



**DES PLAINES PLANNING AND ZONING BOARD MEETING**

**April 12, 2022**

**MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, April 12, 2022, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

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

PRESENT: Szabo, Veremis, Saletnik, Hofherr, Weaver, Fowler, Catalano

ABSENT:

ALSO PRESENT: Jonathan Stytz, AICP, Senior Planner Community & Economic Development  
John Carlisle, AICP, Director of Community & Economic Development  
Ryan Johnson, Assistant Director of Community & Economic Development  
Vanessa Wells/Recording Secretary

A quorum was present.

**APPROVAL OF MINUTES**

**A motion was made by Board Member Hofherr, seconded by Board Member Veremis to approve the minutes of March 8, 2022, as presented.**

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

NAYES: None

ABSTAIN: Catalano

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

**PUBLIC COMMENT ON NON-AGENDA ITEM.**

There was no public comment.

**NEW BUSINESS**

- 1. Addresses:** 622 Graceland Avenue, 1332 and 1368 Webford Avenue  
**Case Number:** 21-052-MAP-TSUB-V

The petitioner is requesting the following items: (i) a zoning map amendment to rezone the subject properties from C-3 General Commercial District to C-5 Central Business District; (ii) a Tentative Plat of Subdivision to consolidate three existing lots lot of record into one; (iii) variation from zoning provisions related to parking and loading space location and design; and (iv) any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-17-306-036-0000; 09-17-306-038-0000; 09-17-306-040-0000

**Petitioner:** Joe Taylor, 622 Graceland Apartments, LLC, 202 S. Cook Street, Suite 210, Barrington, IL 60010

**Owner:** Wessell Holdings, LLC, 622 Graceland Avenue, Des Plaines, IL 60016; City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Chairman Szabo swore in Joe Taylor with Compasspoint Development, Katie Lambert with OKW Architects, Stephen Corcocan with Eriksson Engineering, Bernard Citron with Thompson Coburn LLP, and Sean Parker, Traffic Engineer.

Mr. Taylor stated the new apartments proposed at 622 Graceland Avenue will be a transit-oriented, mixed-use building located in the Downtown Business and Mixed-Use District of Des Plaines. With its proximity to area businesses and local transit to Chicago, Des Plaines is an ideal location to create a contemporary, high-density residential community. The project addresses the changing aspirations of people who desire to live closer to services in an urban environment, which provides for a more convenient style of living while simultaneously decreasing one's environmental footprint.

Ms. Lambert noted the building will be 131 units and will consist of (17) studios, (103) One bedrooms, and (11) two bedroom units. The building design consists of white, grey and a wood tone exterior that mixes fiber cement panels, full face norman brick, glass windows with first, second, third and seventh floor aluminum and floor to ceiling glass window panels and a concrete and wood frame structure. All units will feature punch windows and large sliding patio doors with inset balconies and Juliet style metal railings.

Ms. Lambert continued to state that the developer plans on adding climbing green ivy landscaping to the south exterior parking wall facing Webford Avenue helping to partially screen the main parking structure. The parking structure will feature open segments filled with architectural metal screening to allow the natural ivy to climb and conceal the parking areas. Further, as part of the Developer's agreement with the City's redevelopment agreement, they will add additional parking spaces to the exterior parking areas in front of the building on Webford Avenue, increasing the necessary public parking above what is required by zoning code. Webford Avenue will also be widened by (8) eight feet, increasing the street area to a true two-way drive aisle. The developer will also create a new connection to the storm sewer system creating a separated storm connection all the way to Laurel Avenue.

Mr. Taylor also stated he has developed over 2,000 residential apartments around the country, and over 300 apartments in downtown Des Plaines with projects The Ellison (113 units) while at Opus Development and 1425 Ellinwood Apartments (212 units) with Compasspoint Development. Compasspoint develops

best-in-class residential apartment buildings that redefine the skyline of any town/city they develop in. Compasspoint believes deeply in the Des Plaines community and has committed over \$100,000,000 to develop projects in Des Plaines and is committing an additional \$35,000,000 investment in this dynamic community.

The concept for this design, which mostly consists of one-bedroom units, is marketed to young professionals making between \$60,000 to \$120,000 a year, and will likely add around 140 new residents to the City. The proposed 187,529-square-foot-building includes over 10,000 square feet of amenity space, a little over 88,500 square feet of apartment space, and an 11,000-square-foot outdoor green space.

Mr. Parker provided a brief overview of the considerations and various analyses conducted to determine the estimated traffic impact of the proposed development on the surrounding area. He explained that because of the lower traffic numbers in 2020 and 2021, he utilized 2018 traffic data and calculated the growth rate for 2022 to determine the traffic impact of the proposed development and of The Ellison development across the street at 1425 Ellinwood Street when fully open. The existing street network can accommodate the additional traffic from the proposed project and future traffic growth, noting that the subject property's close proximity to Downtown Des Plaines, the train station, and bus stops will help minimize the amount of traffic coming to and from the subject property. Lastly, the traffic data indicates that up to 5% of traffic generated from the site will utilize westbound Webford Avenue through the residential neighborhood whereas the majority of traffic will travel east on Prairie Avenue or south on Graceland Avenue when exiting the site.

Member Fowler listed the names of other apartments in the City and asked why build apartments and not condominiums or townhomes, something that would be appropriate for the neighborhood and the space.

Mr. Taylor stated the demand is not in condominiums. For example, River 595 started out as condominiums and they ended up filing for bankruptcy and then converted the condos into apartments. Kingston also started out as condominiums, the developer ran out of funding and unfortunately could not get approved for more financing. Those condos then converted to apartments. This is what is financeable and frankly this is where the demand lies.

Member Fowler asked if the proposed development moves forward, could the apartments be converted into condominiums.

Mr. Taylor stated a condominium is just a legal structure there is no difference between a condo and an apartment from a user stand point. So yes, they can be converted in the future if someone buys the building and its entirety then they can be legally converted into condominiums and then sold individually.

Member Fowler asked staff in order for this project to go through or be successful the City would need to sell the parking lot, are we selling it to the builder and if so for how much.

Mr. Carlisle, Director of Community & Economic Development stated the City would need to sell the parking lot to the developer, but that is a separate consideration solely under the purview from the City Council. The terms have not been discussed in an open session.

Member Veremis wanted to confirm that the parking spaces on Webford would be public parking spaces.

Mr. Taylor states that is correct. All of the spaces on Webford are public and another 38 spaces in the parking garage that will be open to the public twenty-four hours a day.

Member Catalano asked if there has been another traffic study conducted since the Ellison apartments construction has started.

Mr. Carlisle noted there has not, as there has not been any complaints or need to at this time.

Member Fowler asked what the plan for the Ellinwood commercial space is; are there any interested or committed restaurants for the space yet.

Mr. Taylor stated we do not have commitments from anyone yet, but we just started marketing the space about three weeks. Our goal is to add at least two or three new restaurants and a few new amenities.

Member Saletnik stated he is a past founding Director of the Des Plaines Theater Preservation Society. One of the primary reasons this organization was founded was of course to save the theater but also because we want to see a new vitality down town Des Plaines. Step by step that vitality is being introduced, and all of us will benefit from it in the long run. Lastly, I want to say the architect did a phenomenal job who had to satisfy the developer's requirements, the City's requirements and she should be commended for that.

John Carlisle, Director of Community & Economic Development gave a staff report.

**Issue:** To allow a proposed mixed-use development, the petitioner is requesting a Map Amendment (rezoning) under Section 12-3-7 of the Zoning Ordinance. In addition, they are seeking Major Variations under Section 12-3-6 to accommodate a row of outdoor off-street parking spaces and one loading space that would require relief in the following ways: (i) location in the required side yard (Section 12-7-3-H.5.b.), (ii) parking space curb and gutter within 3.5 feet of the lot line (Section 12-9-6.D.), (iii) a landscape strip that does not separate the parking spaces from the sidewalk (Section 12-9-6.F), and (iv) landscaping adjacent to parking that does not strictly adhere to requirements (Section 12-10-8). In addition, to consolidate three lots of record into one, the petitioner is requesting approval of a Tentative Plat under Chapter 2 of Title 13 of the Subdivision Regulations.

**Address:** 622 Graceland Avenue, 1332 and 1368 Webford Avenue

**Owner:** Wessell Holdings, LLC 622 Graceland, 1368 Webford) and City of Des Plaines (1332 Webford)

**Petitioner:** 622 Graceland Apartments, LLC (Compasspoint Development; Principal: Joe Taylor)

**Case Number:** 21-052-MAP-TSUB-V

**PIN:** 09-17-306-036-0000; 09-17-306-038-0000; 09-17-306-040-0000

**Ward:** #3, Alderman Sean Oskerka

**Existing Zoning:** C-3 General Commercial (proposed C-5 Central Business)

**Surrounding Zoning:** North: Railroad tracks; then C-3 General Commercial District

South: C-3, General Commercial / R-1 Single-Family Residential Districts  
East: C-5, Central Business District  
West: C-3, General Commercial District

**Surrounding Land Use:** North: Union Pacific Railroad (Metra UP-Northwest Line); then a Pharmacy  
South: Commercial building (850 Graceland), United Methodist Church parking lot, single-family detached home in commercial district (1347 Webford), single-family detached homes in residential district (1333 and 1339 Webford)  
East: Mixed-use residential and commercial (Bayview-Compasspoint project under construction at 1425 Ellinwood)  
West: Commercial building (1330 Webford), followed by multiple-family dwelling (1328 Webford)

**Street Classification:** Graceland Avenue is an arterial, and Webford Avenue is a local roadway.

### Overall

**Project Summary:** Petitioner 622 Graceland Apartments LLC (Joe Taylor, Compasspoint Development) proposes a full redevelopment of a just-less-than-one-acre zoning lot (43,500 square feet) at the northwest corner of Graceland Avenue and Webford Avenue. The proposed project would be a mix of residential and commercial space with indoor and outdoor parking. A proposed 82-foot-tall building would contain 131 multiple-family dwelling units – 17 studios, 103 one-bedrooms, and 11 Two-bedrooms – on the third through seventh floors. Approximately 2,800 net square feet of an open-to-the-public restaurant and lounge would occupy portions of the first (ground) and second floors. Proposed resident amenities are a co-working office space, a fitness area, lounges and meeting rooms, a club room with bar, a multimedia/game lounge, a dog run and dog wash, and an outdoor swimming pool and recreation deck. The proposed building in all is approximately 187,00 square feet.

The redevelopment includes a 179-space attached indoor parking garage and a 16-space outdoor row of permeable-surface parking for a total of 195 spaces, with one proposed outdoor loading space. These 195 spaces are intended to fulfill the off-street parking minimum for the residential units and the restaurant-lounge, as well as create a supply of public parking in lieu of the current 1332 Webford lot. The 16 outdoor spaces, while proposed on private property, would be accessible via a direct turn from Webford. The segment of Webford alongside the subject property, is proposed to widen to 28 feet from curb to curb within existing public right-of-way. With the consent of the property owners, the petitioner is seeking zoning and subdivision approvals.

### Map Amendment

**Request Summary:** To accommodate the multiple-family dwelling use above the first floor, as well the proposed building's desired bulk and scale, the petitioner is seeking a Map Amendment (rezoning) from the C-3 General Commercial District to the C-5 Central Business District. C-5 zoning exists on the east side of Graceland but currently is not present west of Graceland. The zoning change is essential for project feasibility, so the staff review of the project is based largely on C-5 allowances and requirements. Without rezoning to C-5, much of the rest of the consideration is moot.

Table 1 compares selected use requirements, and Table 2 compares bulk requirements, each focusing on what the petitioner is proposing as well as how the districts differ in what is allowed at the subject

property. The C-3 district is generally more permissive from a use standpoint, and the C-5 district is more permissive from a bulk standpoint.

**Table 1. Use Regulations Comparison, Excerpt from Section 12-7-3.K**

Use	C-3	C-5
Car wash	C	--
Center, Childcare	C	C <sup>10</sup>
Center, Adult Day Service	C	C <sup>10</sup>
Commercial Outdoor Recreation	C	--
Commercial Shopping Center	P	--
Consumer Lender	C	--
Convenience Mart Fueling Station	C <sup>4</sup>	--
Domestic Pet Service	C <sup>11,1</sup> 2	--
<b>Dwellings, Multiple-Family</b>	--	<b>P<sup>3</sup></b>
Leasing/Rental Agents, Equipment	C	--
Motor Vehicle Sales	C <sup>5</sup>	--
Government Facility	--	P
Radio Transmitting Towers, Public Broadcasting	C	--
<b>Restaurants (Class A and Class B)</b>	<b>P</b>	<b>P</b>
Taverns and Lounges	P	P
Offices	P	P
Hotels	P	P

***P = Permitted Use; C = Conditional Use Required; = Not possible in the district at subject property***

Notes:

3. When above the first floor only.
4. On sites of 20,000 square feet or more.
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 sines of less than 25,000 square feet but more than 22,000 square feet.
10. Except on Miner Street, Ellinwood Street or Lee
11. Outdoor Kennels are not allowed.
12. Outdoor runs are allowed.

**Table 2. Bulk Regulations Comparison, Excerpt from Section 12-7-3.L**

Bulk Control	C-3	C-5
<b><i>Maximum Height</i></b>	45 feet	100 feet

<b>Minimum Front Yard<sup>1</sup></b> -Adjacent Residential:  -Adjacent Other:	-Setback of Adjacent Residential district -5 feet	-Setback of Adjacent Residential district -Not applicable
<b>Minimum Side Yard</b> -Adjacent Residential:  -Adjacent Other:	-Setback of Adjacent Residential district -5 feet if abutting street	-Setback of Adjacent Residential district -5 feet if abutting street
<b>Minimum Rear Yard</b> -Adjacent Residential:  -Adjacent Other:	-25 feet or 20% of lot depth, whichever is less -5 feet if abutting street	-25 feet or 20% of lot depth, whichever is less cable

Notes:

1. With respect to front yard setbacks, "adjacent residential" shall mean when at least 80 percent of the opposing block frontage is residential.

The petitioner’s design is based on the C-5 minimum yard requirements. The Graceland lot line is the front lot line, and the Webford lot line is a side lot line. For the 290 feet of the site’s Webford frontage, much of the opposing block is a commercial district, so for this portion, the minimum required yard under C- 5 is five feet. For the westernmost portion of the frontage, where the opposing block is zoned residential, the minimum required yard would be 25 feet. The definition of “yard” in Section 12-13-3 establishes that it “...extends along a lot line and at right angles to such lot line...” Under C-5 zoning, there would not be a required yard along the Graceland/front lot line, nor along the rear lot line – which borders 1330 Webford (“The Dance Building”) – nor along the north/side lot line, which borders the railroad tracks. The required yards exist only from the Webford (south) lot line and are shown in an attached map.

Minimum Floor Area Per Dwelling

The C-5 district regulates density by minimum floor area per unit. The floor plans as part of the submittal show the smallest of the studio/efficiency units at 535 square feet, which would comply with the minimum requirement of Section 12-7-3.H. The smallest one-bedroom would be 694 square feet, which exceeds the minimum 620. With 103 units, the one-bedroom type is by far the most common in the building program, with square footages in the 700s; some are as large as 891. Ranging from 1,079 to 1,128 square feet, the two-bedroom units are well in excess of the minimum 780.

**Table 3. Multiple-Family Dwelling Units in the C-5 District**

<b>Number of Bedrooms</b>	<b>Minimum Floor Area (Square Feet)</b>
Efficiency dwelling unit (studio)	535
One-bedroom unit	620
Two-bedroom unit	780

**Commercial Use: Restaurant-Lounge**

At the southeast corner of the building, the petitioner is proposing a bi-level restaurant-lounge, which has access to the public street on the first/ground floor and a second floor that opens to the first. Both restaurants and lounges are permitted in C-5, but the petitioner has described this use as one combined business. Therefore, staff has reviewed based on requirements for a Class A (primarily sit-down) Restaurant. However, note that a walk-up service window is illustrated, as is outdoor seating in the right-of-way. Both of these elements are logical considering the effect of the COVID-19 pandemic on the restaurant business, as they allow for diversified service and revenue.

The floor plan indicates a kitchen and multiple bar seating areas, as well as different styles of tables and chairs, with the second-floor labeled as a “speakeasy,” giving a glimpse of the envisioned concept. The first floor is demarcated to separate the proposed restaurant area from the first-floor lobby for the residential portion of the development.

**Required Off-Street Parking, Public Parking**

To fulfill required off-street parking, the petitioner’s submittal is designed with C-5 off-street parking requirements in mind. Generally speaking, C-5 has more permissive ratios than other districts. These reduced requirements are laid out in Sections 12-7-3.H.6. (Supplemental Parking Requirements) and reinforced by reflecting that downtown Des Plaines is the densest portion of the City, being well served by sidewalks, bike infrastructure, and public transportation (buses and rail). This leads to a reduced need for parking than in other portions of Des Plaines. The following table lists the uses subject to off-street parking requirement shows the pertinent ratios under C-5 zoning

**Table 4. Parking Requirements for the Uses Proposed Under C-5 Rules**

<b>Use</b>	<b>General Ratio</b>	<b>Required</b>
Efficiency and one-bedroom	One space per unit	120 spaces
Two-bedroom	1.5 spaces per unit	(16.5, rounded to 17 spaces)
Restaurant (Class A)	One space for every 100 sq. ft. of net floor area <sup>1</sup> or one space for every four seats <sup>2</sup> , whichever is greater, plus one space for every three employees <sup>3</sup>	17 spaces
<b>Total</b>	-	<b>154 spaces</b>

Exclusive of meeting the minimum off-street parking, the project is also designed to replace the existing supply of 38 public spaces at 1332 Webford, using a mix of indoor and outdoor: 16 outdoor spaces, 18 spaces on the first floor of the garage, and four spaces on the lower level of the garage (below grade). Providing these spaces is the impetus for the outdoor spaces in the design. Although including public spaces in the project would not be specifically required by the Zoning Ordinance under C-5, the petitioner nonetheless must acquire 1332 Webford from the City to accommodate the design. As part of the terms of a sale, the petitioner would accept a requirement to provide public parking on the developer’s property. The ongoing development would then be responsible for maintaining the public parking spaces. A requirement that the spaces be reserved for public use would be recorded against the property.

### Circulation, Mobility, and Traffic

The petitioner has submitted a traffic study prepared by Eriksson Engineering Associates, Ltd. The study considers the volume/trips and circulation of individual automobiles, public transportation, and non-motorized (i.e. bike and pedestrian) transportation. The report contains data on the existing conditions – based on current traffic and pedestrian counts, consisting of on-site and secondary<sup>4</sup> data collection – and the proposed development, and assesses the capacity of the streets in the adjacent vicinity, using Year 2028 as a benchmark. (Traffic reports typically project to a couple of years after anticipated full occupancy.) Further, the study does reference and consider the anticipated traffic to be generated by the under-construction development at 1425 Ellinwood Avenue.

The report draws from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. ITE data are viewed nationally as the urban planning and traffic engineering standard for evaluating how much automobile traffic certain types of uses will generate. The study identifies the uses intended by the petitioner: apartments, restaurant, and lounge. Based on a morning peak hour of 7:15-8:15 a.m. and an afternoon peak hour of 2:30-3:30 p.m., the study projects 45 total in-and-out automobile movements during a.m. peak and 63 during p.m. peak hour (see Page 7 of the report). While it was not identified as peak by the petitioner's traffic engineer, the Public Works and Engineering Department has inquired about data for the 4:30-5:30 p.m. hour. The Board may wish to ask the traffic engineer to explain why 2:30-3:30 was selected as peak hour. Further, the Board may wish to ask the engineer to explain the delay projections in Table 4, particularly at the Graceland-Prairie intersection. For both a.m. and p.m. peaks, the projected delay is actually less in 2028 than 2022, which considering additional development seems counter-intuitive.

Based on the proposed site access plan, which includes two driveways perpendicular to Webford that would allow in-and-out traffic from the garage, and the row of outdoor parking spaces also perpendicular to Webford, the study estimates that only five percent of inbound and five percent of outbound traffic would use the portion of Webford west of the proposed development (i.e. into the residential neighborhood to the west). The site plan is designed with perpendicular (90-degree) parking spaces and drive aisles to attempt not to direct drivers leaving the development to go west onto Webford. On the other hand, parallel (zero-degree) spaces and 45-degree angle parking could have this effect, as parked cars would be facing or oriented west. For this reason, staff views 90-degree perpendicular parking as the best alternative, although it is somewhat atypical for a local-jurisdiction street.

Further, widening Webford to 28 feet from curb to curb for the frontage of the development (approximately 290 feet) is proposed, with the existing, narrower width being retained for the area west of the property. This narrowing should provide a visual cue that does not encourage through or non-local traffic to use westbound Webford. More discussion of the proposed Webford-segment widening is contained under the discussion of the Tentative Plat of Subdivision.

An excerpt of report, excluding appendices, is an attachment to this packet<sup>5</sup>.

Page 16 of the report makes the following conclusions:

"1. The street network can accommodate the additional traffic from the proposed project and future traffic growth.

"2. The location of the site and the availability of public transportation, walking and biking will minimize the volume of vehicular traffic generated by the site.

“3. Access to the site from Webford Avenue will have two driveways with one inbound and one outbound lane under stop sign control, and can handle the projected traffic volumes.”

#### Building Design Review

The Building Design Review requirements under Section 12-3-11 of the Zoning Ordinance would apply. Although Table 1 of this section lists approved material types for residential buildings and commercial buildings, it does not address a mixed-use building or a parking garage. Therefore, staff would consider the first two floors of the building to be subject to the commercial requirements, with Floors 3 through 7 subject to the multifamily residential requirements.

Regarding the first two floors, the submitted plans show a principal entrance on the front of the building, facing Graceland (east elevation). The proposed materials palette consists of a large amount of glazing (glass) on the Graceland elevation, framed by concrete and accented by other permissible materials such as metal panels and thin vertical courses of brick. The non-garage portion of the Webford (south) elevation – where the restaurant and lounge would be located – consists of these same elements and ample glazing. The garage portion of the Webford (south) façade is framed by concrete with scrim (screening). Both glass and screen can be considered as windows/opening to satisfy the blank wall limitations on street-facing facades, provided the openings are transparent. Renderings show decorative ivy grown onto the garage scrim. Ivy is not a prohibited wall material, but the ivy areas would inherently reduce the amount of transparency. The blank wall requirements specify that no greater than 30 percent of a total street-facing façade, and no more than a 15-foot horizontal distance, may be non-transparent. The Board may wish to ask the petitioner’s architect how they could balance the transparency requirement with shielding car headlights of vehicles in the garage from view of properties on the south side of Webford.

The petitioner is not requesting relief from the Building Design Review requirements at this time. Complete Building Design Review approval, which may be granted by the Zoning Administrator per the process outlined in Section 12-3-11, must occur before issuance of a building permit.

#### **Major Variations**

**Request Summary:** The petitioner’s site plan shows 16 outdoor, permeable-surface off-street parking spaces and one loading space that necessitates relief from the Zoning Ordinance. Having a loading space is not required per Section 12-9-9 in the C- 5 district, but given the proposed restaurant kitchen, the petitioner is nonetheless proposing an adjacent loading space. Because there are more than 10 spaces, this parking area is subject to required parking lot landscaping. In general, the Zoning Ordinance is not written to envision the arrangement of outdoor off- street parking in the order proposed by the petitioner. Parking lots are often separated from the street by a parkway and sidewalk on public property (i.e. right of way), then a landscape buffer on private property before the off-street parking spaces begin. The traditional and envisioned order is usually street and street curb, then parkway/sidewalk, then a landscape strip with plantings, then parking space curb, and finally parking spaces.

By contrast, the petitioner is proposing that off-street parking spaces merge with the street – approximately 160 linear feet of the 290 feet of Webford frontage – then parking spaces, parking space curb, sidewalk, and finally the planting area, directly at the foundation of the garage portion of the proposed building. The off-street parking would be paver style, while the street surface would be asphalt. Assuming C-5 zoning, the PZB and City Council may find this style and design is appropriate for a downtown development, concluding it would create parking in a convenient location and configuration

intended to maximize the number of spaces and minimize traffic through the nearby residential neighborhood. However, permitting this design requires relief:

- Allow off-street parking in the required side yard, where off-street parking is only permitted in the rear yard in the C-5 district (Section 12- 7-3-H.5.b);
- Allow parking space curb and gutter within 3.5 feet of the lot line, where a minimum setback of 3.5 feet is required (Section 12-9-6-D);
- Allow the five-foot-wide landscape strip to abut the proposed building (garage foundation) instead of the parking spaces; a landscape bed is required to buffer parking spaces from public sidewalks (Section 12-9- 6.F); and
- Allow landscaping adjacent to parking that does not strictly adhere to requirements such as location (Section 12-10-8-B).

These are Major Variations, which require PZB review and recommendation but ultimately City Council approval. This staff memo serves as the Zoning Administrator's Site Plan Review. Failing to obtain variations would constrain the ability to provide the intended and desired parking.

### **Tentative Plat of Subdivision**

**Request Summary:** To allow the sale of multiple zoning lots, formally consolidating them into one lot via the subdivision process (Title 13) is required. The Tentative Plat, titled Tentative Plat of Graceland-Webford Subdivision, shows the following easements and building lines: (i) a recorded 20-foot building line near the southern property line; (ii) a five-foot public sidewalk easement near the southern property line; (iii) a new 25-foot building setback line along Webford Avenue for the portion of the property adjacent to a residential district; and (iv) a new five-foot building setback line along Webford Avenue for the portion of property adjacent to a commercial district.

Prior to any permitting or development, a Final Plat of Subdivision would be required. The steps for Final Plat are articulated in Sections 13-2-4 through 13- 2-8 of the Subdivision Regulations. In summary, the Final Plat submittal requires engineering plans that must be approved by the City Engineer, in particular a grading and storm water management plan suitable not only to the City of Des Plaines but also the Metropolitan Water Reclamation District (MWRD). Under 13-3 of the Subdivision Regulations, the petitioner will be required to improve the adjacent segment of Webford Avenue, widening it to 28 feet from curb to curb, which is the minimum standard set forth in the code. Attendant resurfacing/reconstruction would be required based on the determination of the City Engineer. The sidewalk streets aping (e.g. paver style) would be required to match the downtown aesthetic, which is already present along the Graceland side of the site; under the proposal, this style would be extended along the Webford sidewalk. The developer would be responsible for installing new or replacing existing street scaping. Certain underground infrastructure, such as water mains and sewers, would be required to be replaced and installed to the standards required by the Public Works and Engineering Department. Finally, any the above-mentioned public improvements would be required to be secured by a performance guaranty, which would allow the City to complete the planned and required improvements if necessary. An Engineering comment memo is attached.

### **Alignment with the 2019 Comprehensive Plan**

The PZB may find the following excerpts and analysis useful in determining the extent to which the proposed project and requests align with the Comprehensive Plan.

- Under Overarching Principles:
  - “Expand Mixed-Use Development” is the first listed principle. It is a central theme of the plan.
  - “Preserve Historic Buildings” is also a principle. The First Congregational United Church of Christ (766 Graceland), Willows Academy (1015 Rose Avenue), and the former Des Plaines National Bank / Huntington Bank (678 Lee Street) are specifically listed. However, 622 Graceland is not listed. Nonetheless, the Executive Director of the Des Plaines History Center has shared with staff there is historic value in the exterior ironwork/grates, which could be saved in demolition. He did not express interest or priorities of the Center in preserving other elements.
  
- Under Land Use & Development:
  - The Future Land Use Plan illustrates the property as commercial. While the proposal is not strictly commercial, the proposed zoning is a commercial district (C-5). The proposed project is certainly more pronounced in its residential footprint than its commercial. However, the decision makers may consider that supporting a desirable commercial use, like a restaurant- lounge, requires an inherent market of potential customers (i.e. residential households).
  - Further in this chapter: “The Land Use Plan supports the development of high-quality multifamily housing located in denser areas near multi-modal facilities such as the Downtown. New multifamily housing should be encouraged as a complement to desired future commercial development in the area and incorporated as mixed-use buildings when possible” (p. 12).
  
- Under Housing:
  - Recommendation 4.2 calls for housing that would appeal to “young families,” which could include households that have, for example, a small child: “...The City should revisit its current zone classifications and add a new zone exclusively for mixed-use development or amend existing regulations to allow for mixed uses. Focus should be placed on commercial areas zoned C-1, C-2, and C-3, for potential sites for mixed-use development” (p. 32).
  
- Under Downtown:
  - The Vision Statement is “Downtown Des Plaines will be a vibrant destination with a variety of restaurant, entertainment, retail, and housing options...” (p. 69). Directly below that statement is the following: “The community desires expanded retail and dining options in Downtown Des Plaines, which can be supported by higher housing density for greater purchasing power.”
  - Recommendation 8.2 is to enhance the streetscape, which would be required for the proposed project along Webford Avenue, where the downtown streetscape is not currently present (p. 70).
  - Recommendation 8.11 states: “Des Plaines should continue to promote higher density development in the Downtown ... complemented by design standards and street-scaping elements that contribute to a vibrant, pedestrian-friendly environment” (p. 74).
  - Recommendation 8.12 calls for pursuing the development of new multifamily buildings, specifically apartments and townhomes: “Market analysis suggests that there is support for an increase in multifamily rental housing and owner-occupied townhomes. Access to transit, freeway connectivity, walkability, and commercial and recreational amenities are all driving market demands for additional housing in the Downtown.... Within

Downtown Des Plaines there is an estimated 15.8 acres of land that is either vacant or underutilized (typically having small building footprints and large surface parking lots) that could be developed over the next 10 years.... It is estimated that these sites could accommodate between 475 and 625 new residential units if developed at densities similar to recent developments in the Downtown” (p. 74-75).

- The same recommendation also states, however: “While the market is prime for new development, the City of Des Plaines should approach new dense housing responsibly to ensure that new developments do not lose their resale value, are not contributing to further traffic congestion, that the City’s emergency services (particularly fire, ambulance, and police) have the capacity to serve them.”
- Under Appendix A4: Market Assessment6:
  - The study area included the subject property and specifically marked it as one of five properties identified as a “likely development site over the next 10 years” (p. 20).
  - The projected demand of 475-625 units was in addition to any units “proposed or under construction” at the time of publication. Both “The Ellison”/Opus at 1555 Ellinwood (113 units) and Bayview-Compasspoint at 1425 Ellinwood (212 units) were under construction at this time.

#### **Implications on Property Tax Revenue, Schools (Estimates)**

The existing parcels had a combined tax bill of \$67,215.76 in Tax Year 2020 (Calendar Year 2021). To estimate the potential taxes generated by the petitioner’s proposed development, consider the mixed-use project by Opus (“The Ellison”), which was completed in 2019 and has now been occupied and is fully assessed. It has a comparable number of units to what is proposed at the subject property. The 1555 Ellinwood property (PIN: 09-17-421-041-0000) generated \$580,739.91 in Tax Year 2020. The difference is more than \$500,000. Although the City of Des Plaines receives only a small share (approximately 11 to 12 percent) of the tax bill, partners such as school districts stand to receive a greater amount of tax revenue if the development is approved and built. Further, based on the housing unit mix proposed – studios, one-bedroom, and two- bedroom apartments – an estimated total number of school children generated from all 131 units would be 13. Ten would be elementary or pre-school aged.

#### **Findings of Fact: Map Amendment**

The request is reviewed below in terms of the Findings of Fact contained in Section 12-3-7 of the Zoning Ordinance. The Board may use comments below as its rationale for recommending Findings of Fact, or the

Members may adopt their own. In addition, the Board should review petitioner’s responses (attached).

#### **A. The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the city council:**

Comment: The Comprehensive Plan appears to be supportive of rezoning the site from C-3 to C-5. C-5 on this site is permissive of mixed-use residential-commercial development, while C-3 is not. In particular, the economic benefit of bringing additional household spending power to downtown creates additional market demand for the desired retail and restaurants—and notably a restaurant/lounge is proposed by the petitioner.

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

Comment: C-5 zoning is present directly across the street, where a building of similar scale to what is proposed is being constructed. The downtown train/bus station is a short walk away. While R-1 zoning is also close to the proposed site, and the desirable “Silk Stocking” residential neighborhood lies to the west, note that a C3 property would still exist at 1330 Webford, and there is an R-4 residential property at 1328 Webford. On the north side of the street, these could still serve as a transition into the primarily single-family neighborhood.

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

Comment: Public transportation is either directly adjacent or within a short walk. In addition to Metra station access, the site has excellent access to the future Pace PULSE Arterial Rapid Transit route, which will stop at the Des Plaines Metra station and provide service to O’Hare Airport that is faster and more desirable than the current Route 250. For that reason, housing units at this property might be desirable not only to the frequent commuter but also to the frequent flier.

The Fire Prevention Bureau has reviewed the project and signaled that the required fire code access (i.e. reach of a fire engine) would comply, in particular because a new construction C-5 building will almost certainly need to be fully sprinklered. Neither Police nor Public Works have expressed concerns about an inability to serve the site, even with denser development. Its central location is beneficial for service response.

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

Comment: “Throughout the jurisdiction” is the key measurement. Adding this investment to downtown Des Plaines is likely to raise the profile of Des Plaines overall, making it a more desirable place to live and invest. The impact on immediately adjacent properties, particularly single-family, could be mixed, but it is important to note that even single-family homebuyers may place a premium on being able to walk to an additional amenity – specifically a restaurant-lounge – at the end of their street, which the C-5 zoning change would support.

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

Comment: While certainly the scale of C-5/downtown Des Plaines would not be expanded all through the City, for this particular site – given its identification in the market assessment appendix of the Comprehensive Plan – it would be responsible in staff’s view to enable it to its highest and best use.

**Findings of Fact: Major Variations**

The request is reviewed below in terms of the Findings of Fact contained in Section 12-3-6 of the Zoning Ordinance. The Board may use comments below as its rationale for recommending Findings of Fact, or the

Members may adopt their own. In addition, the Board should review petitioner’s responses (attached).

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

Comment: Not allowing off-street parking in the required side yard and enforcing all required parking lot location and landscaping requirements would in fact impose a practical difficulty for the developer’s intent to maximize parking. The subject property includes three separate parcels, one of which is owned and operated by the City as a public parking lot. The developer’s proposal, including a two-story parking

structure and single row of surface spaces fronting Webford Avenue, satisfies the off-street parking space requirements and replaces the existing city-owned public parking lot one-for-one. However, the location of the subject property situated directly south of the train tracks and next to an existing commercial building to the west restricts where off-street parking areas can be located and accessed. The addition of off-street surface spaces directly off the south property line makes better use of available space while providing additional public parking to the site and the neighboring uses. However, parking spaces directly accessed from a street are not considered in the Zoning Ordinance and therefore are not able to meet minimum parking lot setback and landscaping requirements. Granting approval of the location and landscape variations for this parking area allows the developer to install a unique and functional area that benefits the development and the City as a whole.

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

Comment: There appear to be unique attributes related to the property itself and its surroundings that make it exceptional compared to other commercial properties in the area and which requires the need for variations. The subject property abuts Graceland Avenue on the east and Webford Avenue on the south. However, Graceland Avenue is a one-way street for southbound traffic, and there is no existing curb-cut off Graceland Avenue onto the subject property. The Metra UP-Northwest Line to the north does not provide additional access to the site restricting access to Webford Avenue. The proposal does include two curb-cuts off Webford Avenue for both residential and commercial parking. However, there is not available space in the rear to accommodate additional parking spaces. As such, the proposed surface parking area in the side yard offers an opportunity to accommodate the extra spaces on the subject property.

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

Comment: The physical conditions, such as platting and street directions, and current development found on the subject property (all three parcels) were not the result of action or inaction by the petitioner. The existing development was constructed prior to the enactment of the provisions for which the variations are being sought.

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

Comment: The enforcement of the parking location and landscaping requirements would limit the ability to utilize the property and reduce the amount of parking on the subject property proposed for this development. While the available off-street indoor garage parking area would suffice to meet the minimum requirements for the uses, the proposed surface parking area would be able to further enhance the site and better utilize the Webford Avenue frontage.

**5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or**

**occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot:**

Comment: Because the purpose of Variation is parking and loading beyond what is required by the Zoning Ordinance, the granting of variation does not seem to amount to “special privilege.” The variations requested are tied with the addition of the surface parking row along Webford Avenue, which may be more beneficial to the public than it is a direct benefit to the petitioner. Moreover, the variations allow for a unique design, which repurposes a portion of the site for extra off-street parking spaces that fully replace the supply in the current commuter/public parking lot.

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

Comment: The additional parking would be in line with several aspects of the Comprehensive Plan, especially regarding retail/dining development and housing density, which would both be addressed with the proposal. In fact, the Comprehensive Plan calls for the development of new multifamily buildings that are walkable with access to transit and commercial and recreational amenities. The subject property’s close proximity to the Metra line and downtown Des Plaines seeks to meet this goal. The proposal answers the call for many development and sense-of-place priorities set by the Comprehensive Plan, and the granting of variations for the surface parking area will help further address these community needs addressed in that plan.

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

Comment: Within the framework of the design and to accommodate the maximum amount of parking, there seems to be no other reasonable location for outdoor surface parking than the proposed area. There is not ample room to comply with the necessary perimeter parking lot landscaping requirements along Webford Avenue while accommodating the foundation landscaping requirements. The proposed foundation landscaping area should soften the garage wall between the public sidewalk and building, which the Landscaping Chapter (12-10) also seeks to provide. Similarly, the space constraints prevent the curb/gutter sections of this parking lot design to meet the appropriate setback requirement (3.5 feet), as the “bookend islands” must contain curb that extends close to the lot line. While the Zoning Ordinance does not contemplate this style of parking, staff recognizes that this design provides a solution to parking concerns in a downtown context where space for parking is limited and allows a fuller replacement of the public spaces currently at 1332 Webford.

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

Comment: The variations are the minimum measure of relief necessary for the developer to install the surface off-street parking row along Webford Avenue.

**Recommendation and Conditions:** Pursuant to Sections 12-3-7 and 12-3-6 of the Zoning Ordinance, the PZB should vote on a recommendation to City Council to approve, approve with modification, or deny the requests for Map Amendment and Variations. Given that the petitioner’s design relies upon the Map Amendment to C-5, the PZB is encouraged to take a motion first on this request.

Regarding the Variations, if the PZB chooses to recommend approval/approval with modifications, staff recommends approval be subject to the following:

1. Prior to demolition of 622 Graceland, the property owner and/or petitioner should consult with the Des Plaines History Center and consider having removed items of historic significance so that they may be archived, repurposed, or displayed.
2. The outdoor parking spaces should employ a strategy suitable to the Public Works and Engineering Department to prevent bumper overhang onto the sidewalk, which must have a minimum width and clearance of five feet.
3. Backing into the outdoor parking spaces will be prohibited.
4. High-visibility crosswalks should be marked where the sidewalk along Webford intersects with the driveways that connect Webford with the proposed garage. In addition, a pedestrian warning system should be installed, per the recommendation of Public Works and Engineering.
5. Stop signs will be posted for traffic exiting the garage onto Webford. They must be sited in locations to provide a clear and intuitive stopping point, with clear sight lines. Parkway trees, landscaping, and planters should not interfere with any sight line.

The PZB may approve the Tentative Plat of Subdivision based on Sections 13-2-2 and 13-2-3 of the Subdivision Regulations. A Final Plat of Subdivision, to involve the review of more detailed engineering and public improvements, would be required at a later time. The PZB should also consider a separate motion to act on the Tentative Plat.

Chairman Szabo stated it was brought to his attention that two homeowners have legal representation, and he asked that they come to the podium to be sworn in, give their names, address, and the homeowner's information of whom they are representing.

Mark Daniel, with Daniel Law Office 17W733 Butterfield Rd. Suite F. Oakbrook Terrace IL, 60181, and Larry Thompson, 1209 Longford Ave. Woodridge, IL 60517 stated they are representing homeowners Phil and Ginnie Rominski, at 1333 Webford Ave. and homeowners Jim and Denise Hansen, 1339 Webford Ave.

Attorney Daniel stated he would be okay with the homeowners who are present to have a chance speak tonight before he proceeds.

Chairman Szabo asked the audience if anyone has any comments on the matter and would like a chance to speak to please stand to be sworn in.

David Gates, Jr., Author of several Post Office mural books, spoke to preservation of murals in the existing Journal and Topics building, a former original post office. He asserted the petitioner does not state in any of his documents how he plans on preserving the art work.

Brenda Murphy, at 668 Graceland, is opposed to this project due to increase in traffic that this development would bring. We already have plenty of vehicles cutting through our parking lot to avoid traffic and the problem will only get worse with more vehicles.

Paul Beranek, at 512 Arlington, is opposed to this project due to the extra amount of traffic that will overflow in the neighborhood. Mr. Beranek stated his children and his grandchildren play at the park and he has safety concerns with more vehicles speeding in the area.

Daniel Kosincki, at 1330 Webford, the owner of the dance building is opposed because the developer is putting an 82-foot-tall wall in front of the entryway, and the parking for the studio will be removed.

Pat Beauvais, at 547 Webford, is opposed to this development but does agree the sight does need to be redeveloped. The neighborhood is known as the Silk Stocking and the developer needs to use common sense and come up with a better plan.

Jim Hansen, at 1339 Webford, is opposed to this project because he is vested in his neighborhood and has cared and maintained his home for 32 plus years. This neighborhood is residential not commercial.

Josh VanBladel, at 630 Arlington, stated he supports development but is concerned about the materials that the developer is choosing to use.

Caryssa Buchholz, at 797 Laurel Ave, is opposed to this project due to developer demolishing the existing historical Journal & Topic Building and the original post office. She argued let Des Plaines be unique and preserve historical landmarks.

Jane Stoodley at 598 Webford, is opposed to this project due to the size of the building that is being proposed on such a small piece of land.

Phil Rominski, at 1333 Webford, is opposed to this project due to safety concerns that might arise from Fire and Police due to the massive size of this building.

Jay Cannon, at 1327 Webford, is opposed to this project due to flooding concerns. Mr. Cannon's basement already floods and adding more units and people will in his opinion cause more flooding and backups in the neighborhood and in basements. He asked what the City do to help with flooding issues.

Thomas Simeone, at 621 Parsons, is opposed to this project due to the pure size of the building and long-term sewer effects.

Mark Palmeri, at 595 Webford, is opposed to this project due to the size and style of this development; he asserted modern buildings do not last.

Edger Murillo, at 917 North Ave., is opposed to this project and stated the City needs to maximize the spaces and buildings we already have, asserting we have enough people.

Tim Clarke, at 648 First Ave., stated he supports transit-orientated development, but this plan is not for transit-orientated people. The building will consume the space.

Raul Solis, at 632 Prairie, is opposed to this project due to the mass of the new buildings being built and the lack of green space Downtown. He stated we should be able to walk in our community and be able to see more than giant buildings.

Janet Cornell, at 586 Webford, is opposed to this project due to the "giant rectangles" that are being developed all over downtown. We need more greenspace and balance between building size and yard size.

Marian Cosmides, at 570 Webford, is opposed to this project and feels the City is not following the comprehensive plan. She asked if the developer really thought about the small loading dock that will not fit Amazon trucks, Ubers, Grubhub, moving trucks, and any other service that would be coming in and out of the area constantly. In her opinion, Webford is going to be used as an alley.

Leszek Zmyslowski, at 378 Eighth Ave, is opposed to this project and is speaking on behalf of her sister and mother. The developer wants to put an 82-foot wall in front of The Dance Building and the surrounding residential homes. This wall will not be pretty to look at. There will be less sunlight, less green space, no trees and birds. Maybe make the area a park for the community.

Given the late hour, Chairman Szabo paused public comment and testimony, and the Board took a brief recess at 9:53p.m.

The Board reconvened at 10:00p.m. Given the need for remaining or additional public input, to give the petitioner an opportunity to respond to statements or address concerns with their submittal, and to give Counsel for the residents at 1333 and 1339 Webford due time in the hearing, the Board discussed continuing the hearing. A motion was made by Board Member Catalano, seconded by Board Member Veremis, to continue this matter **until Tuesday, May 10, 2022.**

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

NAYES: None

ABSTAIN: None

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

**ADJOURNMENT**

Chairman Szabo adjourned the meeting by voice vote. Meeting Adjourned at 10:03 p.m.

Sincerely,

*Vanessa Wells*

Vanessa Wells, Recording Secretary

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