximately 20-25 office/maintenance employees on site during peak time (shift crossover from 11:00 AM to 12:00 PM).

First Student will operate bus dispatch services during the regular school year. Buses service during the morning shift will be staggered starting at 6:00 AM and ending around 9:30 AM. Bus service during the afternoon shift will be staggered starting and 1:00 PM with buses returning by 5:30 PM. First Student provides services to various school districts serving Des Plaines and the surrounding communities. Elementary, middle and high schools have different start times that are not uniform across school districts. Because of the various start times and because of the differences in routes and in this facility's proximity to the different school locations, buses are dispatched from the site at different times throughout the morning and afternoon shifts. The majority of bus operations occur during the school year, from mid-August through early June. 20 to 25 bus routes are provided during summer school season. There may be a handful of special event charters after hours during the week. Similarly, there may some weekend service throughout the calendar year, but the number of vehicles used on weekends is typically limited to a dozen.

Please refer to the Applicant's Summary Traffic Evaluation memorandum prepared by consultant KLOA, Inc. for an examination of the existing roadway conditions surrounding the site, and an evaluation of traffic characteristics for the proposed school bus facility with respect to trip generation and trip distribution. KLOA's summary report concludes that the concrete plant generated more daily traffic from heavier vehicles than what the proposed school bus operation will generate and, as such, it is anticipated that the proposed facility will have a lower impact on area roadways and adjacent intersections than the concrete plant existing land use.

Bus drivers arrive on site approximately 15 minutes before their route departure time. Typical of this type of facility, bus drivers park their personal vehicle in the bus parking space. Bus drivers perform a 10-minute pre-trip inspection of their bus. Because buses are parked in an outbound facing direction at the end of each shift, the backing signal sound is only activated for a brief period during the backing movement at the end of each shift and not early in the morning. Backing movement occurs twice daily. Bus idling is discouraged at all times and should only occur as necessary during maintenance work. For First Student, idling is one of their key performance indicators that is reviewed and managed on a weekly basis.



Relief Requested:

The Applicant requests a Conditional Use of Livery Service for a school bus office, dispatch, maintenance and parking facility. The Applicant requests several variances from the City's landscaping requirements and a variance from the off-street parking requirement, as specified in Applicant's statement of Variances Requested (see attached).

## Variations Requested

### 580 S. Wolf Road

**Applicant:** Transport Properties LLC

1. Off-Street Parking Spaces. The Applicant requests a variation from the provisions of Section 12-9-7 to permit 16 on site off-street automobile parking spaces, where 31 are required for a 7,555 gross square foot existing office building. **STAFF NOTE: Not required.**
2. Parking Lot Landscaping – Quantity of Trees. The Applicant requests a variation from the provisions of Section 12-10-8.A.2 to allow 125 interior trees, where 161 are required, of which 85 are shade trees.
3. Parking Lot Landscaping – Location of Landscaped Areas. The Applicant requests a variation from the provisions of Section 12-10-8.A.2 which requires that landscape areas shall be located at the end of every parking row and after every 30 spaces within a row. The Applicant requests relief to allow for the landscape area to bisect the westernmost row of bus parking stalls such that 34 parking spaces are located to the south and 27 to the north of the landscape island. The Applicant also requests relief to eliminate landscape areas at the north ends of the two sets of bus parking rows nearest the south end of the existing office building.
4. Perimeter Parking Lot Landscaping. The Applicant requests a variation from the provisions of Section 12-10-8.B.3 to 4 perimeter shade trees, where 7 are required, and to allow the size and dimension of the perimeter parking lot landscape area adjacent to Wolf Road, as indicated on Applicant's landscape plan.
5. Foundation Landscaping. The Applicant requests a variation from the provisions of Section 12-10-10 to provide the foundation landscaping around the existing building, as indicated on Applicant's landscape plan, to legalize the non-conformity of the existing building foundation landscaping.
6. Fence Screening. The Applicant requests a variation from the provisions of Article 12, Section 10 to allow for the installation of security fencing around the parking area, consisting of a 6' solid wood fence along the Wolf Road frontage and a 6' chain link fence along the south, west and north perimeter property lines.
7. Other. The Applicant requests approval of such other variations as may be necessary to accomplish the redevelopment and use of 580 S. Wolf Road in accordance with the Applicant's plans as a livery service facility for school bus dispatch office and maintenance within an existing building, and school bus parking and storage.

**580 S. Wolf Road - Conditional Use Statements**

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

**Response:** “Livery Service” is a Conditional Use in the M-2 General Manufacturing District.

2. *The proposed conditional use is in accordance with the objectives of the City’s comprehensive plan and the Zoning Code, Title 12 of the City Code of Des Plaines.*

**Response:** The proposed school bus facility will further certain objectives of the Des Plaines Comprehensive Plan (February 2019) set forth in Chapter 3, Economic Development pertaining to industrial land uses; Chapter 5, Transportation; and Chapter 7: Stormwater Management.

The proposed use is consistent with the City’s industrial use objective for the property, as the site is indicated as “Industrial” on the Future Land Uses map. The project presents an opportunity to improve the overall appearance and character of this industrial area, a key objective of the Comprehensive Plan. Large structures and heavy equipment operations will be eliminated. The elimination of heavy trucks from area roadways will lessen wear on the public roads. The site will be beautified and screened with perimeter and parking area landscaping and fencing. The 8.4 acre site, which has been unpaved gravel during its many decades operated as a concrete plant, will be fully improved with pavement and will provide stormwater controls meeting MWRD requirements for capture and discharge. The stormwater drainage facility incorporates an underground storage vault which will aid in controlling flow into the regional drainage system. This site design provides an opportunity to provide runoff control, volume control, and onsite storage in accordance with current regulations, alleviating the current condition of discharge.

The proposed school bus facility furthers objectives of the Zoning Code by limiting the intensity of use from heavy industrial use of a concrete plant, or any other heavy manufacturing use which could be operated at this large site (or any multiple heavy manufacturing uses which could be operated from the site if the 8.4 acres were further subdivided into multiple properties.) The proposed school bus use is more compatible with the surrounding areas than heavy manufacturing uses.

3. *The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.*

**Response:** The proposed school bus facility is designed to fit within the existing and intended character of the general vicinity, which includes a mix of existing

manufacturing/warehouse uses and (on the opposite far side of rail road right of way) residential neighborhoods. The site will be screened by fencing and significant quantities of trees and shrubs, even along the western perimeter which is already separated visually from the residential neighborhood by a high masonry wall.

The proposed school bus facility operations will be conducted during morning and daytime hours. Occasionally, First Student will operate a few chartered buses in the evenings during the week. No overnight activities will occur on the site.

The proposed school bus facility is a less intensive land use than either the existing land use (concrete plant) or other land uses permitted in the M-2 General Manufacturing District -- such as businesses classifiable as "manufacturing-heavy", "manufacturing-light", and "distribution facilities" -- whose daily operations could have significant external effects on surrounding properties, in terms of hours of operation, on-site outdoor activities, vehicle traffic, noise, odor, and light, all of which could be significantly more intensive in terms of duration and degree than the operation of a school bus facility.

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

**Response:** A school bus facility and the operation of school buses on public roads is not a hazardous use. Drivers are licensed operators who must operate the vehicles in accordance with state-mandated driving rules, including railroad crossing regulations.

In terms of impacts on the existing roadways and traffic on area streets, the school bus facility will generate fewer daily heavy vehicle trips than the existing concrete plant and, as such, will have a lower impact on area roadways and adjacent intersections. The Wolf Road right of way and the site entry are sufficiently sized to accommodate bus movements into and out of the site.

In terms of noise impacts, as compared to the concrete plant (or other heavy manufacturing use that could be operated on this site as a permitted use not subject to conditional use approval) which operate throughout the day and which involve continual heavy truck movements on-site and off-site, the school buses operate only during two periods for the morning and afternoon shifts. Bus warning signals are emitted only during backing movements, which occur only when the bus is backed into a parking stall at the end of each shift. The intermittent beeping sounds required by school buses during twice-daily parking movement are buffered by trees, fences and walls surrounding the site, and are attenuated by the distance from residential neighbors across railroad track right of way. The shortest distance between a parked bus and a residential home is more than 150 feet. Additionally, it should be noted that

the City Code Section 6-2-7.B.1.c and B.1.d exempt certain types vehicular activities from having to comply with sound and noise regulations. Among the exempt activities are “sound or noise emitted or caused by ... all vehicles and equipment operated by the city, any other unit of government, and any utility, or any of their contractors or subcontractors, in the course of performing services or work, including, without limitation, public safety and emergency response services, for the general welfare of the public.” (Emphasis added.) First Student’s activities are exempt from the City’s noise regulations because it is a contractor of local school districts and would be performing services for the general welfare of the public.

5. *The proposed conditional use is to be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or the persons or agencies responsible for the establishment of the proposed conditional use shall provide adequately any such services.*

**Response:** The site is an existing improved site with access to Wolf Road. The Applicant may have to obtain IDOT permits in connection with its planned improvements. The site is served by public water and sewer. Planned drainage facilities will require appropriate MWRD permits which will be pursued by Applicant’s consulting engineers, SpaceCo, Inc.

6. *The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community;*

**Response:** The school bus facility will not create excessive additional requirements or burdens at public expense for public facilities and services. First Student will have a positive economic impact on the Des Plaines community, providing employment opportunities and property taxes for the community.

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

**Response:** The dispatch and maintenance of school buses from the site will not produce an excessive amount of traffic, noise, smoke, fumes, glare or odors. As evidenced by KLOA, Inc.’s Summary Traffic Evaluation, the proposed facility will have a lower impact on area roadways and adjacent intersections than the existing concrete plant. Moreover, the facility’s peak periods of traffic generation will not conflict with

existing area traffic. With respect to noise generation, as noted in Applicant's response to Statement 4, above, the sound levels emanating from the site as compared to the concrete plants (and many other heavy manufacturing permitted uses) are anticipated to be lower, of less duration, and intermittent. Moreover, the landscaping, fence and walls will provide a sound buffer from the homes, all of which are more than 150 feet at their nearest point from the nearest bus parking stall. In terms of fumes or odors, First Student operates a school bus fleet that must meet or exceed State of Illinois emissions standards. All maintenance and repair activities will occur within the maintenance area portion of the building located at the north end of the property.

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

**Response:** The proposed access drive is wide enough to provide one inbound lane and two outbound lanes. According to KLOA's Summary Traffic Evaluation, the access drive will be adequate to accommodate the projected inbound and outbound movements.

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

**Response:** There are no natural, scenic or historic features of importance on or adjacent to the property.

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

**Response:** The livery service use for a school bus maintenance, dispatch and parking facility is not subject to any additional regulations specific to a livery service use.

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.*

**Responses:**

- a. Off Street Parking Spaces: The Applicant seeks a variation for 16 on-site parking spaces where 31 are required for a 7,555 square foot existing office building. The off street parking spaces meet Standard 1 because Applicant has limited areas in which to provide employee parking adjacent to the building, due to the location and orientation of the existing building on the lot, and due to the location of service bay doors on the south and west elevations.
- b. Parking Lot Landscaping – Quantity of Trees: The Applicant seeks a variation from Section 12-10-8.A.2 to allow 85 interior shade trees, where 161 are required. The applicant has proposed a total of 125 trees, providing a combination of 85 shade, 24 ornamental and 16 evergreen. A combination of tree types provides greater visual interest year round. A substantial portion of the site is under ComEd high tension wires. ComEd regulations restrict the height and type of trees that can be planted underneath their structures and within their easement area. The proposed interior parking lot trees meet Standard 1 because of the ComEd constraint.
- c. Parking Lot Landscaping – Location of Landscaped Areas: The Applicant requests a variation from the provisions of Section 12-10-8.A.2 which requires that landscape areas shall be located at the end of every parking row and after every 30 spaces within a row. The lack of trees at the endcaps of two bus parking rows nearest the building and the spacing of landscape islands in between a row of 34 spaces to the south and 27 spaces to the north meets Standard 1 because of the ComEd constraint.
- d. Perimeter Parking Lot Landscaping: The Applicant requests a variation from the provisions of Section 12-10-8.B.3 to 4 perimeter shade trees, where 7 are required, and to allow the size and dimension of the perimeter parking lot landscape area adjacent to Wolf Road, as indicated on Applicant’s landscape plan. The proposed perimeter parking lot landscaping meets Standard 1 because the majority of the area in which parking lot landscaping could be located is within the restricted ComEd area, thereby limiting the area available for perimeter parking lot landscaping in the yard adjacent to the public street.
- e. Foundation Landscaping: The proposed foundation landscaping meets Standard 1 because there are limited areas in which to provide foundation landscaping, due to the existing building size and location on the property in relation to the entry drive, and the proposed parking areas. No foundation landscaping can be planted on the north side of the building because the building has no north setback from the property line.
  - i. Additionally, the Applicant argues that a variation from Section 12-10-10 is not required because section 12-10-10.A “Applicability” states that foundation landscaping is only applicable to “new construction” and the Applicant’s proposal is not new construction, it is a reuse of an existing building.

- f. Fence Screening: The use of chain link fence along the west and southeast perimeters meets Standard 1 because those perimeters do not abut residential districts or uses, and because the west side is already screened by a masonry wall that exceeds 8' in eight, and the southeast perimeter is heavily screened by existing foliage on the property and within the railroad right of way.
    - i. Additionally, the Applicant argues that a variation from Sec. 12-7-4.E.d is not required because no portion of the subject property “abuts” a residential district or use. The property is bounded on all sides either by rail road right of way (west and south/southeast), public road right of way (Wolf Road), and property zoned M-2 manufacturing district. To “abut” is to be physically contiguous. If two properties are separated by right of way, they do not “abut” one another. The City zoning map establishes that streets and railroad right of way are not classified in any zoning district; consequently, the railroad right of way separates the subject property in the M-2 district from the R-1 residential neighborhoods to the west and southeast.
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.*

**Responses:**

- a. Off Street Parking Spaces: The off street parking spaces meet Standard 2 because the Applicant is repurposing an existing office and maintenance building. The existing building has several service bays on the south and west elevations which limit the areas adjacent to the building in which to locate employee parking. Parking areas can only be located on the east side of the building. Parking areas should be adjacent to the building and separated from bus maintenance areas and associated drive aisles, whenever possible.
- b. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 2 because of the unique condition of ComEd’s restrictions on the height of trees and structures under its high tension wires.
- c. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping meets Standard 2 because of the unique condition of the ComEd restrictions.
- d. Perimeter Parking Lot Landscaping: The proposed perimeter parking lot landscaping meets Standard 2 because the majority of the area in which parking lot landscaping could be located is within the restricted ComEd area, thereby limiting the area available for perimeter parking lot landscaping in the yard adjacent to the public street.
- e. Foundation Landscaping: The proposed foundation landscaping meets Standard 2 because there are limited areas in which to provide foundation landscaping, due to the



existing building size and location on the property in relation to the entry drive, and the proposed parking areas.

- f. Fence Screening: The use of chain link fence meets Standard 2 because the west and southeast sides are already effectively screened by a masonry wall and vegetation and the proposed fence is intended to secure the entire perimeter.

- 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.*

**Responses:**

- a. Off Street Parking Spaces: The off street parking spaces meet Standard 3 because the building is an existing condition.
- b. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 3 because the ComEd high tension wires are an existing condition.
- c. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping meets Standard 3 because the existing ComEd limitations prevent the planting of trees within the endcap islands located nearest to the building.
- d. Perimeter Parking Lot Landscaping: The proposed perimeter parking lot landscaping meets Standard 3 because the majority of the area in which parking lot landscaping could be located is within the restricted ComEd area, thereby limiting the area available for perimeter parking lot landscaping in the yard adjacent to the public street.
- e. Foundation Landscaping: The proposed foundation landscaping meets Standard 3 because there are limited areas in which to provide foundation landscaping, due to the existing building size and location on the property in relation to the entry drive, and the proposed parking areas.
- f. Fence Screening: The use of chain link fence meets Standard 3 because the masonry wall on the west side and vegetation on the southeast side are existing conditions.

- 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.*

**Responses:**

- a. Off Street Parking Spaces: The off street parking spaces meet Standard 4 because the Applicant and tenant can provide enough parking on site for the actual number of office and maintenance staff (20-25), through the use of 16 off street parking spaces and up to 4 “flex spaces”. The Applicant proposes 16 dedicated parking spaces for personal vehicles, where 31 are required by code based on the size of area devoted to office use. The actual number of employees on site at any one time (not including bus drivers) will be 20 to 25, including office workers and maintenance workers. On any given day, some, but not all, of the 8 bus parking stalls located at the northwest corner of the site

nearest to the building would ordinarily be used for staging of buses that are in queue for maintenance. Although this area will be striped for 8 bus stalls, First Student, the tenant, has designated that area for “flex” parking such that maintenance employees who work the same shift will stack their vehicles in the same bus parking stall. In this manner, all First Student employees will have parking spaces available each day.

- b. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 4 because the Applicant is providing landscape area in excess of the minimum requirement, yet the number of trees which can be located within the landscape area is limited by the requirements of spacing trees so that they do not overcrowd as they mature. The Applicant is providing substantial quantities of trees throughout the site, including along the rear west property line that is adjacent to rail road right of way in an area that is screened by a tall masonry wall.
  - c. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping meets Standard 4 because the variations sought are minor departures from the strict requirements regarding island spacing and location.
  - d. Perimeter Parking Lot Landscaping: The proposed perimeter parking lot landscaping meets Standard 4 because the majority of the area in which parking lot landscaping could be located is within the restricted ComEd area, thereby limiting the area available for perimeter parking lot landscaping in the yard adjacent to the public street. To require additional trees within the perimeter parking lot landscape area would necessitate removal of employee parking spaces.
  - e. Foundation Landscaping: The proposed foundation landscaping meets Standard 4 because increasing the foundation landscape areas would reduce the number of parking spaces adjacent to the site.
  - f. Fence Screening: The use of chain link fence meets Standard 4 because the use of solid material would only be applicable if the property were abutting a residential zoning district or use.
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.*

**Responses:**

- a. Off Street Parking Spaces: The off street parking spaces meet Standard 5 because neither the Applicant nor its tenant are seeking to enjoy a special privilege or right. Rather, the Applicant is seeking to repurpose an existing building and enable an efficient utilization of the building and site for the intended use of school bus dispatch and maintenance facility.
- b. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 5 because neither the Applicant nor its tenant are seeking to enjoy a special privilege or right. Rather, the Applicant is seeking to provide trees in a quantity that meets the spirit and intent of the tree requirements within constraints that are imposed by the ComEd utility lines and existing conditions.

- c. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping meets Standard 5 because neither the Applicant nor its tenant are seeking to enjoy a special privilege or right. Rather, the Applicant is balancing the practical needs of providing a cohesive interior parking lot layout that will facilitate the safe and efficient movement of vehicles throughout the site with the letter of the landscape code.
  - d. Perimeter Parking Lot Landscaping: The proposed perimeter parking lot landscaping meets Standard 5 because neither the Applicant nor its tenant are seeking to enjoy a special privilege or right. The Applicant has proposed perimeter parking lot landscaping to the extent available under the existing site constraints, as noted in response to Standard 1.
  - e. Foundation Landscaping: The foundation landscaping meets Standard 5 because the Applicant is seeking to repurpose an existing building and enable an efficient utilization of the building and site for the intended use of school bus dispatch and maintenance facility.
  - f. Fence Screening: The use of chain link fence meets Standard 5 because the Applicant is asking to be held to the same standard as other property owners whose properties do not abut residentially zoned districts or residential uses.
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.*

**Responses:**

- a. Off Street Parking Spaces: The off street parking spaces meet Standard 6 because the reduction in parking spaces would not have any adverse effect on the use or development of the property. The Applicant and tenant can provide parking on site for all office and maintenance employees, through the use of the 16 designated parking spaces and several “flex space” parking areas, as detailed in the response to Standard 4, above.
- b. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 6 because the total number of trees would meet the quantity of trees required, if the area of the site that falls within the ComEd easement is deducted from the calculation. The ComEd area is approx. 79,925 sf equating to 3,996 sf of green space and 40 trees. If the ComEd area were excluded, only 121 trees would be required, where Applicant is proposing 125 trees.
- c. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping variances meet Standard 6 because the overall location of landscape areas meets the code requirements and the variances do not materially affect the overall appearance or quantity of parking lot landscaping.
- d. Perimeter Parking Lot Landscaping: The proposed perimeter parking lot landscaping meets Standard 6 because the amount of landscaping meets the intent and spirit of the landscaping code requirements.

- e. Foundation Landscaping: The foundation landscaping meets Standard 6 because the Applicant is providing as much foundation landscaping as feasible given the existing building and site constraints and the need to provide off street parking spaces. Applicant reiterates its objection previously stated in response to Standard 1, that Section 12-10-10 is not applicable to Applicant's proposed use and redevelopment of the subject property.
- f. Fence Screening: The use of chain link fence meets Standard 6 because the fence material on the west and southeast sides is consistent with the intent and purposes of the City's fence regulations.

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.*

**Responses:**

- a. Off Street Parking Spaces: The parking spaces meet Standard 7 because the physical attributes of the existing building size and location in relation to property lines and access drive have limited the areas in which parking spaces may be located.
- b. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 7 because the Applicant has provided a significant number of trees throughout the parking lot, and the proposed quantity of trees meets the required number of trees under a "net" area calculation that deducts the ComEd area, as explained in the response to Standard 6, above.
- c. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping variance for the one landscape island and two endcaps meets Standard 8 because these are minor variations within the context of an 8 acre site that is principally used as a parking lot. The one landscape island variance allows for uniform design in the row. The endcap planting variances are necessary to allow for drive aisle clearance in the vicinity of the building.
- d. Perimeter Parking Lot Landscaping: The proposed perimeter parking lot landscaping meets Standard 7 because there is limited space in which to provide additional landscaping.
- e. Foundation Landscaping: The foundation landscaping meets Standard 7 because the Applicant cannot relocate the building or provide parking in an alternate location. The location and size of foundation landscaping is limited to the areas proposed by Applicant.
- f. Fence Screening: The use of chain link fence meets Standard 7 because a solid fence is not required due to the property not abutting residential uses, as explained in the response to Standard 1.

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.*

**Responses:**

- a. Off Street Parking Spaces: The parking spaces meet Standard 8 because all employees will have parking available on site, either in the 16 designated spaces or in

nearby “flex spaces”. The Applicant proposes 16 dedicated parking spaces for personal vehicles, where 31 are required by code based on the size of area devoted to office use. The actual number of employees on site at any one time (not including bus drivers) will be 20 to 25, including office workers and maintenance workers. On any given day, some, but not all, of the 8 bus parking stalls located at the northwest corner of the site nearest to the building would ordinarily be used for staging of buses that are in queue for maintenance. Although this area will be striped for 8 bus stalls, First Student, the tenant, has designated that area for “flex” parking such that maintenance employees who work the same shift will stack their vehicles in the same bus parking stall. In this manner, all First Student employees will have parking spaces available each day.

- g. Parking Lot Landscaping – Quantity of Trees: The quantity of trees meets Standard 8 because the Applicant has proposed a significant number of trees throughout the parking lot, and the proposed quantity of trees meets the required number of trees under a “net” area calculation that deducts the ComEd area.
- b. Parking Lot Landscaping – Location of Landscaped Areas: The parking lot landscaping variance for the one landscape island and two endcaps meets Standard 8 because these are minor variations within the context of an 8 acre site that is principally used as a parking lot.
- c. Perimeter Parking Lot Landscaping: The proposed perimeter landscaping meets Standard 8 because it requests the minimum relief needed and provides the maximum amount of landscaping that can be planted in the available area.
- d. Foundation Landscaping: The foundation landscaping meets Standard 8 because the Applicant is providing as much foundation landscaping as is feasible, given the existing constraints.
- h. Fence Screening: The use of chain link fence meets Standard 8 because Applicant is utilizing an acceptable fence material to provide perimeter security. Moreover, a solid fence is not required due to the property not abutting residential uses, as explained in the response to Standard 1.

**580 S. Wolf Road - Variations Requested**

1. Off-Street Parking Spaces. The Applicant requests a variation from the provisions of Section 12-9-7 to permit 16 on site off-street automobile parking spaces, where 31 are required for a 7,555 gross square foot existing office building.
2. Parking Lot Landscaping – Quantity of Trees. The Applicant requests a variation from the provisions of Section 12-10-8.A.2 to allow 125 interior trees, where 161 are required, of which 85 are shade trees.
3. Parking Lot Landscaping – Location of Landscaped Areas. The Applicant requests a variation from the provisions of Section 12-10-8.A.2 which requires that landscape areas shall be located at the end of every parking row and after every 30 spaces within a row. The Applicant requests relief to allow for the landscape area to bisect the westernmost row of bus parking stalls such that 34 parking spaces are located to the south and 27 to the north of the landscape island. The Applicant also requests relief to eliminate landscape areas at the north ends of the two sets of bus parking rows nearest the south end of the existing office building.
4. Perimeter Parking Lot Landscaping. The Applicant requests a variation from the provisions of Section 12-10-8.B.3 to 4 perimeter shade trees, where 7 are required, and to allow the size and dimension of the perimeter parking lot landscape area adjacent to Wolf Road, as indicated on Applicant’s landscape plan.
5. Foundation Landscaping. The Applicant requests a variation from the provisions of Section 12-10-10 to provide the foundation landscaping around the existing building, as indicated on Applicant’s landscape plan, to legalize the non-conformity of the existing building foundation landscaping.
6. Fence Screening. The Applicant requests a variation from the provisions of Article 12, Section 10 to allow for the installation of security fencing around the parking area, consisting of a 6’ solid wood fence along the Wolf Road frontage and a 6’ chain link fence along the south, west and north perimeter property lines.
7. Other. The Applicant requests approval of such other variations as may be necessary to accomplish the redevelopment and use of 580 S. Wolf Road in accordance with the Applicant’s plans as a livery service facility for school bus dispatch office and maintenance within an existing building, and school bus parking and storage.

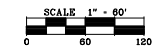
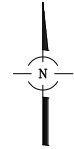
Aerial Location Map with Zoning: 580 S Wolf







# A.L.T.A./N.S.P.S. LAND TITLE SURVEY



BASIS OF BEARINGS:  
TRUE NORTH BASED ON GEODETIC  
OBSERVATION IL EAST ZONE

PROPERTY DESCRIPTION:  
SEE SHEET 1 OF 2 FOR NOTES AND LEGEND.

SPACECO UAV  
AERIAL IMAGE  
DATE OF FLIGHT 5/13/2021



PREPARED FOR:  
LAFARGEHOLCIM  
1300 SOUTH ILLINOIS ROUTE 31  
SOUTH ELGIN, IL 60177

REVISIONS
08/14/2018
09/11/2018
06/17/2019 UPDATE
05/06/2021 UPDATE



CONSULTING ENGINEERS  
SITE DEVELOPMENT ENGINEERS  
LAND SURVEYORS

DATE: 07/24/2016
JOB NO: 1428
FILENAME: 1428_02ALTA-01
SHEET 2 OF 2

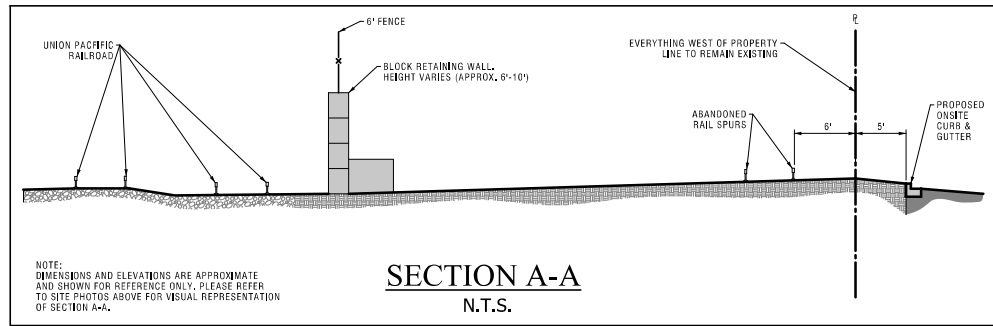
9575 W. Higgins Road, Suite 700  
Rosemont, IL 60018  
Phone: (847) 694-4000 Fax: (847) 694-4044



PROPERTY LINE, FACING NORTH



WEST SIDE OF BLOCK WALLS, FACING NORTH



**PARKING SUMMARY**

BUS STALLS	.....236
CAR STALLS	.....16

**SITE DATA**

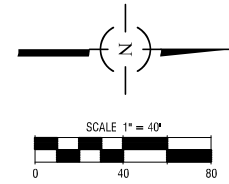
BUILDING AREA .....± 32,800 SF

PERIMETER LANDSCAPED AREA (WITH B6.12 REVERSE PITCH CURB & GUTTER) (WITHIN 5' SETBACK) .....12,165 SF

TOTAL PARKING LOT AREA .....322,355 SF

INTERIOR LANDSCAPING REQUIRED: (5% X 322,355) .....16,120 SF

INTERIOR LANDSCAPING PROVIDED .....21,097 SF



NO.	DATE	REMARKS

NO.	DATE	REVISED PER CITY COMMENTS	REMARKS
1	10/12/21		

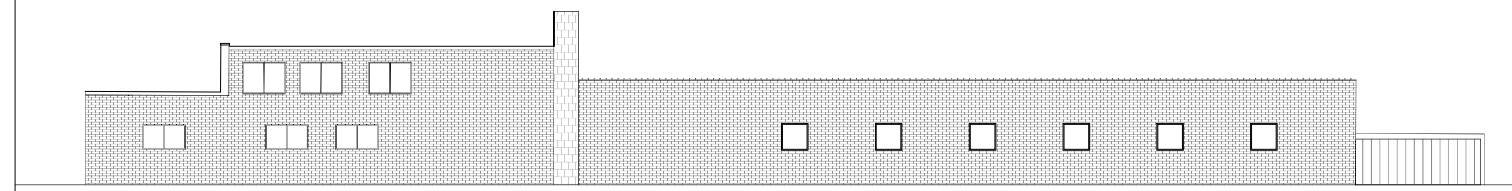
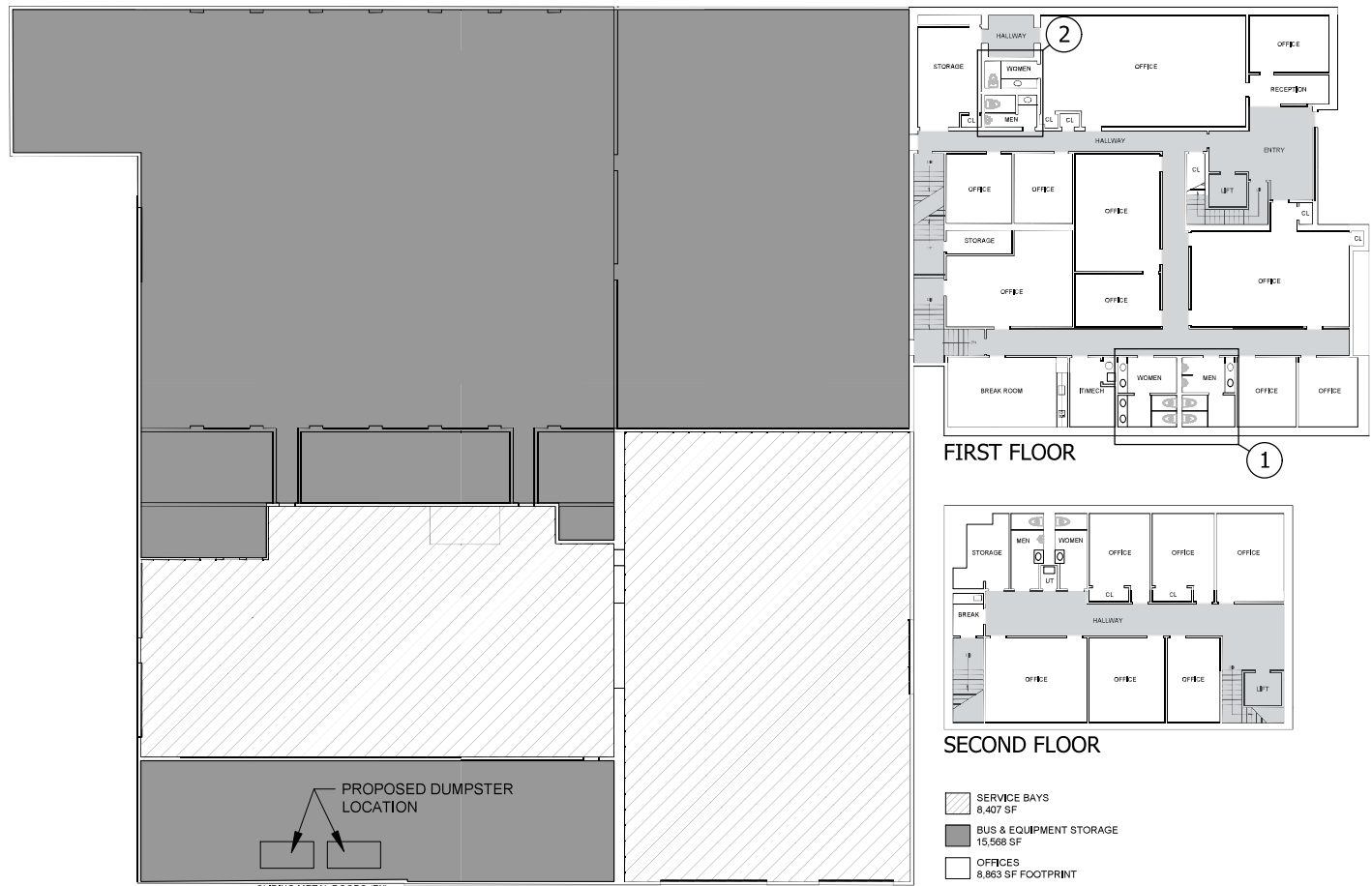
**SITE PLAN EXHIBIT**  
**580 S. WOLF ROAD**  
DES PLAINES, IL

**CONSULTING ENGINEERS**  
**SITE DEVELOPMENT ENGINEERS**  
**LAND SURVEYORS**

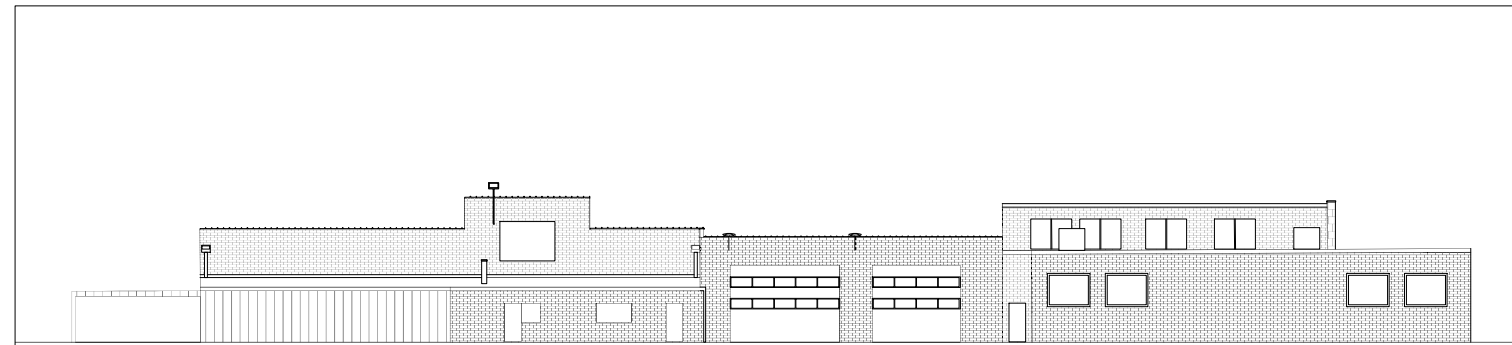
9675 W. Higgins Road, Suite 700,  
Rosemont, Illinois 60018  
Phone: (847) 696-0660 Fax: (847) 696-0665



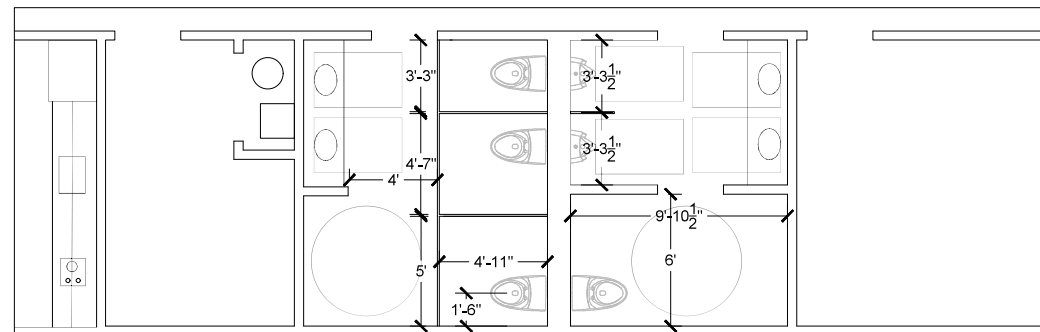
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DATE: 08/30/21
JOB NO. 1428.03
SHEET <b>SITE</b> 1 OF 1



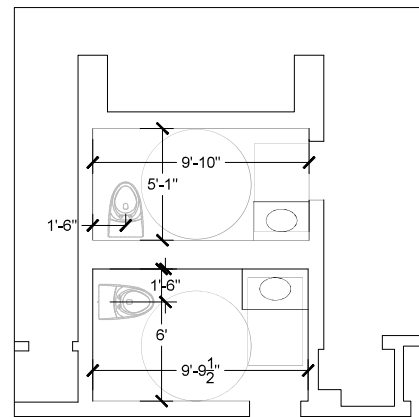
NORTH ELEVATION - NO CHANGE



SOUTH ELEVATION - NO CHANGE



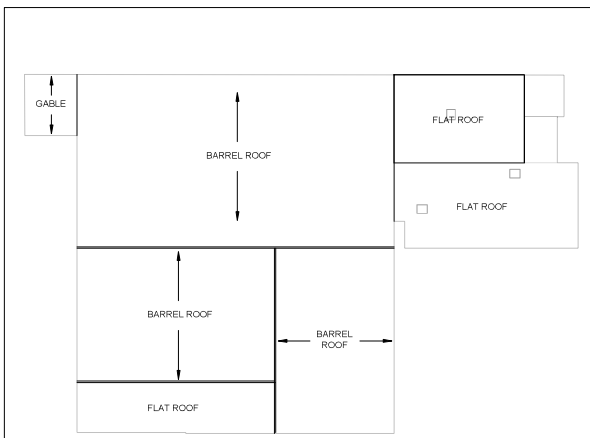
1 PROPOSED FLOOR PLAN - FIRST FLOOR SHARED TOILET ROOMS  
1/2" = 1'-0"



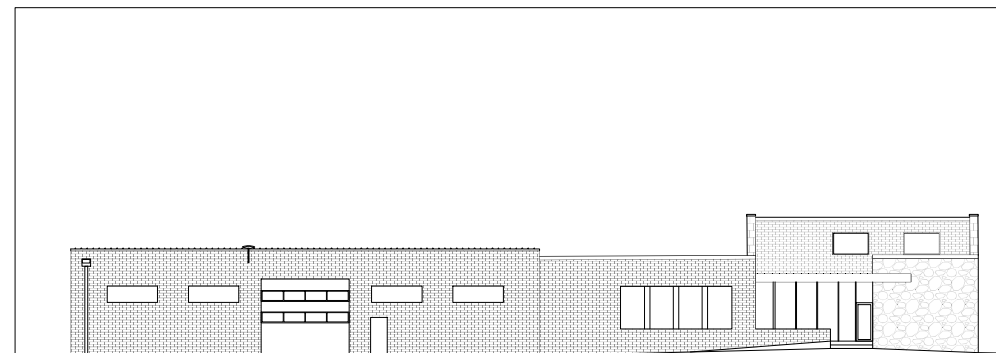
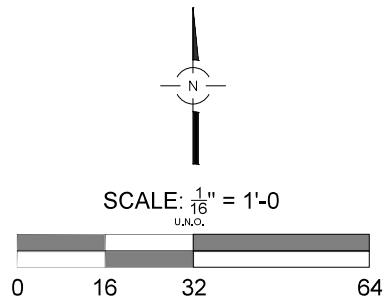
2 PROPOSED FLOOR PLAN  
FIRST FLOOR SINGLE-  
OCCUPANCY TOILET ROOMS  
1/2" = 1'-0"

REGULARLY OCCUPIED AREAS:

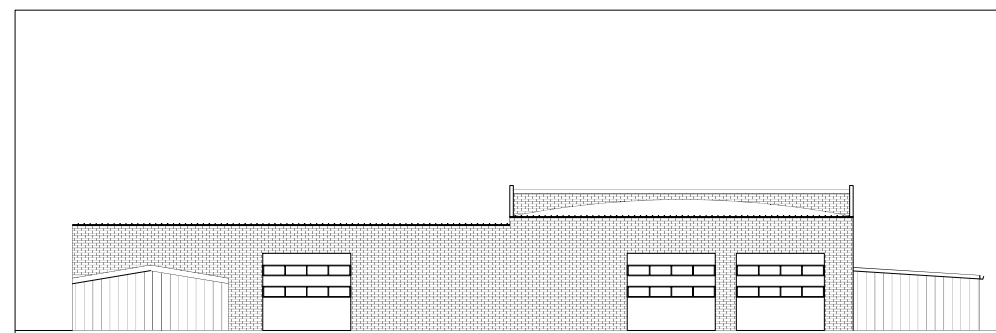
FIRST FLOOR	
Offices	3056
Circulation	1423
Storage	
Restrooms	
Break Room	
Mechanical	111
<b>TOTAL SF</b>	<b>5570</b>
SECOND FLOOR	
Offices	1230
Circulation	649
Storage	112
Restrooms	163
Break Room	45
Mechanical	13
<b>TOTAL SF</b>	<b>2212</b>



ROOF PLAN  
NTS



EAST ELEVATION - NO CHANGE



WEST ELEVATION - NO CHANGE

PLANNED IMPROVEMENTS:

- EXTERIOR SCOPE OF WORK
- GENERAL TUCKPOINTING AND LINTEL REPLACEMENT
  - REPLACE WINDOWS AS NEEDED
  - REPAIR OR REPLACE OH DOORS AS NEEDED
  - ROUTE AND SEAL
  - RE-COAT ROOF
  - RE-ROOF FLAT ROOF AREA

- MAINTENANCE SCOPE OF WORK
- STRUCTURAL REPAIRS TO BOW TRUSSES
  - INDUSTRIAL CLEANING AND PAINTING
  - HVAC, ELECTRICAL, AND PLUMBING IMPROVEMENTS TO BRING THE BUILDING INTO CURRENT CODE COMPLIANCE

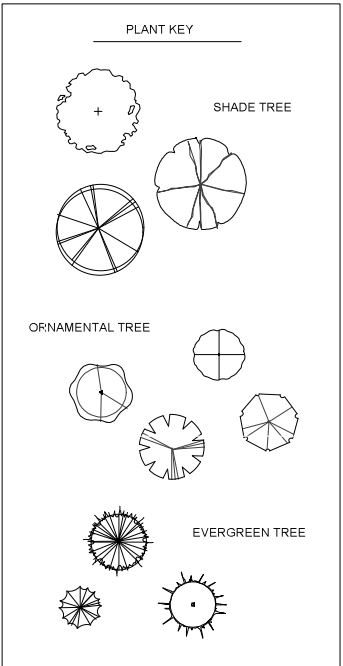
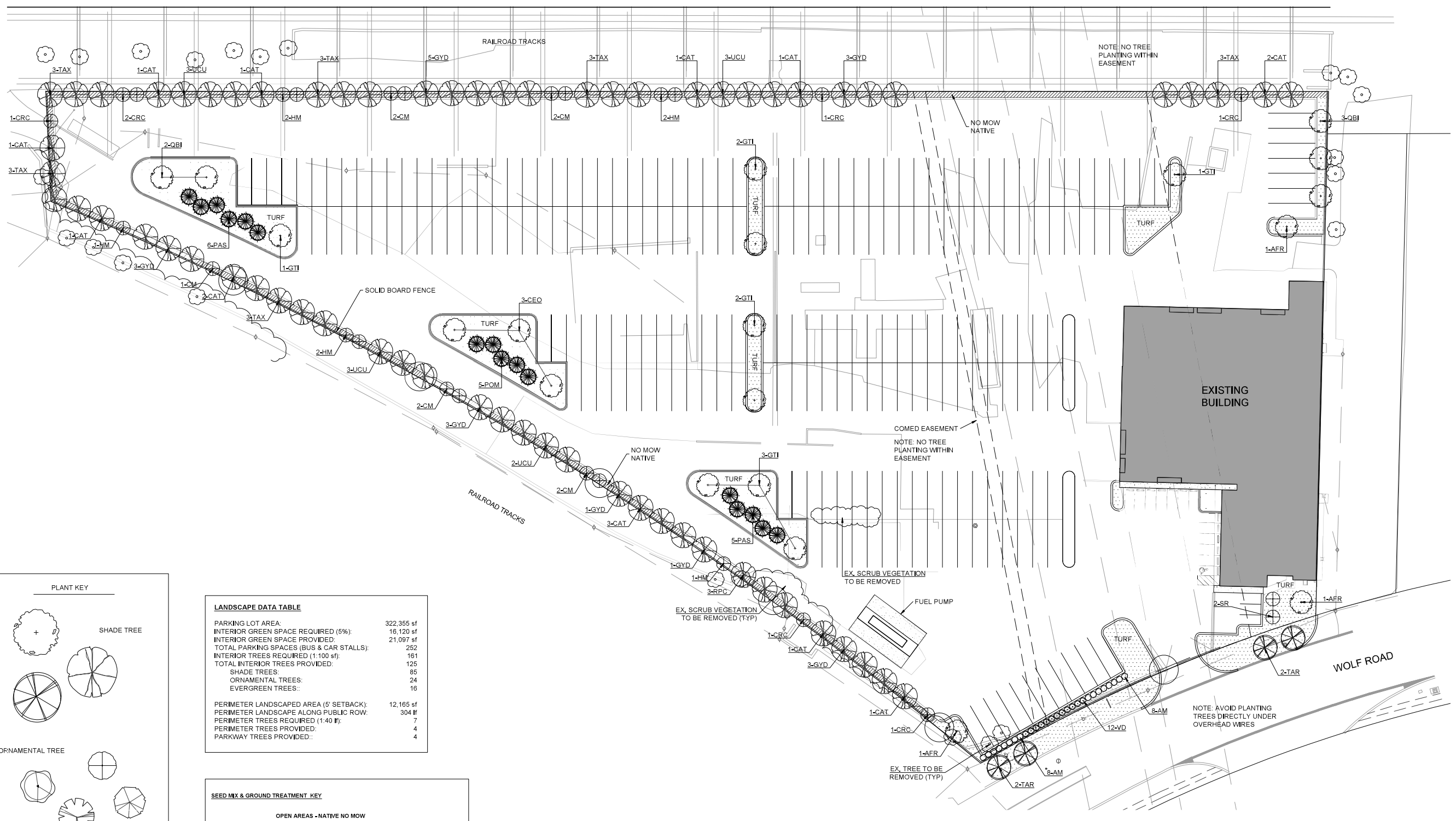
- INTERIOR SCOPE OF WORK
- OFFICES TO REMAIN IN THEIR EXISTING CONFIGURATION
  - NEW OFFICE PAINT, CEILINGS, AND FLOORS
  - BATHROOM RENOVATIONS TO MEET CURRENT ADA STANDARDS
  - REPAIR ELEVATOR
  - HVAC, ELECTRICAL, AND PLUMBING IMPROVEMENTS TO BRING THE OFFICES INTO CURRENT CODE COMPLIANCE

PARKING CALCULATIONS:

Total Square Footage of Office Space	4289 SF
Parking Stalls Req'd @ 1 per 250 SF	18 REQ'D

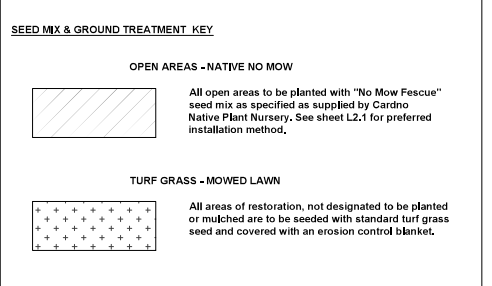
TP DES PLAINES II LLC  
580 S WOLF ROAD  
DES PLAINES, IL  
**BUILDING PLANS**

REVISION 1 - 10/11/2021



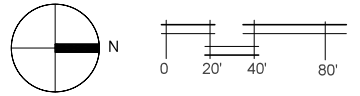
**LANDSCAPE DATA TABLE**

PARKING LOT AREA:	322,355 sf
INTERIOR GREEN SPACE REQUIRED (5%):	16,120 sf
INTERIOR GREEN SPACE PROVIDED:	21,097 sf
TOTAL PARKING SPACES (BUS & CAR STALLS):	252
INTERIOR TREES REQUIRED (1-100 sf):	151
TOTAL INTERIOR TREES PROVIDED:	125
SHADE TREES:	85
ORNAMENTAL TREES:	24
EVERGREEN TREES:	16
PERIMETER LANDSCAPED AREA (5' SETBACK):	12,165 sf
PERIMETER LANDSCAPE ALONG PUBLIC ROW:	304 lf
PERIMETER TREES REQUIRED (1-40 lf):	7
PERIMETER TREES PROVIDED:	4
PARKWAY TREES PROVIDED:	4



**OVERALL LANDSCAPE PLAN**

SCALE: 1" = 40'-0"



no.	revision description	initial	date
1	ISSUED FOR REVIEW	KMT	09-10-21
2	PER CITY COMMENTS	KMT	10-08-21

**PROPOSED DEVELOPMENT**  
580 S WOLF ROAD  
DESPLAINES, ILLINOIS

**PRELIMINARY LANDSCAPE PLAN**

date	09-07-21	checked	KMT
drawn	DW		

job no. **21390**

sheet no. **L 1.1**

Master Plant List					
Symbol	Quantity	Botanical Name	Common Name	Size	Notes
<b>Shade Trees</b>					
AFR	3	ACER X FREEMANII 'AUTUMN BLAZE'	AUTUMN BLAZE FREEMAN MAPLE	3" BB	
CAT	15	CATALPA SPECIOSA	NORTHERN CATALPA	2.5" BB	
CEO	3	CELTIS OCCIDENTALIS	HACKBERRY	3" BB	
GTH	9	GLEDITSIA TRIACANTHOS F. INERMIS	THORNLESS HONEYLOCUST	3" BB	
GYD	19	GYMNOCLADUS DIOICUS	KENTUCKY COFFEE TREE	2.5" BB	
QBI	5	QUERCUS BICOLOR	SWAMP WHITE OAK	3" BB	
RPC	3	ROBINA PSEUDOCACIA 'CHICAGO BLUE'	CHICAGO BLUE STARLING (YULE)	2.5" BB	
TAX	19	TAXODIUM DISTICHUM	BALD CYPRESS	2.5" BB	
TAR	4	TILIA AMERICANA 'REDMOND'	REDMOND AMERICAN LINDEN	3" BB	
UCU	11	ULMUS COCCINEUS 'ACCOLADE'	ACCOLADE ELM	2.5" BB	
<b>Evergreen Trees</b>					
PAS	11	PICEA AIBES	NORWAY SPRUCE	8" BB	
POM	5	PICEA OMORIKA	SERBIAN SPRUCE	8" BB	
<b>Ornamental Trees</b>					
CM	9	CORNUS MAS	CORNELIANCHERRY DOGWOOD	6" BB	
CRC	7	CRATAEGUS CRUSGALLI VAR. INERMIS	THORNLESS HAWTHORN	6" BB	
HM	8	HEPTACODIUM MICONIODES	SEVEN-SON FLOWER	5" BB	
SR	2	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	8" BB	
<b>Deciduous Shrubs</b>					
AM	18	ARONIA MELANOCARPA 'IROQUOIS BEAUTY'	IROQUOIS BEAUTY BLACK CHOKEBERRY	24" BB	
VD	12	VIBURNUM DENTATUM 'CHICAGO LUSTRE'	CHICAGO LUSTRE ARROWWOOD VIBURNUM	48" BB	

**GENERAL CONSTRUCTION NOTES**

- REQUIRED LANDSCAPE MATERIAL SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND BE STAKED, WRAPPED, WATERED AND MULCHED PER ORDINANCE.
- BEFORE ANY EXCAVATION ON THE SITE, CALL TO LOCATE ANY EXISTING UTILITIES ON THE SITE. THE CONTRACTOR SHALL FAMILIARIZE HIM/HERSELF WITH THE LOCATIONS OF ALL BURIED UTILITIES IN THE AREAS OF WORK BEFORE STARTING OPERATIONS. THE CONTRACTOR SHALL BE LIABLE FOR THE COST OF REPAIRING OR REPLACING ANY BURIED CONDUITS, CABLES OR PIPING DAMAGED DURING THE INSTALLATION OF THIS WORK.
- FOUR FOOT HIGH FENCING OR OTHER RIGID MATERIAL IS TO BE ERECTED AROUND THE DRIP-LINE OF ALL TREES TO BE SAVED.
- PLANT QUANTITIES ON PLANT LIST INTENDED TO BE A GUIDE. ALL QUANTITIES SHALL BE CHECKED AND VERIFIED ON PLANTING PLAN. ANY DISCREPANCIES SHALL BE DISCUSSED WITH THE LANDSCAPE ARCHITECT.
- ANY DEVIATIONS FROM OR MODIFICATIONS TO THIS PLAN SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT UPON DELIVERY OF PLANT MATERIAL TO THE SITE. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL THAT DOESN'T MEET STANDARDS OR SPECIFICATIONS OF THE PROJECT.
- ALL PLANT MATERIAL TO BE INSTALLED PER THE PLANTING DETAILS PROVIDED ON THIS PLAN SET.
- ALL BED EDGES TO BE WELL SHAPED, SPADE CUT, WITH LINES AND CURVES AS SHOWN ON THIS PLAN SET.
- ALL PLANTING BEDS TO BE PREPARED WITH PLANTING MIX: 50% TOPSOIL, 50% SOIL AMENDMENTS (3 PARTS PEATMOSS, 1 PART COMPOST, 1 PART SAND)
- ALL PARKING LOT ISLANDS SHALL BE BACKFILLED WITH THE FOLLOWING: 2" OF BLENDED GARDEN SOIL MIX (60% TOPSOIL, 30% COMPOST, 10% SAND) OR 6" OF ONE STEP BY MIDWEST TRADING, TOP DRESSED AND TILLED INTO 18" OF TOPSOIL.
- ALL SPECIFIED LANDSCAPE MATERIAL INDICATED ON THE CONSTRUCTION DOCUMENTS WILL BE REQUIRED TO BE MAINTAINED THROUGHOUT THE LIFE OF THE PROJECT AND MUST BE REPLACED SHOULD IT DIE OR BECOME DAMAGED.
- ALL PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE FROM SUBSTANTIAL COMPLETION AS DETERMINED BY THE LANDSCAPE ARCHITECT, AND SHALL BE REPLACED SHOULD IT DIE WITHIN THAT PERIOD.
- PROTECT STRUCTURES, SIDEWALKS, PAVEMENTS AND UTILITIES TO REMAIN FROM DAMAGE CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, WASHOUTS AND OTHER HAZARDS CAUSED BY SITE IMPROVEMENT OPERATIONS.
- ALL LAWN AREAS TO BE SEEDED WITH STANDARD TURF GRASS SEED AND COVERED WITH EROSION CONTROL BLANKET, UNLESS OTHERWISE SPECIFIED ON THE PLAN.
- CAREFULLY MAINTAIN PRESENT GRADE AT BASE OF ALL EXISTING TREES TO REMAIN. PREVENT ANY DISTURBANCE OF EXISTING TREES INCLUDING ROOT ZONES. USE TREE PROTECTION BARRICADES WHERE INDICATED. PROTECT EXISTING TREES TO REMAIN AGAINST UNNECESSARY CUTTING, BREAKING OR SKINNING OF ROOTS, BRUISING OF BARK OR SMOTHERING OF TREES. DRIVING, PARKING, DUMPING, STOCKPILING AND/OR STORAGE OF VEHICLES, EQUIPMENT, SUPPLIES, MATERIALS OR DEBRIS ON TOP THE ROOT ZONES AND/OR WITHIN THE DRIPLINE OF EXISTING TREES OR OTHER PLANT MATERIAL TO REMAIN IS STRICTLY PROHIBITED.
- THE CONTRACTOR AT ALL TIMES SHALL KEEP THE PREMISES ON WHICH WORK IS BEING DONE. CLEAR OF RUBBISH AND DEBRIS. ALL PAVEMENT AND DEBRIS REMOVED FROM THE SITE SHALL BE DISPOSED OF LEGALLY.
- ALL WORK AND OPERATIONS SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES AND ORDINANCES.

No-Mow Fescue Seed Mix		
Botanical Name	Common Name	PERCENTAGE
<b>Permanent Grasses/Sedges:</b>		
<i>Festuca brevifolia</i>	Hard Fescue	19.20%
<i>Festuca ovina</i>	Sheep Fescue	19.20%
<i>Festuca rubra subsp. fallax</i>	Chewings Fescue	19.20%
<i>Festuca rubra</i>	Red Fescue	19.20%
<i>Festuca rubra var. rubra</i>	Creeping Red Fescue	19.20%
<b>Total</b>		<b>96.00%</b>
<b>Temporary Cover:</b>		
<i>Lolium multiflorum</i>	Annual Rye	4.00%
<b>Total</b>		<b>4.00%</b>

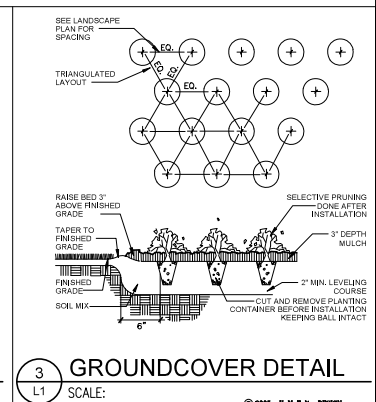
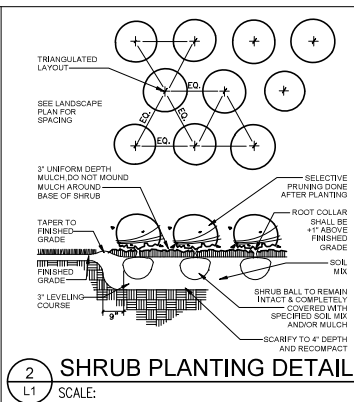
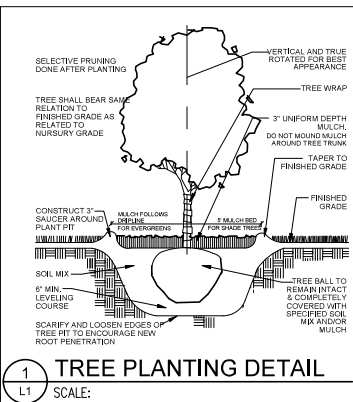
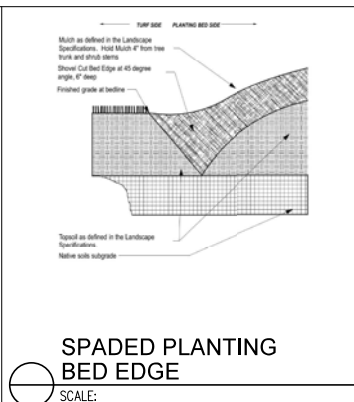
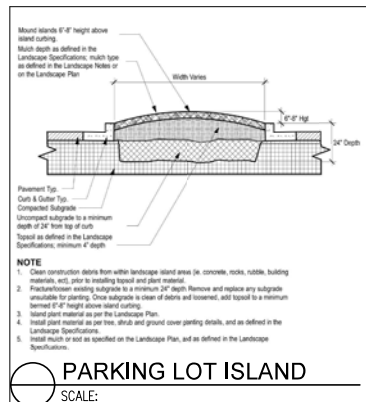


no.	revision	description	initial	date
1	ISSUED FOR REVIEW		KMT	09-10-21
2	PER CITY COMMENTS		KMT	10-08-21

**PROPOSED DEVELOPMENT**  
580 S WOLF ROAD  
DESPAINES, ILLINOIS

**LANDSCAPE NOTES**  
**MASTER PLANT LIST**  
**PLANTING SPECIFICATIONS**  
**DETAILS**

date: 09-07-21  
drawn: KMT  
checked: KMT  
job no.: 21390  
sheet no.: L 2.1



# Traffic Impact Study Proposed Bus Storage Facility

580 S. Wolf Road  
Des Plaines, Illinois



Prepared For:



LEE COMPANIES



Kenig, Lindgren, O'Hara, Aboona, Inc.

October 8, 2021

# 1. Introduction

This report summarizes the methodologies, results, and findings of a traffic impact study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for a proposed bus storage facility to be located at 580 S. Wolf Road in Des Plaines, Illinois. The site, which was previously occupied by a concrete plant, is located on the west side of Wolf Road at Wieboldt Drive. As proposed, First Student Bus Company will occupy the site and will operate a bus storage and maintenance facility. Access to the facility will continue to be provided via an existing access drive off Wolf Road.

The purpose of this study was to examine background traffic conditions, assess the impact that the proposed facility will have on traffic conditions in the area, and determine if any roadway or access improvements are necessary to accommodate the traffic generated by the proposed facility.

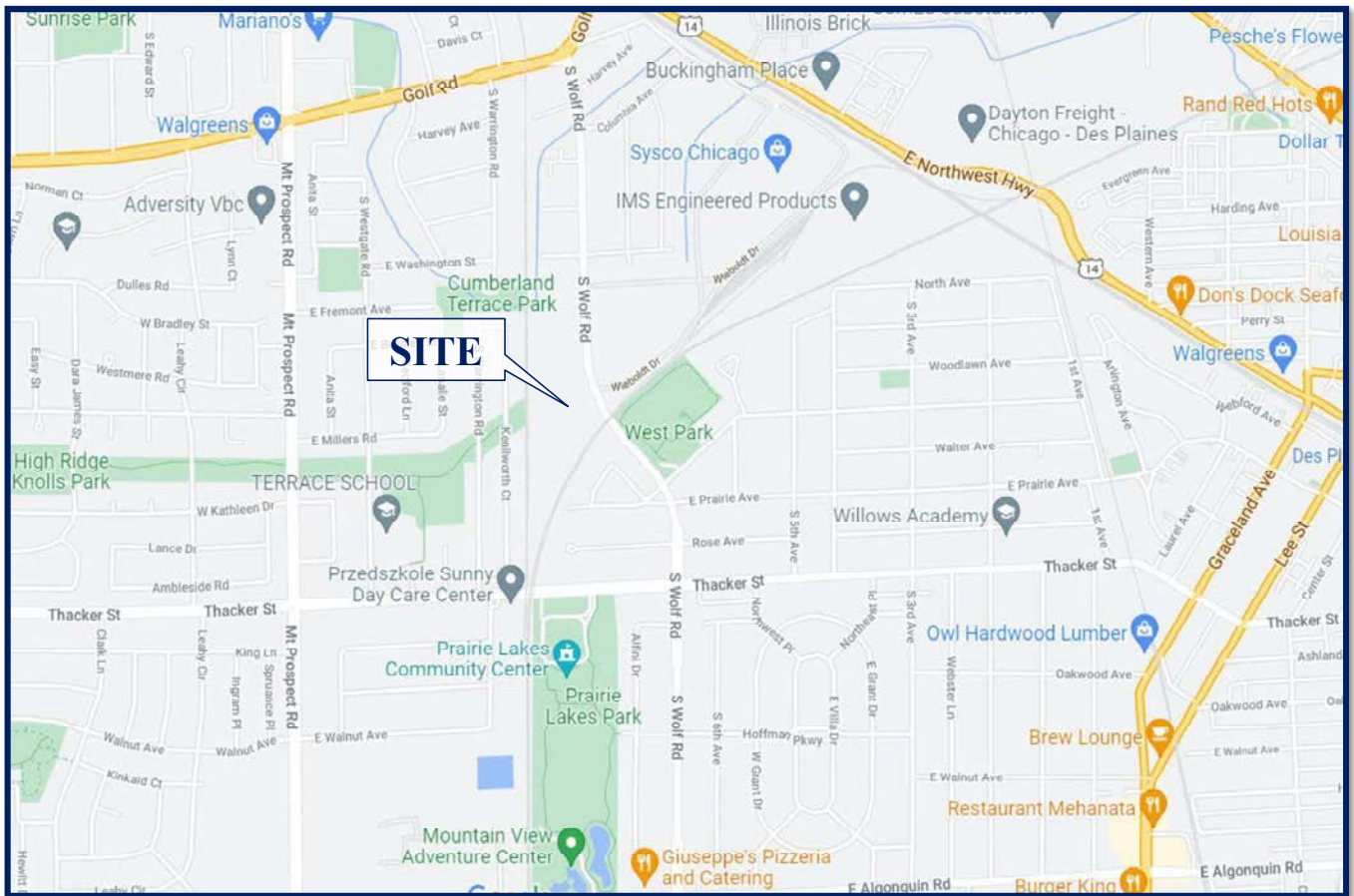
**Figure 1** shows the location of the site in relation to the area roadway system. **Figure 2** shows an aerial view of the site.

The sections of this report present the following:

- Existing roadway conditions
- A description of the proposed facility
- Directional distribution of the facility traffic
- Vehicle trip generation for the facility
- Future traffic conditions including access to the facility
- Traffic analyses for the weekday morning and weekday evening peak hours of operation
- Recommendations with respect to adequacy of the site access and adjacent roadway system

Traffic capacity analyses were conducted for the weekday morning and weekday evening peak hours for the following conditions:

1. Existing Conditions – Analyze the capacity of the existing roadway system using existing peak hour traffic volumes in the surrounding area.
2. Projected Conditions – Analyze the capacity of the future roadway system using the projected traffic volumes that include the existing traffic volumes, ambient traffic growth, and the traffic estimated to be generated by the buildout of the proposed facility.



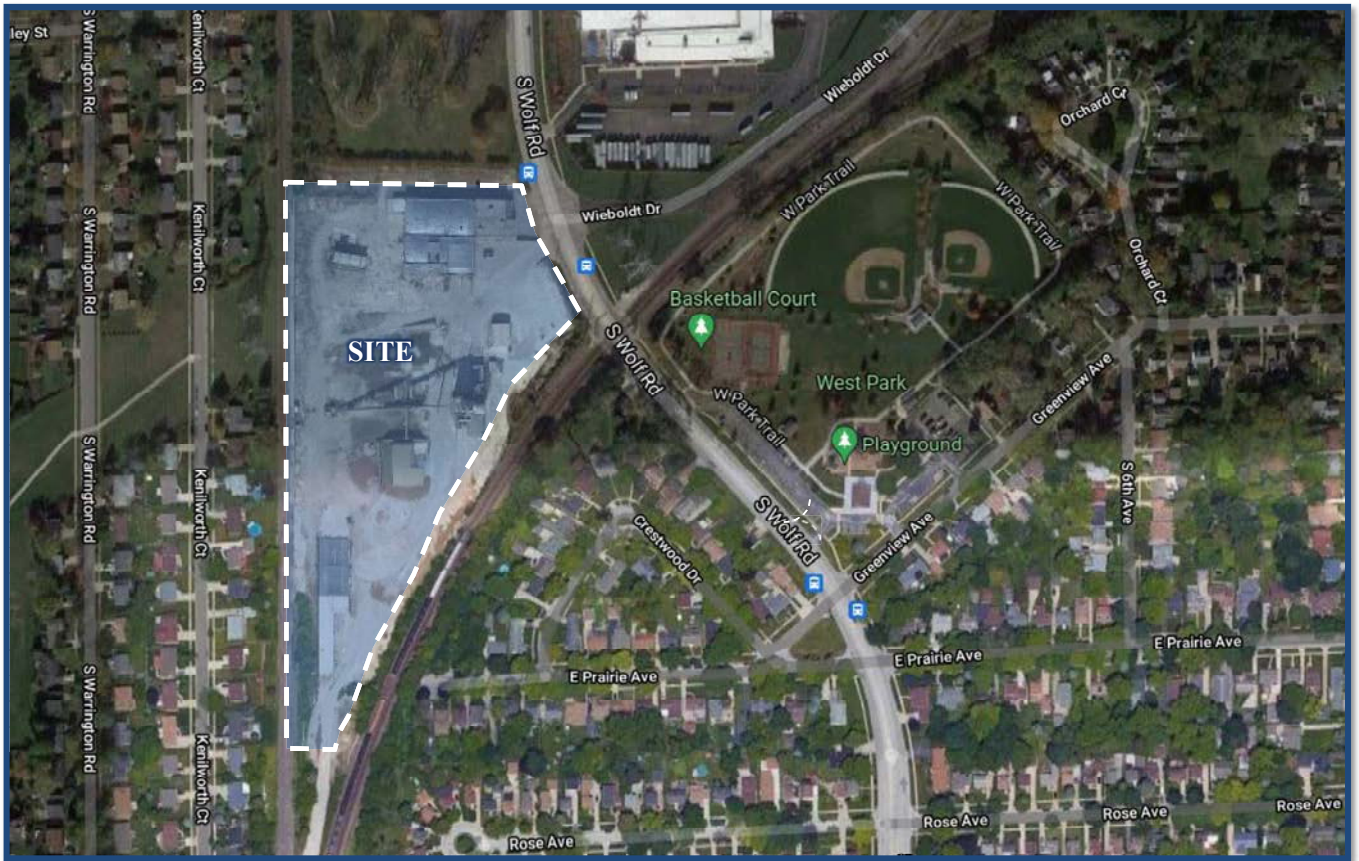
Site Location

Figure 1

*Proposed Bus Storage Facility  
Des Plaines, Illinois*







Aerial View of Site

Figure 2

*Proposed Bus Storage Facility  
Des Plaines, Illinois*



## 2. Existing Conditions

Existing transportation conditions in the vicinity of the site were documented based on field visits conducted by KLOA, Inc. in order to obtain a database for projecting future conditions. The following provides a description of the geographical location of the site, physical characteristics of the area roadway system including lane usage and traffic control devices, and existing peak hour traffic volumes.

### Site Location

The site, which was formerly occupied by a concrete plant, is located on the west side of Wolf Road at Wieboldt Drive approximately one half mile south of Golf Road. Land uses in the vicinity of the site are general office to the north, industrial/warehouse to the east and single-family residential to the west and south.

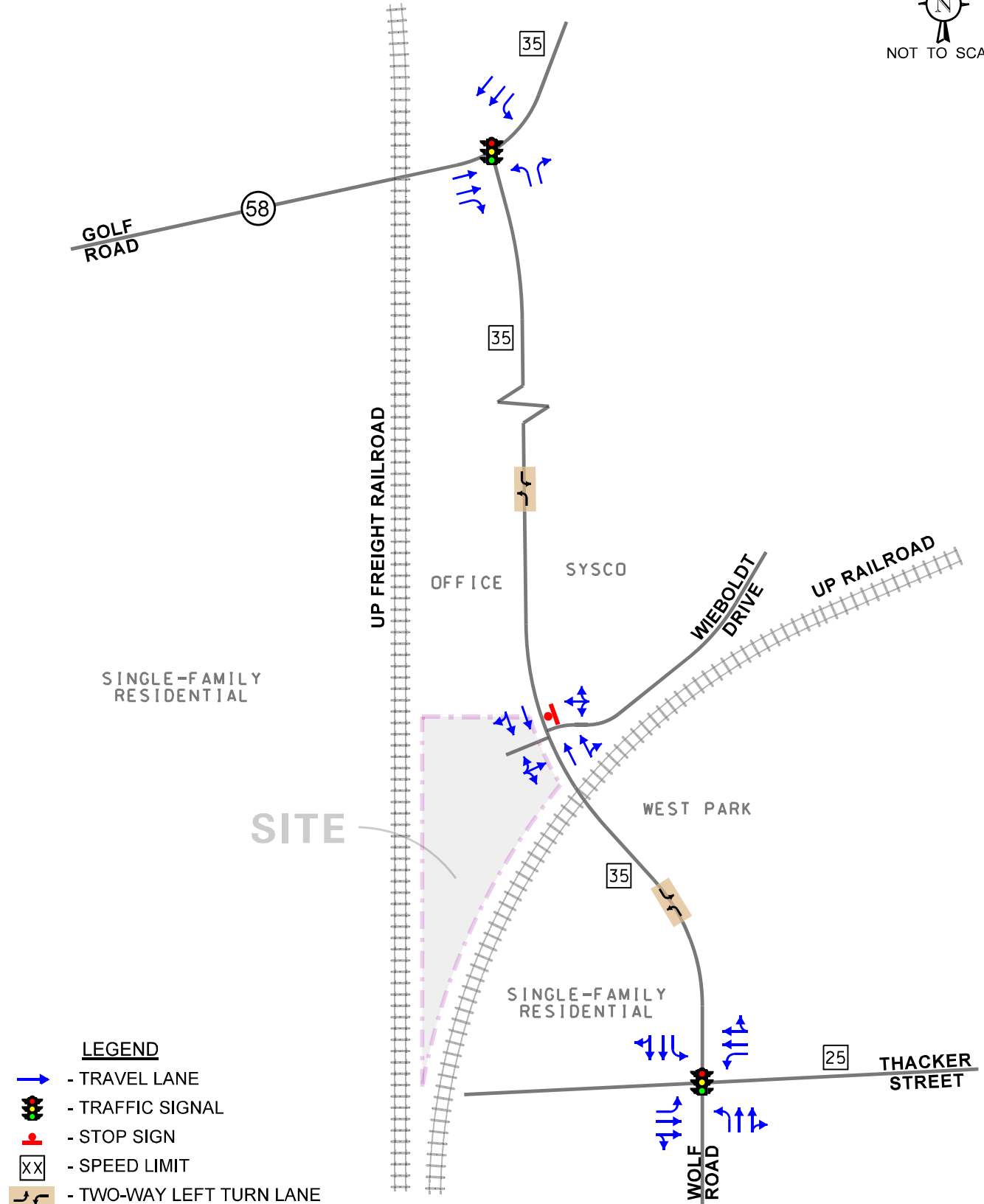
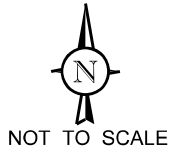
### Railroad Crossing

The Union Pacific at-grade crossing with Wolf Road is located approximately 235 feet south of the site's access drive. Based on information found in the Illinois Commerce Commission (ICC) website, the tracks carry an average of six daily freight trains. No passenger trains utilize these tracks. It is important to note that unlike passenger railroad tracks, there is no scheduled crossing times for these freight trains and they could cross Wolf Road at any time. Lastly, based on ICC data, only one accident has been reported in the last five years at the at-grade crossing.

### Existing Roadway System Characteristics

The characteristics of the existing roadways near the development are described below. **Figure 3** illustrates the existing roadway characteristics.

*Golf Road (Illinois Route 58)* is generally an east-west, other principal arterial roadway that provides two lanes in each direction generally divided by a raised median. At its signalized intersection with S. Wolf Road, Golf Road provides two through lanes and an exclusive right-turn lane on the eastbound approach and an exclusive left-turn lane and two through lanes on the westbound approach. Golf Road is under the jurisdiction of the Illinois Department of Transportation (IDOT), carries an annual average daily traffic (AADT) volume of 28,100 vehicles (IDOT 2019), and has a posted speed limit of 35 miles per hour.



First Student  
School Bus Storage  
Des Plaines, Illinois

Existing Roadway Characteristics



Job No: 21-256 Figure: 3

*Wolf Road* is a north-south, minor arterial roadway that extends south from Golf Road and provides two lanes in each direction generally divided by a two-way left-turn lane (TWLTL). At its unsignalized intersection with Wieboldt Drive/access drive, Wolf Road provides two through lanes in each direction and a TWLTL. At its signalized intersection with Golf Road, S. Wolf Road provides an exclusive left-turn lane and an exclusive right-turn lane. At its signalized intersection with Thacker Street, Wolf Road provides an exclusive left-turn lane, a through lane and a shared through/right-turn lane. Wolf Road is under the jurisdiction of the Illinois Department of Transportation (IDOT), carries an AADT volume of 9,650 vehicles (IDOT 2018), and has a posted speed limit of 35 miles per hour.

*Wieboldt Drive* is an east-west two-lane private drive that provides access to two Sysco warehouses and IMS Engineered Products. At its unsignalized intersection with Wolf Road, Wieboldt Drive is wide enough to provide one inbound lane and two outbound lanes. Outbound movements are under stop sign control.

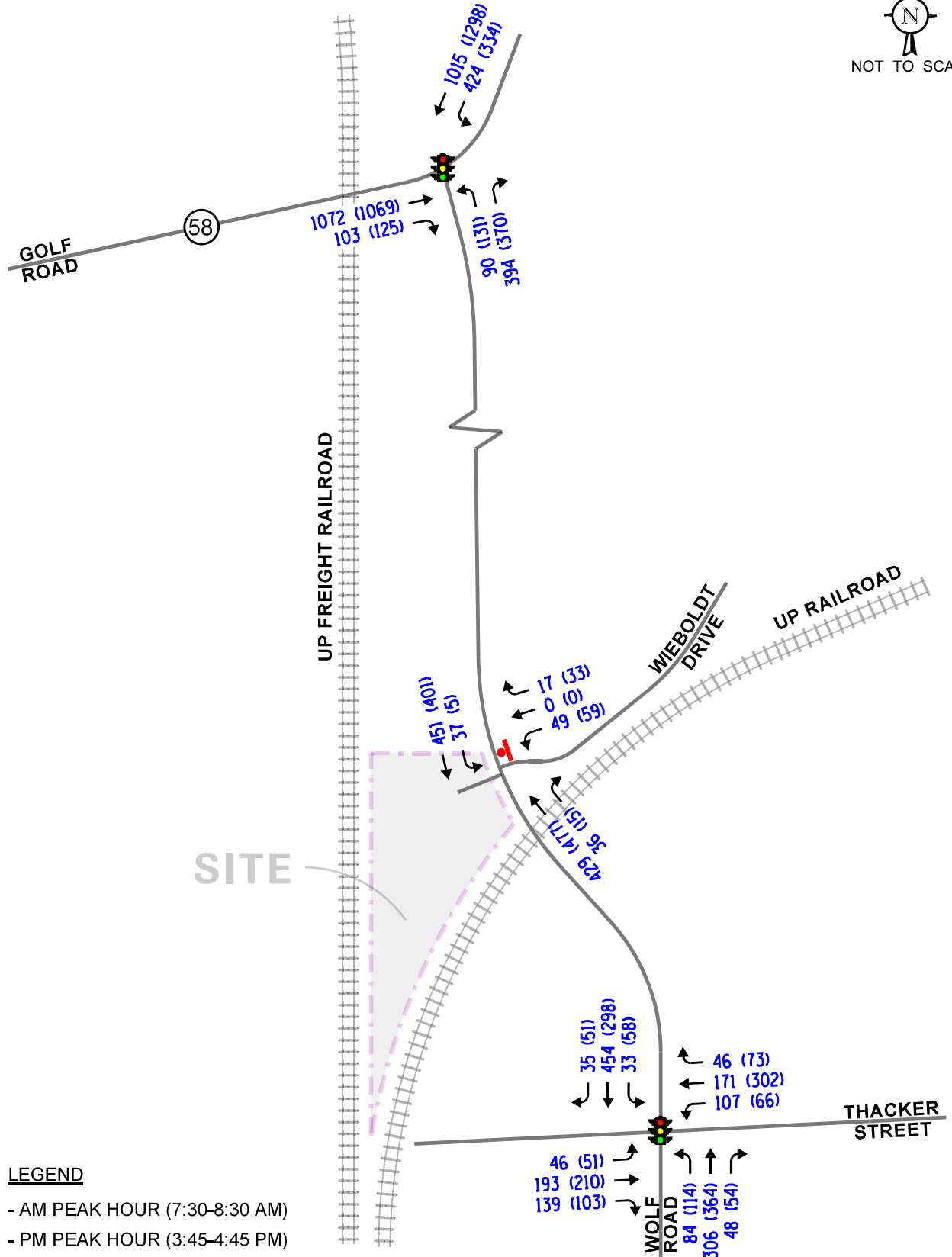
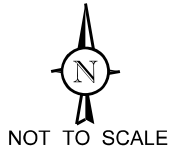
*Thacker Street* is an east-west minor arterial/major collector that provides two lanes in each direction. At its signalized intersection with Wolf Road, Thacker Street provides an exclusive left-turn lane, a through lane, and a shared through/right-turn lane on both approaches. Thacker Street, east of Wolf Road, is under the jurisdiction of the City of Des Plaines. West of Wolf Road, Thacker Street is under the jurisdiction of the Cook County Department of Transportation (CCDOT). Thacker Street carries an AADT volume of 7,800 vehicles (IDOT 2018) and has a posted speed limit of 25 miles per hour.

## Existing Traffic Volumes

In order to determine current traffic conditions in the vicinity of the site, KLOA, Inc. conducted peak period traffic counts using Miovision Scout Video Collection Units on Thursday, September 16, 2021 during the weekday morning (7:00 A.M. to 9:00 A.M.) and weekday afternoon (2:00 P.M. to 6:00 P.M.) peak periods at the intersections of Wolf Road with Wieboldt Road and Thacker Street. Previous traffic counts conducted at the intersection of Golf Road with Wolf Road were also utilized.

As the facility operates on a schedule based on the start and end times of area schools, the proposed facility, as described on page 10, will experience its peak traffic operations outside of the peak hours of the adjacent roadway system. As such, the peak hour volumes utilized in the study were based on the operations of the facility and not the adjacent roadway system. The weekday morning peak hour of facility traffic utilized occurs from 7:30 A.M. to 8:30 A.M. and the weekday evening peak hour of facility traffic utilized occurs from 3:45 P.M. to 4:45 P.M.

**Figure 4** illustrates the existing traffic volumes at the studied intersections during the peak hours of facility traffic. Copies of the traffic count summary sheets are included in the Appendix.



**LEGEND**  
 ○○ - AM PEAK HOUR (7:30-8:30 AM)  
 (○○) - PM PEAK HOUR (3:45-4:45 PM)

First Student  
 School Bus Storage  
 Des Plaines, Illinois

Existing Traffic Volumes



Job No: 21-256 Figure: 4

### 3. Traffic Characteristics of the Proposed Facility

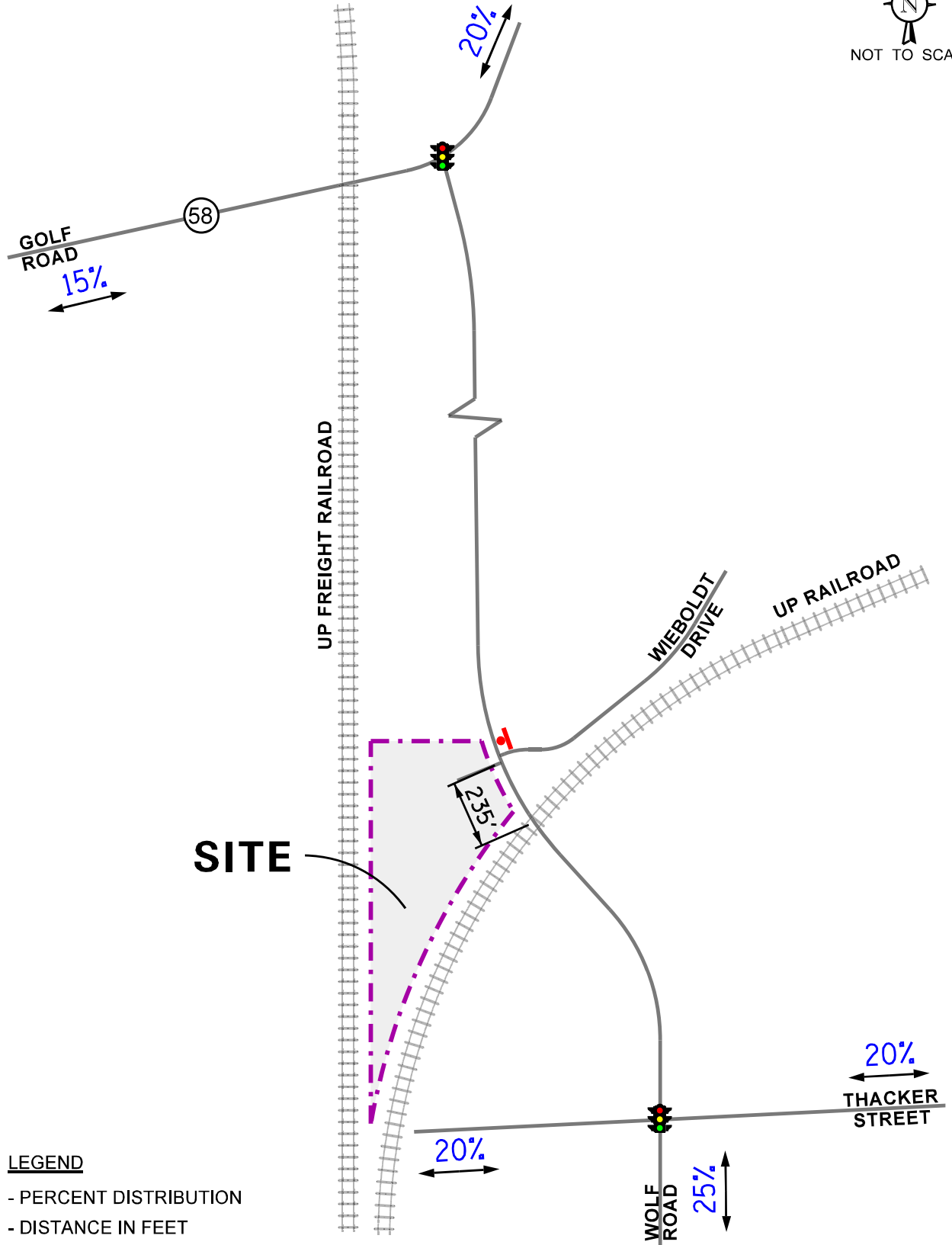
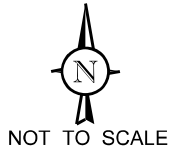
In order to properly evaluate future traffic conditions in the surrounding area, it was necessary to determine the traffic characteristics of the proposed facility, including the directional distribution and volumes of traffic that it will generate.

#### Proposed Site and Facility Plan

As proposed, the existing facility will be occupied by First Students Bus Company which will operate a bus storage and maintenance facility. The plans call for redeveloping the site to contain a school bus storage facility for 236 buses. The existing 32,800 square-foot building will remain and serve as a dispatch office and maintenance facility. The facility will be staffed by approximately 20 to 25 full time employees, which will be in the office and/or maintenance facility. The facility will typically be open from Monday through Friday (August through June) from 5:30 A.M. to 9:30 A.M. and from 1:00 P.M. to 5:30 P.M. with additional hours for special events. Parking for approximately 16 passenger vehicles will be provided on-site. Access to the facility will be provided via the existing full access drive off Wolf Road.

#### Directional Distribution

The directions from which employees and buses will approach and depart the site were estimated based on information provided by First Student. **Figure 5** illustrates the directional distribution of the employee and bus traffic.



**LEGEND**

- 00% - PERCENT DISTRIBUTION
- 00' - DISTANCE IN FEET

First Student  
School Bus Storage  
Des Plaines, Illinois

Estimated Directional Distribution



Job No: 21-256

Figure: 5

## Facility Estimated Trip Generation

The number of peak hour trips estimated to be generated by the proposed facility was based on information provided by the operator. Per the provided information, approximately 78 drivers will arrive at the site during the weekday morning between 5:45 A.M. and 7:45 A.M. and then depart in their buses 15 to 20 minutes after arriving. After the drivers perform their morning route, they will return to the site between 8:15 A.M. and 10:00 A.M. and leave in their personal vehicles 10 to 15 minutes later. This process repeats again in the afternoon with approximately 90 drivers arriving at the site between 12:30 P.M. and 3:00 P.M. and returning in their buses between 3:15 P.M. and 5:45 P.M. Furthermore, the facility is anticipated to generate approximately 650 daily trips (buses/personal vehicles).

A majority of the facility-generated traffic will arrive and depart the site during these five periods. Drivers will enter and exit the site throughout the entire period and, as such, will not all access the site during the same peak hour. The following five peak hours represent the highest volume of traffic the facility will generate during a one-hour period as based on the information provided:

- 5:45 A.M. to 6:45 A.M. (74 inbound, 63 outbound)
- 6:00 A.M. to 7:00 A.M. (70 inbound, 74 outbound)
- 7:30 A.M. to 8:30 A.M. (22 inbound, 29 outbound)
- 1:15 P.M. to 2:15 P.M. (75 inbound, 67 outbound)
- 3:45 P.M. to 4:45 P.M. (66 inbound, 69 outbound)

As the first, second and fourth peaks fall outside the typical peak periods of adjacent traffic, they were not included in the study. It is important to note that while the facility generates more traffic during the 6:00 to 7:00 A.M. hour, a review of IDOT 24-hour traffic counts indicate that the traffic volumes along Wolf Road during the 7:30 to 8:30 peak hour are almost double of those during the 6:00 to 7:00 A.M. period. Therefore, the traffic to be generated by the facility during the adjacent roadway peak hour (7:30 to 8:30 A.M.) was utilized. The fifth peak overlaps with the peak hour of the adjacent street (4:30 to 5:30 P.M.) and as such, the 3:45 to 4:45 P.M. peak hour was analyzed. **Table 1** summarizes the trips projected to be generated by the proposed facility during these peak hours.

It is important to note that typically 15 percent of the fleet is parked on site for either maintenance or as spare buses. As such, even though the site has a parking capacity for 236 buses, at maximum deployment, only 200 buses may be in service on the area roads. Furthermore, not all of the buses will enter or exit the facility during the peak hours. Lastly, based on information provided to KLOA, Inc., the non-driver full time staff begin arriving by 5:00 A.M. and leave as the final buses clear routes for the day. As such and given that they arrive before and depart after the peak hours of adjacent roadway, no trip generation was estimated for these employees.



Table 1  
PROJECTED SITE-GENERATED TRAFFIC VOLUMES

	Weekday Morning Peak Hour			Weekday Evening Peak Hour			Two-Way Daily Trips		
	In	Out	Total	In	Out	Total	In	Out	Total
Bus Drivers (Personal Vehicles)	6	16	22	8	60	68	163	163	326
Bus Drivers (Buses)	16	13	29	58	9	67	163	163	326
<b>Total Trips</b>	<b>22</b>	<b>29</b>	<b>51</b>	<b>66</b>	<b>69</b>	<b>135</b>	<b>326</b>	<b>326</b>	<b>652</b>

### Traffic Generation Comparison

The site, as previously indicated, was formerly occupied by a concrete plant. Based on information provided by the previous operator, below is a summary of the operational characteristics at full capacity:

- Hours of operation: Monday through Friday 6:30 A.M. to 5:00 P.M.
- Occasional Saturday operation from 7:00 A.M. to 2:00 P.M.
- Occasional weeknight jobs/pours shipping material until 7:00 P.M. or later
- 600 daily concrete mixer trucks (300 in and 300 out)
- 36 daily cement trucks
- 250 daily aggregate trucks

**Table 2** shows a comparison of the daily trips between the two land uses

Table 2  
TRIP GENERATION COMPARISON

Land Use	Daily Trips
Bus Storage Facility	650
Concrete Plant	<u>890</u>
Difference	-240

Based on the above, the amount of daily traffic previously generated by the concrete plant was approximately 890 daily trucks. When this daily traffic volume is compared to the anticipated daily traffic volume of the proposed school bus storage facility, it can be seen that the proposed facility will generate approximately 30 percent (240) less daily traffic than the previous land use.

## 4. Projected Traffic Conditions

The total projected traffic volumes include the existing traffic volumes, increase in background traffic due to growth, and the traffic estimated to be generated by the proposed subject facility.

### Site Traffic Assignment

The estimated weekday morning and evening peak hour traffic volumes that will be generated by the proposed facility were assigned to the roadway system in accordance with the previously described directional distribution (Figure 5). **Figure 6** illustrates the traffic assignment of the total new trips.

### Background Traffic Conditions

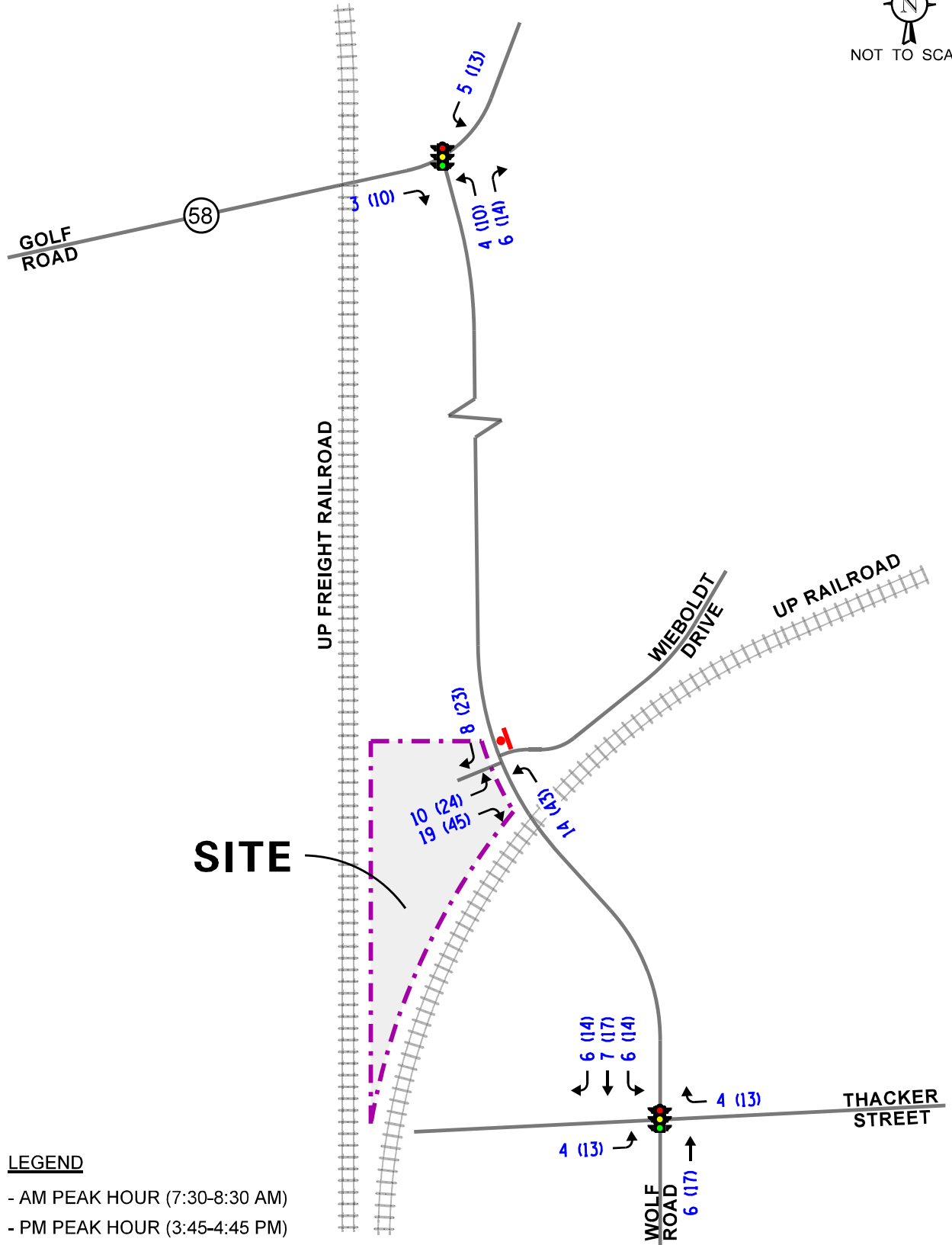
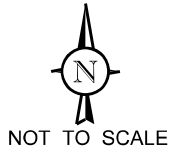
The following additional traffic growth was also included in the projected traffic volumes:

- The traffic projected to be generated by a proposed five-story apartment building with approximately 348 units and an internal parking garage and a 2,000 square-foot fast casual restaurant with a drive-through lane. Access to the development will be provided via a proposed full movement access drive that will form the fourth (north) leg of the signalized intersection of Golf Road with S. Wolf Road and via a right-out only access drive that will replace the existing full-movement access road serving the Metra UPNW Cumberland station.
- The existing traffic volumes (Figure 4) were increased by a regional growth factor to account for the increase in existing traffic related to regional growth in the area (i.e., not attributable to any particular planned development). Based on ADT projections provided by the Chicago Metropolitan Agency for Planning (CMAP), the existing traffic volumes were increased by an annually compounded growth rate of 0.9 percent per year for seven years (buildout year plus five years) for a total of 6.5 percent to project Year 2028 background conditions. A copy of the CMAP 2050 projections letter is included in the Appendix.

The Year 2028 no-build traffic volumes, which include the existing traffic volumes increased by the regional growth factor and the traffic to be generated the approved five-story apartment building and the fast casual restaurant, are illustrated in **Figure 7**.

### Total Projected Traffic Volumes

The facility-generated traffic (Figure 6) was added to the Year 2028 No-Build traffic volumes to determine the Year 2028 total projected traffic volumes, shown in **Figure 8**.



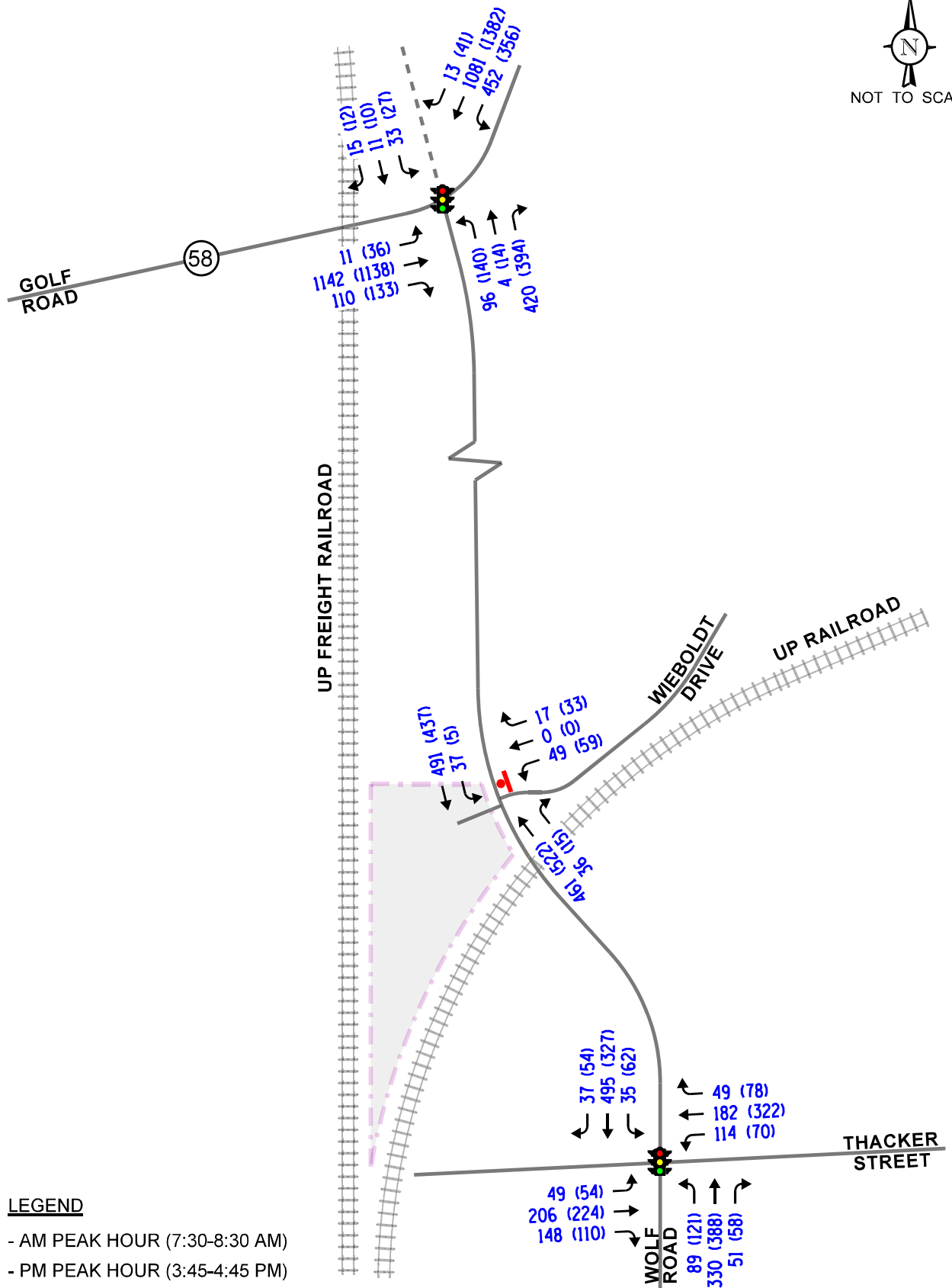
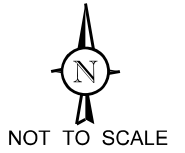
First Student  
School Bus Storage  
Des Plaines, Illinois

Estimated Site Traffic Assignment



Job No: 21-256

Figure: 6



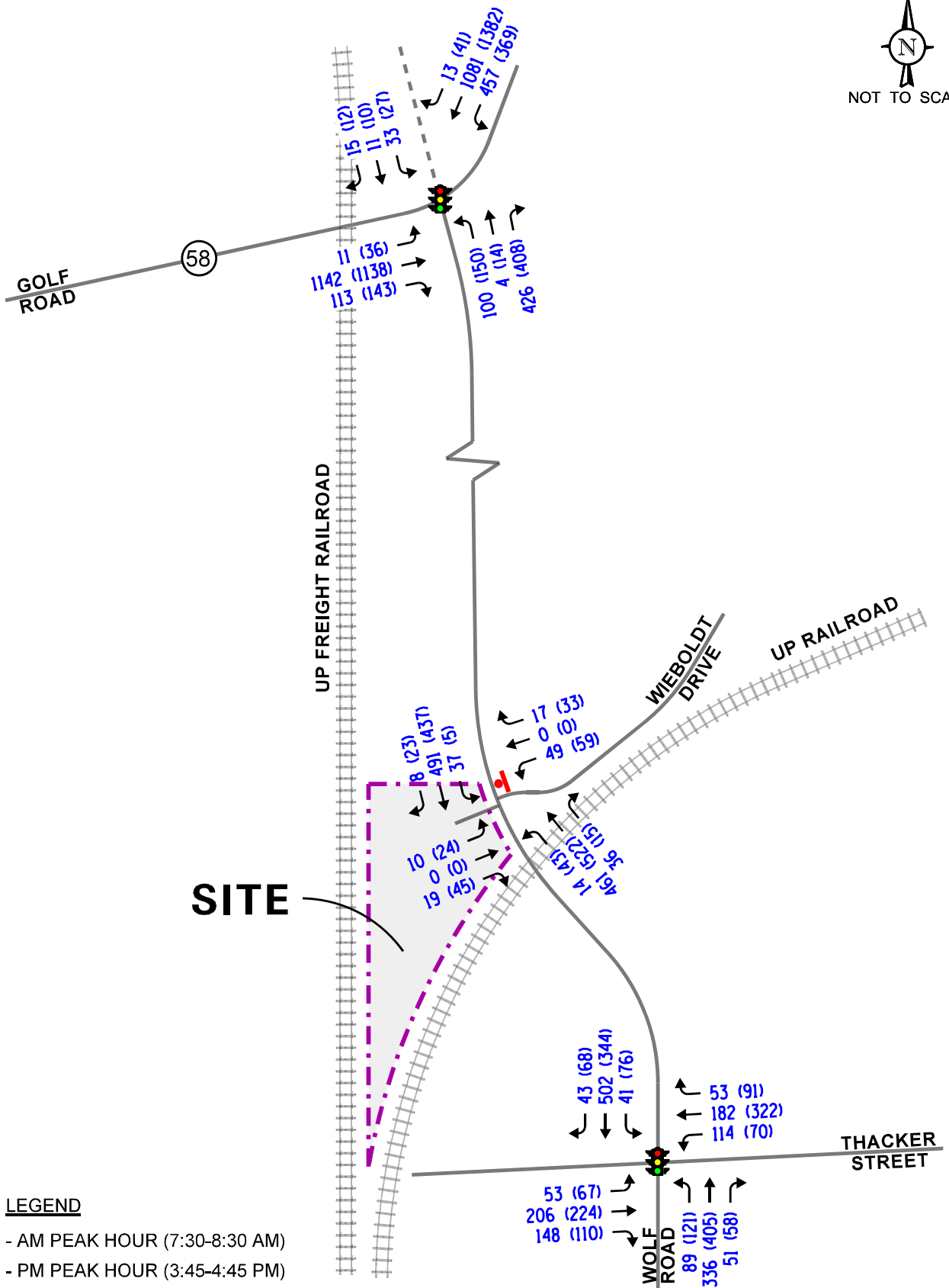
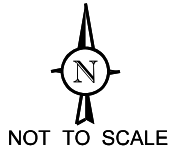
First Student  
School Bus Storage  
Des Plaines, Illinois

Year 2028 No-Build Traffic Volumes



Job No: 21-256

Figure: 7



First Student  
 School Bus Storage  
 Des Plaines, Illinois

Total Projected Traffic Volumes



Job No: 21-256

Figure: 8

## 5. Traffic Analysis and Recommendations

The following provides an evaluation conducted for the weekday morning and weekday evening peak hours. The analysis includes conducting capacity analyses to determine how well the roadway system and access drives are projected to operate and whether any roadway improvements or modifications are required.

### Traffic Analyses

Roadway and adjacent or nearby intersection analyses were performed for the weekday morning and weekday evening peak hours for the existing (Year 2021) and Year 2028 total projected traffic volumes.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM), 6<sup>th</sup> Edition* and analyzed using the Synchro/SimTraffic 11 software. The analysis for the traffic-signal controlled intersections were accomplished using actual cycle lengths and phasings to determine the average overall vehicle delay and levels of service.

The analyses for the unsignalized intersections determine the average control delay to vehicles at an intersection. Control delay is the elapsed time from a vehicle joining the queue at a stop sign (includes the time required to decelerate to a stop) until its departure from the stop sign and resumption of free flow speed. The methodology analyzes each intersection approach controlled by a stop sign and considers traffic volumes on all approaches and lane characteristics.

The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection. The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for signalized intersections and unsignalized intersections are included in the Appendix of this report.

Summaries of the traffic analysis results showing the level of service and overall intersection delay (measured in seconds) for the existing and total projected conditions are presented in **Tables 3** through 7. A discussion of each intersection follows. Summary sheets for the capacity analyses are included in the Appendix.

Table 3  
CAPACITY ANALYSIS RESULTS – GOLF ROAD WITH WOLF ROAD – SIGNALIZED

	Peak Hour	Eastbound			Westbound			Northbound			Southbound			Overall
		L	T	R	L	T	R	L	T	R	L	T	R	
Year 2021 Existing Conditions	Weekday Morning Peak Hour	--	B 15.4	A 4.3	D 35.0	A 3.9	--	E 71.7	--	E 66.8	--			C 22.1
		B – 14.5			B – 13.0			E – 67.7						
Year 2028 No-Build Conditions	Weekday Evening Peak Hour	--	B 16.4	A 4.1	C 22.8	A 5.6	--	E 77.1	--	E 59.4	--			B 19.5
		B – 15.1			A – 9.1			E – 64.1						
Year 2028 Total Projected Traffic Volumes	Weekday Morning Peak Hour	A 8.8	C 31.5	B 15.2	D 46.0	A 8.5	A 7.1	E 68.4	--	C 32.4	E 68.3	E 57.1	C 27.2	
		C – 29.9			B – 19.5			D – 39.3			E – 65.5			
Year 2028 Total Projected Traffic Volumes	Weekday Evening Peak Hour	B 11.4	C 34.0	B 16.1	D 45.7	B 16.3	B 10.5	E 59.2	--	C 26.2	D 52.6	D 47.2	C 27.8	
		C – 31.5			C – 22.1			D – 35.5			D – 51.2			
Year 2028 Total Projected Traffic Volumes	Weekday Morning Peak Hour	A 8.9	C 31.9	B 15.4	D 47.3	A 8.6	A 7.2	E 69.0	C 32.4	E 67.8	E 56.9	C 27.6		
		C – 30.3			C – 20.0			D – 39.6			E – 65.0			
Year 2028 Total Projected Traffic Volumes	Weekday Evening Peak Hour	B 11.6	D 35.4	B 16.7	E 48.3	B 16.5	B 10.6	E 61.0	C 26.1	D 51.1	D 46.1	C 28.7		
		C – 32.7			C – 22.9			D – 36.1			D – 49.9			

Letter denotes Level of Service L – Left Turns R – Right Turns  
Delay is measured in seconds. T – Through

Table 4

CAPACITY ANALYSIS RESULTS – WOLF ROAD WITH THACKER STREET – SIGNALIZED

	Peak Hour	Eastbound		Westbound		Northbound		Southbound		Overall
		L	T/R	L	T/R	L	T/R	L	T/R	
Year 2021 Existing Conditions	Weekday Morning Peak Hour	C 23.7	D 42.7	C 27.4	D 35.4	A 9.3	B 14.5	A 8.8	B 17.3	C 24.4
		D – 40.4		C – 32.8		B – 13.5		B – 16.8		
Year 2028 No-Build Conditions	Weekday Morning Peak Hour	C 23.6	D 42.7	C 28.0	D 35.3	A 9.8	B 15.1	A 9.1	B 18.2	C 24.8
		D – 40.4		C – 32.9		B – 14.1		B – 17.6		
Year 2028 Projected Traffic Volumes	Weekday Evening Peak Hour	C 26.2	D 43.2	C 27.0	D 44.4	A 9.7	B 15.7	A 9.5	B 16.8	C 27.1
		D – 40.8		D – 41.8		B – 14.4		B – 15.7		
Year 2028 Total Projected Traffic Volumes	Weekday Morning Peak Hour	C 23.7	D 42.7	C 28.0	D 35.5	A 9.8	B 15.2	A 9.2	B 18.3	C 24.8
		D – 40.2		C – 33.1		B – 14.2		B – 17.6		
Year 2028 Total Projected Traffic Volumes	Weekday Evening Peak Hour	C 27.0	D 42.4	C 26.7	D 44.7	B 10.0	B 16.3	A 9.9	B 17.3	C 27.1
		D – 39.8		D – 42.1		B – 15.0		B – 16.2		
Letter denotes Level of Service    L – Left Turns    R – Right Turns Delay is measured in seconds.        T – Through										





Table 5  
CAPACITY ANALYSIS RESULTS – EXISTING CONDITIONS – UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
<b>Wolf Road with Wieboldt Drive</b>				
• Westbound Approach	C	18.3	B	13.1
• Southbound Left Turn	A	9.4	A	9.5
LOS = Level of Service Delay is measured in seconds.				

Table 6  
CAPACITY ANALYSIS RESULTS – NO-BUILD CONDITIONS – UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
<b>Wolf Road with Wieboldt Drive</b>				
• Westbound Approach	E	37.6	C	18.8
• Southbound Left Turn	A	9.5	A	9.8
LOS = Level of Service Delay is measured in seconds.				

Table 7  
CAPACITY ANALYSIS RESULTS – FUTURE CONDITIONS – UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
<b>Wolf Road with Wieboldt Drive</b>				
• Westbound Approach	E	43.2	C	24.7
• Southbound Left Turn	A	9.5	A	9.8
• Eastbound Approach	C	15.3	C	17.3
• Northbound Left Turn	B	10.7	B	11.1
LOS = Level of Service Delay is measured in seconds.				

## Discussion and Recommendations

The following summarizes how the intersections are projected to operate and identifies any roadway and traffic control improvements necessary to accommodate the facility-generated traffic.

### *Golf Road with Wolf Road*

The results of the capacity analysis indicate that overall the intersection of Golf Road with Wolf Road currently operates at a Level of Service (LOS) C during the weekday morning peak hour and LOS B during the weekday evening peak hour. As can be seen, all movements at the intersection currently operate at LOS E or better during both peak hours. Further, through movements on Golf Road operate at LOS B or better during the peak hours.

Under Year 2028 no-build conditions, and as part of the proposed residential development on the north side of Golf Road, a full movement access drive serving the development will be provided in alignment with Wolf Road forming the fourth (north) leg of this intersection. This access drive will provide one inbound lane and two outbound lanes striped to provide a shared through/left-turn lane and an exclusive right-turn lane. Further, an eastbound left-turn lane and a westbound right-turn lane will be provided on Golf Road serving this access drive and Wolf Road will be restriped to provide a shared through/left-turn lane and an exclusive right-turn lane. Assuming these improvements, this intersection is projected to operate at a LOS C during both peak hours with increases in delay of less than eight seconds.

Under Year 2028 projected conditions, and given the above assumptions, this intersection is projected to continue to operate at LOS C during the weekday morning and weekday evening peak hours with increase in delay of less than one second. In addition, the northbound through/left-turn movement is projected to operate at LOS E or better during the peak hours with 95<sup>th</sup> percentile queues of less 230 feet, which can be accommodated within the existing turn lane. As such, Golf Road and Wolf Road will be able to continue to operate efficiently even with the addition of the proposed fourth leg and the site generated traffic.

### *Wolf Road with Thacker Street*

The results of the capacity analysis indicate that overall this intersection currently operates at a LOS C during the weekday morning and evening peak hours. Further, all movements operate at LOS D or better during both peak hours. Under Year 2028 no-build conditions, the intersection will continue to operate at the same LOS with increases in delay of less than one second.

Under Year 2028 projected conditions, this intersection is projected to continue to operate at the same overall LOS as under Year 2028 no-build conditions during the weekday morning and evening peak hours with no overall increase in delay. In addition, all movements are projected to continue to operate at LOS D or better during the weekday morning and evening peak hours. As such, this intersection has sufficient reserve capacity to accommodate the traffic estimated to be generated by the proposed facility and no roadway or traffic control improvements will be required.

*Wolf Road with Wieboldt Drive/Site Access Drive*

Under existing conditions, all of the turning movements at this intersection are operating at LOS C or better during the weekday morning and evening peak hours. Under Year 2028 no-build conditions, westbound approach will operate at a LOS E during the weekday morning peak hour and at a LOS C during the weekday evening peak hour. The LOS E is the result of the anticipated growth in the area and the number of trucks that exit the Sysco facility. However, it is important to note that based on field observations, there are numerous gaps in the through traffic stream that are created by the traffic signals on Wolf Road to the north and south of this access drive. These gaps allow traffic to exit Wieboldt Drive more efficiently than what the results of the capacity analysis indicate.

Under Year 2028 projected conditions, all of the turning movements will operate at a LOS D or better with the exception of Wieboldt Drive which will continue operating at a LOS E. This is not uncommon and as discussed previously, the numerous gaps available in the through traffic stream will allow traffic to exit Wieboldt Drive more efficiently than what the results of the capacity analysis indicate. Further inspection of the capacity analyses indicate that the northbound left-turn lane queue will be less than 50 feet and as such will not spill into the through lanes or extend to the railroad tracks. It is recommended that the exiting striped median south of the access drive be restriped as an exclusive northbound to westbound left-turn lane. No additional geometric or traffic control improvements are necessary in conjunction with the proposed development.

### *Railroad Crossing/Wolf Road Evaluation*

As previously indicated, the access drive to the proposed facility will be located approximately 235 feet north of the at-grade crossing on Wolf Road. Per State law, any school bus (with or without children) approaching a railroad track should display the hazard warning lights, stop within 15 to 50 feet from the tracks, open the driver window and service door, look and listen for an approaching train and the proceed across the tracks.

Based on the data provided by First Student the maximum number of buses expected to exit the facility in one 15-minute period during the 7:30 to 8:30 A.M. and the 3:45 to 4:45 P.M. peak hours will be seven and four, respectively. This low frequency of exiting buses will have a limited impact on the southbound movement of traffic on Wolf Road at its intersection with the railroad crossing especially with the freight trains averaging six crossings per day.

In order to minimize the impact on the Wolf Road/railroad track intersection and whenever possible, buses returning to the site from the south should be directed to instead use Golf Road and approach the facility from the north. With the implementation of this recommendation and coupled with the low utilization of the railroad track, the proposed facility will have a limited impact on the operation of the Wolf Road/railroad track intersection.

## 6. Conclusion

Based on the preceding analyses and recommendations, the following conclusions have been made:

- The volume of traffic to be generated by the proposed facility will primarily occur outside of the peak hours of adjacent roadway traffic.
- The traffic that will be generated by the proposed facility, including buses, will be distributed over several hours during the morning and afternoon peak periods.
- The concrete plant that previously occupied the site generated more daily traffic and more heavy trucks than what the proposed facility will generate thus having a bigger impact on area roadways than the proposed facility.
- The signalized intersections of Wolf Road with Golf Road and Thacker Street have sufficient reserve capacity to accommodate the traffic estimated to be generated by the proposed facility.
- The proposed access system will be adequate in accommodating the traffic projected to be generated by the facility with limited impact on the external roadway system.
- In order to reduce the impact on the Wolf Road at-grade crossing the following should be considered:
  - Evaluate the travel paths of the school buses to determine if there are any opportunities to reroute them and minimize the number buses that will travel to/from the south on Wolf Road and cross the railroad tracks.
  - Monitor the operations of the facility annually after opening. This would include keeping track of bus departure times and routes of travel throughout the morning period. This should be utilized to determine if any adjustments to the routing and times of departure will be necessary.



Fuel Tank Protective Bollards (typ.)



Existing ADA Ramp





**Site Photos by Staff**



Looking south down Wolf Road at entrance



Front (east) facade of existing building



Existing building with overhead power lines



Existing fence at Wolf frontage/entrance with batch plant in background

## MEMORANDUM

Date: October 18, 2021

To: Planning and Zoning Board (PZB)

From: John T. Carlisle, AICP, Director of Community & Economic Development *JTC*

Subject: Zoning Text Amendments Regarding Collective and Shared Off-Street Parking  
(*Public Hearing and Discussion Continued from September 14, 2021*)

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**Issue: Consider Zoning Ordinance amendments related to collective and shared off-street parking regulations**, in particular Section 12-9-3 to establish distance and context limitations to using a separate, privately owned zoning lot to fulfill a portion of an off-street parking requirement

**PIN:** Citywide

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

**Case Number:** #21-038-TA

**Project Summary:** The City of Des Plaines is applying for various zoning text amendments to address off-street parking issues that have arisen during 2021.

### **Collective and Shared Parking**

In general, the City wants to foster the efficient use of land and to give businesses, organizations, and developments flexibility in how they meet their off-street parking requirements. The Zoning Ordinance, which establishes the City's off-street parking rules, currently attempts to make allowances for when a particular property does not have enough on-site parking to accommodate a proposed use. While the most typical and preferred arrangement is for each property to have enough parking on its own site for all uses served (i.e. residential, commercial, institutional), occasionally this is not feasible. Additionally, it is somewhat common that a.) uses within a given area do not operate at the same time and b.) some parking facilities have excess spaces beyond the requirements of the uses serve, and most often the spaces go unused. For these reasons the City tries not to turn away potential users simply because the property they desire to use is deficient in on-site parking. A reasonable option for nearby shared parking, on a different property or properties, may exist.

Therefore, in Section 12-9-3 the Ordinance provides for how uses can capitalize on shared or off-site parking. The existing rules first introduce general circumstances for when one parking facility can serve multiple uses (12-9-3.A) and then introduces 12-9-3.B., C., and D., which establish parameters for required parking spaces on a separate property from the particular use they serve. Sub-section B refers to privately owned parking and properties, sub-section C addresses publicly owned parking (e.g. a City-owned parking lot or garage), and

sub-section D refers to instances of vacancy where parking is for the foreseeable future going unused.

Earlier in 2021, a conditional use petitioner sought to utilize allowances of sub-section B. The subject property was deficient per the baseline requirement of Section 12-9-7. Beyond day-to-day activities addressed by Section 12-9-7, the use was expected to have well-attended meetings when demand for parking would far exceed the baseline requirement. The petitioner submitted multiple draft shared parking agreements to demonstrate that parking spaces would be available to them at other properties in the same neighborhood. However, these properties lay on the other side of busy roads and intersections, and the walking path to the entrance of the proposed use would not have been linear or convenient from the majority of the proposed off-site parking. The City Council chose to deny the conditional use and then instructed staff and the PZB to take up amendments that would prevent future protracted considerations of generally unworkable shared parking arrangements. The Council's intent is not to eliminate fully the potential for requirements to be met through off-site or shared parking agreements. However, the Council suggests that a minimum distance, as exists in some other communities, be put into place, as well as any other common-sense limitations.

As part of research for the draft amendments, staff sought assistance from the Northwest Municipal Conference (NWMC), which distributed survey questions to other communities. Staff summarized the responses for inclusion in this report to support the rationale for the proposed amendments. At the September 14, 2021, public hearing, the PZB asked staff to research additional communities, specifically Arlington Heights and Palatine. Staff conducted this research and added these to the table on the following page. Also at the public hearing, the PZB gave feedback that the 300-foot requirement initially proposed by staff was too restrictive. The measurement method initially proposed – from the main entrance of the use served to the off-site parking spaces – may be difficult or complicated to review and enforce. Board members proposed a simpler lot-line-to-lot-line measurement method, which is used in other contexts in the Zoning Ordinance. In addition, the Board proposed that based on research of additional communities, it may be appropriate to distinguish between types of uses when setting the distance. Finally, the Board was curious to review any shared parking agreements the City had approved and/or were currently in practice. An agreement that for a restaurant to utilize grocery store parking is Attachment 2.

Based on the Board's feedback and staff's additional research, the proposed amendments have been revised. In summary, the revised amendments do the following:

- Clarify zoning administrator and City Council authority to approve shared or off-site parking, depending on the process;
- Rewords “reduction” in off-street parking requirement instead as a “fulfillment”;
- Requires that shared parking agreements be kept current and filed with the Department of Community and Economic Development; and
- Reorganizes and adds to the limitations for when shared, off-site parking on privately-owned zoning lots is possible. These are the proposed new limitations:
  - The off-site parking must be within 1,000 feet of a non-residential use served and 500 feet of a residential use served (revised from 300 feet for all uses). Single-family attached and detached homes are excluded from the allowance. The distance would be measured from zoning lot line to zoning lot line; and
  - Walking between any required off-site space to the use served cannot require at-grade crossing of roadways classified by the Illinois Department of Transportation as arterials, except for arterials in downtown Des Plaines and other select corridors where there are ample signalized intersections and cross-sections of road that are feasible to cross safely.

**Table. Research of Shared Parking Allowances in Other Communities’ Zoning Ordinances.**

MUNICIPALITY	MAXIMUM DISTANCE FOR SHARED PARKING	METHOD FOR MEASURING DISTANCE	OTHER CONSIDERATIONS
Arlington Heights <i>(added for October 26, 2021 consideration)</i>	Not allowed for lower-density residential; 300 feet for “transient hotels”; 500 feet for higher-density residential; 1,000 feet for business and manufacturing	Walking distance between the space on the separate lot and the main entrance of the use served	None.
Palatine <i>(added for October 26, 2021 consideration)</i>	Not allowed for single- and two-family dwellings; 200 feet for multifamily; 800 feet for business, manufacturing or non	Straight line from nearest point of the parking area to the nearest entrance of the use served	None.
Lincolnwood	300 feet	Walking distance	Must be located on a lot owned or leased by the owner or lessee of the lot for which the parking spaces are required.
Morton Grove	300 feet	Straight line between property boundaries	Can account for 15 to 35 percent of the parking minimum for a use, depending on circumstances.
Mount Prospect	1,000 feet	Straight line between property boundaries	None.
Niles	300 feet	Straight line between property boundaries	Can account for up to 20 percent of the parking minimum for a use, depending on circumstances.
Park Ridge	300 feet	Not specified	The off-site parking spaces must be under the same ownership of the subject property of the use utilizing the off-site parking.

### **Proposed Amendments (Revised)**

All proposed amendments related to shared parking, revised from the initial proposal on September 14, are contained in Attachment 1. Additions are **bold, double-underline**. Deletions are ~~struck through~~. Amended sections are provided with some surrounding, unamended text for context.

### **Standards for Zoning Ordinance Text Amendment:**

The following is a discussion of standards for zoning amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided.

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

The Comprehensive Plan calls for improving traffic flow, circulation, and parking (Goal 3.3). The amendments to add parameters for shared parking would improve the existing situation and consider circulation and flow not only for vehicles but also for pedestrians.

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

The amendments make future parking proposals more compatible with the character and nature of Des Plaines than the current rules provide.

**3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available;**

The amendments related to shared parking consider the classification and design of roadways as to the degree they serve as a barrier between uses and required parking spaces.

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

The proposed amendments, if they have any impact, are likely to improve property values by fostering a reasonable way to meet off-street parking requirements,

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

The amendments are based in thoughtful, well-researched considerations of trends in development in other communities and the region overall. The amendments also respond to issues encountered by the City Council and City staff.

**PZB Procedure and Recommendation:** Under Section 12-3-7 of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve with modifications, or deny the above-mentioned amendments. City Council has final authority on the proposal.

### **Attachments:**

Attachment 1: Revised proposed amendments related to shared parking

Attachment 2: An agreement for Boston Fish Market at 1225 Forest to utilize parking at Aldi at 1365 Lee (distance: approximately 60 feet from zoning lot line to zoning lot line)

12-9-3: COLLECTIVE PARKING:

A. Off street parking facilities for separate uses may be provided collectively if the total number of spaces so provided collectively is not less than the sum of the separate requirements for each such use, and provided further, that such collective facilities meet all regulations governing location of accessory parking spaces in relation to the use served.

B. The zoning administrator for permitted uses or the City Council in all other cases may authorize ~~a~~ up to thirty three percent (33%) ~~reduction of the~~ required off street parking to be fulfilled on a separate, privately owned zoning lot ~~total~~ number of required parking spaces for two or more uses jointly providing off street parking when all of the following are met:

1. The parking spaces utilized on the separate zoning lot are in excess of the total requirement for all uses that occupy that lot, or the parties have provided to the zoning administrator or City Council sufficient data to indicate there is not a substantial conflict in the hours of operation of all of the uses;
2. The separate zoning lot is no more than 1,000 feet from a non-residential use served or 500 feet from a residential use served, excluding single-family attached (townhouse) or detached dwellings, which must have all required parking on site. The distance shall be measured from zoning lot line to zoning lot line;
3. Walking between the separate zoning lot and the use served does not require at-grade crossings of roadways classified by the Illinois Department of Transportation as arterials, except for Lee Street between Brown Street and Thacker Street, Graceland Avenue between Jefferson Street and Thacker Street, Miner Street between Graceland Avenue and River Road, Dempster/Thacker Street between Wolf Road and River Road, Algonquin Road between Wolf Road and River Road, and Oakton Street between Lee Street and River Road; and
4. A legal agreement approved by the city attorney guarantees that the parking spaces on the separate zoning lot shall be maintained so long as the uses requiring parking are in existence or unless the required parking is provided elsewhere in accordance with this chapter. The instrument shall also be recorded by the property owners with the county recorder's office. The agreement shall be kept current and a copy maintained on file with the City's department of community and economic development. ~~The property~~

owners involved in the joint use off street parking facility shall provide, to the zoning administrator:

- ~~1. Sufficient data to indicate that there is not a substantial conflict in the principal hours of operation of the uses; and~~
- ~~2. A legal agreement approved by the city attorney guaranteeing that the parking spaces shall be maintained so long as the uses requiring parking are in existence or unless the required parking is provided elsewhere in accordance with this chapter. The instrument shall also be recorded by the property owners with the county recorder's office.~~

C. The zoning administrator **for permitted uses or the City Council in all other cases** may **allow**, in his sole discretion, reduce the total number of the required off street parking **requirement** spaces for any use in a non-residential district **to be met via a publicly owned or operated facility**, if the owner or operator of that use enters into an easement, lease, license or other form of legal agreement with the City of Des Plaines or any other government entity that owns or operates ~~the~~ **an off street parking facility**. Such parking use agreement, or a summary memorandum thereof, shall be in a form acceptable to the City and be recorded against the property index numbers (PINs) for the parcel on which the off street parking facility is located and the parcel that will receive the right to use the parking spaces. The zoning administrator shall ensure that the off street parking spaces identified in the parking use agreement are open and available during the periods described in the parking use agreement. Such public off street parking facility may be located no more than 1,000 feet of the main entrance of the parcel requesting the right to use the parking spaces. **The legal agreement shall be kept current and a copy maintained on file with the City's department of community and economic development.**

D. In instances when a principal building is not fully occupied and contains parking spaces in excess of minimum number of spaces required by the building's current occupancy, the zoning administrator **for permitted uses or the City Council in all other cases** may ~~in his sole discretion~~, allow the owner of the parcel to enter into an easement, lease, license or other form of legal agreement with the owners or occupants of nearby parcels seeking to use the parcel's excess parking capacity, so long as the following conditions are met:

1. In no event may any parcel be used as a commercial parking lot open to the general public pursuant to a parking use agreement described in this section unless it has received all necessary approvals required by the Zoning Ordinance.
2. The parking use agreement may not exceed a month to month tenancy or use period to allow for its prompt termination in the event the parcel providing the excess parking increases its occupancy and its corresponding need for off street parking.
3. No more than 33 percent of the total parking spaces on a parcel may be allocated for use by off-site users on a temporary basis.

4. The place of business or operation using the interim parking spaces may be located no more than 1,000 feet from the parcel providing the excess spaces.

5. The parking agreement shall be kept current and a copy maintained on file with the City's department of community and economic development. (Ord. Z-8-98, 9-21-1998; amd. Ord. Z-3-20, 1-6-2020)

###



After Recording Return To:

David T. Arena  
DiMonte & Lizak, LLC  
216 W. Higgins Road  
Park Ridge, Illinois 60068



Doc#: 1530845049 Fee: \$48.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 11/04/2015 02:52 PM Pg: 1 of 6

Prepared By:

David T. Arena  
DiMonte & Lizak, LLC  
216 W. Higgins Road  
Park Ridge, Illinois 60068

[Space Above This Line For Recording Data]

### LICENSE AGREEMENT

Legal Description:

THAT PART OF THE SOUTH 1/3 OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF WISCONSIN CENTRAL RAILROAD AND EXCEPTING THEREFROM THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, WITH THE EAST LINE OF LEE STREET (SAID POINT BEING 5.0 FEET EAST OF THE SOUTH WEST CORNER OF SAID QUARTER QUARTER SECTION); THENCE NORTH 03 DEGREES 16 MINUTES 40 SECONDS EAST ALONG SAID EAST LINE OF LEE STREET, 9.015 FEET TO AN INTERSECTION WITH A LINE 9.0 FEET (AS MEASURED AT RIGHT ANGLES) NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION; THENCE DUE EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 546.92 FEET TO A POINT OF CURVE; THENCE NORTH EASTERLY ALONG A CURVED LINE, CONVEXED TO THE SOUTH EAST, HAVING A RADIUS OF 24.0 FEET AND BEING TANGENT TO THE LAST DESCRIBED LINE AT THE LAST DESCRIBED POINT, AN ARC DISTANCE OF 26.27 FEET TO A POINT OF REVERSE CURVE; THENCE NORTH EASTERLY, EASTERLY AND SOUTHERLY ALONG A CURVED LINE, CONVEXED TO THE NORTH, HAVING A RADIUS OF 48.0 FEET AND BEING TANGENT TO THE LAST DESCRIBED CURVED LINE AT THE LAST DESCRIBED POINT, AN ARC DISTANCE OF 127.94 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID QUARTER QUARTER SECTION; THENCE DUE WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 659.43 FEET TO THE PLACE OF BEIGINING, IN COOK COUNTY, ILLINOIS, ALSO EXCEPTING THE WEST 5 FEET OF THE SOUTH 1/3 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 09-20-400-019-0000

Common Address: 1365 Lee Street, Des Plaines, Illinois 60018

## LICENSE AGREEMENT

**ALDI INC.**, an Illinois corporation, the principal office of which is located at 1200 North Kirk Road, Batavia, Illinois 60510, Attention: Director of Real Estate ("**Aldi**"), hereby grants to **BOSTON FISH MARKET, INC.**, an Illinois corporation, having an address of 1225 East Forest Avenue, Des Plaines, Illinois 60018 ("**Boston**"), a revocable, non-exclusive license ("**License**") to enter upon land located at 1365 Lee Street, Des Plaines, Illinois 60018 and generally depicted on Exhibit A attached hereto (the "**Property**"), subject to the terms and conditions hereof, for the purpose of Boston's employees and invitees to have the ability to park in the 25 parking spaces located within the Property's parking lot depicted as parking spaces 1 through 25 on Exhibit A (the "**Licensed Parking Area**") (hereafter called the "**Licensed Activity**"). Boston shall have the right to perform the Licensed Activity between the hours of 11am and 10pm, Monday through Saturday.

The License shall commence on October 1, 2015 and expire September 30, 2016 (the "**License Term**"). Aldi may revoke the License prior to the expiration of the License Term (as it may have been previously extended) by providing at least 30 days' advance written notice to Boston at Boston's address set forth above.

Boston is hereby granted 4 successive options (individually, an "**Option**") to extend the License Term for additional periods of 1 year each (each, an "**Option Period**") on the terms and conditions set forth herein. Each Option shall be exercised (if at all) upon written notice delivered to Aldi at the address set forth above by Boston not less than 120 days before the expiration of the License Term (as it may have been previously extended).

Commencing on October 1, 2015, Boston shall pay to Aldi a license fee for the Licensed Parking Area during the License Term (the "**License Fee**") as set forth below:

<b>License Term</b>	<b>Annual License Fee</b>	<b>Monthly License Fee</b>
Year 1	\$6,000.00	\$500.00
<b>Option Periods</b>		
Year 2	\$6,600.00	\$550.00
Year 3	\$7,260.00	\$605.00
Year 4	\$7,986.00	\$665.50
Year 5	\$8,784.60	\$732.05

The License Fee shall be payable in equal monthly installments on the first day of each month. All checks for the License Fee are to be made payable to the order of Aldi at Aldi's address above.

Boston's right to perform the Licensed Activity is limited to Boston's employees and invitees, and Boston's employees and invitees may only park in the Licensed Parking Area for the purpose of attending work and dining at Boston's seafood restaurant. All Licensed Activity shall be conducted in a manner that minimizes any

disruption to the Property and the activities of Aldi and Aldi's customers. Boston employees and invitees shall not leave their vehicles overnight and must not use the Licensed Parking Area for any other reason, including but not limited to advertising said employees' or invitees' cars for sale. If vehicles parked by Boston's employees or invitees remain in the Licensed Parking Area after 11:00 pm any night or following the expiration of the License Term, Aldi may tow all such vehicles at the expense of such vehicle owners.

During the License Term, Boston shall be responsible for removing all trash, rubbish, and debris from the Licensed Parking Area each morning, Monday through Saturday and on Sunday (if Boston is open for business), by 9am.

Boston shall be liable for all damages to the Property, to Aldi and to Aldi's customers resulting from the Licensed Activity. Upon demand, Boston shall reimburse Aldi for the cost of repair of the Property or any other damages incurred resulting from Boston's use of the License. Boston agrees to indemnify and hold Aldi harmless from and against all claims arising from any acts or omissions of Boston and/or Boston employees while on the Property. Boston agrees to maintain insurance coverages in the types and amounts set forth on Exhibit B. Boston shall add Aldi as an additional insured under all such insurance as of October 1, 2015.

This License Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties. Boston shall not have the right to assign the License without the prior written consent of Aldi, which shall be granted or withheld in Aldi's sole and absolute discretion.

This License Agreement may be executed in several counterparts, each of which may be deemed an original, and all of such counterparts together shall constitute one and the same License Agreement. This License Agreement may be executed by facsimile or electronic signature.

*[Signature page follows]*

IN WITNESS WHEREOF, Aldi and Boston have caused their duly authorized representatives to execute and deliver this License Agreement on the dates indicated below.

ALDI INC.,  
an Illinois corporation

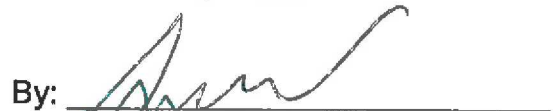


By: Laura Branneman

Its: Vice President

Date: 10.22.15

BOSTON FISH MARKET, INC.,  
an Illinois corporation



By:

Its: PRESIDENT

Date: 10-20-15

**Exhibit A**

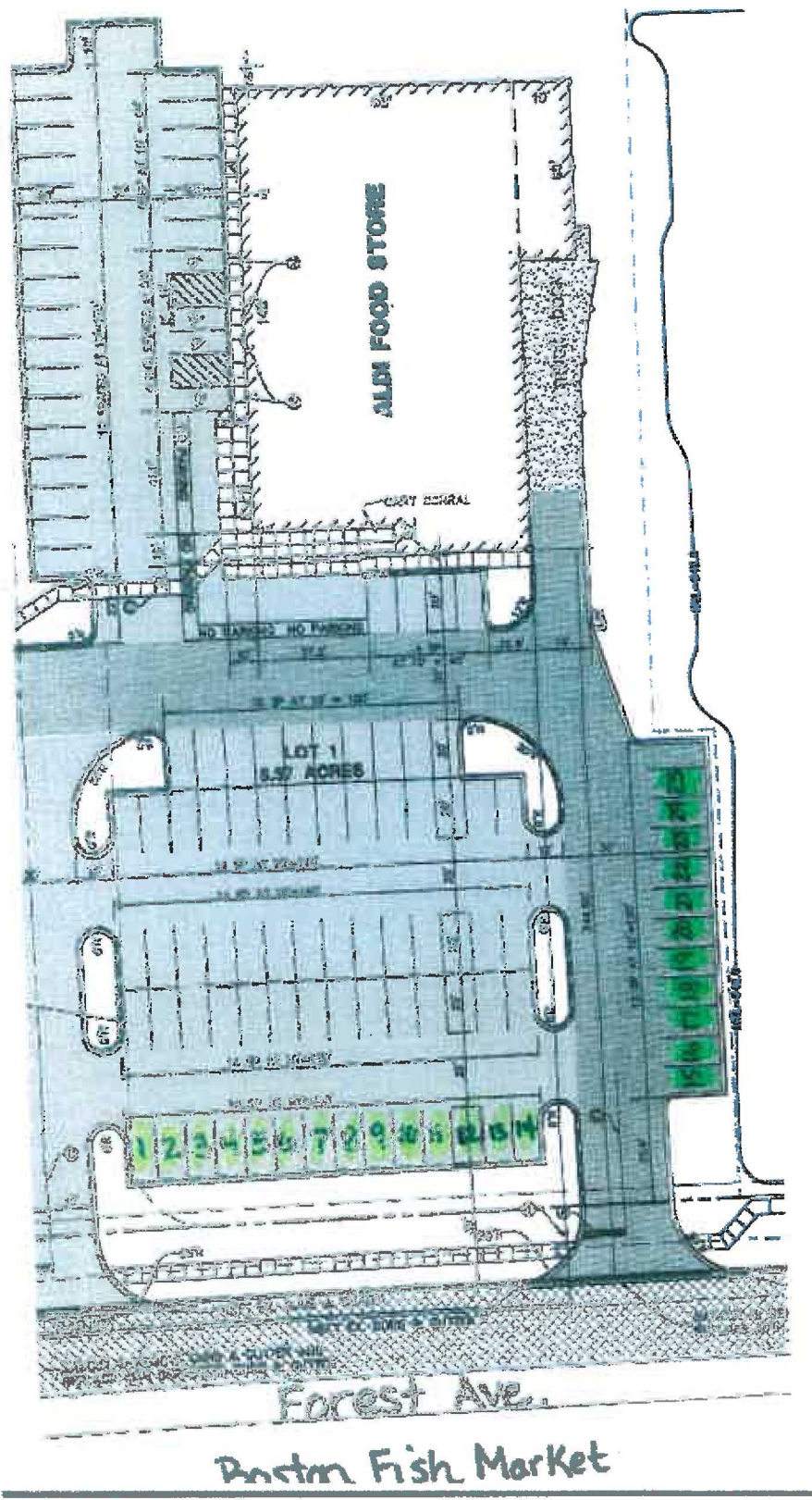


Exhibit B



CERTIFICATE OF LIABILITY INSURANCE

BOSTON

CPIS 02

DATE REVISED  
09/25/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

Producer: CarAll Insurance Agency, Inc. 20 Northwest Pl Bldg 205 223 214 Grove Village, IL 60007 Paul F. Proxmayer

Contract Base: Paul F. Proxmayer FAX: 847-758-1090 FAX: 847-758-1200

INSURER: Boston Fish Market, Inc. Hennessey LTD and Louis's Crab House LLC 1229 Forest Ave. Des Plaines, IL 60018

INSURER A: 26253

INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGE: CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CLASS	TYPE OF INSURANCE	CLASS CODE	POLICY NUMBER	START DATE (MM/DD/YYYY)	END DATE (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> COMBINATION <input checked="" type="checkbox"/> 60000 <input checked="" type="checkbox"/> LIQUOR LIAB		0410134554	05/01/2015	05/01/2016	EACH OCCURRENCE \$ 1,000,000 COVERAGE FOR RETIRED EMPLOYEES "As Occurs" \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADVERTISING \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMBINATION \$ 2,000,000 Liquor \$ 1,000,000
A	EMPLOYERS LIABILITY <input checked="" type="checkbox"/> EMP COVER ALL OTHERS <input type="checkbox"/> SCHEDULED OTHER <input checked="" type="checkbox"/> UNEMPLOYED <input checked="" type="checkbox"/> WORKERS COMP NONFACED		0000130015	05/01/2015	05/01/2016	EMPLOYER SINGLE LIMIT \$ 1,000,000 BODILY INJURY (Per accident) \$ BODILY INJURY (Per employee) \$ PROPERTY DAMAGE (Per accident) \$ OTHER \$
A	<input checked="" type="checkbox"/> FIDELITY AND SURETY FIDELITY AND SURETY FIDELITY AND SURETY FIDELITY AND SURETY		0390171984	05/01/2015	05/01/2016	EACH OCCURRENCE \$ 8,000,000 AGGREGATE \$ 8,000,000 OTHER \$
A	WORKERS COMPENSATION SCHEDULED EMPLOYMENT LIABILITY ANY EMPLOYER/EMPLOYEE/CONTRACTOR SCHEDULED EMPLOYMENT LIABILITY SCHEDULED EMPLOYMENT LIABILITY SCHEDULED EMPLOYMENT LIABILITY		0005101323	05/01/2015	05/01/2016	<input checked="" type="checkbox"/> PER EMPLOYEE <input type="checkbox"/> OTHER SCHEDULED EMPLOYMENT LIABILITY \$ 500,000 SCHEDULED EMPLOYMENT LIABILITY \$ 500,000 SCHEDULED EMPLOYMENT LIABILITY \$ 500,000
A	CARGO AND FREIGHT		0410134554	05/01/2015	05/01/2016	CARGO \$ 100,000 DED \$ 5,000

DEFINITION OF OPERATIONS: LIQUOR LIAB: VEHICLES: LICENSED: 101. Additional Special Provisions may be attached if necessary (required)

NOTE: Aldi, 1830 S. Arden Ave, Villa Park, IL 60181 - Aldi, Inc. is Additional Insured for General Liability on a primary/non-contributory basis if required by written contract. A waiver of subrogation applies in favor of the Additional Insured for General Liability, Auto Liability and Workers Compensation per written Lease Agreement. Umbrella follows form ACORD 101

CERTIFICATE HOLDER: ALDINC

Aldi, Inc.  
1200 N. Kirk Ave  
Evanston, IL 60201

CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE: [Signature]