



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

Planning and Zoning Board Agenda August 23, 2022 Room 102 – 7:00 P.M.

Call to Order and Roll Call

Approval of Minutes: July 26, 2022

Public Comment: For matters that are not on the agenda

Pending Applications:

1. Address: 2064-2074 Mannheim Road

Case Number: 22-024-V

The petitioner is requesting: (i) a Variation to allow a commercial mobile radio service facility to be located in a required rear yard in the M-2 General Manufacturing district and be set back less than 50 feet away from a property line; (ii) a Variation to allow a commercial mobile radio service facility height to be greater than its set back distance from a residential district; and (iii) any other variations, waivers, and zoning relief as may be necessary.

PIN: 09-29-402-041-0000

Petitioner: New Cingular Wireless PCS, LLC, c/o Michael Gasser, 9045 River Road, Suite 425, Indianapolis, IN 46240

Owner: Thomas Morin, Commercial Real Estate, 2795 E. Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121

2. Address: Citywide

Case Number: 22-030-TA

Petitioner City of Des Plaines is requesting text amendments to the Zoning Ordinance regarding permitted and conditional uses in various zoning districts, as well as corresponding footnotes and specific use regulations of Chapter 8, as well as any other zoning relief as may be necessary.

PIN: Citywide

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

Owner: N/A

Next Agenda: September 13, 2022

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 accessibility of 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.

**DES PLAINES PLANNING AND ZONING BOARD MEETING****July 26, 2022****MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, July 26, 2022, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Vice Chair Saletnik participated by telephone and read the following statement:

Pursuant to the emergency procedures of the Open Meetings Act, the Vice Chair declares that a “bona fide” emergency exists because of a recent COVID-19 diagnosis of one of the Public Body members necessary to establish a quorum. As a result, this meeting is being conducted in person and remotely. The meeting venue will accommodate remote participation such that all discussion and votes may be heard by both in-person and remote participants. All votes this evening will be taken by roll call. The City has made all reasonable efforts to publicize this declaration.

Vice Chair Saletnik called the meeting to order at 7:02 p.m. and roll call was established.

PRESENT: Weaver, Veremis, Hofherr, Saletnik (phone)

ABSENT: Szabo, Weaver, Fowler, Catalano

ALSO PRESENT: John Carlisle, AICP, Director of Community & Economic Development
Jonathan Stytz, AICP, Senior Planner
Laura Fast/Deputy Clerk, Recording Secretary

A quorum was present.

Vice Chair Saletnik requested a nomination to appoint a Chairman Pro-Tem for this evening’s meeting.

A motion was made by Board Member Weaver, seconded by Board Member Hofherr to appoint Member Veremis as the Chairman Pro-Tem for this evening’s meeting.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Weaver to approve the meeting minutes of June 14, 2022.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to approve the meeting minutes of June 28, 2022.

AYES: Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: Weaver

PUBLIC COMMENT ON NON-AGENDA ITEM.

There was no public comment.

Pending Applications

1. Address: 1628 Rand Avenue

Case Number: 22-024-TA-CU-V

The petitioner requests the following items: (i) a text amendment to Section 12-7-3.F.5 to allow the outdoor display of finished products in the C-3 General Commercial district where such outdoor displays are not currently allowed; (ii) an amendment to the existing Conditional Use permit for a trade contractor use at 1628 Rand Road to allow the outdoor display of finished products on the subject property; (iii) a Major Variation from Section 12-11-6.B to allow a total wall sign area for a single building of 236 square feet, where the maximum is 125 square feet; (iv) a Major Variation from Section 12-11-6.B to allow an electronic message board (EMB) sign located approximately 189.5 feet away from a residence in the R-1 district, where a minimum 250 feet is required; (v) a Major Variation from Section 12-11-6.B to allow an EMB sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an EMB.

PIN: 09-16-104-022-0000

Petitioner: Granite Place & Quartz, LLC and
Cabinet Land Kitchen & Bath Corporation,
2020 Berry Lane, Des Plaines, IL 60018

Case Number: #22-024-TA-CU-V

Ward Number: #1, Alderman Mark Lysakowski

Existing Zoning: C-3, General Commercial District

Surrounding Zoning: North: R-1, Single-Family Residential district
South: C-3, General Commercial district
East: C-1, Neighborhood Shopping district
West: C-3, General Commercial district

Surrounding Land Uses: North: Single-family detached homes
South: Fuel Station/Dentist Office/Vacant Building
East: Office Building
West: Religious Institution

Street Classification: Rand Road is a minor arterial and Grove Avenue is a local street.

Comprehensive Plan : The Comprehensive Plan illustrates the property as commercial

Property/Zoning History: Based on City records, the subject property was annexed into the City in 1965. A conditional use was approved in 2021 through Ordinance Z-36-21 to permit a trade contractor use at this address. Since then, there have been code enforcement warnings issued to this property for outdoor storage and various work done without permits, including, but not limited to, the installation of fencing, awning, signs, and parking lot paving and stripping. However, the applicant has been working with the City to resolve outstanding issues and to address the outstanding code violations. This application is part of the resolution.

TEXT AMENDMENT

Project Description: The Zoning Ordinance currently does not allow outdoor storage or display in the C-3 General Commercial district, in particular for the types of products that might be displayed by a trade contractor. Thus, the first portion of the petitioner's proposal consists of the attached Proposed Text Amendment to Section 12-7-3.F.5 of the Zoning Ordinance under Standards for Site Plan Review to allow for the display of finished products and fabricated goods on a C-3-zoned property. The petitioner has worked diligently with staff to construct these text amendments in an effort to make outdoor display areas an impactful improvement to trade contractor properties on C-3-zoned properties throughout the City while also ensuring it is designed appropriately to meet the overarching principals of the Zoning Ordinance.

First, the proposed text amendment limits the allowance of outdoor display areas to trade contractor uses with an active business license and a conditional use permit. Since trade contractor uses are only permitted in the C-3 district through a conditional use permit, this would require businesses classified as trade contractor uses (who are interested in installing outdoor displays on their site) to indicate on the proposed Site Plan the location, quantity, and type of outdoor display on a given C-3-zoned property and allow decision makers to determine the practicality and scale of outdoor display areas based on the property's development, size, location, etc. In addition, outdoor displays on properties with a trade contractor use would be governed by certain general conditions and restrictions—beyond the conditions in a conditional use ordinance—related to location, height, screening, and type of outdoor displays, to ensure that they do not create adverse effects on the subject property or surrounding properties. Outdoor displays would be required on dust-free hard surfaces and would not be permitted within required yards in an effort to prevent outdoor displays from being directly at property lines of neighboring properties.

Moreover, outdoor displays would be limited to eight in height and required to be fully screened by an eight-foot-tall, opaque fence to reduce adverse impacts from neighboring properties, especially when the subject property abuts a residential district. As Section 12-7-3.F.5 already requires properties in the C-3 zoning district to install eight-foot-tall fencing on property lines abutting residential districts, this regulation would be consistent with the intent of the Zoning Ordinance. Finally, the type of outdoor display materials would be regulated to allow only prefabricated finished products to be displayed and prohibiting raw materials or any other materials utilized for the manufacturing, processing or assembly of products from being located outside. The intent is to distinguish "outdoor display" from "open storage," which is currently only possible in the M-2 General Manufacturing District (see Section 12-7-4). The attached Proposed Text Amendment provides all suggested changes for the allowance of outdoor displays.

CONDITIONAL USE AMENDMENT

Project Description: The following description and analysis assumes approval of the requested amendments as submitted.

The petitioner is requesting an amendment to the existing Conditional Use permit approved in 2021 through Ordinance Z-36-21, which allowed a trade contractor use to operate on subject property. The requested amended approval would remove the condition prohibiting the outdoor storage of fabricated goods on the property. However, if the proposed text amendment is approved, the petitioner proposes to utilize an outdoor portion of the subject property for storage of business products, processing business orders, and as a staging area for incoming and outgoing orders. The attached Site Plan, which was recently approved through a building permit in February 2022, does not specifically identify the area(s) intended for the outdoor display or storage of finished products for this use. Thus, staff recommends a condition that the Site Plan is revised to identify the area(s) on site designed for this purpose prior to the City Council meeting for additional clarity. Because the petitioner's request may differ from staff's recommendation, it is important the Board ask the petitioner to explain clearly what they want to do and why they would not want to be bound to a specific location on site and quantity of outdoor display. It is also important to note that the existing conditions on site do not match the improvements provided on the approved building permit Site Plan. Consequently, staff has added a separate condition that the improvements shown on the approved Site Plan are installed on the subject property if the conditional use amendment is approved.

VARIATIONS

Request Summary: The petitioner's project narrative requests several variations related to signs. The first variation relates to total wall sign area, specifically wall signs totaling 236 square feet in area, that have been installed without a permit and exceed the maximum sign area allowed for the entire building.

Pursuant to Section 12-11-6.B of the Zoning Ordinance: *"The total sign area (including the area of any awning or canopy signs) permitted on any street facing elevation shall not exceed 3 sq. ft. per linear foot of horizontal building face. The total sign area (including the area of any awning or canopy signs) permitted on an entire building (including all elevations) shall not exceed 125 sq. ft. unless such building is a shopping center or office building containing three or more businesses."*

As the existing building does not meet the definition of a shopping center – at least three tenant spaces are required – or office building, it is limited to a total of 125 square feet for the entire building (including all elevations). The petitioner's request to allow almost double the sign area does not meet the sign code requirements and requires a major variation.

The other two variation requests relate to an existing pole sign structure along the southern property line near the southwest corner of the property and at the Rand Road frontage. There is currently no sign installed on the existing pole but rather the framing of the pole sign structure with exposed electrical and internal sign cabinet components. Nonetheless, the petitioner intends to repurpose this pole sign structure with a new electronic message board (EMB) sign. EMB signs and regulations are discussed in Sections 12-11-5.G and 12- 11-6.B of the Zoning Ordinance. However, the two EMB sign regulations in conflict with the petitioner's proposal are noted below pursuant to Section 12- 11-6.B:

1. Location: The animated face of an electronic message board sign shall be a minimum of 250 feet away from a residence in the R-1, R-2, and R-3 Residential Districts and shall be arranged to prevent direct glare onto any adjacent properties.
2. Electronic message boards shall not exceed 50% of the total sign area.

As the existing pole sign structure is located approximately 189.5 feet from the nearest residence in the R-1 district, just north of the subject property, it does not meet the minimum setback distance required. Moreover, the petitioner’s proposal includes an EMB that would equal 100 percent of the pole sign area, double the 50 percent maximum sign area permitted for EMBs in pole signs. As such, two separate major variation requests are necessary for the EMB sign setback distance and area in relation to the total pole sign area.

The petitioner’s requested variations are summarized in the table below.

Regulation Type	Requirements	Proposal
Total sign area (wall, awning, and canopy signs) allowed for Entire Building	125 sq. ft. maximum	236 sq. ft.
Setback Distance for EMB signs from a residence in the R-1, R-2, and R-3 districts	250 feet minimum	189.50 feet
Area allowed for EMB portion for Pole Signs (%)	50% maximum	100%

Standards for 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. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own. See also the petitioner’s responses to 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 2019 Comprehensive Plan identifies restrictions on the permanent sale or display of merchandise for C-3-zoned properties, so the proposed text amendment could be utilized to build off this allowance and further clarify the use of merchandise displays for these properties. The proposed text amendment provides an allowance for trade contractor uses that have products to display but do not necessarily have the indoor space to display their products. This allowance lessens restrictions for these types of uses in an effort to support existing trade contractor uses and foster a more business-friendly environment.

PZB Additions or Modifications (if necessary): _____.

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

Comment: Amending the regulations to allow outdoor displays of finished products would be compatible with current conditions across the City, as many trade contractor uses and similar uses in the C-3 district have showrooms where finished products are on display for purchase. This allowance is tailored for trade contractor uses and specifically restricted in order to be consistent with the character of area for which the property is located in.

PZB Additions or Modifications (if necessary): _____.

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

Comment: The proposed amendments are not anticipated to impact public facilities and available services but rather enhance existing trade contractor uses in Des Plaines. This new allowance may also result in the rendition of new trade contractor uses that can, in return, provide additional services to residents.

PZB Additions or Modifications (if necessary): _____.

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

Comment: All proposed amendments as written for a specific use with specific restrictions is meant to complement existing properties and be design in a way to have little to no adverse effect on property values throughout the City. All outdoor displays will be screened from all property lines and positioned away from property lines to be less noticeable and less likely to impact neighboring property values.

PZB Additions or Modifications (if necessary): _____.

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

Comment: The proposed text amendments work toward responsible standards for development and growth by addressing concerns of existing trade contractors and, in return, allowing them to provide additional services to residents. The new allowance attempts to provide a balance between trade contractor needs and the City’s desire to foster a business-friendly environment.

PZB Additions or Modifications (if necessary): _____.

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. The petitioner seeks to amend the existing conditional use for the sole purpose of striking a condition in the conditional use prohibiting the storage or display of finished products on the subject property. If this conditional use amendment is denied, the petitioner will not lose the entitlement of Ordinance Z-36-21 but will be required to continue to adhere to all the conditions, notably the prohibition of storing or displaying any materials, including their fabricated and finished products.

The petitioner’s rationale for how the conditional use amendment would satisfy each of the standards is attached. The PZB may use this rationale to adopt findings of fact, or the Board may make up its own. The standards that should serve as the basis of findings are the following:

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

PZB Additions or Modifications (if necessary): _____.

2. The proposed conditional use is in accordance with the objectives of the city’s comprehensive plan and this title;

PZB Additions or Modifications (if necessary): _____.

3. The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and character of the general vicinity;

PZB Additions or Modifications (if necessary): _____.

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

PZB Additions or Modifications (if necessary): _____.

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 establishment of the proposed conditional use shall provide adequately any such services;

PZB Additions or Modifications (if necessary): _____.

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;

PZB Additions or Modifications (if necessary): _____.

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;

PZB Additions or Modifications (if necessary): _____.

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

PZB Additions or Modifications (if necessary): _____.

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

PZB Additions or Modifications (if necessary): _____.

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

PZB Additions or Modifications (if necessary): _____.

Variation Standards: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Staff has the following individual comments for each variation request based on the standards. The PZB may use staff comments, the petitioner’s response, or state their own comments as rationale for their decision.

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.

a. Comment: Staff does not see a hardship or practical difficulty preventing the petitioner from complying with the maximum total building sign area requirements for several reasons. First,

the subject property is located on a corner and fronts two separate streets, allowing additional visibility than interior lots. Wall signs on street-facing elevations are allowed an area of up to three square feet of sign area per linear foot of building frontage provided that the total sign area does not exceed 125 square feet for the entire building (all elevations). Furthermore, the maximum 125-square-foot sign area restriction for the entire building is more than sufficient to advertise all aspects of the business activity on site, allowing for up to two wall signs on street-facing elevations (this building fronts two streets and is allowed up to four building signs). Finally, the wrap-around sign straddling two building elevations is not consistent with existing signs in Des Plaines or the character of the area.

b. Some argument could be made for the requested EMB sign distance-from-residential variation, as the sign faces would face Rand Road, not the residences within 250 feet of the EMB sign. The pole sign could be relocated, but given the property characteristics, it may be difficult for the property owner to meet the minimum setback distance for EMB sign given the property's close proximity to the R-1 district.

c. Staff does not see any hardship or practical difficulty regarding the adherence of the maximum EMB sign area regulation, which restricts the EMB portion of the sign to 50 percent of the total sign area. While the petitioner is attempting to repurpose an existing pole sign structure, there is opportunity to install a smaller EMB portion than what is proposed to effectively advertise the property and still meet the code requirement. As the petitioner has not provided an adequate description of this request or justification on how this variation request meets the standards, this request appears to merely be a convenience for the property owner, not a hardship.

PZB Additions or Modifications (if necessary): _____.

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.

a. Comment: The lot is irregular in shape, which forms some basis for the EMB-distance request; perhaps if the lot were more regularly shaped at its north end, sufficient distance would be present. Further, the sign frieze of the single-story building is "tight" in the sense that it does not seem to provide a lot of opportunity for traditional commercial wall signs (e.g. channel letter signs, box signs).

b. On the other hand, as the building has a large frontage on two separate streets, its visibility from the street is larger than it would be for many other properties in Des Plaines. In fact, many properties in the C-3 zoning district are smaller in size than the subject property and only front one street so the subject property's size and positioning is more of an advantage than a detriment or unique physical condition as compared to other C-3-zoned lots in Des Plaines. In particular, a sign that is half EMB, half static panel would seem to be quite visible from Rand

Road. The Board may wish to ask the petitioner to explain why the sign must be 100% EMB based on uniqueness of the lot, the Rand Road frontage, or any issue.

PZB Additions or Modifications (if necessary): _____.

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.

a. Comment: While the subject property's location, size, and development may not be a result of any action or inaction of the property owner, the subject property was purchased with these attributes and conditions being pre-existing. The wall signs that are the subject of the variation request to allow 236 square feet of sign area where a maximum of 125 square feet is allowed were installed on the building without proper permitting. Thus, this variation request is the direct result of an action of the property owner who wishes to keep the wall signs already installed on the structure for convenience and additional advertising purposes. In addition, the large building frontage and existing pole sign structure alone provide more than adequate advertising potential for this property within the confines of the Zoning Ordinance.

PZB Additions or Modifications (if necessary): _____.

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.

a. Comment: Staff's review has concluded that carrying out the strict letter of this code for signage does not deprive the property owners of substantial rights. First, there is ample room on site and allowances in the Zoning Ordinance to allow adequate advertising of the site, arguably more than other C-3-zoned properties in this area. Second, there are other C-3-zoned properties that are close to or directly abut R-1, R-2, and R-3 residential districts, limiting their ability to install an EMB sign. Finally, while EMB signs are prevalent in Des Plaines the request for a 100% EMB sign is not. In staff's opinion, restricting the property owner to applicable code requirements for all three sign-related variation requests does not infringe on the property owner's ability to advertise their business as other businesses are also restricted to these same regulations.

PZB Additions or Modifications (if necessary): _____.

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.

a. Comment: The approval of any of the wall sign and 100%-EMB variations would result in signage that is not consistent with the character of the area or the intention of the Zoning Ordinance. As

the purpose of the sign rules is to allow a balanced amount of advertising for all businesses, the approval of the excessive signage proposed in this application, would not meet this intention. The Board may consider whether all of the signage together goes beyond getting motorists attention to being distracting.

PZB Additions or Modifications (if necessary): _____.

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 from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.

a. *Comment:* On one hand, the property owner has made substantial improvements to the site that match the type of development the Zoning Ordinance and Comprehensive Plan want to encourage. The investment has been substantial and now a new business exists on a previously vacant site, generating tax revenue and improving the Rand corridor overall. For this, the petitioner is worthy of praise.

b. However, the proposed signage, some of which was already installed without permits, may actually detract from this investment. In fact, it seems in conflict with the Zoning Ordinance intentions to: (i) provide reasonable yet appropriate conditions for identifying businesses and services rendered in commercial, institutional, and industrial areas (the proposal represents an overabundance of signage that is more excessive and incongruous with surrounding development than attractive in appearance); and (ii) reduce traffic hazards by restricting signs and lights which exceed a viewer's capacity to receive information or which increases the potential for accidents created by signage which distracts or obstructs a viewer's vision (the EMB sign comprising the entire sign face in and of itself would be a direct distraction and safety hazard for motorists and pedestrians alike).

c. For these reasons, there are reasonable options for redesigning or reducing the proposed signage – the wall signage down from 236 square feet and the pole sign at less than 100% of the sign panel – to effectively advertise the site without needing relief from three separate sign regulations.

PZB Additions or Modifications (if necessary): _____.

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.

a. *Comment:* There are multiple alternatives to the sign-related variations requested by the petitioner. As mentioned above, the code allows street-facing wall signs an area of up three- square feet of area for every linear foot of building frontage, provided that the total sign area does not exceed 125 square feet. The fact that the building fronts two streets and is larger in size, the available sign area allowed for this property is the maximum 125-square-foot sign permitted by code and can be split up across multiple building elevations providing additional visibility. It is also important to note that EMB signs are a convenience—not a necessity—to effectively advertise a site, meaning that a 100% static sign or 50% static sign with a 50% EMB sign would still provide the adequate identification, advertising, and communication within the community. The Board may

wish to ask the petitioner to explain if they have explored or implemented alternatives to reduce the existing wall signage and repurpose or replace the pole sign structure.

PZB Additions or Modifications (if necessary): _____.

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.

a. *Comment:* Regarding the EMB distance from residential, the relief is minimal in staff's opinion. However, the wall sign area and EMB percentage requests may exceed the minimum relief needed. The petitioner could consider the multiple alternatives to redesign the proposed signage to provide advertising that is tasteful, balanced, and better aligns with the principals of the Zoning Ordinance.

b. For this reason, the Board may consider that it under Section 12-3-6.I, "The reviewing authority may grant variations less than or different from that requested when the record supports the applicant's right to some relief but not to the entire relief requested."

PZB Additions or Modifications (if necessary): _____.

PZB Procedure and Recommended Conditions: Under Section 12-3-4.F of the Zoning Ordinance (Conditional Uses), Section 12-3-6.G of the Zoning Ordinance (Major Variations), and Section 12-3-7 of the Zoning Ordinance (Amendments), the PZB has the authority to recommend approval, approval subject to conditions, or denial the requests. The City Council has the final authority.

The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-4.E (Standards for Conditional Uses), Section 12-3-6.H of the Zoning Ordinance (Standards for Variations), and Section 12-3-7.E. of the Zoning Ordinance (Findings of Fact for Amendments) as outlined in the Zoning Ordinance. The PZB should take two motions to consider each request individually. First, the Board should consider the text amendments, which may be recommended for approval *as submitted*, approval *as revised*, or denial.

Second, based on the outcome of the first motion, the Board can consider a recommendation regarding the conditional use request. Third, the Board can take a motion on its recommendation regarding the variation requests; these are not connected to the text amendment and can be considered regardless of its outcome.

Should the PZB recommend approval or approval with modifications of the conditional use and major variations, staff suggests the following conditions:

Recommended Conditions of Approval:

1. The petitioner shall implement all site improvements shown on the approved Site Plan attached with permit #2021-07000329 approved on February 22, 2022.
2. The petitioner shall add to the site plan to show and label how much/how many products will be displayed outdoors and within which area(s) of the site, prior to consideration of the City Council.

3. The required 3-foot-wide landscape bed, populated with shrubs and perennials, shall be installed around the base of the new EMB pole sign and maintained in accordance with all applicable City of Des Plaines codes.
4. All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.

Chair Veremis swore in Petitioner Urszula Topolewicz, 2020 Berry Lane, Des Plaines, IL 60018.

Chair Veremis swore in the Petitioner's Attorney for Art Investment, LLC, Joanna Klimek, 6444 N Milwaukee, Chicago, IL 60631.

Attorney Klimek explained that the petitioners previous conditional use agreement stated that there would be no outdoor storage. The outdoor area is used for storage and display of granite and is an essential part of their business. It is not possible to store all the product inside. The petitioner received a violation for storing racks outside and is therefore seeking a text amendment to allow this on site.

Board Member Hofherr expressed his concern that violations have been issued to the business.

Chair Veremis asked the petitioner if she was aware of the conditional use previously agreed to regarding outdoor storage.

Petitioner Topolewicz stated that she was not represented during the last conditional use hearing and did not understand the restrictions. At their previous business location in Schiller Park there were no restrictions. The property has been significantly improved. The reason that they are seeking a text amendment is to have flexibility to relocate the racks where they need to around the lot. Sometimes product comes in and is not unloaded right away.

Chair Veremis swore in Petitioner Peter Topolewicz, 2020 Berry Lane, Des Plaines, IL 60018.

Petitioner Topolewicz stated that he installed an eight (8) foot fence around the parking lot with a gate. The entire area is restricted from the view of the public. Mr. Topolewicz stated that the parking lot will be paved and possibly a loading dock will be added in the future.

Member Saletnik stated that he does not want product stored all over the lot where it can be seen from the street.

Senior Planner Stytz reviewed the proposed text amendments that would allow this use and yet tailor the amendments to place restrictions on certain types of uses.

Community Development Director Carlisle explained that outdoor storage is not allowed in the C-3 district therefore, a text amendment is required.

Discussion ensued whether the outdoor product should be classified as storage or display.

Petitioner Topolewicz explained that all polishing, cutting, and fabrication is done indoors.

Member Weaver agreed to the outdoor storage if it was temporary.

Member Saletnik requested that a site plan should be provided that designates areas where items will be stored.

Attorney Klimek stated that they don't want restrictions as to where items are stored. During different times of the year items are stored differently.

Community Development Director Carlisle amended the proposed language to replace "outdoor display of finished products" to "outdoor storage and display of finished products." The amendment was read aloud.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve a revised zoning text amendment, as read by Community Development Director Carlisle, to allow the outdoor storage and display of finished products on the subject property.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY ****

Senior Planner Stytz reviewed the petitioners request for an amendment to the existing conditional use permit for a trade contractor use to allow the outdoor display of finished products on the subject property.

Member Saletnik requested a revised site plan.

Attorney Klimek stated that a specific site plan is difficult because items are stored in different locations as product is delivered.

Members agreed that if all product is behind the fence a site plan is not necessary.

Member Weaver proposed to approve the conditional use amendment with only condition number four (4) as a condition of approval.

Community Development Director Carlisle stated that condition number one (1) is to reinforce fulfilling the building permit; however, fulfilling the project can still be enforced and the condition is not necessary.

A motion was made by Board Member Weaver, seconded by Board Member Saletnik to approve the conditional use with condition number four and to remove the condition of prohibiting outdoor storage.

AYES: Weaver, Veremis, Saletnik, Hofherr

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY ****

Senior Planner Stytz reviewed the petitioners request for several variations related to signs.

Attorney Klimek explained that one building houses two businesses and the building fronts two streets. The wrap around sign is completely on the fascia board and totals 236 sq ft. There is a stand-alone sign on the Rand Street side and an existing pole and frame that the petitioner would like to use for an electronic message board.

Member Weaver expressed his concern that the variance is for almost twice the size of the City's requirement of a maximum sign requirement of 125 sq ft.

Chair Veremis would support the variance because of the uniqueness of two businesses in one building and fronting two streets.

Chair Veremis reviewed the petitioners request for a variance to operate an electronic message board sign approximately 189.5 feet from the nearest residence when the City code requires a minimum of 250 feet. The petitioner is also requesting an electronic message board when the City Code required that the sign electronic message board shall not exceed 50% of the total sign area.

Attorney Klimek explained that the electronic message board can be dimmed or shut-off at night and controlled better than a static sign.

Pam Kroschel, 310 Grove, Des Plaines, IL 60016 was sworn in. Ms. Kroschel lives four houses from the building and expressed her concern that bright lights from the message board may be flashing while she is in her backyard.

Senior Planner Stytz explained that both static and electronic message boards have a maximum brightness restriction.

Community Development Director Carlisle stated that a condition could be added with an hours of use restriction.

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to allow the 236 sq ft sign that is over the 125 sq ft sign.

AYES: Veremis, Saletnik, Hofherr
NAYES: Weaver
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY ****

A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to allow an electronic message board to be located 189.5 feet from a residence, where a minimum 250 foot-set back is required.

AYES: Weaver, Hofherr, Saletnik, Veremis
NAYES: None
ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY ****

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to allow a major variation to allow an electronic message board sign to cover 100 percent of the total pole sign area, where a maximum 50 percent of a pole sign is permitted to be an electronic message board.

AYES: Saletnik, Hofherr

NAYES: Weaver, Veremis

ABSTAIN: None

*****MOTION FAILED ****

Board Member Saletnik suggested that the petitioners produce more technical information regarding the proposed sign before this item goes to the City Council.

The Petitioners and Attorney Klimek left the meeting at 10:08 p.m.

New Business/Discussion

Community Development Director Carlisle reviewed a memorandum dated July 22, 2022. The issue is the Zoning Ordinance describes the process for whether the City should consider an application shortly after it has been denied (successive application). The PZB is given certain authority to make an important determination in the process.

Analysis: Section 12-3-1.B reads as follows:

“1. Second Applications Without New Grounds Barred: Whenever any application filed pursuant to this title has been denied on its merits, a second application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the official, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact occurred that significantly affected the prior denial.

“2. New Grounds To Be Stated: Any such second application shall include a detailed statement of the grounds justifying its consideration.”

The Ordinance goes on to state that after a period of 12 months since denial, there is no longer a requirement to state new grounds. Within the 12 months, however, the Ordinance is clear that a detailed statement is required to state the grounds. However, it does not define “substantial new evidence”; it allows the PZB to make that determination.

PZB Discussion: Staff asks the Board to discuss and provide feedback that may be useful to petitioners on what in the members’ opinions could constitute “substantial new evidence.” Consider the various types of requests such as conditional uses, variations, and map amendments, as well as the proposed projects that may be the purpose of these requests. For instance, staff suggests that if a proposed project and plans submitted with a successive request are altered in a way that the Board considers “substantial,” it could qualify as new grounds.

However, once again this is the Board’s determination, and staff is simply wanting to make the Board aware of this option and to receive general feedback.

Community Development Director Carlisle requested guidance on what substantial new evidence may be considered.

Member Weaver stated that if the new evidence addresses the problem that the Planning and Zoning Board indicated that the board would be willing to hear the case again.

This item will be further discussed when all the members are present.

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, August 23, 2022.

A motion was made by Vice Chair Veremis, seconded by Board Member Saletnik to adjourn the meeting.

AYES: Weaver, Hofherr, Saletnik, Veremis

NAYES: None

ABSTAIN: None

Vice Chair Veremis adjourned the meeting at 10:16 p.m.

Sincerely,

Laura Fast, Deputy Clerk/Recording Secretary

cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners

MEMORANDUM

Date: August 19, 2022
To: Planning and Zoning Board (PZB)
From: Jonathan Stytz, AICP, Senior Planner JS
Cc: John T. Carlisle, AICP, Community & Economic Development Director JC
Subject: Consideration of Major Variations for a Commercial Mobile Radio Service Facility Use at 2064-2074 Mannheim Road, Case 22-026-V (5th Ward)

Issue: The petitioner is requesting the following variations from the Zoning Ordinance: (i) a Major Variation from Section 12-8-5.B.1 to allow a commercial mobile radio service facility to be located in a required rear yard in the M-2 General Manufacturing district and set back less than 50 feet away from a property line; and (ii) Major Variation from Section 12-8-5.B.2 to allow a commercial mobile radio service facility height to be greater than its set back distance from a residential district.

Addresses: 2064-2074 Mannheim Road

Owner: Extra Space Storage, c/o Thomas Morin, 2795 E. Cottonwood Parkway, Suite 300, Salt Lake City, UT 84121

Petitioner: New Cingular Wireless PCS, LLC by Crown Castle USA INC, c/o Michael Gasser, 9045 River Road, Suite 425, Indianapolis, IN 46240

Case Number: 22-026-V

Real Estate Index Number: 09-29-402-041-0000

Ward: #5, Alderman Carla Brookman

Existing Zoning: M-2, General Manufacturing District

Existing Land Use: Commercial Storage Facility

Surrounding Zoning: North: M-2, General Manufacturing District
South: M-2, General Manufacturing District

MEMORANDUM

Date: August 19, 2022

To: Planning and Zoning Board (PZB)

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

Subject: Zoning Text Amendments to Establish Current Conditional Uses as Permitted Uses in the C-3 District: Motor Vehicle Sales and Convenience Mart Fueling Station

Issue: Consideration of Zoning Ordinance amendments to establish two uses that currently require a conditional use permit in the C-3 District to become *permitted* uses, subject to standard regulations: (i) motor vehicle sales and (ii) convenience mart fueling stations.

PIN: Citywide

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

Case Number: #22-030-TA

Project Summary: Petitioner City of Des Plaines is requesting text amendments to the Zoning Ordinance regarding permitted and conditional uses in various zoning districts, as well as corresponding footnotes and specific use regulations of Chapter 8, as well as any other zoning relief as may be necessary. This is envisioned as a multi-part project that will address two-to-three uses at a time. The first part identifies the two uses discussed in this report.

Background

The City Council and City Manager have assigned staff to identify and propose amendments for various uses that currently require a conditional use permit because may be possible to entitle “by right,” or as a permitted use instead. As part of an ongoing goal to increase business friendliness, the Council realizes that when a conditional use is required, it adds a minimum 90 days to the start-up process of any use. Some businesses that currently require a conditional use are those that may activate vacant properties, generate tax revenue, or otherwise benefit the City, and the conditional use process can discourage them from locating or investing here.

However, conditional uses do serve a purpose, as stated in Section 12-3-4.A of the Zoning Ordinance: “...uses which, because of their *unique* character, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon the public need for the particular use of the particular location.” For this reason, it is unlikely – and not suggested – that

all conditional uses be removed. But the assignment of the Council and Manager begs two key questions:

- *Which types of conditional uses are routinely approved with similar conditions across various sites?*
- *Which types of conditional uses are associated with the type of business or investment the City is especially looking to attract?*

The C-3 General Commercial District is the most common business district in Des Plaines and is the source of most conditional uses. To begin the process of amending the Ordinance, staff has looked first at C-3 and identified two uses for which to consider amendments: (i) motor vehicle sales and (ii) convenience mart fueling station.

Attachment 1 shows conditional use requests through 2017. To summarize:

- There have been eight approvals for motor vehicle sales uses.
- There have been two approvals for convenience mart fueling stations.
 - However, note that a convenience mart fueling station is typically a more robust and desirable business than an “auto filling station,” where a gas station has only a small building instead of a larger convenience store building with typically more customers and commercial activity.
 - The business model in consumer motor fuel is moving toward generating more revenue from convenience retail sales than from sales of motor fuel (the movement toward electric vehicles is likely to accelerate this trend).
 - Generally, cities find convenience mart fueling preferable to a barebones, gas-only (or gas plus limited other items) operations. Convenience marts can provide a neighborhood-scale resource for food staples to augment grocery stores, they generate more revenue – namely sales tax – than a fuel-focused business, and when an auto filling station is proposed to be converted to have a larger retail component, this is usually celebrated.
 - Des Plaines has existing auto filling stations that are either a.) vacant or b.) active, but with a conversion to convenience mart foreseeable.

Nonetheless, in considering amendments staff respects the historical purpose of the Ordinance to place an added level of scrutiny on certain uses. However, there is an alternative approach: Instead of requiring a conditional use, establish across-the-board, reasonable regulations that are enforceable on *permitted* uses and designed to mitigate neighbor impact. The Zoning Ordinance already contains notes that follow the use matrices as well as Specific Use Regulations in Chapter 8, which currently cover antennae, radio towers, cell/mobile towers, bed-and-breakfast establishments, childcare and adult daycare centers, home occupations, residential care homes, consumer lenders, and cannabis business establishments. Using a combination of these two portions of the Ordinance, it is possible to establish regulations that address the use sensitivity and potential neighbor impact without requiring the conditional use process.

If the amendments are approved but a business encounters a hardship or unique circumstance with the newly proposed standards, they could seek a variation. Major variations are akin to conditional uses in start-to-finish time (average 90 days because of the required City Council approval), but standard and minor variations can be finalized faster. Further, staff’s intent at this time is to draft the kind of across-the-board rules that would generally not force a use into variation and instead promote compliance. Note that when building permits are required for either motor vehicle sales or convenience mart fueling, the building permit will require a zoning approval based on the Site Plan Review factors of Section 12-3-2. These are fairly comprehensive and allow staff to require changes and improvements when, for example, the use on the specific property creates an unsafe or illogical circulation pattern. The applicant’s avenue for relief would be to pursue a variation.

Proposed Amendments: Motor Vehicle Sales

All proposed amendments are contained in Attachment 2. Additions are **bold, double-underline**. Deletions are ~~struck through~~. The following is a summary of the proposed zoning amendments relating to motor vehicle sales:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), motor vehicle sales becomes a permitted use in C-3 on sites 22,000 square feet or more, which is roughly .5 acres. The minimum lot area is an existing requirement that staff proposes simplifying.
- A new Section 12-8-14 is created, titled “Motor Vehicle Sales Establishments.”
 - Parking and Loading:
 - Requires clear identification and marking of the various types of parking spaces (sales/display area, employee parking, customer parking) with signs or striping.
 - Vehicle display cannot block entrances, drive aisles, etc.
 - Vehicles displayed for sale must be parked inside the property boundaries.
 - Except for vehicles displayed for sale, must always have valid license plate and registration.
 - Landscaping:
 - Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Must install landscape buffer, which is usually a combination of plantings and a fence, when required by the landscape chapter.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Proposed Amendments: Convenience Mart Fueling

All proposed amendments are contained in Attachment 3. Additions are **bold, double-underline**. Deletions are ~~struck through~~. The following is a summary of the proposed zoning amendments relating to convenience mart fueling:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), convenience mart fueling becomes a permitted use in C-3 on sites 15,000 square feet or more. The minimum lot area is reduced from the previous 20,000 square feet because staff is aware of vacant, nonconforming gas station properties, and obtaining a new user and investment will be easier if the threshold is lowered. Note that this amendment would not exempt a user from having to provide the required parking or a reasonable circulation pattern, but it will not automatically disqualify them (or require a variation) to invest in a site that is smaller than 20,000 square feet.
- A new Section 12-8-15 is created, titled “Convenience Mart Fueling Stations.”
 - Parking and Loading:
 - Except for spaces adjacent to fuel pumps, requires appropriate identification and marking of the various types of required spaces (e.g., through signs or striping).
 - Requires that spaces serving the retail portion be located close to the retail entrance.
 - Landscaping:

- Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Standards for Text Amendments:

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. The Board may use the comments as written as its findings, modify, or adopt its own.

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

Comments: The Comprehensive Plan calls for strengthening commercial corridors and industrial areas (Chapter 3: Economic Development). C-3 is the most common commercial district, and enabling start-up ease for businesses is likely to help with addressing vacant properties or allowing upgrades to existing properties in these corridors.

PZB Additions or Modifications (if necessary): _____
 _____.

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

Comments: In its C-3 commercial corridors, Des Plaines has several existing motor vehicle sales and convenience mart fueling stations, or auto filling stations that may be eventually converting into convenience mart fueling. Allowing this use to sustain broadly throughout Des Plaines is consistent with the character of the City overall.

PZB Additions or Modifications (if necessary): _____
 _____.

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

Comments: The amendments should not have an effect on public facilities and services.

PZB Additions or Modifications (if necessary): _____
_____.

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

Comments: By balancing business and private property needs through reasonable restrictions that address aesthetics and character, the amendments should not have an adverse effect on property values. In particular, the newly proposed specific use regulations for both motor vehicle sales and convenience mart fueling intend to allow the reasonable use of property without inhibiting the enjoyment of property by adjacent owners and users.

PZB Additions or Modifications (if necessary): _____
_____.

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

Comments: The amendments are part of an intentional effort to improve continually the business-friendly climate of Des Plaines, while balancing the need to ensure well-designed properties and developments that mitigate effects on neighbors and can fit in to a neighborhood or corridor context.

PZB Additions or Modifications (if necessary): _____
_____.

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. The Board should clearly state any modifications so that its recommended language can be incorporated in the approving ordinance passed on to the Council, which has final authority on the proposal.

Attachments:

- Attachment 1: Summary Table of Conditional Uses Granted 2017-2022
- Attachment 2: Proposed Amendments for Motor Vehicle Sales
- Attachment 3: Proposed Amendments for Convenience Mart Fueling Stations

CONDITIONAL USE REQUESTS 2017-2022

Type	2017	2018	2019	2020	2021	2022*	Totals
Adult Day Service Center	0	0	0	0	0	1	1
Assisted Living Facility	0	1	0	0	0	0	1
Auto Body Repair	0	0	1	1	0	0	2
Auto Service Repair	1	2	1	1	1	0	6
Cannabis Infuser	0	0	0	0	0	1	1
Car Wash	0	0	0	0	0	1	1
Child Care	1	1	1	0	0	0	3
Commercial Indoor Recreation Establishment	1	0	0	0	0	0	1
Commercial Radio Service Facility	0	0	0	0	1	0	1
Commercial Truck Parking Lot	0	0	1	0	0	0	1
Commercially Zoned Assembly	0	1	2	0	1	1	5
Congregate Housing Center	0	0	1	0	0	0	1
Convenience Mart Fueling Station	0	0	0	0	2	0	2
Domestic Pet Service	1	0	1	1	0	0	3
Drive-Through Facility	0	1	0	0	0	0	1
Electronic Message Board (EMB) sign	1	1	0	0	0	0	2
Food Processing Establishment	0	1	0	0	0	0	1
Livery Service	0	0	1	0	0	0	1
Localized Alternative Sign Regulation (LASR)	3	3	4	2	1	0	13
Massage Establishment	1	0	0	0	0	0	1
Motor Vehicle Sales	1	1	3	0	0	3	8
Office	0	0	0	0	0	1	1
Outdoor Bulk Material Facility	0	1	0	0	0	0	1
Outdoor Storage & Display of Finished Products	0	0	0	0	0	1	1
Planned Unit Development	7	3	7	3	3	1	24
Private School	0	0	1	0	0	0	1
Recycling Center	0	0	1	0	0	0	1
Trade Contractor	2	0	0	1	3	0	6
TOTAL	19	16	25	9	12	10	91

*Through August 2022

Proposed Text Amendments for Motor Vehicle Sales

Additions are bold, double-underlined.

Deletions are struckthrough.

SECTION 12-7-3, TABLE 3: COMMERCIAL DISTRICTS USE MATRIX

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Motor vehicle sales			<u>CP⁵</u>	P			

5. On sites of ~~25,000 square feet or more. For proposed sites of less than 25,000 square feet but more than 22,000 square feet, the City Council may consider additional factors, including, but not limited to, traffic, economic and other conditions of the area, or proposed business and site plan issues in considering whether to grant a conditional use for a used car business of less than 25,000 square feet but more than 22,000 square feet.~~

Section 12-8-14: Motor Vehicle Sales Establishments

A. Parking and Loading:

1. **Parking and loading spaces shall be clearly identified as either customer, employee, vehicle display, or loading spaces on the property with appropriate striping or signage.**
2. **No vehicle display spaces may block or interfere with required drive aisles, entrances, or required off-street parking spaces at any time.**
3. **Vehicles displayed for sale must be located inside the property boundaries at all times.**
4. **Except for vehicles displayed for sale, all vehicles parked outdoors must have valid license plates and registration at all times.**

B. Landscaping: Motor vehicle sale establishments shall comply with all applicable landscape requirements in Section 12-10 of this title.

1. **When required by this title, a landscape plan shall be submitted to identify the type, name, quantity, and location of plantings proposed on subject property, with an emphasis on street-facing elevations.**
2. **Motor vehicle sale establishments abutting residential districts or uses shall provide landscape buffers to appropriately screen their property from neighboring properties as required by Section 12-10-9 or by site plan review approval conditions.**

C. Environmental Performance Standards: Motor vehicle sale establishments shall comply with all performance standards in Section 12-12 of this title, unless any Federal, State, County, or local ordinance, law, or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply.

1. **All exterior lighting shall comply with Section 12-12-10 of this title. The Zoning Administrator may require the specifications for existing light fixtures and a Photometric Plan for any new exterior lighting proposed to demonstrate compliance with the foot-candle limitations. If required the plan shall include the full property boundaries identified with a thick black line, all foot-candle measurements in and around the property boundaries, and the specifications for all light fixtures.**

- D. Signs: All signs proposed for a motor vehicle sales establishment shall follow the sign regulations in Section 12-11 of this title and be designed, positioned, and shielded to minimize adverse effects on adjacent properties.
1. No signs shall be installed on fences, light poles, or any other structure, surface, or object that is not part of a permitted sign type listed in this title.

Proposed Text Amendments for Convenience Mart Fueling Stations

Additions are bold, double-underlined.

Deletions are struckthrough.

SECTION 12-7-3, TABLE 3: COMMERCIAL DISTRICTS USE MATRIX

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Convenience Mart Fueling Station			<u>CP⁴</u>	<u>CP⁴</u>			

4. On sites of ~~20,000~~ **15,000** square feet or more.

Section 12-8-15: Convenience Mart Fueling Stations

- A. Parking and Loading:**
 - 1. **Except for required spaces adjacent to fuel pumps, spaces shall be identified on the with appropriate striping or signage.**
 - 2. **Required off-street parking to accommodate the retail portion shall be positioned near the main entrance.**
- B. Landscaping: Convenience Mart Fueling Stations shall comply with all applicable landscape requirements in Section 12-10 of this title.**
- C. Environmental Performance Standards: Convenience Mart Fueling stations shall comply with all performance standards in Section 12-12 of this title, unless any Federal, State, County, or local ordinance, law, or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply.**
 - 1. **All exterior lighting shall comply with Section 12-12-10 of this title. The Zoning Administrator may require the specifications for existing light fixtures and a Photometric Plan for any new exterior lighting to demonstrate compliance with the foot-candle limitations. If required the plan shall include the full property boundaries identified with a thick black line, all foot-candle measurements in and around the property boundaries, and the specifications for all light fixtures.**
- D. Signs: All signs proposed for a Convenience Mart Fueling Station shall follow the sign regulations in Section 12-11 of this title and be designed, positioned, and shielded to minimize adverse effects on adjacent properties.**
 - 1. **No signs shall be installed on fences, light poles, or any other structure, surface, or object that is not part of a permitted sign type listed in this title.**

East: M-2, General Manufacturing District
West: R-3, Townhouse Residential District

Surrounding Land Use: North: Commercial Storage Facility (Industrial)
South: Distribution Center (Industrial)
East: Warehouse (Industrial) / Leasing/Rental Agent, Equipment (Industrial)
West: Townhouses (Residential) / Park (Recreational)

Street Classification: Mannheim Road is classified as an Other Principal Arterial.

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

Zoning/Property History: The existing 60-foot-tall commercial mobile radio service facility was approved through a building permit in 1998 to be installed on the subject property 42 feet from the west property line. Later in 1998, Ordinance Z-8-98 was approved, which repealed existing regulations and enacted new land use and zoning regulations city-wide. The new 1998 Zoning Ordinance added the definition, allowance, and bulk regulations for commercial mobile service facilities (i.e., cell towers), including height, setback, and location restrictions based on the zoning district. Specifically, the regulations restricting commercial mobile service facilities from being located in any required yard and requiring them to be a minimum of 50 feet away from all property lines made the existing commercial mobile service facility non-conforming. Since its construction, the commercial mobile service facility equipment was upgraded in 2011 and antennas were added in 2014. This was permitted under the nonconforming structures rules because the height and location of the facility did not change. However, the desired scope of work at this time requires variation.

Project Description: The petitioner, Michael Gasser on behalf of New Cingular Wireless PCS, LLC, has requested Major Variations to add a 30-foot tall expansion onto an existing 60-foot-tall commercial mobile radio service facility located in the rear of the Extra Space Storage property at 2064-2074 Mannheim Road. The subject property is located within the M-2 General Manufacturing district and consists of one lot with a multi-level building, small storage pods with paved access, and surface parking area as shown in the attached ALTA/ACSM Land Title Survey. The subject property is located along Mannheim Road and is currently accessed by two curb cuts. Access to the existing commercial mobile radio service facility is limited to the gated area located directly north of the commercial storage facility building. The existing commercial mobile radio service facility on site is classified as a freestanding (secondary principal use) as it does not relate the commercial storage facility use (i.e., Extra Space Storage). A commercial mobile service facility is a permitted use in the M-2 district and is governed by Section 12-8-5 of the Zoning Ordinance.

The petitioner wishes to modify the existing commercial mobile radio service facility by adding a 30-foot-tall tower extension with twelve new antennae and related equipment to address coverage and equipment requirements without the addition of a new monopole. The proposed extension would result in a monopole height of 90 feet with an overall equipment height of 93.5 feet as noted in the attached Architectural Plans and Project Narrative. All regulations in Section 12-8-5 apply for commercial mobile radio service facilities.

However, the two regulations in conflict with the petitioner’s proposal are noted below pursuant to Section 12-8-5.B:

- No commercial mobile radio service facility shall be located in any required yard, nor shall a freestanding commercial mobile radio service facility be located within fifty feet (50') of any property boundary line.
- A freestanding commercial mobile radio service facility shall be set back from any residential zoning district a distance equivalent to its height; provided however, that in no case shall a freestanding commercial mobile radio service facility be located closer than one hundred feet (100') from any residential district.

Since the proposal does not align with the aforementioned regulations above, major variation requests are required.

Variation Standards

Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. The petitioner’s rationale for how the proposal would satisfy each of the standards is attached. The PZB may use this rationale as its findings, or the Board may create its own. The standards that should serve as the basis of findings are the following:

- 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.**

PZB Additions or Modifications (if any): _____
_____.

- 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.**

PZB Additions or Modifications (if any): _____
_____.

- 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.**

PZB Additions or Modifications (if any): _____
_____.

- 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.**

PZB Additions or Modifications (if any): _____

_____.

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.

PZB Additions or Modifications (if any): _____

_____.

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.

PZB Additions or Modifications (if any): _____

_____.

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.

PZB Additions or Modifications (if any): _____

_____.

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.

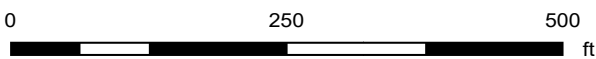
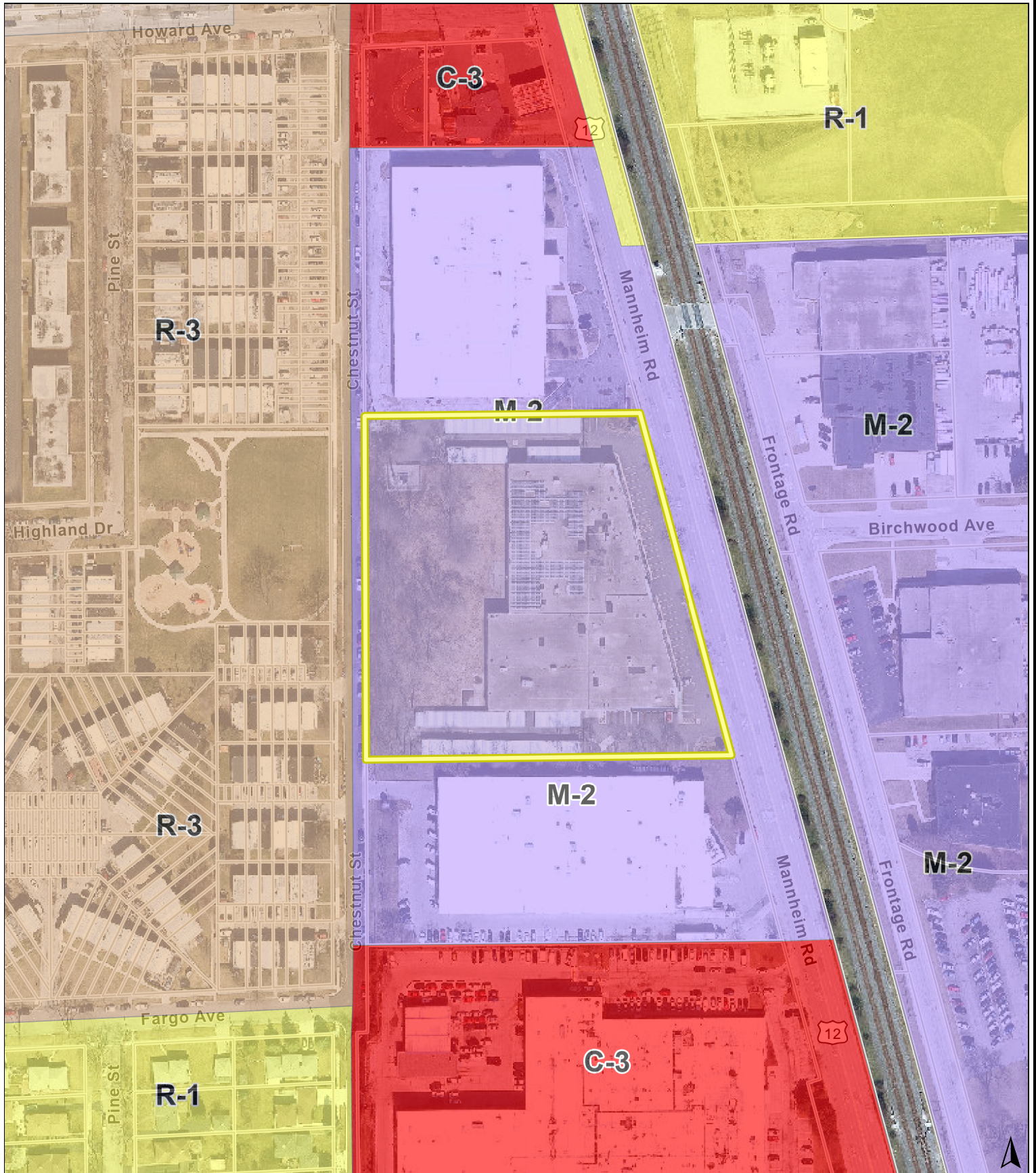
PZB Additions or Modifications (if any): _____

_____.

PZB Procedure and Recommended Conditions: Under Section 12-3-6.G of the Zoning Ordinance (Major Variations), the PZB has the authority to *recommend* approval, approval subject to conditions, or denial of the requests. 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 of the Zoning Ordinance (Standards for Variations) as outlined in the Zoning Ordinance. The City Council has the final authority.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: ALTA/ACSM Land Title Survey
- Attachment 4: Project Narrative and Petitioner’s Responses to Standards
- Attachment 5: Architectural Plans
- Attachment 6: Photos of Existing Conditions



Print Date: 8/10/2022

Notes

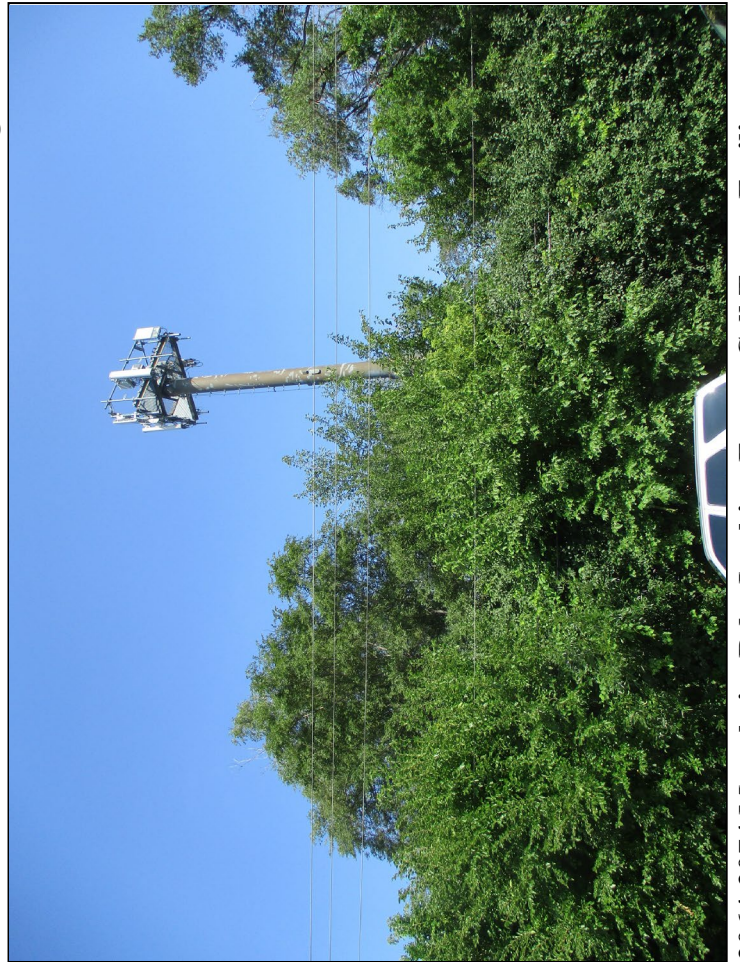
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently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



2064-2074 Mannheim Rd – Public Notice & Front of Building



2064-2074 Mannheim Rd – Looking Southwest at Cell Tower Facility



2064-2074 Mannheim Rd – Looking East at Cell Tower Facility



2064-2074 Mannheim Rd – Looking Southeast at Cell Tower Facility



9045 River Rd,
Indianapolis, IN 46240

Phone: (317) 249-2028
www.crowncastle.com

Written Narrative in Support of Variance

Crown Castle USA, Inc. (“Crown Castle”) on Behalf of New Cingular Wireless PCS (“AT&T Mobility”, “AT&T”, or “Petitioner”) appreciates the opportunity to provide this Written Narrative in Support of a Variations Request (the “Narrative Statement”) explaining why the requested exceptions are appropriate for the wireless communication facility (WCF). With the facts surrounding the request and a clear understanding of the federal definition of an “eligible facilities request” we strongly believe the City of Des Plaines, Department of Community and Economic Development (the “City”) will agree the request merits approval. With this Narrative Statement, Crown Castle will also provide information about how the subject application constitutes an “eligible facilities request” under applicable federal law and detail certain communications with city staff regarding the subject application.

Crown Castle owns and manages an existing monopole communication tower facility at 2064 Mannheim Road, a parcel that is zoned M-2 General Manufacturing. This parcel is located in between Chestnut Street and Mannheim Road and within the complex of a large self-storage operation. The existing wireless facility is surrounded by commercial buildings and dense trees on all sides and the ground equipment is buffered from view of residential properties to the west by heavy foliage. The ground equipment at the base of the tower facility is also enclosed by a mesh fence with a secure lock. The tower is capable and remains available for collocation in order to meet the communication demands of Des Plaines community.

The tower facility was originally approved for installation by a City of Des Plaines building permit in May 1998 and has remained at 60’ tower height since construction with an antenna height permitted up to 66’ by subsequent permits for the collocation of equipment. Section 12-8-5, F. allows for 100’ tower height in a manufacturing zoning district.

In order to address coverage and equipment requirements in its network, our customer AT&T Mobility (“AT&T”) desires to collocate a new antenna array on the tower which will include a 30’ tower extension bringing the overall equipment height with equipment to 93.5’. Rather than erect a new monopole, we are proposing to only add to the existing pole. This seems like a better arrangement for all concerned in that it allows AT&T to achieve the elevation AT&T seeks without adding another vertical element to the neighborhood. This also aligns with City Zoning Ordinance 12-8-5, C. which “encourages collocation of commercial mobile radio service facilities on existing or planned [facilities]”.

The peculiar circumstances in connection with the land is that the tower facility was previously approved for construction and was built according to the aforementioned approval without limit to the tower height, setbacks, or any development standards. However, the zoning regulations were revised in September of 1998 to include the current standards for Commercial Mobile Radio Service Facilities. Since that time the tower facility setback has remained legally established and non-conforming. The City has since continued to issue appropriate building permits as needed for the collocation of equipment a proposed collocation in of itself would not require a hearing or petition at this time.

However, since the proposed collocation by AT&T also requires a tower height extension, staff has asked that a variance of setback review should be conducted by the City Planning and Zoning Board. Please note that the tower is not being moved and the setbacks are not being revised from those approved in 1998. The proposal is to simply increase the tower height to accommodate the proposed collocation.

The Foundation for a Wireless World

CrownCastle.com



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Indianapolis, IN 46240

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www.crowncastle.com

The existing tower and compound area on the subject property can accommodate the AT&T antenna array with an increase of only thirty (30') feet in height and would maintain structural capacity for additional collocation without the need of building of an entirely new structure or expanding the prepared ground space. This particular tower allows AT&T to address both coverage and equipment upgrade requirements and is the least obtrusive way in which the coverage can be filled. AT&T anticipates that once this minor tower extension has been completed, its ability to provide your constituents with better coverage and connectivity will be vastly improved. We have all learned over the past couple of years that society is transitioning and increasing the importance of coverage and connectivity during these unprecedented times. We are spending more time at home, students are learning from home, professionals are working from home, and first responders must be able to quickly obtain the information they need to help their neighbors in need.

Crown Castle very much appreciates the opportunity to discuss the subject application with City representatives on multiple occasions and welcomed the collaborative nature of those conversations. Among other things, Crown Castle and staff talked about how this modification request is an “eligible facilities request” subject to streamlined review under federal law, specifically Section 6409(a) of the Spectrum Act and the Federal Communications Commission’s rules implementing that federal statute.¹ Section 6409(a) requires that the City shall approve, and may not deny, “eligible facilities requests,” like the modification proposed in the subject application, when they do not result in a “substantial change” to the physical dimensions of the existing structure. The intent behind this federal law is to promote deployment to help our country meet the ongoing technological revolution and connect our citizens with each other, with their schools, with their jobs, and with life-saving technologies.

With regard to tower height extensions, according to the FCC, a proposed modification does not constitute a “substantial change” if the modification would not increase the height of the tower by the greater of (a) 10% or (b) the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet.” The subject application falls into the second bucket of allowable tower height extensions under Section 6409(a) – AT&T proposes adding one additional antenna array on the tower with a separation of approximately nineteen (19') feet between the bottom of the new array and the top of the existing array. The separation of nineteen feet (measured from bottom of new array and top of existing array) is significant to note because, as the FCC clarified in its 5G Upgrade Order issued last June, “an increase in the height of the tower of up to twenty (20) feet between antennas, as measured from the top of an existing antenna to the bottom of a proposed new antenna on the top of a tower” does not constitute a “substantial change” under Section 6409(a). See FCC 5G Upgrade Order at para. 2. Because the proposed tower height increase is not a “substantial change” as defined by the FCC, the subject application constitutes an “eligible facilities request” that shall be approved by the City pursuant to federal law.

Upon the request by staff, Crown Castle will now review the criteria set forth in Section 12-3-6 the “Findings of Fact For Variations” of the City Code and demonstrate why the required variances are warranted in this case.

12-3-6, H. – Findings of Fact For Variations:

Petitioner’s response to 12-3-6, H: Petitioner is confident that the board will approve the variations with consideration of Section 6409(a) and the facts at hand.

12-3-6(H) - Criteria 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.

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Petitioner's response to 12-3-6(H) - Criteria 1. Hardship: The use and placement of the monopole structure was legally established via permit 98040120 in 1998 and has remained in use and otherwise lawful since that time. The regulations have changed which established the nonconformity. The strict application of these setback regulations will prevent the applicant from complying with the collocation standards of Section 12-8-5, C. Collocation for a facility that is otherwise capable.

12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 2. Unique Physical Condition: The monopole structure and ground space are existing. Extending the height of the existing facility is encouraged by the zoning regulations and thought to be preferred to constructing a new tower facility which would add to the existing development and require removal of large trees.

12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 3. Not Self-Created: The owner and/or predecessors have not created a unique physical condition but are desirous of collocating an existing wireless tower facility as opposed to constructing a new tower facility. Collocation does not create a new nonconformity.

12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 4. Denied Substantial Rights: Other legally established tower facilities located in the manufacturing district are permitted to collocate additional carriers on the tower facility up to 100' in height. However, due to the creation of the setback requirements after the subject tower was constructed strict application of the provisions prevents applicant from collocation.

12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 5. Not Merely Special Privilege: Again, we believe it is in the best interest all involved that the existing tower facility be collocated as opposed to the construction of another tower facility. While it is the applicant's preference to comply with the collocation requirements of the zoning regulations which allow the extension of the tower to 100' the ordinance revisions post construction have necessitated the variations.



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Indianapolis, IN 46240

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www.crowncastle.com

12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 6. Title and Plan Purposes: Petitioner's request will serve the public at the location with an existing tower facility that has been thrice reviewed, approved, and has served the public since 1998. In compliance with Section 12-8-5, F. of the City Code, Petitioner is now attempting to make the facility available including variations to collocate additional personal wireless service facilities on the free-standing tower since the collocation is feasible and in lieu of constructing a new free-standing tower facility within the same community. Upon approval of the petition, the Board will be assisting Petitioner in meeting this ordinance requirement.

12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 7. No Other Remedy: The available remedy to the variance request would be to construct another tower facility on the property which does not comply with the collocation provisions of the zoning ordinance. However, the approval to allow the continued use of the existing facility will provide for additional communications for the community without the need for an additional tower.

Petitioner's response to 12-3-6(H) - Criteria 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.

Petitioner's response to 12-3-6(H) - Criteria 8. Minimum Required: Simply approving the existing tower facility to remain as it was legally established is all petitioner requests. The tower extension is not creating a non-conformity as the proposed height remains below the allowable height in the M-2 zoning district. As clarified above approval of this Eligible Facility Request is required under Section 6409(a) and aside from the existing setbacks, the existing facility conforms to all other provisions of the City Code and petitioner requests that the tower facility be permitted for collocation as it was originally intended.

Petitioner is open to discuss the Findings of fact or Standards and their compliance with the aforementioned Section 6409(a) and the FCC Infrastructure Orders. Given that the Application proposes an EFR as such term is defined in federal law, the Application is entitled to streamlined review pursuant to federal law. Again, petitioner's response to 12-3-6, H: Petitioner is confident that the board will approve the variations with consideration of Section 6409(a) and the facts at hand.



AT&T SITE NUMBER: IL0684
AT&T SITE NAME: IL0684
AT&T FA CODE: 10153891
AT&T PACE NUMBER: MRCHI001840
AT&T PROJECT: NSB

BUSINESS UNIT #: 875582
SITE ADDRESS: 2064 MANNHEIM RD
 DES PLAINES, IL 60018
COUNTY: COOK
SITE TYPE: MONOPOLE
TOWER HEIGHT: 60'-0"



AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNİK BROS.

2064 MANNHEIM RD
 DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	10/28/21	ADE	CONSTRUCTION	MEP
1	02/10/22	WAM	CONSTRUCTION	MEP
2	02/16/22	WAM	CONSTRUCTION	MEP
3	04/25/22	WAM	CONSTRUCTION	MEP



EXPIRES: **11/30/2021**

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SHEET NUMBER: **T-1** REVISION: **3**

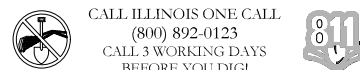
SITE INFORMATION

CROWN CASTLE USA INC. KLANCNİK BROS.
 SITE NAME:
 SITE ADDRESS: 2064 MANNHEIM RD
 DES PLAINES, IL 60018
 COUNTY: COOK
 MAP/PARCEL #: 09-29-402-041-0000
 AREA OF CONSTRUCTION: EXISTING
 LATITUDE: 42° 0' 54.43"
 LONGITUDE: -87° 53' 21.07"
 LAT/LONG TYPE: NAD83
 GROUND ELEVATION: 644 FT
 CURRENT ZONING: NOT REQUIRED
 JURISDICTION: CITY OF DES PLAINES
 OCCUPANCY CLASSIFICATION: U
 TYPE OF CONSTRUCTION: IIB
 A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
 PROPERTY OWNER: PARADIGM TAX ESS 8699
 PO BOX 800729
 DALLAS, TX 75380
 TOWER OWNER: CROWN CASTLE USA INC.
 2000 CORPORATE DRIVE
 CANONSBURG, PA 15317
 CARRIER/APPLICANT: AT&T TOWER ASSET GROUP
 575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300
 ELECTRIC PROVIDER: COM ED
 (800) 344-7661
 TELCO PROVIDER: AT&T
 (866) 620-6900

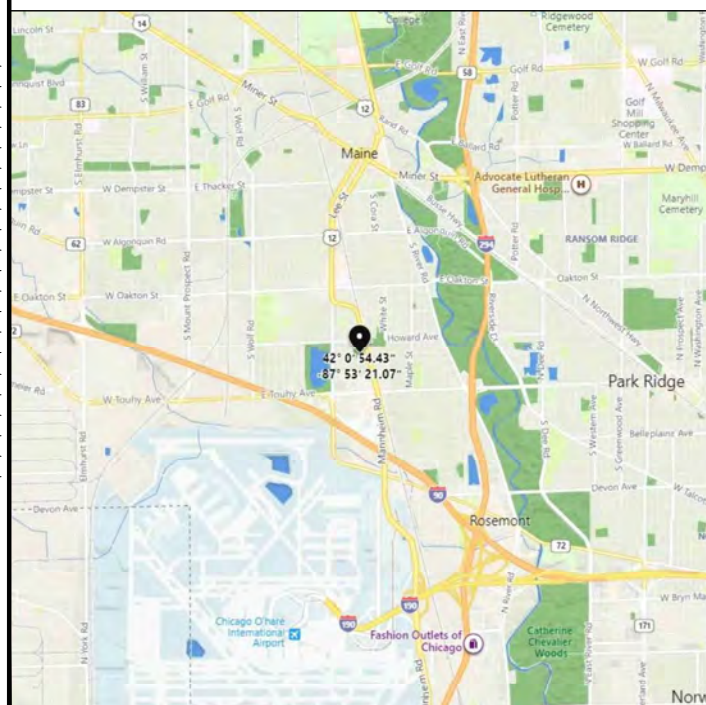
DRAWING INDEX

SHEET #	SHEET DESCRIPTION
T-1	TITLE SHEET
T-2	GENERAL NOTES
C-1.1	OVERALL SITE PLAN
C-1.2	SITE PLAN
C-1.3	ENLARGED SITE PLAN
C-2	ELEVATION & ANTENNA PLANS
C-3.1	EQUIPMENT SPECS
C-3.2	EQUIPMENT SPECS
C-4	EQUIPMENT SPECS
C-5	WUC DETAILS
C-6	GENERATOR SPECIFICATIONS
C-7	SITE SIGNAGE
C-8	ELEVATED PLATFORM DETAILS
E-1	UTILITY ROUTING PLAN
E-2	ONE LINE DIAGRAM
G-1	GROUNDING SCHEMATIC
G-2	GROUNDING DETAILS
G-3	GROUNDING DETAILS
ATTACHED	PLUMBING DIAGRAM
ATTACHED	MOUNT SPECIFICATIONS

ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR 11X17. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



LOCATION MAP



NO SCALE

SITE PHOTO



PROJECT TEAM

A&E FIRM: POD
 11490 BLUEGRASS PARKWAY
 LOUISVILLE, KY 40299
 (502) 437-5252
 CROWN CASTLE USA INC. DISTRICT CONTACTS:
 20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173
 BRAD BELL - PROJECT MANAGER
 BRAD.BELL@CROWNCastle.COM
 ADAM BRAVER - A&E SPECIALIST
 ADAM.BRAVER@CROWNCastle.COM

PROJECT DESCRIPTION

THE PURPOSE OF THIS PROJECT IS TO ENHANCE BROADBAND CONNECTIVITY AND CAPACITY TO THE EXISTING ELIGIBLE WIRELESS FACILITY.

- TOWER SCOPE OF WORK:**
- INSTALL (1) SABRE - C10855721C PLATFORM MOUNT
 - INSTALL (6) COMMScope - NNH4-65B-R6H4_CCIV2 ANTENNAS
 - INSTALL (3) CCI - C-BAND ANTENNA E ANTENNAS
 - INSTALL (3) ERICSSON - AIR 6449 B77D ANTENNAS
 - INSTALL (3) ERICSSON - RRUS 4415 B25_CCIV2 RRUs
 - INSTALL (3) ERICSSON - RRUS 4415 B30 RRUs
 - INSTALL (3) ERICSSON - RRUS 4478 B14_CCIV2 RRUs
 - INSTALL (3) ERICSSON - RRUS 4449 B5/B12 RRUs
 - INSTALL (3) ERICSSON - RRUS 8843 B2/B66A_CCIV2 RRUs
 - INSTALL (6) VALMONT - RRUDSM BACK TO BACK MOUNTS
 - INSTALL (3) 6'-0" MOUNTING PIPES
 - INSTALL (3) RAYCAP - DC9-48-60-24-8C-EV_CCIV2 SQUIDS
 - INSTALL (9) COMMScope - PWRT-606-S DC CABLES
 - INSTALL (2) COMMScope - RFFT-48SM-001-XXX FIBER CABLES

- GROUND SCOPE OF WORK:**
- INSTALL (1) WUC CABINET ON AN ELEVATED PLATFORM IN A 12'-0"x20'-0" LEASE AREA
 - INSTALL (1) KOHLER 20KW DIESEL GENERATOR
 - INSTALL (1) VERTIV 5100 DC POWER PLANT W/ (2) STRINGS OF SBS190F BATTERIES
 - INSTALL (3) DC12-48-60-0-25E SURGE SUPPRESSORS
 - INSTALL (1) 36'-0" ± ICE BRIDGE
 - INSTALL (1) GPS ANTENNA
 - INSTALL (1) D2 SIAD
 - INSTALL (2) 6630 W/ MIXED MODE, (1) 6601, (1) XMU, (1) 6648 (HUB)
 - INSTALL POWER AND TELCO ROUTING
 - INSTALL 200A SERVICE INTO EXISTING METER/DISCONNECT

APPLICABLE CODES/REFERENCE DOCUMENTS

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING	2015 IBC W/ AMENDMENTS
MECHANICAL	2015 IMC W/ AMENDMENTS
ELECTRICAL	2014 NEC W/ AMENDMENTS

REFERENCE DOCUMENTS:

STRUCTURAL ANALYSIS:	TOWER ENGINEERING PROFESSIONALS
DATED:	MARCH 31, 2022
MOUNT ANALYSIS:	POWER OF DESIGN GROUP
DATED:	OCTOBER 22, 2021
RFDS REVISION:	V1.0
DATED:	9/20/2021
ORDER ID:	591265
REVISION:	1

NOTE:
 PRIOR TO ACCESSING/ENTERING THE SITE YOU MUST CONTACT THE CROWN NOC AT (800) 788-7011 & CROWN CONSTRUCTION MANAGER.



S CHESTNUT ST

APPROXIMATE LOCATION OF PROPERTY LINE

MANNHEIM RD

FRONTAGE RD

BIRCHWOOD AVE

APN: 09-29-402-041-0000

(E) COMPOUND
(E) 60'-0" MONOPOLE

(E) BUILDING

(E) BUILDING

(E) BUILDING

(E) BUILDING

(E) BUILDING

(E) BUILDING

(E) BUILDING

APPROXIMATE LOCATION OF PROPERTY LINE

APPROXIMATE LOCATION OF PROPERTY LINE

1 OVERALL SITE PLAN
SCALE: 1"=40'-0" (FULL SIZE)
1"=80'-0" (11x17)



575 MOROSGO DRIVE
ATLANTA, GA 30324-3300

20 N. MARTINGALE DRIVE, SUITE 440
SCHAUMBURG, IL 60173

POWER OF DESIGN
11490 BLUEGRASS PKWY
LOUISVILLE, KY 40299
502-437-5252

AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNIK BROS.

2064 MANNHEIM RD
DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

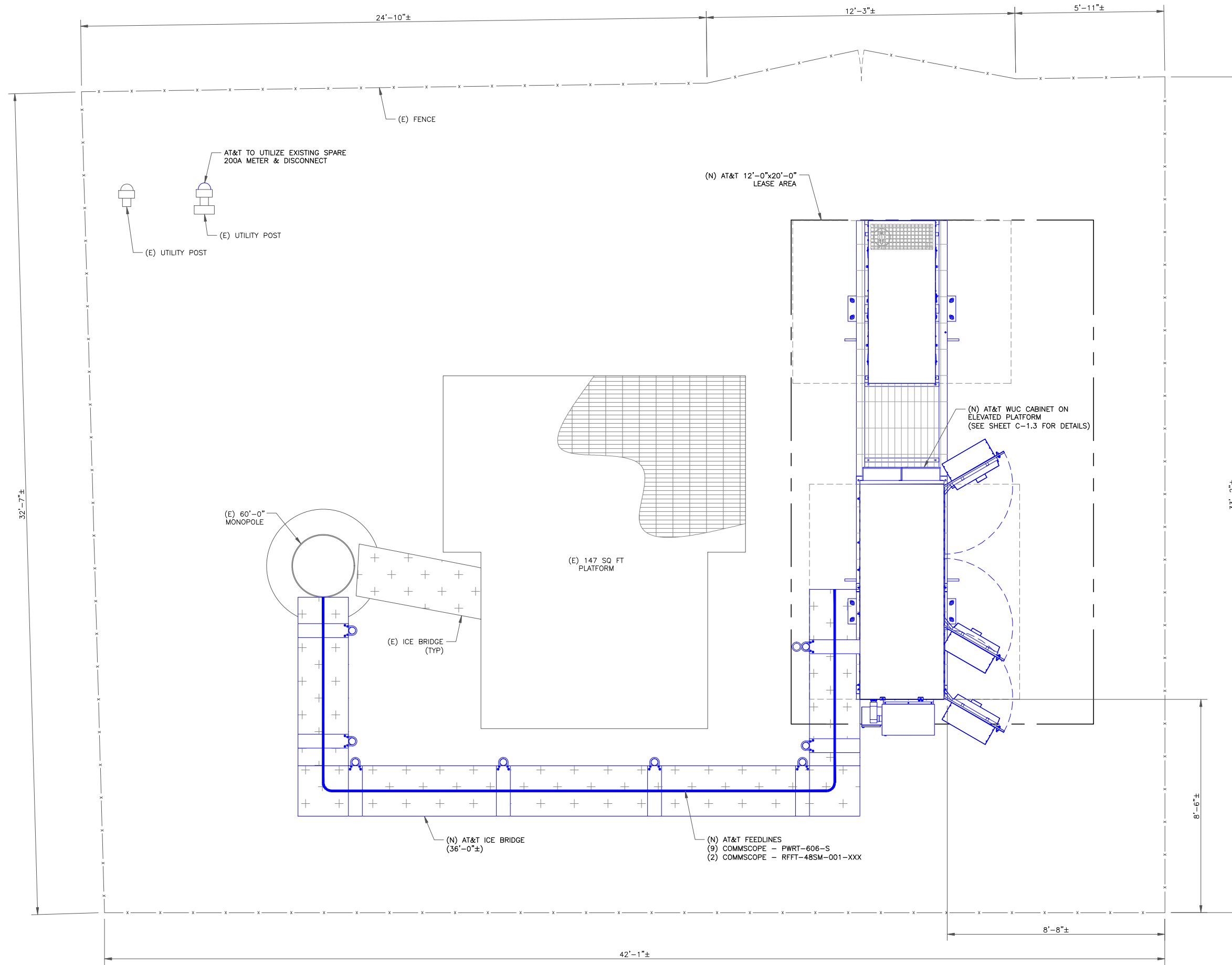
ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	10/28/21	ADE	CONSTRUCTION	MEP
1	02/10/22	WAM	CONSTRUCTION	MEP
2	02/16/22	WAM	CONSTRUCTION	MEP
3	04/25/22	WAM	CONSTRUCTION	MEP

04/25/2022
EXPIRES: 11/30/2021

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TO ALTER THIS DOCUMENT.

SHEET NUMBER: C-1.1	REVISION: 3
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1 SITE PLAN
 SCALE: 1/2"=1'-0" (FULL SIZE)
 1/4"=1'-0" (11x17)



AT&T
 575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300

CROWN CASTLE
 20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173

POD
 POWER OF DESIGN
 11490 BLUEGRASS PKWY
 LOUISVILLE, KY 40299
 502-437-5252

AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNIK BROS.
 2064 MANNHEIM RD
 DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

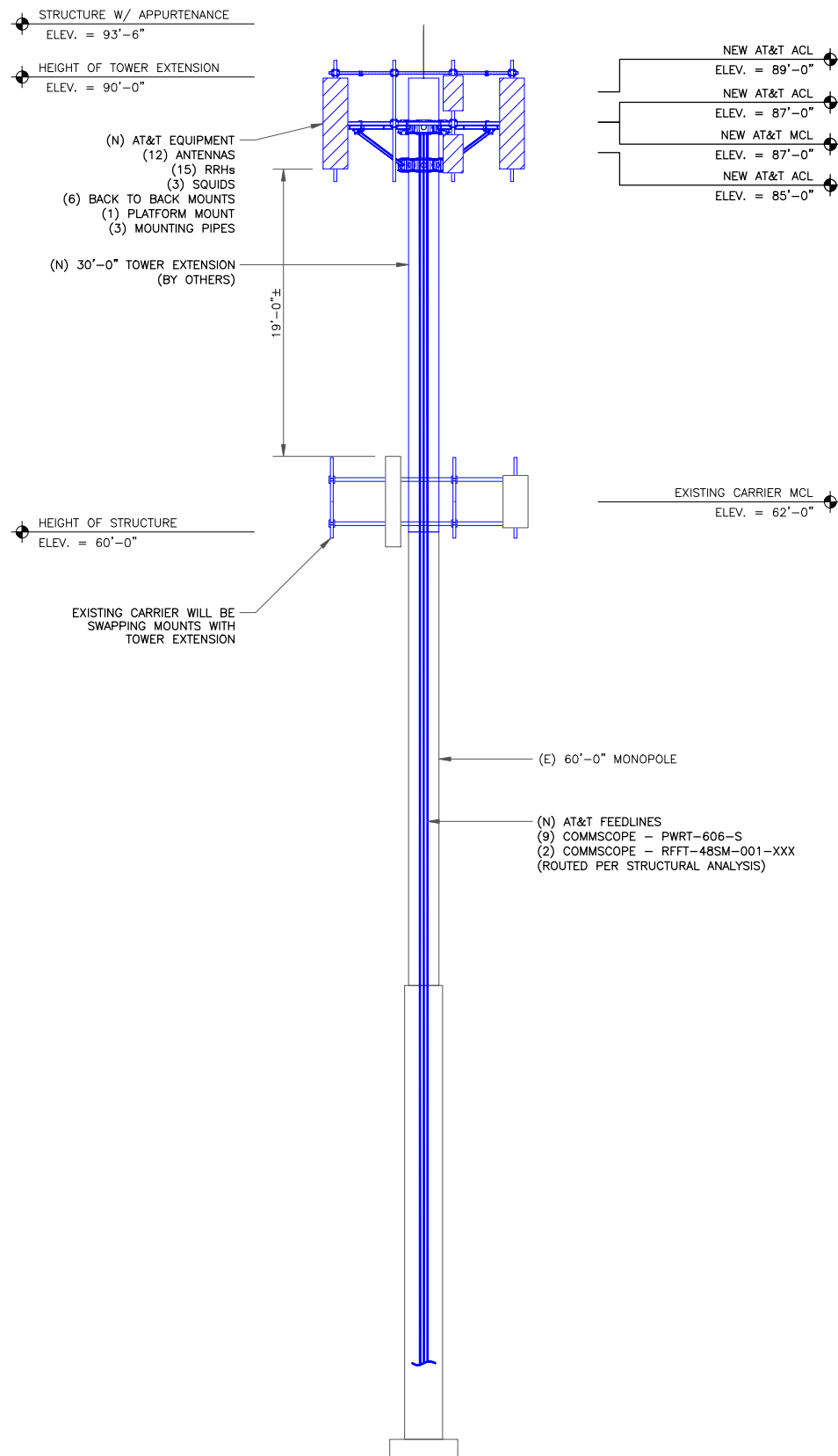
REV	DATE	DRWN	DESCRIPTION	DES/QA
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1	02/10/22	WVN	CONSTRUCTION	MEP
2	02/16/22	WVN	CONSTRUCTION	MEP
3	04/25/22	WVN	CONSTRUCTION	MEP

MARK L. PATTERSON
 062-067337
 LICENSED PROFESSIONAL ENGINEER
 STATE OF ILLINOIS
 04/25/2021

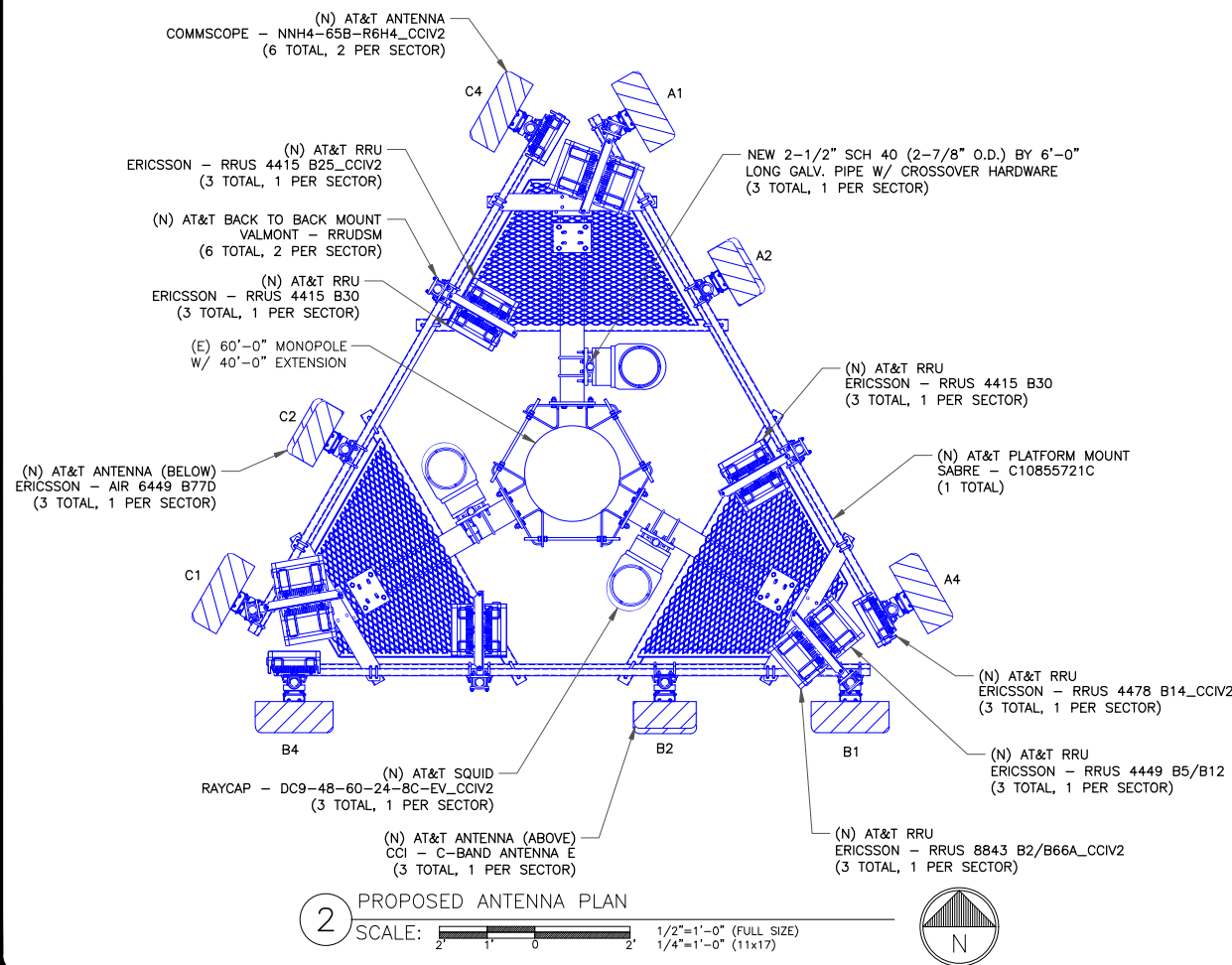
EXPIRES: 11/30/2021

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SHEET NUMBER: C-1.2	REVISION: 3
-------------------------------	-----------------------



1 FINAL ELEVATION
SCALE: NOT TO SCALE



3 ANTENNA & EQUIPMENT SCHEDULE
SCALE: NOT TO SCALE

	LOCATION	AZIMUTH IN DEGREES	RAD. CENTER	ANTENNA MAKE/MODEL	TMA/RRU/ DIPLEXER	RAYCAP	CABLE TYPE & LENGTH
ALPHA	A-1	60°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4449 B5/B12 (1) RRUS 8843 B2/B66A_CCIV2	(3) DC9-48-60-24-8C-EV	(9) COMMSCOPE - PWRT-606-S DC CABLES (2) COMMSCOPE - RFFT-48SM-001-XXX FIBER CABLES APPROX LENGTH = ±147'
	A-2	60°	89'-0" 85'-0"	CCI - C-BAND ANTENNA E (ABOVE) ERICSSON - AIR6449 N77D (BELOW)	---		
	A-3	---	---	---	---		
	A-4	60°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4415 B25_CCIV2 (1) RRUS 4415 B30 (1) RRUS 4478 B14_CCIV2		
BETA	B-1	180°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4449 B5/B12 (1) RRUS 8843 B2/B66A_CCIV2		
	B-2	180°	89'-0" 85'-0"	CCI - C-BAND ANTENNA E (ABOVE) ERICSSON - AIR6449 N77D (BELOW)	---		
	B-3	---	---	---	---		
	B-4	180°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4415 B25_CCIV2 (1) RRUS 4415 B30 (1) RRUS 4478 B14_CCIV2		
GAMMA	C-1	300°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4449 B5/B12 (1) RRUS 8843 B2/B66A_CCIV2		
	C-2	300°	89'-0" 85'-0"	CCI - C-BAND ANTENNA E (ABOVE) ERICSSON - AIR6449 N77D (BELOW)	---		
	C-3	---	---	---	---		
	C-4	300°	87'-0"	COMMSCOPE - NNH4-65B-R6H4_CCIV2	(1) RRUS 4415 B25_CCIV2 (1) RRUS 4415 B30 (1) RRUS 4478 B14_CCIV2		

"LOOK UP" - CROWN CASTLE USA INC.
SAFETY CLIMB REQUIREMENT:

THE INTEGRITY OF THE SAFETY CLIMB AND ALL COMPONENTS OF THE CLIMBING FACILITY SHALL BE CONSIDERED DURING ALL STAGES OF DESIGN, INSTALLATION, AND INSPECTION. TOWER MODIFICATION, MOUNT REINFORCEMENTS, AND/OR EQUIPMENT INSTALLATIONS SHALL NOT COMPROMISE THE INTEGRITY OR FUNCTIONAL USE OF THE SAFETY CLIMB OR ANY COMPONENTS OF THE CLIMBING FACILITY ON THE STRUCTURE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: PINCHING OF THE WIRE ROPE, BENDING OF THE WIRE ROPE FROM ITS SUPPORTS, DIRECT CONTACT OR CLOSE PROXIMITY TO THE WIRE ROPE WHICH MAY CAUSE FRICTIONAL WEAR, IMPACT TO THE ANCHORAGE POINTS IN ANY WAY, OR TO IMPEDE/BLOCK ITS INTENDED USE. ANY COMPROMISED SAFETY CLIMB, INCLUDING EXISTING CONDITIONS MUST BE TAGGED OUT AND REPORTED TO YOUR CROWN CASTLE USA INC. POC OR CALL THE NOC TO GENERATE A SAFETY CLIMB MAINTENANCE AND CONTRACTOR NOTICE TICKET.

- INSTALLER NOTES:
- REFERENCE C-3 FOR FINAL EQUIPMENT SCHEDULE.
 - REFERENCE C-4 FOR NEW EQUIPMENT SPECIFICATIONS.
 - CONTRACTOR TO VERIFY ALL ANTENNA TIP HEIGHTS DO NOT EXCEED BEACON BASE HEIGHT.
 - 3'-0" MINIMUM DISTANCE REQUIRED BETWEEN LTE ANTENNAS ON SAME SECTOR.
 - 6'-0" MINIMUM DISTANCE REQUIRED BETWEEN 700BC & 700DE ANTENNAS ON SAME SECTOR.
 - 4'-0" MINIMUM DISTANCE REQUIRED BETWEEN LTE 700 ANTENNAS ON OPPOSING SECTORS.
 - ALL ANTENNA MEASUREMENT DISTANCES MUST BE EDGE TO EDGE (RELOCATE ANTENNAS AS NEEDED).
 - 8" MINIMUM DISTANCE REQUIRED BETWEEN ANTENNA & RADIO. SEE GENERIC EXAMPLE DETAIL ON SHEET C-4.



AT&T SITE NUMBER: IL0684

BU #: 875582
KLANCNIK BROS.

2064 MANNHEIM RD
DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

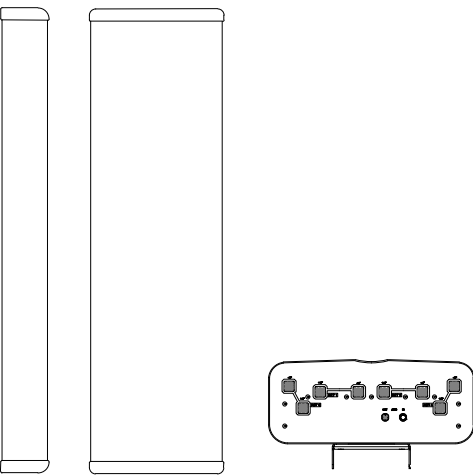
ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	10/28/21	ADE	CONSTRUCTION	MEP
1	02/10/22	WVN	CONSTRUCTION	MEP
2	02/16/22	WVN	CONSTRUCTION	MEP
3	04/25/22	WVN	CONSTRUCTION	MEP



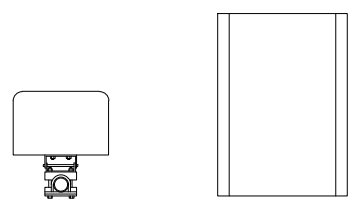
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SHEET NUMBER: **C-2** REVISION: **3**



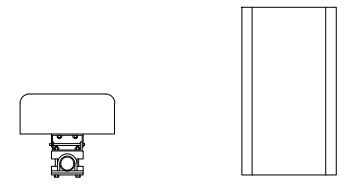
COMMSCOPE - NNH4-65B-R6H4_CCIV2
 WEIGHT (FULLY EQUIPPED): 83.3 LBS
 SIZE (HxWxD): 72x19.6x7.8 IN.

1 COMMSCOPE - NNH4-65B-R6H4_CCIV2
 SCALE: NOT TO SCALE



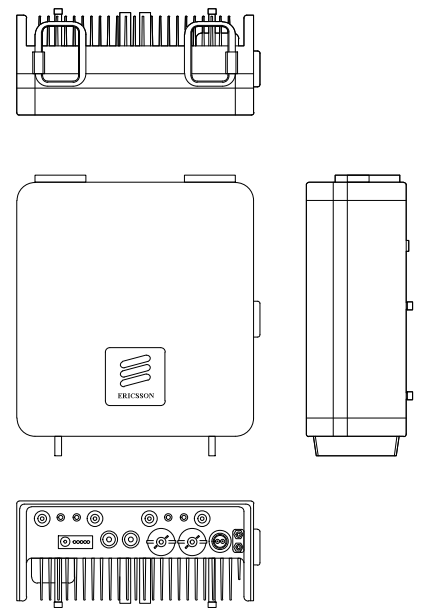
ERICSSON - AIR 6449 B77D
 WEIGHT (WITHOUT MOUNTING HARDWARE): 81.6 LBS
 SIZE (HxWxD): 30.39x15.87x8.07 IN.

2 ERICSSON - AIR 6449 B77D
 SCALE: NOT TO SCALE



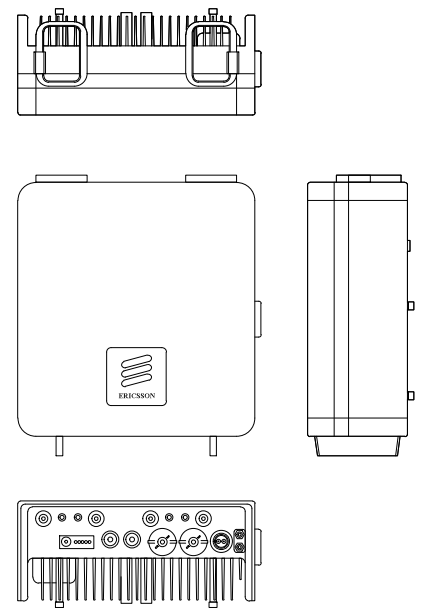
CCI - C-BAND ANTENNA E
 WEIGHT (WITHOUT MOUNTING HARDWARE): 66.2 LBS
 SIZE (HxWxD): 27.95x15.75x6.68 IN.

3 CCI - C-BAND ANTENNA E
 SCALE: NOT TO SCALE



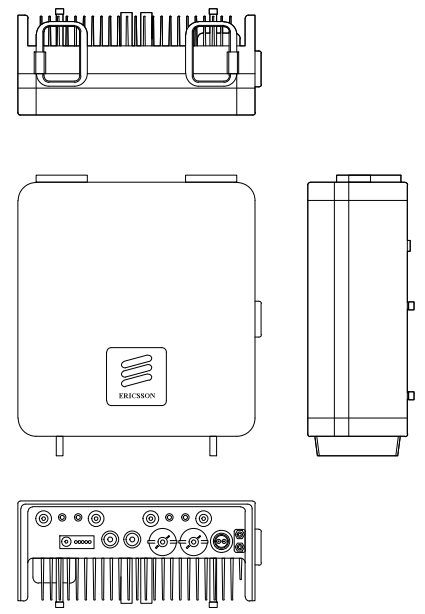
ERICSSON - RRUS 4415 B25_CCIV2
 WEIGHT: 46.0 LBS
 SIZE (HxWxD): 16.5x13.4x5.9 IN.

4 ERICSSON - RRUS 4415 B25_CCIV2
 SCALE: NOT TO SCALE



ERICSSON - RRUS 4415 B30
 WEIGHT: 46.0 LBS
 SIZE (HxWxD): 16.5x13.4x5.9 IN.

5 ERICSSON - RRUS 4415 B30
 SCALE: NOT TO SCALE



ERICSSON - RRUS 4478 B14_CCIV2
 WEIGHT: 59.4 LBS
 SIZE (HxWxD): 18.1x13.2x8.26 IN.

6 ERICSSON - RRUS 4478 B14_CCIV2
 SCALE: NOT TO SCALE

575 MOROSGO DRIVE
 ATLANTA, GA 30324-3300

20 N. MARTINGALE DRIVE, SUITE 440
 SCHAUMBURG, IL 60173

POWER OF DESIGN
 11490 BLUEGRASS PKWY
 LOUISVILLE, KY 40299
 502-437-5252

AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNIK BROS.

2064 MANNHEIM RD
 DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	10/28/21	ADE	CONSTRUCTION	MEP
1	02/10/22	WAM	CONSTRUCTION	MEP
2	02/16/22	WAM	CONSTRUCTION	MEP
3	04/25/22	WAM	CONSTRUCTION	MEP

MARK L. PATTERSON
 062-067337
 LICENSED PROFESSIONAL ENGINEER
 STATE OF ILLINOIS
 04/25/2022
 EXPIRES: 11/30/2021

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SHEET NUMBER: C-3.1	REVISION: 3
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INFORMATION

AT&T Mobility operates telecommunications antennas at this location. Remain at least 3 feet away from any antenna and obey all posted signs.

Contact the owners(s) of the antenna(s) before working closer than 3 feet from the antenna(s).

Contact AT&T Mobility at 800-638-2822 prior to performing any maintenance or repairs near AT&T Mobility antennas.

This is site # _____
Contact the management office if this door/hatch/gate is found unlocked.

INFORMACION


en esta propiedad se ubican antenas de telecomunicaciones operadas por AT&T Mobility. Favor mantener una distancia de no menos de 3 pies y obedecer todos los avisos.

comuníquese con el propietario o los propietarios de las antenas de trabajar o caminar de menos de 3 pies de la antena.

comuníquese con AT&T Mobility 800-638-2822 antes de realizar cualquier mantenimiento o reparaciones cerca de las antenas de AT&T Mobility.

Esta es la estación base número _____
Favor comunicarse con la oficina de la administración del edificio si esta puerta o compuerta se encuentra sin candado.

WARNING




Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

Failure to obey all posted signs and site guidelines for working in radio frequency environments could result in serious injury.

In accordance with federal communication commission rules on radio frequency emission 47 CFR 1.1307(b)

CAUTION



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with federal communication commission rules on radio frequency emission 47 CFR 1.1307(b)

RFE NOTICE (GREEN) SIGN
8" WIDE x 12" HIGH

RFE NOTICE (BLUE) SIGN
12" WIDE x 18" HIGH

RFE NOTICE (YELLOW) SIGN
12" WIDE x 18" HIGH

RF CAUTION SIGNS:
RF CAUTION SIGNS TO BE INSTALLED AS DETERMINED BY SITE RF EXPOSURE SURVEY

1 RF SIGNAGE
SCALE: NOT TO SCALE

property of **at&t**

AUTHORIZED PERSONNEL ONLY!

In case of emergency, or prior to performing maintenance on this site, call 800-638-2822 and reference site number: _____
FA#: _____

AT&T IDENTIFICATION SIGN
8" X 12"
NOT TO SCALE



AT&T IDENTIFICATION SIGN
3" X 6.5"
NOT TO SCALE

2 IDENTIFICATION SIGNAGE
SCALE: NOT TO SCALE



575 MOROSGO DRIVE
ATLANTA, GA 30324-3300



20 N. MARTINGALE DRIVE, SUITE 440
SCHAUMBURG, IL 60173



POWER OF DESIGN
11490 BLUEGRASS PKWY
LOUISVILLE, KY 40299
502-437-5252

AT&T SITE NUMBER: **IL0684**

BU #: **875582**
KLANCNIK BROS.

2064 MANNHEIM RD
DES PLAINES, IL 60018

EXISTING 60'-0" MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
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1	02/10/22	WVN	CONSTRUCTION	MEP
2	02/16/22	WVN	CONSTRUCTION	MEP
3	04/25/22	WVN	CONSTRUCTION	MEP



062-067337
LICENSED PROFESSIONAL ENGINEER
STATE OF ILLINOIS

04/25/2022
EXPIRES: 11/30/2021

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SHEET NUMBER: C-7	REVISION: 3
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15"

DIESEL FUEL COMBUSTIBLE

12" **NO SMOKING**

NO OPEN FLAMES

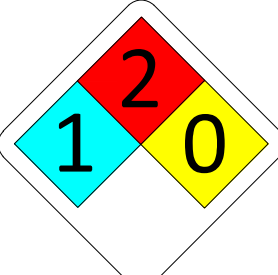
FUEL TANK CAPACITY ___ GALS

FUEL TANK SIGN
NOT TO SCALE

FOR FUEL & OTHER ENVIRONMENTAL EMERGENCIES CALL EH&S

1-800-566-9347
(1-800-KNOW-EHS)

YELLOW EH&S SIGN
NOT TO SCALE



HAZARD DIAMOND SIGN
15" x 15" W/ 6" LETTERS
NOT TO SCALE

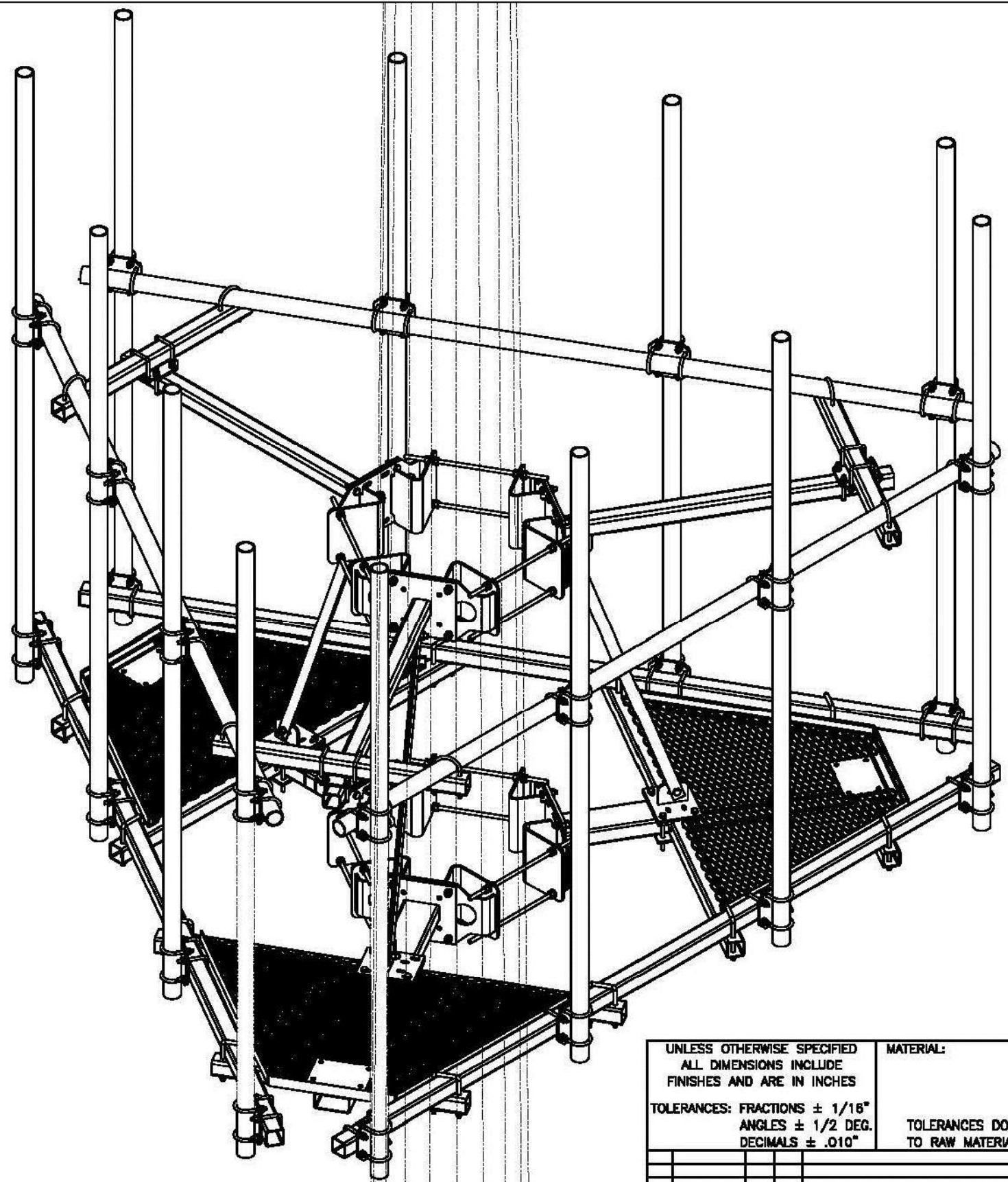
3 GENERATOR SIGNAGE
SCALE: NOT TO SCALE

4 NOT USED
SCALE: NOT TO SCALE



C10855721C SABRE 12' HD TENSION PLATFORM W/(12) 2 7/8" O.D. X 10' MTG PIPES

ITEM	QTY.	PART NO.	DESCRIPTION	WEIGHT
1.	1	C10855111C	12' HC PLATFORM ASSEMBLY	913
2.	1	C10112377	TRI-COLLAR BRACKET ASSEMBLY	208
3.	1	C10851301	SUPPORT RAIL/TENSION BRACKET 12'	900
4.	12	C10902025	CROSSOVER PLATE KIT 2 7/8"φ TO 2 7/8"φ PIPES	108
5.	12	C10902502	CROSSOVER PLATE KIT 3" SQ. TUBE TO 2 7/8"φ PIPES	108
6.	12	C10901329	PIPE, 2 7/8" O.D. X .203 X 10'-0	722
TOTAL WEIGHT				2959



ISOMETRIC VIEW
SEE PAGES 2 & 3
FOR ADDITIONAL DETAILS

Patent Pending

UNLESS OTHERWISE SPECIFIED
ALL DIMENSIONS INCLUDE
FINISHES AND ARE IN INCHES
TOLERANCES: FRACTIONS ± 1/16"
ANGLES ± 1/2 DEG.
DECIMALS ± .010"

MATERIAL:
TOLERANCES DO NOT APPLY
TO RAW MATERIAL

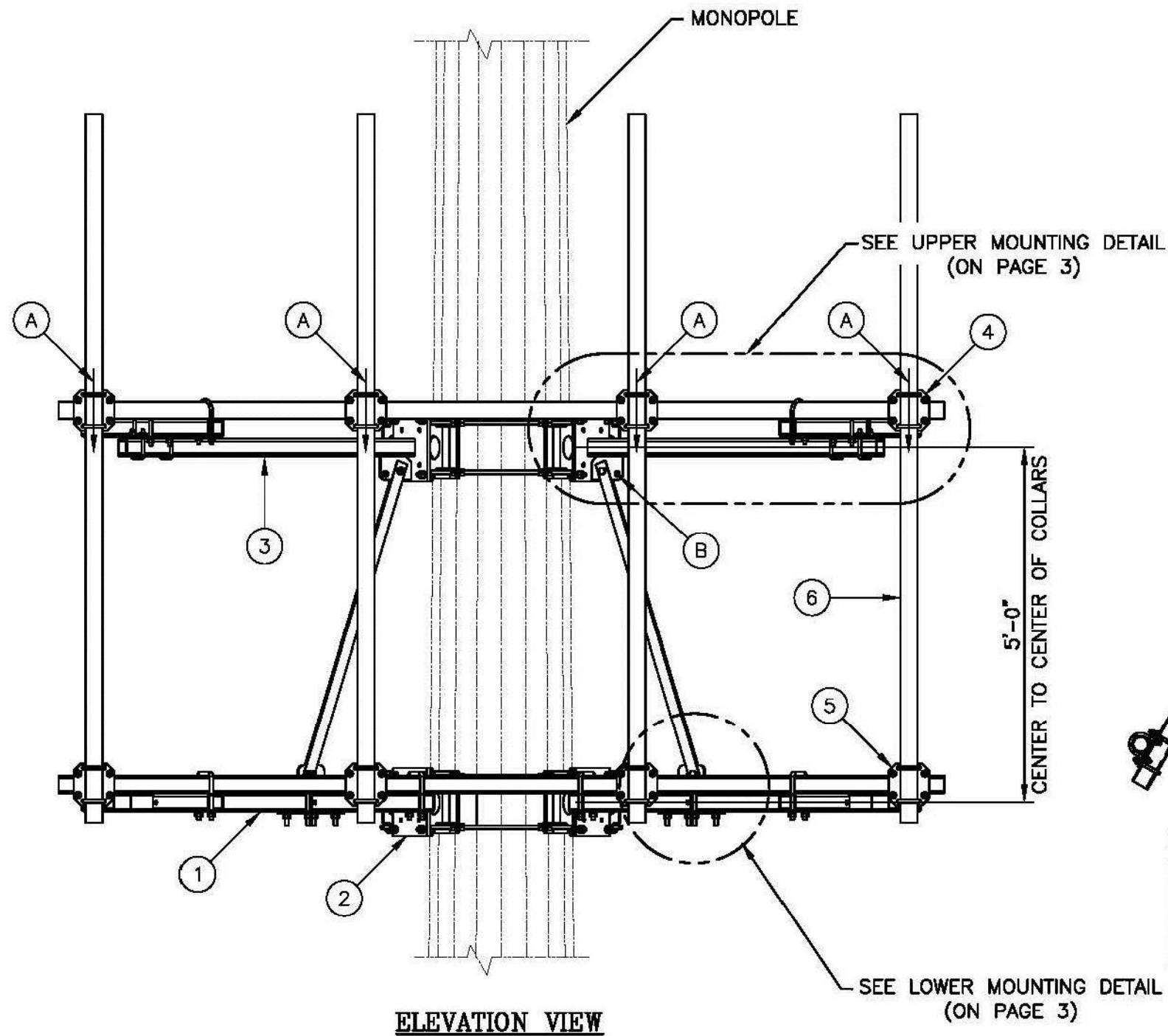


**12' HD M.O.V.E. PLATFORM
W/(12) 2 7/8" O.D. X 10' MOUNTING PIPES**

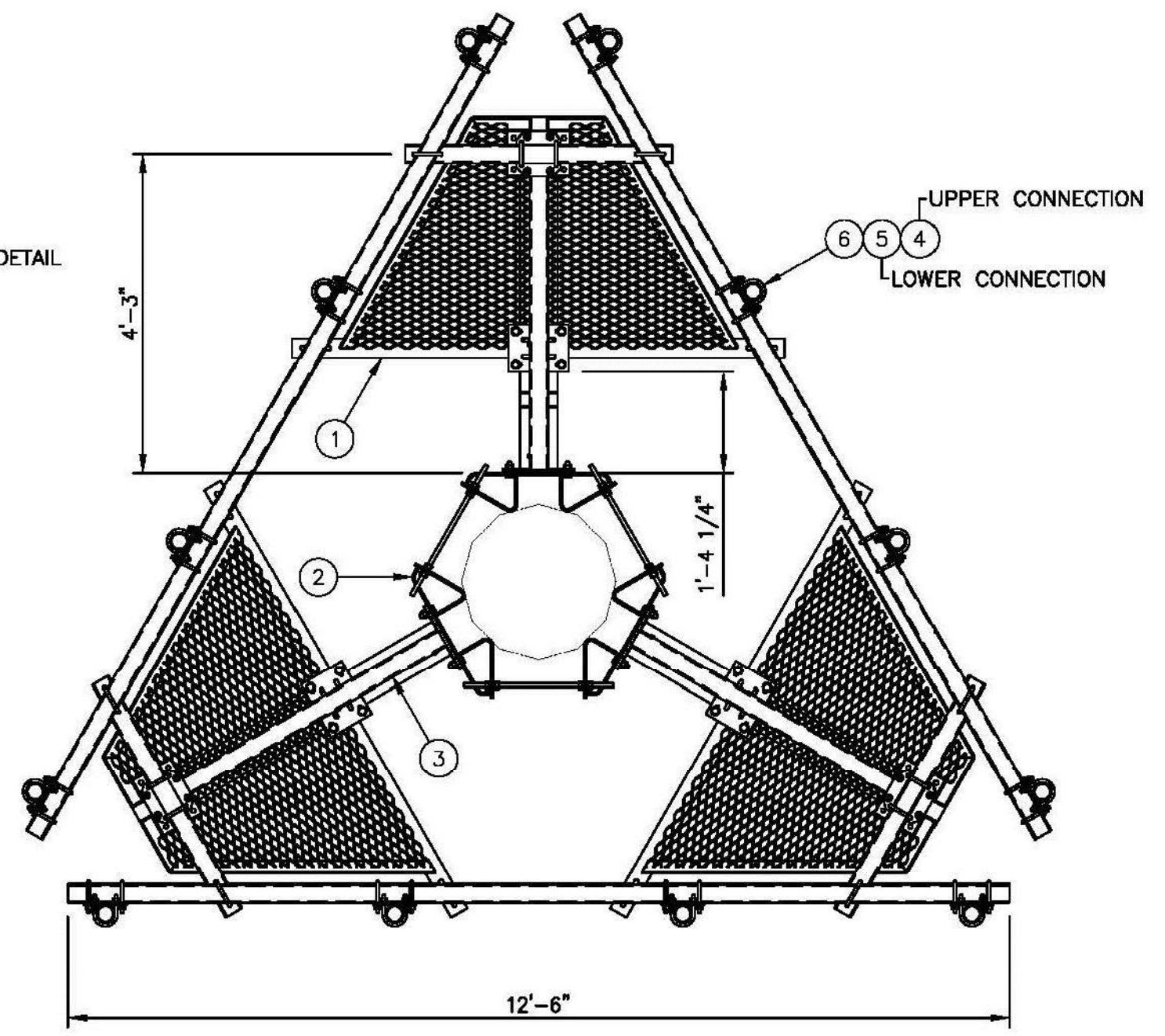
REV	DATE	DRW/CHK	DESCRIPTION

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DATE	10/18/17	SIZE	B	DRAWING NO.	C10855721C	REV	0
DRAWN BY	WRF	SCALE	None	PAGE	1 OF 3		
CHECKED BY	WMN						



ELEVATION VIEW



PLAN VIEW

NOTES:

1. SABRE INDUSTRIES RECOMMENDS A FALL PROTECTION PLAN BE COMPLETED AND FOLLOWED BY A COMPETENT PERSON FOR EACH CLIMB.
2. ANY CONSTRUCTION OR MAINTENANCE MUST BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF ANSI/TIA-222, ANSI/TIA-322 AND ANSI/TIA-1019A.
3. LOCATIONS LABELED "A" HAVE BEEN DESIGNED FOR A 500 LB. VERTICAL LIVE LOAD CONSIDERED WITH A 30 MPH 3-SECOND GUST WIND SPEED. THIS LOAD CAN ONLY BE APPLIED AT ONE LOCATION AT A TIME. ARROW SHOWN REPRESENTS THE VERTICAL LOAD. CONNECTION AND RIGGING TO BE DETERMINED BY A COMPETENT RIGGER IN ACCORDANCE WITH ANSI/TIA-1019A.
4. LOCATIONS LABELED "B" HAVE BEEN DESIGNED FOR A 3600 LB. VERTICAL FACTORED LOAD IN ACCORDANCE WITH TIA-222 SECTION 12.

UNLESS OTHERWISE SPECIFIED
ALL DIMENSIONS INCLUDE
FINISHES AND ARE IN INCHES

TOLERANCES: FRACTIONS $\pm 1/16"$
ANGLES $\pm 1/2$ DEG.
DECIMALS $\pm .010"$

MATERIAL:
TOLERANCES DO NOT APPLY
TO RAW MATERIAL



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12' HD M.O.V.E. PLATFORM
W/(12) 2 7/8" O.D. X 10' MOUNTING PIPES

REV	DATE	DRW/CHK	DESCRIPTION

DATE	10/18/17	SIZE	B	DRAWING NO.	C10855721C	REV	0
DRAWN BY	WRF	SCALE	None	PAGE	2 OF 3		
CHECKED BY	WMN						

Tower from West



Tower from North



Facility from Southwest



Tower from East



Compound



MEMORANDUM

Date: August 19, 2022

To: Planning and Zoning Board (PZB)

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

Subject: Zoning Text Amendments to Establish Current Conditional Uses as Permitted Uses in the C-3 District: Motor Vehicle Sales and Convenience Mart Fueling Station

Issue: Consideration of Zoning Ordinance amendments to establish two uses that currently require a conditional use permit in the C-3 District to become *permitted* uses, subject to standard regulations: (i) motor vehicle sales and (ii) convenience mart fueling stations.

PIN: Citywide

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

Case Number: #22-030-TA

Project Summary: Petitioner City of Des Plaines is requesting text amendments to the Zoning Ordinance regarding permitted and conditional uses in various zoning districts, as well as corresponding footnotes and specific use regulations of Chapter 8, as well as any other zoning relief as may be necessary. This is envisioned as a multi-part project that will address two-to-three uses at a time. The first part identifies the two uses discussed in this report.

Background

The City Council and City Manager have assigned staff to identify and propose amendments for various uses that currently require a conditional use permit because may be possible to entitle “by right,” or as a permitted use instead. As part of an ongoing goal to increase business friendliness, the Council realizes that when a conditional use is required, it adds a minimum 90 days to the start-up process of any use. Some businesses that currently require a conditional use are those that may activate vacant properties, generate tax revenue, or otherwise benefit the City, and the conditional use process can discourage them from locating or investing here.

However, conditional uses do serve a purpose, as stated in Section 12-3-4.A of the Zoning Ordinance: “...uses which, because of their *unique* character, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon the public need for the particular use of the particular location.” For this reason, it is unlikely – and not suggested – that

all conditional uses be removed. But the assignment of the Council and Manager begs two key questions:

- *Which types of conditional uses are routinely approved with similar conditions across various sites?*
- *Which types of conditional uses are associated with the type of business or investment the City is especially looking to attract?*

The C-3 General Commercial District is the most common business district in Des Plaines and is the source of most conditional uses. To begin the process of amending the Ordinance, staff has looked first at C-3 and identified two uses for which to consider amendments: (i) motor vehicle sales and (ii) convenience mart fueling station.

Attachment 1 shows conditional use requests through 2017. To summarize:

- There have been eight approvals for motor vehicle sales uses.
- There have been two approvals for convenience mart fueling stations.
 - However, note that a convenience mart fueling station is typically a more robust and desirable business than an “auto filling station,” where a gas station has only a small building instead of a larger convenience store building with typically more customers and commercial activity.
 - The business model in consumer motor fuel is moving toward generating more revenue from convenience retail sales than from sales of motor fuel (the movement toward electric vehicles is likely to accelerate this trend).
 - Generally, cities find convenience mart fueling preferable to a barebones, gas-only (or gas plus limited other items) operations. Convenience marts can provide a neighborhood-scale resource for food staples to augment grocery stores, they generate more revenue – namely sales tax – than a fuel-focused business, and when an auto filling station is proposed to be converted to have a larger retail component, this is usually celebrated.
 - Des Plaines has existing auto filling stations that are either a.) vacant or b.) active, but with a conversion to convenience mart foreseeable.

Nonetheless, in considering amendments staff respects the historical purpose of the Ordinance to place an added level of scrutiny on certain uses. However, there is an alternative approach: Instead of requiring a conditional use, establish across-the-board, reasonable regulations that are enforceable on *permitted* uses and designed to mitigate neighbor impact. The Zoning Ordinance already contains notes that follow the use matrices as well as Specific Use Regulations in Chapter 8, which currently cover antennae, radio towers, cell/mobile towers, bed-and-breakfast establishments, childcare and adult daycare centers, home occupations, residential care homes, consumer lenders, and cannabis business establishments. Using a combination of these two portions of the Ordinance, it is possible to establish regulations that address the use sensitivity and potential neighbor impact without requiring the conditional use process.

If the amendments are approved but a business encounters a hardship or unique circumstance with the newly proposed standards, they could seek a variation. Major variations are akin to conditional uses in start-to-finish time (average 90 days because of the required City Council approval), but standard and minor variations can be finalized faster. Further, staff’s intent at this time is to draft the kind of across-the-board rules that would generally not force a use into variation and instead promote compliance. Note that when building permits are required for either motor vehicle sales or convenience mart fueling, the building permit will require a zoning approval based on the Site Plan Review factors of Section 12-3-2. These are fairly comprehensive and allow staff to require changes and improvements when, for example, the use on the specific property creates an unsafe or illogical circulation pattern. The applicant’s avenue for relief would be to pursue a variation.

Proposed Amendments: Motor Vehicle Sales

All proposed amendments are contained in Attachment 2. Additions are **bold, double-underline**. Deletions are ~~struck through~~. The following is a summary of the proposed zoning amendments relating to motor vehicle sales:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), motor vehicle sales becomes a permitted use in C-3 on sites 22,000 square feet or more, which is roughly .5 acres. The minimum lot area is an existing requirement that staff proposes simplifying.
- A new Section 12-8-14 is created, titled “Motor Vehicle Sales Establishments.”
 - Parking and Loading:
 - Requires clear identification and marking of the various types of parking spaces (sales/display area, employee parking, customer parking) with signs or striping.
 - Vehicle display cannot block entrances, drive aisles, etc.
 - Vehicles displayed for sale must be parked inside the property boundaries.
 - Except for vehicles displayed for sale, must always have valid license plate and registration.
 - Landscaping:
 - Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Must install landscape buffer, which is usually a combination of plantings and a fence, when required by the landscape chapter.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Proposed Amendments: Convenience Mart Fueling

All proposed amendments are contained in Attachment 3. Additions are **bold, double-underline**. Deletions are ~~struck through~~. The following is a summary of the proposed zoning amendments relating to convenience mart fueling:

- In the Commercial Districts Use Matrix (Section 12-7-3, Table 3), convenience mart fueling becomes a permitted use in C-3 on sites 15,000 square feet or more. The minimum lot area is reduced from the previous 20,000 square feet because staff is aware of vacant, nonconforming gas station properties, and obtaining a new user and investment will be easier if the threshold is lowered. Note that this amendment would not exempt a user from having to provide the required parking or a reasonable circulation pattern, but it will not automatically disqualify them (or require a variation) to invest in a site that is smaller than 20,000 square feet.
- A new Section 12-8-15 is created, titled “Convenience Mart Fueling Stations.”
 - Parking and Loading:
 - Except for spaces adjacent to fuel pumps, requires appropriate identification and marking of the various types of required spaces (e.g., through signs or striping).
 - Requires that spaces serving the retail portion be located close to the retail entrance.
 - Landscaping:

- Must submit and implement a landscape plan when required by the landscape chapter of the Ordinance.
 - Environmental Performance Standards
 - Reinforces the requirement of the use to comply with the strictest of local, county, state, or federal requirements regarding noise, smell, toxic materials, and all other common safety or operational issues.
 - Sets the expectation for lighting plans and details that must be approved, with some latitude given to the Zoning Administrator regarding examination of existing lighting or installation of new lighting (e.g., requirement for a photometric plan).
 - Signs:
 - Reinforces the requirement to follow the sign chapter (Chapter 12-11) and requires that signs be designed to minimize effects on adjacent property.
 - Prohibits installation on fences, light poles, etc.

Standards for Text Amendments:

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. The Board may use the comments as written as its findings, modify, or adopt its own.

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

Comments: The Comprehensive Plan calls for strengthening commercial corridors and industrial areas (Chapter 3: Economic Development). C-3 is the most common commercial district, and enabling start-up ease for businesses is likely to help with addressing vacant properties or allowing upgrades to existing properties in these corridors.

PZB Additions or Modifications (if necessary): _____
 _____.

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

Comments: In its C-3 commercial corridors, Des Plaines has several existing motor vehicle sales and convenience mart fueling stations, or auto filling stations that may be eventually converting into convenience mart fueling. Allowing this use to sustain broadly throughout Des Plaines is consistent with the character of the City overall.

PZB Additions or Modifications (if necessary): _____
 _____.

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

Comments: The amendments should not have an effect on public facilities and services.

PZB Additions or Modifications (if necessary): _____
_____.

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

Comments: By balancing business and private property needs through reasonable restrictions that address aesthetics and character, the amendments should not have an adverse effect on property values. In particular, the newly proposed specific use regulations for both motor vehicle sales and convenience mart fueling intend to allow the reasonable use of property without inhibiting the enjoyment of property by adjacent owners and users.

PZB Additions or Modifications (if necessary): _____
_____.

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

Comments: The amendments are part of an intentional effort to improve continually the business-friendly climate of Des Plaines, while balancing the need to ensure well-designed properties and developments that mitigate effects on neighbors and can fit in to a neighborhood or corridor context.

PZB Additions or Modifications (if necessary): _____
_____.

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. The Board should clearly state any modifications so that its recommended language can be incorporated in the approving ordinance passed on to the Council, which has final authority on the proposal.

Attachments:

- Attachment 1: Summary Table of Conditional Uses Granted 2017-2022
- Attachment 2: Proposed Amendments for Motor Vehicle Sales
- Attachment 3: Proposed Amendments for Convenience Mart Fueling Stations

CONDITIONAL USE REQUESTS 2017-2022

Type	2017	2018	2019	2020	2021	2022*	Totals
Adult Day Service Center	0	0	0	0	0	1	1
Assisted Living Facility	0	1	0	0	0	0	1
Auto Body Repair	0	0	1	1	0	0	2
Auto Service Repair	1	2	1	1	1	0	6
Cannabis Infuser	0	0	0	0	0	1	1
Car Wash	0	0	0	0	0	1	1
Child Care	1	1	1	0	0	0	3
Commercial Indoor Recreation Establishment	1	0	0	0	0	0	1
Commercial Radio Service Facility	0	0	0	0	1	0	1
Commercial Truck Parking Lot	0	0	1	0	0	0	1
Commercially Zoned Assembly	0	1	2	0	1	1	5
Congregate Housing Center	0	0	1	0	0	0	1
Convenience Mart Fueling Station	0	0	0	0	2	0	2
Domestic Pet Service	1	0	1	1	0	0	3
Drive-Through Facility	0	1	0	0	0	0	1
Electronic Message Board (EMB) sign	1	1	0	0	0	0	2
Food Processing Establishment	0	1	0	0	0	0	1
Livery Service	0	0	1	0	0	0	1
Localized Alternative Sign Regulation (LASR)	3	3	4	2	1	0	13
Massage Establishment	1	0	0	0	0	0	1
Motor Vehicle Sales	1	1	3	0	0	3	8
Office	0	0	0	0	0	1	1
Outdoor Bulk Material Facility	0	1	0	0	0	0	1
Outdoor Storage & Display of Finished Products	0	0	0	0	0	1	1
Planned Unit Development	7	3	7	3	3	1	24
Private School	0	0	1	0	0	0	1
Recycling Center	0	0	1	0	0	0	1
Trade Contractor	2	0	0	1	3	0	6
TOTAL	19	16	25	9	12	10	91

*Through August 2022

Proposed Text Amendments for Motor Vehicle Sales

Additions are bold, double-underlined.

Deletions are struckthrough.

SECTION 12-7-3, TABLE 3: COMMERCIAL DISTRICTS USE MATRIX

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Motor vehicle sales			<u>CP</u> ⁵	P			

5. On sites of ~~25,000 square feet or more. For proposed sites of less than 25,000 square feet but more than 22,000 square feet, the City Council may consider additional factors, including, but not limited to, traffic, economic and other conditions of the area, or proposed business and site plan issues in considering whether to grant a conditional use for a used car business of less than 25,000 square feet but more than 22,000 square feet.~~

Section 12-8-14: Motor Vehicle Sales Establishments

A. Parking and Loading:

1. **Parking and loading spaces shall be clearly identified as either customer, employee, vehicle display, or loading spaces on the property with appropriate striping or signage.**
2. **No vehicle display spaces may block or interfere with required drive aisles, entrances, or required off-street parking spaces at any time.**
3. **Vehicles displayed for sale must be located inside the property boundaries at all times.**
4. **Except for vehicles displayed for sale, all vehicles parked outdoors must have valid license plates and registration at all times.**

B. Landscaping: Motor vehicle sale establishments shall comply with all applicable landscape requirements in Section 12-10 of this title.

1. **When required by this title, a landscape plan shall be submitted to identify the type, name, quantity, and location of plantings proposed on subject property, with an emphasis on street-facing elevations.**
2. **Motor vehicle sale establishments abutting residential districts or uses shall provide landscape buffers to appropriately screen their property from neighboring properties as required by Section 12-10-9 or by site plan review approval conditions.**

C. Environmental Performance Standards: Motor vehicle sale establishments shall comply with all performance standards in Section 12-12 of this title, unless any Federal, State, County, or local ordinance, law, or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply.

1. **All exterior lighting shall comply with Section 12-12-10 of this title. The Zoning Administrator may require the specifications for existing light fixtures and a Photometric Plan for any new exterior lighting proposed to demonstrate compliance with the foot-candle limitations. If required the plan shall include the full property boundaries identified with a thick black line, all foot-candle measurements in and around the property boundaries, and the specifications for all light fixtures.**

- D. Signs: All signs proposed for a motor vehicle sales establishment shall follow the sign regulations in Section 12-11 of this title and be designed, positioned, and shielded to minimize adverse effects on adjacent properties.
1. No signs shall be installed on fences, light poles, or any other structure, surface, or object that is not part of a permitted sign type listed in this title.

Proposed Text Amendments for Convenience Mart Fueling Stations

Additions are bold, double-underlined.

Deletions are struckthrough.

SECTION 12-7-3, TABLE 3: COMMERCIAL DISTRICTS USE MATRIX

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Convenience Mart Fueling Station			<u>CP⁴</u>	<u>CP⁴</u>			

4. On sites of ~~20,000~~ **15,000** square feet or more.

Section 12-8-15: Convenience Mart Fueling Stations

- A. **Parking and Loading:**
 - 1. **Except for required spaces adjacent to fuel pumps, spaces shall be identified on the with appropriate striping or signage.**
 - 2. **Required off-street parking to accommodate the retail portion shall be positioned near the main entrance.**
- B. **Landscaping: Convenience Mart Fueling Stations shall comply with all applicable landscape requirements in Section 12-10 of this title.**
- C. **Environmental Performance Standards: Convenience Mart Fueling stations shall comply with all performance standards in Section 12-12 of this title, unless any Federal, State, County, or local ordinance, law, or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply.**
 - 1. **All exterior lighting shall comply with Section 12-12-10 of this title. The Zoning Administrator may require the specifications for existing light fixtures and a Photometric Plan for any new exterior lighting to demonstrate compliance with the foot-candle limitations. If required the plan shall include the full property boundaries identified with a thick black line, all foot-candle measurements in and around the property boundaries, and the specifications for all light fixtures.**
- D. **Signs: All signs proposed for a Convenience Mart Fueling Station shall follow the sign regulations in Section 12-11 of this title and be designed, positioned, and shielded to minimize adverse effects on adjacent properties.**
 - 1. **No signs shall be installed on fences, light poles, or any other structure, surface, or object that is not part of a permitted sign type listed in this title.**