



DES PLAINES PLANNING AND ZONING BOARD MEETING

September 14, 2021

MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, September 14, 2021, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

Chairman Szabo 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, Szabo, Veremis

ABSENT: Bader

ALSO PRESENT: John T. Carlisle, AICP, Economic Development Manager/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 Catalano, seconded by Board Member Veremis, to approve the minutes of August 24 2021, as presented.

AYES: Catalano, Veremis, Saletnik, Szabo

NAYES: None

ABSTAIN: Fowler, Hofherr

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

Case 21-016-V
Case 21-036-CU-V
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1316 Webford Ave
2000 Mannheim Rd
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OLD BUSINESS

None

NEW BUSINESS

1. Address: 1316 Webford Avenue

Case Number: 21-016-V
Public Hearing

The petitioner is requesting a Major Variation under Section 12-8-1(C) of the Des Plaines Zoning Ordinance, as amended, to allow for the installation of a detached garage that exceeds the maximum area of 720-square feet in the R-1 zoning district, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-306-028-0000
Petitioner: Chris Colldock, 1316 Webford Avenue, Des Plaines, IL 60016
Owner: Chris Colldock, 1316 Webford Avenue, Des Plaines, IL 60016

Chairman Szabo swore in Chris Colldock and Michelle Daniel, property owners and Petitioners for the property located at 1316 Webford, Des Plaines. The Petitioners explained the revisit to the Planning & Zoning Board as based on a clarification regarding square footage of the proposed garage, the square footage of the garage will be 917 square feet. Plans have been updated and included in the packet for review.

Chairman Szabo asked if the Board had any questions. There were no questions from the Board.

Chairman Szabo inquired if the applicant was charged again to reappear in front of the Board, staff responded that the applicant was not charged an additional fee.

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

Issue: The petitioner is requesting a Major Variation under Section 12-8-1(C) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow the construction of an over-sized detached garage that exceeds the maximum area permitted for a detached garage in a residential zoning district.

UPDATE: New plans have been submitted for this request detailing a 916-square-foot detached garage on the subject property. Previously, the Planning and Zoning Board deliberated over an 897-square-foot detached garage at this location. The new plans require a new public hearing for the Planning and Zoning Board. All references in this report to 897 square feet have been changed to 916 square feet. Any attached plans have been updated to illustrate the proposed 916-square-foot detached garage. The rest of this report is substantially the same from the June 8, 2021, public hearing.

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Address: 1316 Webford Avenue

Owner: Chris Colldock, 1316 Webford Avenue, Des Plaines, IL 60016

Petitioner: Chris Colldock, 1316 Webford Avenue, Des Plaines, IL 60016

Case Number: 21-016-V

PIN: 09-17-306-028-0000

Ward: #3, Alderman Sean Oskerka

Existing Zoning: R-1, Single Family Residential District

Existing Land Use: Single Family Residence

Surrounding Zoning:
North: C-3, General Commercial 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: Railroad; Pharmacy (Commercial)
South: Single Family Residences
East: Single Family Residences
West: Single Family Residences

Street Classification: Webford Avenue is classified as a local street.

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

Project Description: The petitioner, Chris Colldock, is requesting a major variation to allow for a 916-square-foot detached garage in the R-1, Single Family Residential District at 1316 Webford Avenue where a maximum area for a detached garage in a residential zoning district is 720 square feet. The subject property is located along Webford Avenue near Downtown Des Plaines and backs up to the Metra railroad. The property is 13,650 square feet (0.31 acres) in size and currently consists of a one-story residence, patio area, detached garage, and driveway area as shown on the Plat of Survey. The existing one-car detached garage is approximately 337 square feet in size, is located 3.67 feet from the east property line, and is setback approximately 33.37 feet from the north property line. Pursuant to Section 12-8-1(C), the maximum area for a detached garage in a residential zoning district is 720 square foot.

The petitioner is proposing to construct a one-story, 916-square foot detached garage with an 18 foot wide garage door. The proposed garage will be setback 5'-6" off the east property line and 19'-2" off the north property line to meet the minimum five-foot setback requirement for detached garages as shown on the Site Plan. The petitioner is requesting the over-sized detached garage to accommodate additional vehicles, yard equipment, seasonal furniture, and personal workbench for residence maintenance on the property in an enclosed structure, which is not possible in the existing one-car garage. The proposal would replace the existing detached garage with the new 916-square-foot detached garage setback further from the property lines but without any changes to access. The petitioner has provided architectural plans to illustrate the overall design, layout, and elevations of the proposed garage as shown in the Garage Plans.

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The existing gravel driveway leading from the front property line to the existing detached garage does not comply with current code. If approval is recommended for this request, staff is adding a condition that the gravel driveway is improved with a dust-free hard surface in compliance with all applicable City of Des Plaines codes.

Pursuant to Section 12-8-1(C)(5) of the Des Plaines Zoning Ordinance, the maximum area of a detached garage in a residential district shall be seven hundred twenty (720) square feet or less. The petitioner's request to allow for a detached garage that exceeds the 720 square foot maximum for a detached garage in a residential area constitutes the need for a major variation to Section 12-8-1(C) of the 1998 Des Plaines Zoning Ordinance.

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

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

Comment: Staff finds that there is no hardship or practical difficulty preventing the petitioner from complying with the 720-square foot maximum area allowance for detached garages in residential districts as a 720-square foot space does allow for the storage of multiple vehicles, equipment, and workbench area depending on design. Additionally, the zoning code allows for two accessory structures for each property so a shed could be added to accommodate additional storage as needed. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Staff finds that there is no unique physical condition on the subject property than differs from any other property along this street as there are several other properties backing up to the Metra train tracks that share the same conditions. While detached garages and other accessory structures inevitably may provide some semblance of privacy and noise reduction, this is not their intended purpose. Additionally, there is ample room to install landscaping as a natural barrier to address the noise and privacy concerns posed by the petitioner. Please see the Petitioner's responses to Standards for Variations.

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

Comment: While the subject property's location, size, and close proximity to the Metra train tracks may not be a result of any action or inaction of the property owner, the subject property

was purchased with the understanding of these attributes and conditions. As such, staff does not find these physical conditions of the subject property warrant the approval of a variation for an over-sized garage, whether for privacy, noise dampening, or additional storage, since other properties along this street deal with similar circumstances. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Staff finds that carrying out the strict letter of this code to permit a 720-square foot detached garage would not deprive the existing property owner of substantial rights enjoyed by other owners of similarly zoned lots since this regulation is enforced for all residentially-zoned properties regardless of size, location, and composition of the property. All new detached garages are held to the same standards under Section 12-8-1(C) of the Zoning Ordinance so enforcing the maximum detached garage area would not prevent the property owner from any substantial rights enjoyed by other single family residential properties. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Staff finds that the granting of this variation for density would, in fact, provide a special privilege for the property owner not available to other single family residential properties as it would give the petitioner preferential treatment over owners of other single family residences. Additionally, it could create a precedence for additional over-sized garage requests for single family residential properties that do not meet the standards for variations and may not have the available space or justifiable need for an over-sized detached garage. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Staff finds that the proposed over-sized detached garage would not be harmonious with the surrounding single family residential development in this area or for other single family zoned properties in Des Plaines and does not meet the standards for variation in Section 12-3-6 of the Zoning Ordinance. Additionally, the zoning code requires a minimum of two off-street parking spaces, which a 720-square foot garage can meet and exceed depending on design. The request for the oversized detached garage would not support the goals and objectives of the Comprehensive Plan as this does not benefit other residents or the City of Des Plaines as a whole. Please see the Petitioner's responses to Standards for Variations.

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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: Staff finds that there are ways to avoid the requested variation for an oversized garage. Aside from the fact that the allowable 720-square foot size for a detached garage can accommodate multiple vehicles, equipment storage, and work area depending on its design, the zoning code allows up to two accessory structures for each property up to 150-square feet in size. Thus, a shed could be added on the property as a second accessory structure to accommodate additional storage as needed totaling 870-square feet, which is near the area that the petitioner is requesting for the detached garage. An additional alternative if more space is needed is constructing an addition on the existing residence, in conformance with all applicable codes, since there is ample room in the rear yard. In essence, there are other available options aside from the variation to remedy the petitioner's posed concerns. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Staff finds that the approval of this variation request for an oversized garage is not the minimum measure of relief to address the petitioner's concerns, but rather the installation of mature landscaping at the rear of the property to reduce noise, add privacy, and allow for outdoor space. In addition to that, the zoning ordinance allows properties that abut a railroad right-of-way to install an eight-foot tall fence along the side that abuts the alley, which could assist in the privacy and noise reduction measures. Please see the Petitioner's responses to Standards for Variations.

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 has the authority to recommend that the City Council approve, approve subject to conditions, or deny the above-mentioned major variation for an over-sized detached garage at 1316 Webford Avenue. 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 made 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 condition:

1. The existing gravel driveway shall be improved with a dust-free hard surface in conformance with all applicable City of Des Plaines codes.

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

A motion was made by Board Catalano, seconded by Board Member Fowler, to recommend approval of a Major Variation under Section 12-8-1(C) of the Des Plaines Zoning Ordinance, as amended, to allow for the installation of a detached garage that exceeds the maximum area of 720-square feet in the R-1 zoning district, and the approval of any other such variations, waivers, and zoning relief as may be

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necessary, with the condition that the existing gravel driveway shall be improved with a dust-free hard surface in conformance with all applicable City of Des Plaines codes.

AYES: Catalano, Fowler, Hofherr, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

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2. Address: 2000 Mannheim Road

Case Number: 21-036-CU-V
Public Hearing

The petitioner is requesting a Conditional Use as required by Section 12-7-3(K) and a Major Variation from the Building Design rules of Section 12-3-11 of the Des Plaines Zoning Ordinance, as amended, for a convenience mart fueling station at 2000 Mannheim Road, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-29-402-038-0000 and 09-29-402-043-0000
Petitioner: Henry Patel, 2000 Mannheim Road, Des Plaines, IL 60018
Owner: Henry Patel, 2000 Mannheim Road, Des Plaines, IL 60018

Chairman Szabo swore in Henry Patel and Ron Ambrose. Mr. Ambrose provided an overview of the request, stating that Mr. Patel wishes to expand his convenience mart for the sale of wine and beer. To comply with the City's space requirements, Mr. Patel plans to remove the current car wash and enlarge the store area, by building out the convenience mart, installing a beer cave and walk-in cooler, and creating storage and office spaces.

Mr. Ambrose continued that the building would be infilled with brick and glass, with no additional major modification to the area. Mr. Ambrose highlighted staffs request for additional landscaping and commented that a trash enclosure would be added to the property, toward the rear of the building, which will be hidden but easily accessible.

Chairman Szabo asked if the Board had any questions.

Member Fowler asked if the entire building façade would be updated, Mr. Ambrose stated that the current building is attractive and in good shape, but the car wash overhead doors would be removed and infilled with brick to match the look of the existing building.

Member Catalano questioned staff about a Traffic Study. Mr. Stytz stated that a traffic study was not required since the current building is being utilized; staff has no traffic concerns.

Member Catalano inquired about traffic to the area. Mr. Patel stated that he anticipates that traffic will decrease, since the car wash will be removed.

Member Saletnik asked the Petitioner to discuss revenue based on having a car wash versus a convenience mart that sells alcohol products. Mr. Patel provided an overview of his business perspective stating that improvements to the gas station/car wash have not been made for over 15 years and over that time newer car washes have been built. Mr. Patel believes that an updated convenience mart/food mart is most beneficial for him at this time.

Member Saletnik continued stating that the car was equipment most likely needs to be updated, and can be quite costly, especially with competition down the street. Member Saletnik suggested that the owner spend money where there is an opportunity to grow revenues.

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Chairman Szabo inquire about limousines utilizing the car wash, he mentioned that within the past four years, additional larger gas stations and car washes have been built, closer to O’Hare airport. Mr. Patel continued that opening a larger convenience store should generate larger revenues, Mr. Patel stated that he wants to continue to update and beautify the current location.

Chairman Szabo asked what the projected liquor sales, Mr. Patel did not have an estimated revenue amount, but stated that people have been asking for beer and wine at the store location.

Member Veremis stated that the space will be less congested with the removal of the carwash, since in the past people stopped to dry their vehicles, etc. Member Veremis also commented on the space to the west; Mr. Patel stated that there are no plans to utilize that space at this time, the main goal is to update the convenience store.

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

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

Issue: The petitioner is requesting a Conditional Use under Section 12-7-3(K) of the Zoning Ordinance to allow a Convenience Mart Fueling Center in the C-3 zoning district. The petitioner is also requesting variations from the blank wall limitations of Section 12-3-11.

Address: 2000 Mannheim Road

Petitioner: Henry Patel, 6N232 Dinah Road, Medinah, IL 60157
Owner: Henry Patel, 6N232 Dinah Road, Medinah, IL 60157

Case Number: 21-036-CU-V
Real Estate Index #: 09-29-402-038-0000; -043

Ward: #5, Alderman Carla Brookman

Existing Zoning: C-3, General Commercial District

Existing Land Use: Fueling Station and Car Wash

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

Surrounding Land Use: North: Gas Station/Water Tower
South: Self-Storage Business (Commercial)
East: Railroad; Power Station (Utilities)

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West: Townhouse Residences (Residential)

Street Classification: Mannheim Road is classified as an other principal arterial and Howard Avenue is classified as a minor collector.

Comprehensive Plan: The Comprehensive Plan illustrates this site as commercial.

Project Description: The petitioner, Henry Patel, with the assistance of architect Ronald J. Ambrose, has requested a Conditional Use Permit for a Convenience Mart Fueling Station Use at 2000 Mannheim Road. The subject property is a double frontage lot on the southwest corner of the Mannheim Road/Howard Avenue intersection, which fronts Mannheim Road to the east, Howard Avenue to the north, and Chestnut Street to the west. The property is within the C-3 General Commercial district, where a Convenience Mart Fueling Station is a conditional use. The Plat of Survey shows a single-tenant building with seven fuel pumps and one canopy, a car wash, and an off-street surface parking areas on the west side of the property. Access to the subject property is available off Mannheim Road and Howard Avenue, each with two curb cuts. There is no available property access off Chestnut Street.

The existing one-story, 2,610-square-foot building consists of a small lobby area with counter, a restroom, utility room, cooler, and car wash tunnel. The petitioner wishes to renovate the existing floor plan by removing the car wash tunnel to make room for the convenience mart, adding an office, and adding a storage room, based on the Floor Plan. The petitioner does not propose to make façade and finishing changes to the building's exterior with the exception of the masonry in-fill areas on the east (front) and west (rear) elevations of the building where the existing car wash is located and retain the existing building material and façade finishes on the remainder of the building, based on the Elevations (Attachment 7). The petitioner's proposal also includes site improvements such as the addition of landscaping along the perimeter of the west and north parking lot area, the addition of five new parking spaces on the east side of the property, and new dumpster enclosure, based on the Site Plan (Attachment 5). Staff has added a condition that the proposed dumpster enclosure meets the requirements of Section 12-10-11 of the Zoning Ordinance.

The proposed floor plan includes a 1,929-square-foot retail area, 100-square-foot office, freezer, and storage area. The following parking regulations apply to automotive fuel stations pursuant to Section 12-9-7 of the Zoning Ordinance:

- One parking space for every 200 square feet of accessory retail area; and
- Two parking spaces provided at each fuel pump.

A total of 24 off-street parking spaces are required, including two handicap accessible parking spaces. The Site Plan provides 25 spaces including two spaces per fuel pump, and 11 spaces next to the building to serve the retail. The Site Plan does not designate the two required accessible parking spaces. Staff has added a condition that the petitioner's site plan submitted at the time of building permitting contain accessible parking, with the required striping and dimensions.

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The convenience mart fueling station will be open 24 hours a day Monday through Sunday. The proposed convenience mart is intended to sell beer, liquor, and similar items, per the hours and other limitations on liquor licenses. The petitioner will have to obtain or update all necessary local and state licenses necessary to sell alcohol and tobacco. A maximum of two employees will be on site at a given time. Please see the Project Narrative for more details.

The façade alterations make the project subject to the Building Design Review requirements of Section 12-3-11. The closure of the car wash tunnel naturally leads to larger walls, which the petitioner is proposing to enclose with a mixture of windows (i.e. transparency) and brick. However, Section 12-3-11.D.1.a-b, street-facing facades have maximum requirements for what can be windowless. This project will exceed 30 percent of rectangular area of blank wall on the west façade (facing Chestnut), as well as having a windowless area with a horizontal distance greater than 15 feet. The petitioner contends that complying with the strict adherence is not practical, given that the building is existing and the project moves it closer toward – but not fully – compliant. Discussion of the variation standards begin on Page 5 of this report and are addressed by the petitioner in Attachment 2.

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:**

- This property is illustrated designated as Commercial 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 uses. While the current use is a commercial fuel station, the petitioner will work to enhance the subject property by renovating the interior and portions of the exterior of the existing building and making various site improvements including the addition of landscaping, new dumpster enclosure, and fence repairs at the west and north property lines of the property.
- The subject property is located along the defined Mannheim Road corridor with a park to the east, townhouse residential to the west, commercial to the north, manufacturing development to the south. It contains a single-tenant building located in between established commercial developments along Mannheim Road. The request would assist in the retention and expansion of an existing commercial business at this location and provide additional retail goods and services for the residents of Des Plaines.

- **Landscaping and Screening:**

- The Comprehensive Plan seeks to encourage and actively pursue beautification opportunities and efforts, including the installation of landscaping, street furniture, lighting, and other amenities, to establish a more attractive shopping environment and achieve stronger corridor identity in Des Plaines.
- The proposal seeks to add a landscape buffer along the west and north property lines to provide a more pronounced buffer between the building and the townhouse residences and commercial development directly to the west and north, respectively. The addition of landscaping in this area is intended to capitalize on available space for screening of the property.

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- The proposal also includes repairing portions of the existing fence section along the west and north property lines. While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is an 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:

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

Comment: The proposed Convenience Mart Fueling Station Use is a conditional use in the C-3 zoning district where the subject property is located. 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: The proposed Convenience Mart Fueling Station Use is a retail-oriented use that primarily serves day-to-day needs of local residents. Additionally, the subject property is along a major corridor in Des Plaines and in close proximity to residential neighborhoods. The proposed convenience mart will enhance the existing building and property as a whole as well as provide additional retail opportunities for residents nearby aside from fuel. 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: The Convenience Mart Fueling Station Use will transform the existing fuel station into a more pronounced commercial use similar to nearby businesses. The proposal includes enhancements to the interior and exterior of the building and site as a whole, which will be harmonious and appropriate with neighboring business. 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: The existing fueling station does not create adverse effects to the surrounding properties and the Convenience Mart Fueling Station Use will not have negative effect on the surrounding area. The proposal strives to enhance the property as a whole and expand an existing business to provide additional retail opportunities for residents. 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:

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Comment: The subject property is served adequately by essential public facilities and services since it is currently accessible by both Mannheim Road and Howard Avenue. The proposed Convenience Mart Fueling Station Use will not affect the existing public facilities and services for this property. 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: The proposed use will operate within existing infrastructure and is not expected to have a larger service demand than the existing use. Further, it will enhance an existing building and use for Des Plaines and can help improve the local economy. 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: The proposed Convenience Mart Fueling Station Use will include an enlarged retail area within the existing building footprint and site improvements within the existing property boundaries, neither of which will produce excessive production of noise, smoke fumes, glare, or odors. Additionally, the building and site enhancements will improve the property as a whole from both a functional and aesthetic standpoint. 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: The subject property does not create traffic concerns in the area with the existing access points and configuration. The proposed Convenience Mart Fueling Station Use does not intend to alter these access points or the overall configuration of the site. 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: The subject property is currently developed and improved with a building and surface parking area. The proposed Convenience Mart Fueling Station Use will not lead to the loss or damage of natural, scenic, or historic features of major importance on this property. 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: Provided conditions are met, the proposed Convenience Mart Fueling Station Use will comply with all additional regulations of the Zoning Ordinance. 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. Staff has the following comments based on the standards.

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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: Requiring the petitioner to comply with the Building Design Standards in Section 12-3-11 would prevent the petitioner from making substantial improvements to the existing fueling station and car wash on the subject property. The existing building faces three streets and would require substantial appearance altering renovations to the principal structure, which would be impractical for the petitioner to meet for the request. 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 subject property is located a double frontage lot and fronts three separate streets making it difficult for the petitioner to comply with the transparency and blank wall limitation regulations pursuant to Section 12-3-11 of the Zoning Ordinance on all elevations. The petitioner plans to fill in the car wash tunnel entrance and exit to make room for the convenience mart fueling center. The proposal includes the addition of windows on the west elevation where there is currently a rectangular area greater than 30% of a story's facade and portions of the building facade that are windowless for a horizontal distance greater than 15 feet. However, the proposed building improvements do not fully meet the requirements of the code, requiring a variation. 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 aspects of the property are unavoidable due to the fact that the property is land-locked and fronts three streets. 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 make improvements to the existing building and property as a whole. 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 reinvesting in the existing fueling center. 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 reinvestment in a commercial property that is in context with the surrounding area. 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 existing building in a way that meets the required transparency and blank wall limitation regulations. The transparency and design of the existing commercial building is nonconforming with the current blank wall limitation requirements, so reducing the required transparency requirements 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 commercial building. 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) 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 Convenience Mart Fueling Station at 2000 Mannheim 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:

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Case 21-036-CU-V
Case 21-038-TA

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1. The petitioner shall revise the site plan to be submitted at the time of building permitting to add the necessary accessible parking spaces.
2. Plans for the dumpster enclosure in compliance with Section 12-10-11 of the Zoning Ordinance shall be submitted to staff at time of building permit.
3. A Photometric Plan in compliance with Section 12-12-10 of the Zoning Ordinance shall be submitted to staff at time of building permit.
4. No vehicles or materials shall be stored on site at any time.

Chairman Szabo 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 Hofherr, for approval of the request for a Conditional Use as required by Section 12-7-3(K) and a Major Variation from the Building Design rules of Section 12-3-11 of the Des Plaines Zoning Ordinance, as amended, for a convenience mart fueling station at 2000 Mannheim Road, and the approval of any other such variations, waivers, and zoning relief as may be necessary, with the four recommended conditions: 1. The petitioner shall revise the site plan to be submitted at the time of building permitting to add the necessary accessible parking spaces; 2. Plans for the dumpster enclosure in compliance with Section 12-10-11 of the Zoning Ordinance shall be submitted to staff at time of building permit; 3. A Photometric Plan in compliance with Section 12-12-10 of the Zoning Ordinance shall be submitted to staff at time of building permit; and 4. No vehicles or materials shall be stored on site at any time.

AYES: Catalano, Hofherr, Fowler, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

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3. Address: Citywide Text Amendment

Case Number: 21-038-TA
Public Hearing

The City of Des Plaines is filing a request for consideration of the following text amendments to the Des Plaines Zoning Ordinance, as amended: (i) add limitations to the eligibility for collective parking under Section 12-9-3; (ii) establish definitions and regulations for electric vehicle charging in parking areas; and (iii) 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

The City is the applicant for this case; Economic Development Manager Carlisle will present this case. For ease of presentation, the text amendment will be broken up into two smaller presentations, one addressing the collection parking agreements and the second related to electric vehicle charging in parking areas.

Collective/Shared Parking Agreements

Mr. Carlisle presented an overview of the rationale to update the collective/shared parking agreement, including looking at a maximum distance limitation, considerations of barriers such as busy roads may impact parking agreement, or proposing amendments to prevent unworkable or unrealistic shared parking agreements.

Mr. Carlisle presented research from neighboring communities; of the communities that responded to the survey the majority sets a 300 feet maximum distance, Mount Prospect differs in that the maximum distance is 1,000 feet.

Mr. Carlisle also provided an overview of draft amendment language which aims to clarify zoning administrator and City Council authority to approve shared or off-site parking, rewords “reduction” to “be fulfilled” and reorganized and limits when possible, off-site parking on privately-owned zoning lots if possible.

Member Catalano asked for clarification about the 300 foot requirement; in the sense that the closest space/furthest space meets the requirement. Mr. Carlisle stated that the requirement is all-inclusive meaning that all spaces must be within the 300 feet.

Mr. Carlisle further stated that in some cases, an applicant might only be deficient by two parking spaces and enter into collective parking agreement, for those two spaces and additional overflow parking. Based on these amendments, the two spaces must be within the 300 feet, while the overflow parking may be beyond that.

Member Catalano stated that the 300-foot requirement is very restrictive, Chairman Szabo agreed.

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Member Catalano further stated that the first space should be within the 300-foot requirement, but the subsequent spaces can exceed that requirement.

Member Saletnik stated based on the restrictive nature of 300 feet, the City is not interested in collective parking arrangements. Member Saletnik stated that the use of the property should also be analyzed regarding parking requirements.

Member Saletnik further stated that he agrees with the safe passage verbiage but finds the 300-foot limitation very restrictive.

Mr. Carlisle stated that the 300-foot number was based on responses from local municipalities; he did not want to choose an arbitrary number. Mr. Carlisle also reminded the Board that there is still a possibility for variation based on practical hardships.

Member Saletnik stated that often while people are looking at property acquisition, they will review the code prior to purchases. This amendment maybe seen as too restrictive and the property may go elsewhere.

Member Fowler asked why the Mount Prospect requirement is vastly different at 1,000 feet. Mr. Carlisle does not know the exact reason but can hypothesize that it may be due to the fact that they are further out from Chicagoland where the setbacks are further and in general there is more space.

Member Saletnik would like additional information and detail from other local municipalities, such as Arlington Heights and Palatine.

Member Catalano also stated that he would prefer straight line to properties to make the requirement less restrictive, Member Saletnik agreed. Member Saletnik further stated the goal of the collective parking agreement is to have that use in your community.

Member Veremis inquired about the distance between the Des Plaines Theatre and municipal parking garage. Mr. Carlisle stated that he believed the distance would be between 200-300 feet from the theater to the top of the parking deck. Member Veremis stated that patrons of the theater are expected to cross at the light at the crosswalk.

Member Catalano also brought up the question of vertical distance, for example the stairs up to the top floor of the parking deck.

Mr. Carlisle went over what is perceived as general walking distances; in general an able bodied person is can walk a quarter mile, approximately 1,300 feet, which is reasonable; 500 feet would equate to approximately 1/10th of a mile. The draft amendments are written in a way to mirror the bulk of respondents from neighboring communities.

Member Fowler asked about making recommendations; Mr. Carlisle stated that the Board is able to make recommendations or ask for additional information.

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Member Saletnik reiterated the language regarding safe passage versus a set number of feet.

Chairman Szabo asked Staff to touch on other circumstances; Mr. Carlisle stated that is a synopsis of other code information.

Member Saletnik recommended that Staff look into the active collective parking agreements to see what the current language. Mr. Carlisle stated that the data collection/research regarding the documents may not be possible. Member Saletnik still would like staff to complete the due diligence on the current agreements.

Member Veremis inquired about the previous case on Broadway, which brought the parking agreement discussion to light. Mr. Carlisle provided an overview of their parking arrangement. Member Saletnik chimed in regarding that case, residents were concerned that people would be parking on their residential streets, since parking was inconvenient.

Member Saletnik reiterated that additional information is provided compared to other communities. Member Catalano provided some information based on Arlington Heights' code, the distances vary based on type of use.

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

Electric Vehicles

Mr. Carlisle stated that the goals of electric vehicle charging in parking areas, is to support and prepare for the further proliferation of electric vehicles, emulate best regulatory practices as the appropriate level, clarify how open, unreserved parking spaces and electric vehicles spaces work to fulfill a parking requirement.

Mr. Carlisle stressed that this amendment is not intended to affect private home users.

The goals of the proposed amendment will:

- Establish term definitions for "Electric Vehicle Charging Space" and "Electric Vehicle Supply Equipment," with the latter covering charging ports
- Allow EV charging spaces to count for up to 5 percent of an off-street parking minimum. For government- and institutionally owned parking, a maximum of 5 percent of the total number of spaces in the facility can be allocated for EV charging
- Set up where and how charging spaces may be marked, limit the height of charging ports (8 feet), area of identification signage (1.5 square feet), and reinforce landscaping requirements
- Limited allowance for electronic signs embedded within charging port: 6 square feet max & copy limited to businesses for which the sign is intended
- Carve out a "minor change" circumstance for PUDs when retrofitting parking with EV charging or additional mobility impaired accessible spaces

The City has received an application for an electric vehicle charging ports, which has prompted the amendments to the ordinance.

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Member Fowler inquired about the future of possible ADA accessible electric vehicle charging spaces, Mr. Carlisle stated that it can be a possibility in the future.

Member Veremis inquired about how long an electric vehicle takes to charge. Mr. Carlisle stated that charging ports are available in low, medium, high and can take 30 minutes to 2 hours to charge. Most newer models have shorter charging times.

Member Veremis asked how many residents have electric vehicles in Des Plaines; Mr. Carlisle does not have that information but it may be accessible through Secretary of State data.

There was some discussion about ticketing individuals that park in EV parking spaces; Mr. Carlisle responded the City does not do parking enforcement on private property, private security may ticket the individual if needed.

Member Veremis asked about ticketing those without a placard who park in ADA spaces, Mr. Carlisle stated the City would ticket in those instances because it is a State law.

Mr. Carlisle also reviewed the portion of the amendment regarding location of electric vehicle parking, as well as the precedence the ADA parking has in any given parking lot, EV can be as close as to a building entrance as wanted.

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

The staff report has been entered below.

Issue: Consider Zoning Ordinance amendments related to multiple off-street parking regulations. The following areas of the Ordinance are addressed: (1) 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; (2) Sections 12-13-3, 12-9-5, 12-9-6, 12-11-5, and 12-11-6 to establish definitions for electric vehicle charging spaces and supply equipment, and to create allowances and limitations on quantity, location, dimensions, design, and signage; and (3) Section 12-3-5 to allow existing PUDs to retrofit parking with accessible or electric vehicle charging without requiring a “Major Change” procedure (i.e. a public hearing and City Council approval).

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

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In general the City wants to foster the efficient use of land and to give businesses, organizations, and developments some 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 arrangement is for each property to have enough parking on its own site for all uses and units served (i.e. residential, commercial, institutional), occasionally this is not feasible. Related, 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 they 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 when parking is temporarily or 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. Staff has prepared proposed amendments beginning on Page 4 of this report.

As part of research for the draft amendments, staff sought assistance from the Northwest Municipal Conference (NWMC), which distributed survey questions to other communities. The following table is a sample of results.

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MUNICIPALITY	MAXIMUM DISTANCE FOR SHARED PARKING	METHOD FOR MEASURING DISTANCE	OTHER CONSIDERATIONS
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.

In summary, the proposed amendments related to shared parking accomplish the following:

- Clarifies zoning administrator and City Council authority to approve shared or off-site parking;
- Rewords “reduction” in off-street parking requirement instead as a “fulfillment;” and
- Reorganizes and adds to the limitations for when shared, off-site parking on privately-owned zoning lots is possible. These are the added limitations:
 - Required spaces must be within 300 feet of the main entrance of the use served; and
 - Walking between any required off-site space 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.

Electric Vehicle Charging Spaces

As electric vehicles (EV) become more common, the need for charging is increasing. While some EV owners have a charging port at their homes, many do not, or they drive frequently enough or for long enough durations and distances that they must charge away from home. Commercial vehicles such as those used in freight and delivery are also becoming part of the EV market. Charging spaces and their attendant equipment are now present throughout the Chicago region in public and private parking lots and garages. In fact, Des Plaines already has two charging spaces in a public lot at the northeast corner of Ellinwood and Lee Street, adjacent to the library. Charging spaces that are generally open to the public – whether on public or private property – usually operate on three models: 1.) Users pay to charge, either per unit of energy or based on a subscription; 2.) property owners pay for the vendor for the charging equipment to attract or serve a market of customers or employees who need EV charging; and/or 3.) charging is free or very low-cost because the ports display advertisements. See Attachment 3 for photos.

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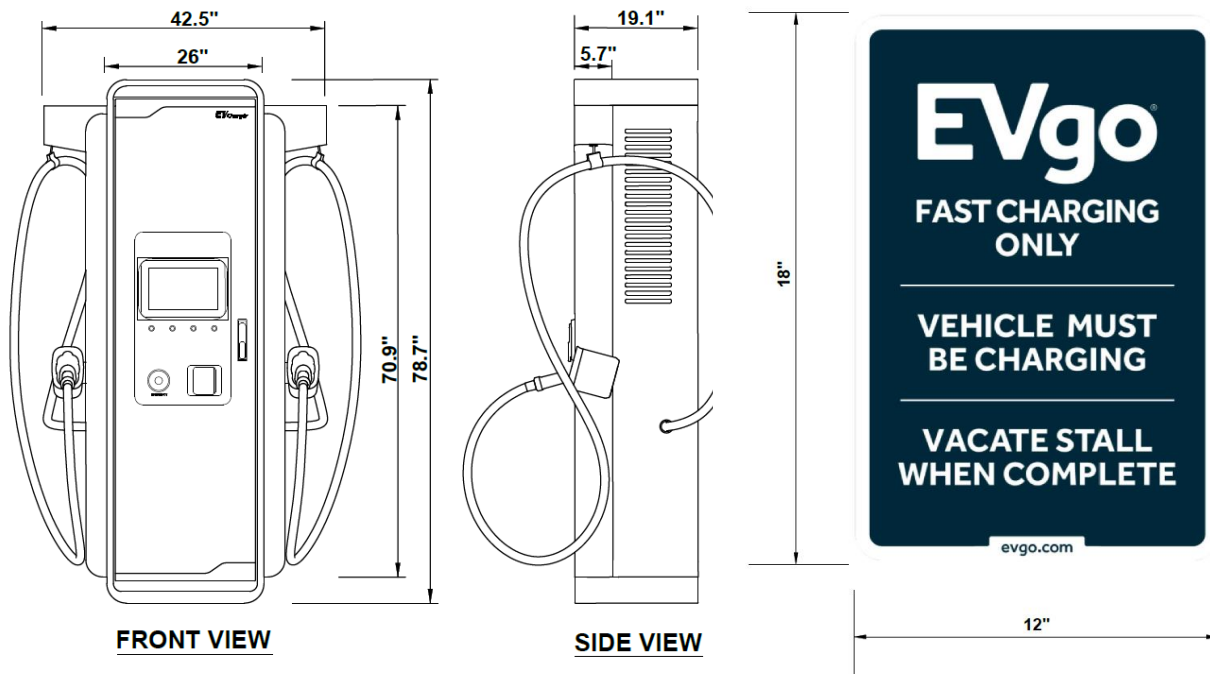
However, earlier this year staff received a building permit application to install four charging spaces and equipment at Metropolitan Square, specifically adjacent to Shop and Save and Fifth Third Bank. Staff has denied this permit for now because the proposed change a.) requires currently open, unreserved parking to be repurposed as parking reserved for charging EVs only and b.) the proposed change would reduce the number of parking spaces in a Planned Unit Development, which per 12-3-5 qualifies as a “Major Change,” necessitating a public hearing, City Council approval, and the formal altering of the Final Plat of PUD.

Staff sought assistance from NWMC, which provided prior survey results for zoning rules in nearby communities. The Village of Schaumburg had the most thorough set of regulations, and their definitions served as the basis for these amendments. Further, The Great Plains Institute, a reputable nonprofit organization working to further renewable energy, published *Summary of Best Practices in Electric Vehicle Ordinances*¹, which provided an array of options. Attempting to address the reasonably foreseeable circumstances without over-regulating, staff proposes amendments that would do the following:

- Establish term definitions in Section 12-13-13 for “Electric Vehicle Charging Space” and “Electric Vehicle Supply Equipment,” with the latter covering charging ports;
- Add to Section 12-9-5 to allow EV charging spaces to count for up to 5 percent of an off-street parking minimum (i.e. one space within a 20-space requirement; 5 spaces within a 100-space requirement; 10 spaces within a 500-space requirement), with no limitation if the EV spaces are allocated from the supply beyond the requirement—except for government- and institutionally owned parking, where a maximum of 5 percent of the total number of spaces in the facility can be allocated for EV charging;
- Address in Section 12-9-6 where and how EV charging spaces may be marked within parking facilities and limit the height of charging ports (maximum 8 feet), area of identification signage (1.5 square feet), and reinforce landscaping requirements;
- Amend Sections 12-11-5 and 12-11-6 to create a limited allowance for electronic message board signs embedded within charging ports, with a maximum area of 6 square feet and copy limited to businesses for which the sign is intended; and
- Carve out a “minor change” circumstance in 12-3-5 for PUDs when repurposing/restriping parking spaces for EV charging or additional mobility impaired accessible parking.
 - The Illinois Accessibility Code changes from time to time, imposing greater requirements that may be triggered by a restriping project. Further, these amendments are designed to avoid an unduly onerous approval process for property owners/managers who chose to allocate more accessible parking than is required.
 - Minor changes may be approved administratively, without a public hearing and months-long public process.

The following images illustrate a permit application received by staff.

¹ BetterEnergy.org (June 2019). Available at: https://www.betterenergy.org/wp-content/uploads/2019/06/GPI_EV_Ordinance_Summary_web.pdf



Proposed charging ports at Metropolitan Square. Not to scale.

Proposed reserved sign at Metropolitan Square. Not to scale.

Proposed Amended Sections

All proposed amendments related to shared parking are contained in Attachment 1, and all proposed amendments related to electric vehicle charging are contained in Attachment 2. 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.

The Plan does not mention electric vehicles specifically but does call for a “modern” network, which would include electric vehicle charging infrastructure.

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

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The amendments make future parking proposals more compatible with the character and nature of Des Plaines than the current rules provide. The proliferation of electric vehicles is already observable withing Des Plaines and the Chicago region, and is expected to grow. The amendments contemplate providing supportive infrastructure for this expansion.

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. Related to electric vehicles, the amendments protect against publicly-owned facilities becoming overrun with EV charging by capping their number at five percent of the total number of spaces in the facility.

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, as well as offering additional flexibility among property owners in how to allocate parking.

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 Recommended Conditions: 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.

If the PZB wishes, it may consider two motions to separate the issues addressed by these amendments, with the first motion covering shared parking rules and the second for EV charging rules and process.

Recommendation: Staff recommends that the PZB recommend approval of all the parking- and process-related amendments in this report.

The Planning & Zoning Board chose to break this text amendment into two motions.

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A motion was made by Board Member Saletnik, seconded by Board Member Catalano, to continue the discussion Collective Parking Agreements, Case Number 21-038-TA, consideration of the following text amendments to the Des Plaines Zoning Ordinance, as amended: (i) add limitations to the eligibility for collective parking under Section 12-9-3 until October 26, 2021.

AYES: Saletnik, Catalano, Fowler, Hofherr, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

A motion was made by Board Member Saletnik, seconded by Board Member Fowler, to approve to establish definitions and regulations for electric vehicle charging in parking areas; and any other amendments as may be necessary

AYES: Saletnik, Catalano, Fowler, Hofherr, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

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ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, September 28, 2021.

Chairman Szabo adjourned the meeting by voice vote at 8:28 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

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