



Community & Economic Development
1420 Miner Street, Des Plaines, IL 60016
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Planning and Zoning Board Agenda January 24, 2023 Room 102 – 7:00 P.M.

Call to Order and Roll Call

Approval of Minutes: January 10, 2023

Public Comment: For matters that are not on the agenda

Pending Applications:

- 1. Address:** 1300 Miner Street
(continued from January 10, 2023)

Case Number: 23-001-CU

The petitioner is requesting an amendment to a previously approved conditional use permit for auto body repair to allow an expansion of an existing establishment into a second tenant space at 1300 Miner Street, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-408-011-0000

Petitioner: Melbin Ordonez, 8417 Austin Avenue, Morton Grove, IL 60053

Owner: GXK Properties, 1300 Miner Street, Des Plaines, IL 60016

- 2. Address:** 1683 Elk Boulevard

Case Number: 22-048-CU-V

The petitioner is requesting (i) a variation from the collective off-street parking requirements at the subject property and (ii) a conditional use permit to operate a Commercially Zoned Assembly Use in the C-3 General Commercial District.

PINs: 09-16-300-119-0000 & 09-216-300-120-0000

Petitioner: Jiju Matthew, Living Hope Church, 1683 Elk Boulevard, Des Plaines, IL 60016

Owner: Thomas H. Ahlbeck, Elk Creek LLC, 1651 Elk Boulevard, Des Plaines, IL 60016

3. Address: 1378 Margret Street

Case Number: 22-055-APPEAL

The petitioner is appealing a decision by the Zoning Administrator regarding the classification of a structure on the subject property as a trellis.

PIN: 09-20-314-012-0000

Petitioner: Jennifer Toner, 1368 Margret Street, Des Plaines, IL 60018

Owner: Patrick and Val Howe, 1378 Margret Street, Des Plaines, IL 60018

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.

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DES PLAINES PLANNING AND ZONING BOARD MEETING
January 10, 2023
DRAFT MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, January 10, 2023, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Vice Chair Saletnik called the meeting to order at 7:00 p.m. and roll call was established.

PRESENT: Catalano, Fowler, Saletnik, Veremis, Weaver

ABSENT: Szabo, Hofherr

ALSO PRESENT: John Carlisle, AICP, Director of Community & Economic Development
Samantha Redman, Associate Planner
Margie Mosele, CED Executive Assistant

A quorum was present.

Call to Order and Roll Call

Approval of Minutes: December 13, 2022

APPROVAL OF MINUTES

A motion was made by Board Member Fowler, seconded by Board Member Veremis to approve the meeting minutes of December 13, 2022.

AYES: Fowler, Veremis, Catalano, Weaver

NAYES: None

ABSTAIN: Saletnik

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

PUBLIC COMMENT ON NON-AGENDA ITEM

There was no public comment.

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Applications

1. Address: 827 Elmhurst Road

Case Number: 22-054-CU

The petitioner is requesting a conditional use permit to operate an auto service repair use in the C-3 zoning district and any other variations, waivers, and zoning relief as may be necessary.

Petitioner: GW Properties (Representative: Mitch Goltz, 2211 N. Elston Avenue, Suite 400, Chicago, IL 60614)

Owner: RDK Ventures, LLC c/o Mac's Convenience Stores, LLC, P.O. Box 347, 4080 W. Jonathan Moore Pike, Columbus, IN 47201

Case Number: 22-054-CU

PIN: 08-24-100-031-0000

Ward: #8, Alderman Shamoon Ebrahimi

Existing Zoning: C-3 General Commercial District

Existing Land Use: Vacant Lot (previous auto fuel station)

Surrounding Zoning: North: C-3 General Commercial District
South: C-3 General Commercial District
East: C-3 General Commercial District
West: C-3 General Commercial District

Surrounding Land Use: North: Grocery Store (Commercial)
South: Bank (Commercial)
East: Grocery Store (Commercial) / Shopping Center (Commercial)
West: Shopping Center (Commercial)

Street Classification: Elmhurst Road is classified as another principal arterial road.

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

Zoning/Property History: Based on City records, the subject property was used as an auto filling station until 2019. Since then, the fuel station has been demolished and the property has been vacant.

Project Description: The petitioner has requested a Conditional Use Permit to allow the construction of a new automotive service repair use, Strickland Oil, at 827 Elmhurst Road. The subject 20,099-square-foot (0.46-acre) vacant property is in the C-3 General Commercial district. An oil change business falls underneath an auto service

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repair use, which requires a conditional use permit in the C-3 district.

The petitioner proposes to redevelop the subject property by building a new 1,700-square-foot, single-story building with surface parking area, dumpster enclosure, and freestanding monument sign. The proposed building consists of three service bays, lobby area, unisex restroom, and office/waste oil storage area. The subject property fronts Elmhurst Road but is accessed via a single access point through the Jewel-Osco parking lot at 811 Elmhurst Road. The proposal does not include any changes to the existing access point or the addition of new access points. The proposal includes the addition of both three-foot-wide foundation landscape areas around the north and south elevations of the building, and five-foot-wide parking lot landscaping areas around the perimeter of the parking area as required in Sections 12-10-8 and 12-10-10 of the Zoning Ordinance. New exterior lighting is also proposed for the new development as shown on the Photometric Plan. Section 12-12-10 restricts the amount of excess light that can bleed into surrounding properties based on the zoning of the properties surrounding the subject property. Since the subject property is surrounded by C-3-zoned properties, a maximum of 2.0 foot-candles is allowed. The attached Photometric Plan indicates that the maximum footcandles encroaching into surrounding properties will not exceed 1.2 in conformance with the applicable regulations.

Auto repair facilities are required to provide two parking spaces per service bay, plus one space for every 200 square feet of accessory retail. As a result, a total of seven off-street parking spaces, including a minimum of one mobility impaired accessible parking space, are required. The Site Plan illustrates a total of 14 parking spaces, including one mobility-impaired accessible space, which meets this standard. All proposed parking spaces, including the accessible space, are proposed to be nine-foot-wide by 18-foot-long in conformance with Section 12-9-6 of the Zoning Ordinance.

Strickland Oil proposes to operate from 8 a.m. to 7 p.m. Monday through Friday, 8 a.m. to 5 p.m. on Saturdays, and 10 a.m. to 5 p.m. on Sundays. Their services include stay-in-your-car oil changes, state inspections, tire rotations, air filter replacement, wiper blade replacement, and coolant and washer fluid refills. During normal operations, a total of 3-4 employees will be on site at a given time. Please see the attached Project Narrative for more information.

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Conditional Use Findings:

Conditional Use requests are subject to the standards set forth in Section 12-3-4.E of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided below and in the petitioner’s response to standards. The PZB may use this rationale toward its recommendation, or the Board may adopt its own.

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

Comment: Auto service repair is a Conditional Use, as specified in Section 12-7-3.K. of the Zoning Ordinance for properties in the C-3 General Commercial District.

PZB Additions or Modifications (if necessary): _____

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

Comment: The Comprehensive Plan illustrates this property as commercial. The Comprehensive Plan strives to foster growth and redevelopment of existing commercial corridors to retain new businesses in Des Plaines. The addition of a new commercial development meets this intent while also repurposing a vacant lot along a major commercial corridor in Des Plaines.

PZB Additions or Modifications (if necessary): _____

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

Comment: The petitioner proposes to repurpose the property with a new commercial development designed to be consistent with and complementary to the surrounding commercial uses in the area. The proposed improvements, including landscaping, will transform the vacant property into a new use that will benefit the site from both a functional and aesthetic standpoint.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposed automotive repair use will not be hazardous or distributing to neighboring uses because all operations will be conducted within this building. The proposed landscape screening and exterior lighting is designed to minimize the impact on surrounding properties. In addition, the new business will provide new services to Des Plaines’ residents.

PZB Additions or Modifications (if necessary): _____

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

Comment: The subject property was adequately served by essential public facilities and services when the previous auto filling station was in operation. The proposed auto service repair use will also be adequately served by public facilities and services as the existing access point from Elmhurst Road via the Jewel-Osco parking lot will remain unchanged.

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 will not be detrimental to the economic well-being of the entire community:

Comment: The proposed auto service repair facility will not create a burden on public facilities or be a detriment to the economic well-being of the community. When compared to the previous auto filling station, there is no anticipated increase in demand for public facilities as a result of the Conditional Use Permit for a new auto service repair use.

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:

Comment: The proposed auto service repair use is not anticipated to create additional traffic as compared to the previous auto filling station. None of the proposed activities occurring on site that will be detrimental to the public. Staff has notified the petitioner of the required mechanical systems that will need to be installed to reduce the production of traffic, noise, smoke fumes, glare, and odors generating from this use.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposed auto service repair use will not create an interference with traffic on surrounding public thoroughfares. There will be no changes to the existing access point onto the property through the Jewel-Osco parking lot from Elmhurst Road that was utilized by the previous auto filling station.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposed auto service repair use would not cause the destruction, loss, or damage of any natural, scenic or historic features since the site was already developed for the use of an auto filling station. The petitioner will redevelop the site with a freestanding building and add landscaping and screening to improve the aesthetics of the property.

PZB Additions or Modifications (if necessary):

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

Comment: The proposed auto service repair use meets all other requirements of the Zoning Ordinance for the C-3 General Commercial District. No variations or additional actions are requested beyond the Conditional Use Permit.

PZB Additions or Modifications (if necessary):

PZB Procedure and Recommended Conditions: Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use for an auto service repair use at 827 Elmhurst Road. City Council has final authority on the proposal.

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

Conditions of Approval:

1. Vehicles related to the business cannot be stored or parked overnight on the surrounding streets.
2. No damaged or inoperable vehicles shall be parked or stored outside at any time.
3. A cross-access agreement between the ownership of the subject property and the property at 811 Elmhurst (Jewel-Osco) will be provided at the time of building permit approval and maintained throughout the operation of the conditional use.
4. That all submitted permit documents shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.

Attachments:

Attachment 1: Location and Zoning Map

Attachment 2: Site and Context Photos

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Attachment 3: ALTA/ACSM Land Title Survey
Attachment 4: Petitioner's Standards for a Conditional Use
Attachment 5: Petitioner's Project Narrative
Attachment 6: Site Plan
Attachment 7: Elevations
Attachment 8: Floor Plan
Attachment 9: Photometric Plan
Attachment 10: Landscape Plan
Attachment 11: Public Comment Received January 5, 2023

Vice Chair Saletnik swore in Mitch Goltz -representative for GW Properties. Mr. Goltz explained the summary of requests which include a Conditional Use Permit to allow the construction of a new automotive service repair use, Strickland Oil, at 827 Elmhurst Road. The subject 20,099-square-foot (0.46-acre) is vacant property is in the C-3 General Commercial district. The site was previously environmentally remediated, with all underground storage tanks removed. All tanks will be above grade. All lighting will meet environmental performance standards in the zoning ordinance (no light will spill over the property line).

The applicant explained that this would be the first location in the Chicagoland area for Strickland Oil Company. The business performs sub-ground oil changes, allowing customers to remain in the vehicle during the oil change. The applicant went over the floor plan, landscape plan and elevation plan. The applicant provided photos during day and evening hours and the interior of another business location.

Vice Chair Saletnik asked if any tire repair is involved and what the duration of time each customer would be at the facility.

Mr. Goltz stated that they will only be providing oil changes and tire rotations. They will not be providing any other auto repairs. He stated that the average time is 10 minutes per vehicle.

Member Catalano asked if any auto services would require tow trucks or vehicles staying overnight.

Mr. Goltz stated that they will not have tow trucks or overnight vehicles.

Member Weaver asked if a tire is defective, will there be the option to purchase tires at this business.

Mr. Goltz stated no tires will be sold or stored on site, customers would need to go to a different business for tires.

John Carlisle, CED Director, reviewed the staff report. Mr. Carlisle explained the application for 827 Elmhurst Road. The property is an out lot of the Aldi, located in the C-3 district on a half-acre. All services for the business would be rendered inside the building. There are stacking spaces for three vehicles. There is also off-street parking on site. There are 14 spaces onsite. Mr. Carlisle when over the floor plans and building design.

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Four conditions of approval were proposed.
Member Weaver asked who would own the land?

Mr. Goltz stated that GW properties own the land and Strickland Oil Company would be the tenant.

Vice Chair Saletnik acknowledged some letters that were received in objection to the application. The letters referred to an auto repair facility that is a few blocks down the road and is in disrepair. Mr. Saletnik stated that they are not the same type of facility and does not see any justification in the objections.

A motion was made by Board Member Weaver, seconded by Board Member Catalano to allow a Conditional Use Permit to allow the construction of a new automotive service repair use, Strickland Oil, at 827 Elmhurst Road. The subject 20,099-square-foot (0.46-acre) vacant property is in the C-3 General Commercial district. An oil change business falls underneath an auto service repair use, which requires a conditional use permit in the C-3 district. With the following Conditions of Approval: 1. Vehicles related to the business cannot be stored or parked overnight on the surrounding streets. 2. No damaged or inoperable vehicles shall be parked or stored outside at any time. 3. A cross-access agreement between the ownership of the subject property and the property at 811 Elmhurst (Jewel-Osco) will be provided at the time of building permit approval and maintained throughout the operation of the conditional use. 4. That all submitted permit documents shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.

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

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

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2. Address: 1300 Miner Street

Case Number: 23-001-CU

The petitioner is requesting an amendment to a previously approved conditional use permit for auto body repair to allow an expansion of an existing establishment into a second tenant space at 1300 Miner Street, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-408-011-0000

Petitioner: Melbin Ordonez, 8417 Austin Avenue, Morton Grove, IL 60053

Owner: GXK Properties, 1300 Miner Street, Des Plaines, IL 60016

Case Number 23-001-CU which is located at 1300 Miner has requested to be continued until the January 24, 2023 Planning and Zoning Board Meeting.

Vice Chair Saletnik stated that even though the case is continued that he will open floor for any audience members that are here for the case.

Vice Chair Saletnik swore in Chris Whyte who operates an auto body repair business (C&H Auto Repair), another tenant at 1300 Miner Street. Mr. Whyte stated that there have been issues with parking and organization of vehicles on this property. Mr. Whyte had several questions about handicap parking spaces and whether there are enough for the property. Mr. Whyte stated that sometimes his customers are not able to get into his business because of the ongoing parking issues. Mr. Whyte stated that he has been at the property for 11 years and he started having parking issues a year and a half ago. Mr. Whyte stated that he plans to be back for the January 24, 2023, meeting.

Vice Chair Saletnik swore in John Pallaohusky who is an owner of a 1325 Perry Street residential property across from 1300 Miner. Mr. Pallaohusky said he appeared in January 2020 when the first zoning came up for this property. He raised some issues during the time. He said that parking has been an issue. There are about 20 vehicles and an Amazon truck at the property. A restaurant nearby was closed and it was overrun with vehicles. The property owners said in 2020 that parking will not be an issue with this conditional use. The property owner said that employees would be parking inside the facility and they would have a ventilation system to deal with the fumes. Mr. Pallaohusky stated that the aesthetics of the property are not what they said they would be. He stated they have vehicles parked on the street and block traffic to the residents which makes it really hard for the elderly residents in the area. The alleyway gets blocked between 1300 Miner and the residential building to the north. He also stated that there are fumes coming from the property that you can smell over the summer and there is only a small landscape box. He stated that he plans to come to the January 24th meeting.

Vice Chair Saletnik stated that staff should look whether any conditions of the conditional use that are being violated and requested staff complete an inspection and bring it to the next hearing.

Vice Chair Saletnik swore in Nicholas Darrus who owns a restaurant at 1290 Northwest Highway. He stated that there is too much traffic in the area and not enough space for the body

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shop. He stated that the applicant need many more parking spaces. Mr. Darrus stated that he was letting the applicant use his parking lot when while his restaurant was closed until the City told them they could not do this.

Member Veremis stated that it seems like there is no space at this property and the vehicles are jammed in. She believes that they have overgrown this location.

A motion was made by Board Member Catalano seconded by Board Member Veremis to continue Address 1300 Miner -Case Number 23-001-CU to the January 24, 2023 PZB Meeting.

AYES: Catalano, Veremis, Fowler, Weaver, Saletnik

NAYES: None

ABSTAIN: None

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3. Address: Citywide

Case Number: 23-002-TA

The petitioner is requesting text amendments to the Zoning Ordinance related to definitions and regulations for fencing, screening, trellises, and other similar yard features; permitting requirements for obstructions in required yards; and any other amendments or relief as may be necessary

PIN: Citywide

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

Project Summary: The City of Des Plaines is applying for zoning text amendments to related to definitions and regulations for fencing, screening, trellises, and other similar yard features; permitting requirements for obstructions in required yards; and any other amendments or relief as may be necessary.

Consider the following Zoning Ordinance amendments:

(i) add the terms “Fence”, “Trellis” and “Arbor” and revise the term “Yard Features” in Section 12-13-3; (ii) amend yard feature regulations in Section 12-7-1.C to create separate regulations for trellis, arbor and yard features; (iii) add Section 12-8-14: Arbors and Trellises to create regulations for arbors and trellises.

Background

In 2022 City staff encountered multiple instances where property owners erected structures attached or close to fences that were challenging to define and extended above the allowable fence height. Ambiguity ensued on how to define the structures by the fence: Are they part of the fence? Separate? How tall are they allowed to be? Can they be solid or do they need to be partially open? Complicating the decision is the fact there is no term definition for fence in the Zoning Ordinance.

In lieu of clear, specific definitions for fences, trellises and similar structures, staff relied on the normal dictionary definition, as instructed by Section 12-13-1.A. Section 12-7-1.C allows trellises to be a maximum of eight feet tall and one foot from the property line. However, staff seeks to resolve issues with the fence, arbor, trellis, and yard feature regulations to ensure the intent of the requirements are met and structures that have been recently confused are henceforth accurately defined.

Fences are currently regulated in height, opacity, and location for both residential and nonresidential properties. Broad dictionary definitions for terms like “fences” are often too general to be applied to the variety

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of scenarios planners and zoning administrators face. For example, Merriam Webster dictionary defines fence as, “a barrier intended to prevent escape or intrusion or to mark a boundary.” However, fences can have a variety of purposes within a city, including delineating boundaries, creating enclosures on property for people, animals and equipment, and providing screening to support an aesthetically pleasing environment for residents and businesses.

Nonetheless, the fence regulations have remained relatively consistent since adopted in the original 1998 Zoning Ordinance, even without an expressed definition. Amendments over the years have included permitting eight-foot-tall fences on properties abutting railroad rights of way and adding regulations for dog runs. The most substantial amendments occurred in 2019 and included placing restrictions on abutting fences, as well as adding the “corner side” yard definition and attendant rules.

Section 12-8-2 regulates height, setbacks, location, and appearance of fencing. Staff most commonly receive questions about the height and opacity of fencing for properties from residents seeking to alter an existing fence or erect a new fence. Generally side and rear yards are permitted to have a six-foot-tall fence, if located outside of the 10-foot sight triangle of an alley, driveway, or street. Fencing in the front yards can be a maximum of four-foot-tall and cannot be less than 50 percent open. For corner lots, the corner side yard (along the longest side fronting a street) cannot be taller than four feet and can be open or solid. The intent of the shorter fencing in areas visible from the street is to create a more cohesive, inviting neighborhood, allowing for the display of landscaping and preventing the appearance of a walled community.

Examples from Other Municipalities

Examples from other municipalities were used to shape the suggested amendments. Fence, trellis, and arbor definitions from twenty-two (22) municipalities of the Northwest Municipal Conference (NWMC) were collected and compared (refer to attached Fence Definitions of Other Communities). In particular, definitions from Barrington, Lincolnwood, Mount Prospect, Niles, and Northfield were used to shape the definitions. The majority of other zoning ordinances include a definition of fence and regulate the location, height, and/or materials (18 out of 22). Several communities (eight out of 22) also define trellises and arbors and/or regulate the location, height, and materials.

Proposed Amendments

The full proposed amendments are attached and are summarized below:

- **Section 12-13-3, Definition of Terms**
 - Added or revised definitions for:

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- Fence
- Trellis
- Arbor
- Yard Feature

• **Section 12-7-1.C – Permitted Obstructions in Required Yards**

- Arbors and trellises added to table with applicable setbacks from lot lines and other structures:
 - Arbors permitted at lot line of front and corner side yards and one foot away from the lot line at side and rear lot lines.
 - Trellises permitted in front and corner side yards if they do not exceed 4 feet in height and do not encroach more than 5 feet into the front and corner side yards; may be six feet tall for side and rear yards if located at least one foot from rear and side lot lines.
 - Footnote 3 removed regarding when a permit is required for recreational equipment and yard features. A separate amendment to the Local Amendments to the adopted Building Code (Section 10-1-2 of City Code) will be submitted to clarify work exempt from permit; the Zoning Ordinance is not the correct location to regulate what construction requires a permit.

• **Section 12-8-14 – Arbor and Trellis Regulations**

- New section added to regulate arbors and trellises on zoning lots generally, not just in required yards. This section includes restrictions on:
 - Size
 - Material
 - Quantity
 - Setbacks

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 PZB may use the statements below as its rationale or adopt its own.

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

The Comprehensive Plan calls for the preservation and enhancement of residential and non-residential properties. The proposed amendments serve to clarify fencing and yard feature regulations, encouraging cohesive, aesthetically pleasing and welcoming neighborhoods and corridors.

PZB Modifications (if any): _____

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2. Whether the proposed amendments are compatible with current conditions and the overall character of existing development.

The amendments clarify fence and other yard feature regulations to ensure the intent of the existing fence rules are met, provide clearer direction on the height, materials, and location of yard features. The proposed definitions match current trends in the size and materials of trellises and arbors per staff's research with several hardware and landscaping stores. The additions to the encroachment table in Section 12-7-1.C and adding Section 12-8-14 regarding arbors and trellises support the fence regulations in Section 12-8-2 by removing ambiguity about the ability to use other yard features to serve as an extension of a fence. Overall, the proposed amendments provide clarity to other sections of the Zoning Ordinance, which are the agreed upon regulations used to control the character and development patterns of properties in the city.

PZB Modifications (if any): _____

3. Whether the proposed amendments are appropriate considering the adequacy of public facilities and services available;

The proposed amendments will not have an impact on public facilities or services. The amendments refine existing regulations for fences and yard features and will not result in development necessitating additional services.

PZB Modifications (if any): _____

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

The proposed amendments remove ambiguity regarding the location, height, and materials of fence and other yard features, creating certainty about appearance and scale of yard features and providing a cohesive appearance for residents, business owners and visitors. Regulating the allowable materials serves to ensure fences, arbors and trellises would be constructed of high quality, durable components, and the additions to Section 12-7-1.C and new Section 12-8-14 provide assurance that the scale of any yard features will not create a nuisance to neighborhoods, allowing for sufficient natural light and encouraging an inviting and aesthetically pleasing appearance of properties.

PZB Modifications (if any): _____

5. Whether the proposed amendments reflect responsible standards for development and growth.

The proposed amendments provide clarity and reduce ambiguity regarding allowable height, materials and location of fence and yard features of properties, supporting the intent of the existing Zoning Ordinance to create responsible and harmonious development and growth within the city. There is no anticipated negative effect on development or growth with the proposed amendments.

PZB Modifications (if any): _____

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PZB Procedure and Recommended Conditions:

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

Attachments:

Attachment 1: Proposed Amendments

Attachment 2: Summary of Fence Definitions from Other Municipalities

Samantha Redman, Associate Planner went over the staff report which includes the information and explanation of the Text Amendment related to Fences, Trellis, Arbors and Yard Features. Ms. Redman explained that the reason for this text amendment is that recently our city staff have encountered some ambiguous situations where other yard features- especially trellises = have been used as an extension of a fence. Ms. Redman went over the PowerPoint presentation which discussing definitions and regulations. Ms. Redman went over a diagram which showed the height regulations for fences. Ms. Redman showed pictures of situations that are similar to the ones we are working with in Des Plaines. The Zoning Ordinance currently does not have a fence or trellis definition. We have been using the standard dictionary definition, but it is not specific enough to deal with the zoning scenarios that we encounter.

Ms. Redman did a comparison using surrounding municipalities. Most of the municipalities has a fence definition and others also have trellis and arbor definitions. Ms. Redman went over another table that showed our Trellis and Arbor regulations in the permitted obstruction table. Staff believes that Trellis and Arbors are distinct structures from fences and other yard features. The proposed amendments remove ambiguity regarding the location, height, and materials of fence and other yard features, creating certainty about appearance and scale of yard features and providing a cohesive appearance for residents, business owners and visitors.

For the text amendments, staff would like to add definitions for arbors, trellises, fences and amending the yard feature definition. Staff also proposed amendments to the location of arbors and trellises in the permitted obstruction table and Section 12-8-14: Arbors and Trellises to the chapter on accessory structures and uses. Ms. Redman stated that the City is looking to do separate amendments that will be going through the building code to discuss what permits are required for yard features instead of having it in the zoning ordinance which is not the correct place for it. Ms. Redman showed a diagram for the proposed amendments.

Member Weaver asked about the reasoning for the amendments. Are the concerns about blocking light, blocking view or police surveillance of the property? What are the things we are trying to avoid with the fence?

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Ms. Redman stated that there is a combination of those issues . We have neighbors who would like to have more light for their yards for plants or more privacy. Within planning, we are interested in preventing a walled off city, which is why we have more transparent fences and shorter fences in the front to have a more community feeling.

Member Fowler stated that trellis that are required to be a foot away from the fence does not make any sense to her as a gardener, it is not practical. She agrees that trellis should not increase the height by attaching to a fence. It is structurally challenging to have a freestanding trellis.

Member Saletnik stated that he sees a number of problems. He stated he thinks we run the risk on inhibiting architectural design and gardening. He stated that it seems like we need to go after the people that are abusing the fence regulation. He also asked what the tipping point would be between when an arbor becomes an architectural element. How would these changes affect what an architect would do, for example a narrow lot with a garage in the back and an arbor? Also, having a trellis over 6 feet would make sense on a mature lot. Your focus is on abusing the fence regulations.

Member Fowler brought up safety concerns with pets or people hiding behind a trellis a foot away from a structure. Member Fowler asked about what the inspiration was behind the 1 foot rule. Ms. Redman stated the rule was intended to prevent issues with circumventing fence rules in the future.

John Carlisle, CED Director explains that currently in the ordinance, recreational equipment and yard features does not require a permit unless it needs a foundation or electrical. We would like to keep the policy but believe its in the wrong place.

Mr. Carlisle stated that an arbor or trellis is a free-standing structure will be part of the ordinance. If it's a free-standing structure, we will call it a trellis or arbor, not an architectural element. For trellises there is a discussion of the height of 8 instead of 6. Currently, the maximum height is 8 feet. You can propose it at 8', but many of the rest of the regulations are built around height being a maximum of 6 feet. Discussions are also needed for number of units and linear feet if we do continue to allow the height to be 8 feet.

Vice Chair Saletnik states that trellises should be measured from the ground, in order to support climbing plants and vines. Trellises above fences should not be considered trellises.

Mr. Carlisle stated that the board has some options. First, if there is a lot that is needed to be changed in the text amendment you can ask the staff to bring this back to another meeting with changes. Second, the board has the option to make specific changes if you know the language that you would like to see changed which would be recommending approval with modifications.

Vice Chair Saletnik suggested that the text amendment makes a distinction between how its related to the abuse of the fence regulations versus normal interior gardening.

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Mr. Carlisle asked the board if we could isolate the definitions for fence, trellis and arbors. Because as staff we do not have clear definitions and terms. If we have the definitions, we know what the intent of the structures are and can draw a distinction then we can have a flat regulation.

Member Fowler stated she would like to not have the 1-foot setback rule, a trellis should be allowed to be next to a fence to be more stable. Vice Chair Saletnik discusses issues with height that could infringe on the rights of a gardener or an architect if the plants expand above the allowable height.

Vice Chair Saletnik stated he likes the definitions but does not like limiting the height, location, and distance. He stated that a trellis should not be used to extend the height of a fence or to be used for additional screening which exceeds the fence height regulations. He stated that he foresees many issues with existing trellises and arbors not conforming with the existing regulations. Mr. Carlisle clarified that existing structures could persist under the "Non-Conforming Structure" section of the Zoning Ordinance.

Member Catalano discussed whether trellises should be able to be located on a house. Vice Chair Saletnik agreed that within the buildable area, it would be appropriate to allow taller trellises and they should be able to be attached to the house. He stated concerns about infringing on the rights of property owners and requests staff make better distinctions between abuse of fence regulations compared to trellises. He supports the arbor regulations, but not the trellis definitions.

Member Weaver stated that he wants to make sure we are not overregulating and create so many rules that we are digging the City into a hole. He also asked staff about the comparison with the other municipalities. He stated that it seems like they are all over the place and not very uniform.

Mr. Carlisle stated that it sounds like the fence and arbor definitions are pretty good. The proposed trellis definition needs to be tweaked to allow it to be freestanding or not. Two ways we are regulating - in required yards with Section 12-7-1 C and more generally with the regulations in Section 12-8-14.

Vice Chair Saletnik believes we need a linear amount in the definition to make sure the trellis does not become a fence. Members Saletnik and Fowler agree that they are not supportive of regulations to location and height for trellises. Trellises are not necessarily free-standing; free-standing works for arbors but not trellises.

Member Weaver asked staff for their assessment of the other municipalities and their regulations because it seems like the definitions are relatively consistent, but other requirements are all over the place and the municipalities are not in line with one another.

Ms. Redman stated that it does not seem like there is a consensus with all the municipalities on fence heights.

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Mr. Carlisle stated that we are encountering more people looking to put up taller screening to block view.

Mr. Carlisle suggested that staff brings this back with adjustments to definitions and adjustments to Section 12-7-1 and Section 12-8-14 to loosen the proposed regulations on trellises and other edits, and return on the February 28, 2023 meeting.

A motion was made by Board Member Catalano, seconded by Board Member Fowler to continue Case 23-002-TA to February 28, 2023.

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

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

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4. Address: Citywide

Case Number: 23-003-TA

The petitioner is requesting text amendments to the Zoning Ordinance related to the procedure for variation requests and any other amendments or relief as may be necessary.

PIN: Citywide

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

Case Number: #23-003-TA

Project Summary: The City of Des Plaines is applying for zoning text amendments to the Zoning Ordinance related to the procedure for variation requests and any other amendments or relief as may be necessary

Background and Purpose

Section 12-3-6 of the Zoning Ordinance establishes three types of variations and the procedures for each: Minor, Standard, and Major. Currently Minor Variations must be decided by the Zoning Administrator with the following outcomes: approved, approved with modifications/conditions, or denied. These variations include the following instances (paraphrased from the Ordinance):

- Vary any required front, side, or rear yard setback by no more than thirty percent (30%);
- Vary the height, type, and location of any fence (but no barbed wire may be allowed within a residential district);
- Allow replacement or expansion of an existing residential detached garage located in a residential district, or the expansion of an existing structure located within a residential district, when the replacement or expansion would not further encroach into the required side yard.
- Vary the location of accessory structures for lots that are "double frontage lots" or lots that are both "corner" and "double frontage lots" (lots at the end of a block with three street frontages), where the construction or installation of an accessory structure is between the principal structure and the street of secondary frontage (generally bordering busy or industrial streets);
- Vary the size, location, and number of parking or driveway areas as established in the driveway rules (Sections 12-9-6.B.3 and C. of the Ordinance) when a property improved with a residential single-family detached dwelling cannot accommodate two parking spaces within a garage, carport, on a surface driveway or a combination (but cannot use this if the result is more than two parking spaces on the property);
- Vary the Building Design Review Standards.
- Vary the open storage requirements in the M-2 District; and

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- Vary the minimum distance from a lot line for a driveway in a required yard in the R-1 and R-2 Districts or in any other district where the property has a single-family detached dwelling.

The ability to provide relief administratively, without a full public hearing and approval of either a board or council, is common among municipal zoning ordinances. This approval avenue is seen to allow small relief from the code when there is essentially no wide-reaching effect on a property's surrounding neighborhood or the city overall. In 2021 the City Council approved Ordinance Z-42-21, which eliminated the fee for Minor Variations. As part of the basis for this, the Council recognized the most common source of requests are owners or residents of single-family detached residences. Occasionally there are requests from townhome residents/owners, and less frequently, there are non-residential requests from, for example, an industrial property or a public utility. By far the most common type of request is related to fences or screening; requesters want a fence that is either taller or opaquer than allowed, in a non-permitted location, or a combination of these. Research of recent minor variation cases shows that the vast majority have been approved or approved with conditions.

Year	Approvals or Approvals with Conditions	Denials	Total Requests
2022	12	1	13
2021	8	1	9
2020	6	1	7

Nonetheless, there are occasional denials. Any approval requires the Zoning Administrator to consider the eight Findings of Fact pursuant to Section 12-3-6. Examples of these findings include determining there is a practical hardship preventing compliance, a physical uniqueness related to existing lots or structures, and a demonstration that all other reasonable remedies for complying with the Ordinance have been exhausted. If the Zoning Administrator's opinion is that these findings cannot be made because the petition has not presented sufficient evidence, a denial is the administrator's appropriate action.

While there is an existing appeal-of-denials option (heard and decided by the PZB) for petitioners under the Ordinance (Section 12-3-9), a more time-efficient process in certain circumstances would be to allow the Zoning Administrator to treat a Minor Variation like it is a non-administrative application; in other words, one that will go to the PZB for a public hearing and recommendation and subsequently to the City Council for a final vote. Although these instances are generally rare, when the Zoning Administrator believes a request is sensitive or controversial enough that those duly elected should ultimately decide its outcome, there is no procedural allowance for this path. The Zoning Administrator is currently obligated to be the final decider on all Minor Variations. The proposed amendments are intended to change this.

Proposed Amendments

The full proposed amendments are attached and are summarized below:

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- **Section 12-3-6.E.2: Procedure for Review and Decision**
 - Added language to express that because of the nature of an application for minor variation, it should be decided by the City Council in accordance with the procedures for a major variation.
- **Section 12-2-6: Decision Making Diagram**
 - Updates to correspond with Section 12-3-6.E.2.

In the instances where a Minor Variation has been elevated to be determined by the City Council as if it were a Major Variation, notice of the public hearing to be held by the PZB (recommendation vote) will be required. What is *not* proposed to change is the lack of application fee for these Minor Variations. Regardless of whether the Zoning Administrator chooses to decide upon them or escalate them to be decided by the City Council, there will remain to be no fee.

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 PZB may use the statements below as its rationale or adopt its own.

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

The Comprehensive Plan does not address the avenues for variation relief, but it does generally support any changes that would lead to stronger neighborhoods and commercial areas. A decision process that could lead to better resolutions of contentious requests is part of having a strong city with strong neighborhoods.

PZB Modifications (if any): _____

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

The amendments are compatible because they allow for an additional approach to deciding contentious requests where, for example, direct neighbors have adamant disagreement about the outcome. Unfortunately, staff has observed this is somewhat regular and has become increasingly common.

PZB Modifications (if any): _____

3. Whether the proposed amendments are appropriate considering the adequacy of public facilities and services available;

The proposed amendments will not have an impact on public facilities or services.

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PZB Modifications (if any): _____

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

The proposed amendments are a simple procedural change with no effect on property values.

PZB Modifications (if any):

5. Whether the proposed amendments reflect responsible standards for development and growth.

Because these changes allow for more decisions to be made through public meetings, there is increased opportunity for the public to participate. The trade-off is that some minor variations may take longer to be decided, but the Zoning Administrator intends use the new option granted by the amendments sparingly.

PZB Modifications (if any): _____

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

Attachments:

Attachment 1: Proposed Amendments to Section 12-3-6: Variations

Attachment 2: Proposed Amendments to Section 12-2-5: Decision Making Diagram

PROPOSED AMENDMENTS

Additions are **bold, double-underlined**

Deletions are struck through.

12-3-6: VARIATIONS:

* * *

2. Procedure For Review And Decision:

- A. Upon receipt of a properly completed application for a minor variation, the zoning administrator shall conduct a site plan review subject to the requirements of section 12-3-2, "Site Plan Review", of this chapter. The zoning administrator may also (i) hold a public hearing on the application, at the applicant's request, in accordance with the requirements of section 12-3-1, "Applications And Hearings", of this chapter **pursuant to** notice for the public hearing shall be performed in the manner **as** prescribed by subsection 12-3-1.C, "Notice", of this chapter.; or (ii) **determine that, because of the nature of the application, the**

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application for minor variation should be decided upon by the City Council in accordance with the procedures for a major variation as set forth in Subsection G below.

- B. Within fifteen (15) days of the close of the hearing, or completion of site plan review where no hearing was requested the zoning administrator shall, by written findings either approve, approve with modifications, or disapprove the application. The failure of the Zoning Administrator to act in such fifteen (15) days, or such further time to which the applicant may agree, shall be deemed to be a decision of disapproval.
- C. If the application is approved or approved with modifications, the Zoning Administrator shall issue a variation permit, listing any specific conditions specified by the Administrator for approval. If the application is disapproved, the Zoning Administrator shall provide the applicant with written notification of his decision.

F. Standard Variations (Planning And Zoning Board):

- 1. **Authorized Variations:** Variations from the regulations of this title may be granted by the Planning and Zoning Board in the following instances, and then only in accordance with the standards set out in subsection H of this section:
 - a) To vary any required front, side or rear yard setback more than thirty percent (30%) of the yard required by the applicable district regulations.
 - b) To permit the improvement of a lot for a use otherwise prohibited solely because of the insufficient lot area, but in no event shall the area of the lot be less than eighty percent (80%) of the required lot area.
 - c) To vary the applicable off-street parking or loading requirements up to but not more than thirty percent (30%) of the applicable regulations, except for multi-family buildings in R-4, Central Core Residential and C-5, Central Business Zoning Districts. All variation petitions for off street parking requirements for multi-family dwellings in R-4, Central Core Residential and C-5, Central Business Districts shall be approved by the City Council.
 - d) To vary the lot frontage requirements set forth in the residential districts up to but not more than thirty percent (30%) of the applicable district requirement.
 - e) To vary the maximum lot requirements set forth in the residential districts up to but not more than twenty percent (20%) of the applicable district requirement.
 - f) To vary the dimension of any sign (height, length, width, or area) up to but not more than ten percent (10%) of the corresponding dimensions normally permitted by chapter 11, "Signs", of this title.

2. Procedure For Review And Decision:

- 1. **Action By Zoning Administrator:** Upon receipt of a properly completed application for a standard variation, the Zoning Administrator shall conduct a site plan review subject to the requirements of section 12-3-2, "Site Plan Review", of this chapter. The Zoning Administrator shall forward his written report and recommendations to the Planning and Zoning Board for its review and decision.
- 2. **Action By Planning And Zoning Board:**

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- a) The Planning and Zoning Board shall hold a public hearing on the application in accordance with the requirements of section 12-3-1, "Applications And Hearings", of this chapter. Notice for the public hearing shall be performed in the manner prescribed by subsection 12-3-1C, "Notice", of this chapter.
- b) Within thirty (30) days of the close of the public hearing, the Planning and Zoning Board shall in writing either approve, approve with modifications, or disapprove of the application. The failure of the Planning and Zoning Board to act in such thirty (30) days, or such further time to which the applicant may agree, shall be deemed to be a decision of disapproval.
- c) If the application is approved or approved with modifications, the Planning and Zoning Board shall instruct the Zoning Administrator to issue a variation permit, listing any specific conditions specified by the board or by the Zoning Administrator. If the application is disapproved, the board shall instruct the Zoning Administrator to provide the applicant with written notification of the board's decision

G. Major Variations (City Council):

1. Authorized Variations: For all variations not authorized to be decided by the Zoning Administrator or the Planning and Zoning Board, **or for variations that the Zoning Administrator has determined should be decided upon by the City Council rather than the Zoning Administrator, in accordance with Section 12-3-6.E.2.a**, the City Council may vary any other provision of this title, but no such variations shall be made without a public hearing before the Planning and Zoning Board; provided, however, that both principal and accessory use variations are expressly prohibited.
2. Procedure For Review And Decision:
 - a) Action By Zoning Administrator: Upon receipt of a properly completed application for a major variance, the zoning administrator shall conduct a site plan review subject to the requirements of section 12-3-2, "Site Plan Review", of this chapter. The zoning administrator shall forward his written report and recommendations to the planning and zoning board for its review and recommendations.
 - b) Action By Planning And Zoning Board:
 - i. The planning and zoning board shall hold a public hearing on the application in accordance with the requirements of section 12-3-1, "Applications And Hearings", of this chapter. Notice for the public hearing shall be performed in the manner prescribed by subsection 12-3-1C, "Notice", of this chapter.
 - ii. Within thirty (30) days of the close of the public hearing, the planning and zoning board shall forward its recommendation of either approval, approval with modifications, or disapproval in writing to the city council.
 - c) Action By City Council:
 - i. The city council shall consider the application at its next available scheduled public meeting, and shall schedule a hearing if, in the opinion of the mayor, city manager or by written call by three (3) of

- the aldermen, it appears necessary and shall either approve, approve with modifications, or disapprove of the application. The failure of the city council to act at such time, or such further time to which the applicant may agree, shall be deemed to be a decision of disapproval.
- ii. If the application is approved or approved with modifications, the zoning administrator shall issue a variation permit, listing any specific conditions specified by the council or the planning and zoning board. If the application is disapproved, the city council shall instruct the zoning administrator to provide the applicant with written notification of the council's decision.

H. Findings Of Fact For Variations:

A variation from the terms of this title shall not be granted unless the reviewing authority makes specific written findings of fact directly based on the standards and conditions imposed by this section and any conditions imposed by the reviewing authority, to the extent each may be applicable.

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.
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.
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.
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.
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.
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.
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.
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.

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John Carlisle, CED Director went over the staff report. Mr. Carlisle discussed the decision matrix from the zoning ordinance showing where zoning appeals fit in. Mr. Carlisle listed the items that the Zoning Administrator may make a decision on, pursuant to Section 12-3-6. Minor variations are things that generally do not need to be brought to the PZB board meeting. However, current rules do not allow for in sensitive and/or controversial cases to be sent to the PZB for public hearing and then City Council for final approval. For example, this could apply to neighbor disputes or gray areas of the code. Currently the zoning ordinance does allow the staff to call a public hearing for a case; however, staff believes if it rises to that level, to elevate it to the Council approval level. Zoning appeals can go to the Planning and Zoning Board, but it is adding a step. Staff are finding that there are sensitive enough cases where elected officials should have an opportunity to vote on it.

For these cases, the Zoning Administrator, believes that the elected officials, the Council, should decide a controversial case. The text amendment would build in the ability to send these cases up to City Council. The extra power that is granted to the zoning administrator is to have the discretion to decide when the case is sensitive enough to rise to that level.

Vice Chair Saletnik agrees this amendment would be useful for sensitive cases and makes sense.

A motion was made by Board Member Weaver, seconded by Board Member Catalano to approve this amendment for recommendation to council to the as proposed in the staff memo.

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

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

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday January 24, 2022.

Chairman Szabo adjourned the meeting by voice vote at 8:39 p.m.

Sincerely,
Margie Mosele, Executive Assistant/Recording Secretary

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



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

1420 Miner Street
Des Plaines, IL 60016
P: 847.391.5380
desplaines.org

MEMORANDUM

Date: January 18, 2023
To: Planning and Zoning Board (PZB)
From: Jonathan Stytz, AICP, Senior Planner JS
Cc: John T. Carlisle, AICP, Director of Community and Economic Development JC
Subject: Consideration of Conditional Use Amendment for a Proposed Expansion of an Auto Body Repair Use in the C-3 District at 1300 Miner Street, Case #23-001-CU (1st Ward)

Address: 1300 Miner Street
Petitioner: Melbin Ordonez, 8424 Mansfield Avenue, Morton Grove, IL 60053
Owner: GK Properties, LLC, P.O. Box 735, Prospect Heights, IL 60070
Case Number: 23-001-CU
Real Estate Index Number: 09-17-408-011-0000
Ward: #1, Alderman Mark A. Lysakowski
Existing Zoning: C-3 General Commercial
Existing Land Use: Multi-Use Commercial Building (Auto Service uses)
Surrounding Zoning: North: R-4 Central Core Residential District
South: Railroad; R-1 Single-Family Residential District
East: R-4 Central Core Residential District
West: C-3 General Commercial
Surrounding Land Use: North: Multi-Family Residents (Residential)
South: Railroad; Single-Family Residents (Residential)
East: Multi-Family Residential Building (Residential)
West: Restaurant (Commercial)

Street Classification: Miner Street is a minor arterial street, and Laurel Avenue is a local road.

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

Zoning/Property History: Based on City records, the subject property was rezoned from residential to commercial in 1981 when an auto service repair use was a permitted use. Since then, the property has been rezoned to C-3 General Commercial and a conditional use permit is required for auto service repair uses. As such, the existing C&H Auto Repair, Inc. currently in operation on site does not have a conditional use and is therefore non-conforming to the current regulations.

In 2020 Blessing Automotive received conditional use approval via Ordinance Z-7-20 to operate an auto body repair use in Suite 1 of the multi-tenant building with several conditions (see Attachments) regarding screening, property use, and business operations. Since opening, the petitioner has striped the parking area and added landscaping along the west building elevation in addition to installing fencing to screen along the southwest property line along Miner Street and installing a dry chemical fire suppression system for the paint both and mixing room as required by Conditions No. 5 and 6 of the ordinance. However, to date, Condition No. 7 requiring the installation of a landscape bed abutting the mobility-impaired accessible parking space has not been satisfied.

There have also been concerns related to the parking and storage of damaged or inoperable vehicles outside on the subject property, surrounding streets, and neighboring properties in violation of conditions No. 1 and 4. During the public comment period of the January 10, 2023 public hearing, which was continued to January 24, surrounding property owners and residents raised issues regarding parking availability, access, and organization of the subject property as well as the parking/storage of vehicles off-site for extended periods of time.

Project Description:

Overview

The petitioner, Melbin Ordonez, has requested an amendment to the existing Conditional Use Permit to expand the existing auto body repair facility, Blessing Automotive LLC, at 1300 Miner Street into Suite 3 of the multi-tenant building located on the subject property. The existing one-story, 9,139-square-foot building is made up of three tenant spaces, all of which have been utilized for automotive repair uses in the past. Suites 1 and 2 of the building, or the two end spaces, have been occupied by Blessing Automotive since 2020 and C&H Auto Repair, Inc. since 2015. Suite 3, the middle space, which had been occupied by AP Transmissions, Inc. since 2017, is now vacant and is adjacent to Suite 1. As such, the petitioner proposes to expand Blessing Automotive into Suite 3, which is directly adjacent to its current space. This means they would occupy two-thirds of the building instead of one third. The proposed change to the requires an amendment to the conditional use.

Proposed Floor Plan

Suite 1, where Blessing Automotive currently operates, consists of a 3,720-square-foot tenant space with four service bays, a retail area with an office and kitchenette, a spray booth, a mixing room, three separate storage areas on a mezzanine level, and four off-street parking spaces as shown on the Architectural Plan and Site Plan. Suite 3 consists of an indoor garage area with access to the front parking area, kitchenette area, two restrooms, and two

separate office spaces. The petitioner intends to utilize the existing kitchenette and separate offices spaces in Suite 3 for additional storage space. There are no proposed changes to the size of the building or to Suite 2 (C&H Auto Repair, Inc.) on the far east side of the building. However, the petitioner intends to add two service bays, a wheel balancing machine, and two customer parking spaces inside the existing indoor garage area in Suite 3.

Off-Street Parking

Auto repair facilities are required to provide two parking spaces per service bay, plus one space for every 200 square feet of accessory retail. As a result, a total of 12 off-street parking spaces are required for the new proposal for Blessing Automotive. Given the unique shape of the property and the small size of the outdoor parking lot, Suite 1 contains four indoor parking spaces—two for employees and two for customers—inside the open garage area. Now that the petitioner is expanding the business into Suite 3 of the building, the proposal includes adding two customer parking spaces in the indoor garage area of Suite 3. Therefore, the Site Plan proposes 13 total parking spaces on the property—six spaces inside the building and seven outside in front of the building, including a mobility-impaired accessible space. The attached parking exhibit identifies available parking allocated to both tenants on the subject property.

Business Operations

Blessing Automotive currently operates from 8:00 a.m. to 6:00 p.m. Monday through Friday, 9:00 a.m. to 2:00 p.m. on Saturday, and closed on Sundays. Their services include removal of damaged auto body parts; realigning car frames and chassis; patching dents and repairing minor auto body damage; and fitting, attaching, and welding replacement parts in place. Additionally, priming, painting, and applying finish to restored parts takes place inside a prefabricated fireproofed spray booth with a filtered exhaust system. During operations a total of two employees will be on site at a given time. The petitioner does not intend to change the hours of operation or expand their existing services at this time. Please see the Project Narrative for more information. Because of the small lot and prominent location, several conditions are being recommended by staff to continue to minimize any visual impacts.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, or adopt its own.

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

Comment: An auto body repair use is a Conditional Use, as specified in Section 12-7-3.K of the Des Plaines Zoning Ordinance, for properties in the C-3 General Commercial District.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The Comprehensive Plan illustrates this property as commercial. The Comprehensive Plan strives to foster growth and redevelopment of existing commercial corridors to retain existing businesses in Des Plaines. The expansion of the existing auto body repair use at the subject property meets this intent while also repurposing a vacant space along a major commercial corridor near downtown Des Plaines.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The property and existing building currently contains all automotive repair uses and has for many years. Blessing Automotive currently operates out of Suite 1 and AP Transmissions, Inc. was an auto repair use previously located in Suite 3 of the building. The current building blends well with the surrounding commercial uses and structures. The repurposing of Suite 3 with another auto repair use does not physically alter the building footprint or exterior, maintaining the existing building appearance, which is appropriate with the existing mixture of commercial and residential developments nearby.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The footprint, height, and appearance of the existing building will remain the same but the interior of building Suite 3 will be renovated to suit the needs of Blessing Automotive.

However, it is unclear to staff whether the site and mix of multiple auto-oriented businesses (service repair and body repair) can co-exist. While there is a parking exhibit identifying the amount of parking spaces allocated to each tenant space, the space constraints on the subject property and the nature of auto-oriented businesses can present concerns related to access and parking.

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, agencies responsible for establishing the Conditional Use shall provide adequately any such services:

Comment: The existing auto service repair facilities are adequately served by essential public facilities and services. The expanded use will also be adequately served by public facilities and 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 will not be detrimental to the economic well-being of the entire community:

Comment: On one hand, the existing auto body repair facility does not create a burden on public *facilities* specifically or is not a detriment to the economic well-being of the community. On the other hand, it is demanding code enforcement resources to monitor and respond to issues.

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:

Comment: The expanded auto body repair use is not anticipated to create additional traffic compared to the existing Blessing Automotive business or the other auto service-oriented business in Suite 2. The former use of Suite 3, before it became vacant, was a similar business type (auto service and/or auto body). After the initial conditional use approvals in 2020, the petitioner installed the appropriate mechanical systems necessary to reduce the production of traffic, noise, smoke fumes, glare, and odors generating from this use. In addition, the petitioner will be required to install all necessary equipment to address all potential concerns for the proposed operations in Suite 3 in compliance with all applicable codes.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The expanded auto body repair use, if it complies with conditions, will not create an interference with traffic on surrounding public thoroughfares. There will be no changes to the existing two access points onto the property from Miner Street that are currently utilized by the existing auto service repair business.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The proposed auto body repair use would not cause the destruction, loss, or damage of any natural, scenic or historic features since the building and site were already developed for the use of a multi-tenant building. The petitioner will maintain the existing foundation landscaping and screening installed while also adding additional landscaping in front of the building to improve the aesthetics of the property.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The proposed auto body repair use can meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District provided all operational and physical (i.e. installation or construction-related) conditions are met.

PZB Additions or Modifications (if necessary): _____

_____.

PZB Procedure and Recommended Conditions: Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use amendment to expand an auto body repair use at 1300 Miner Street. City Council has final authority on the proposal.

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

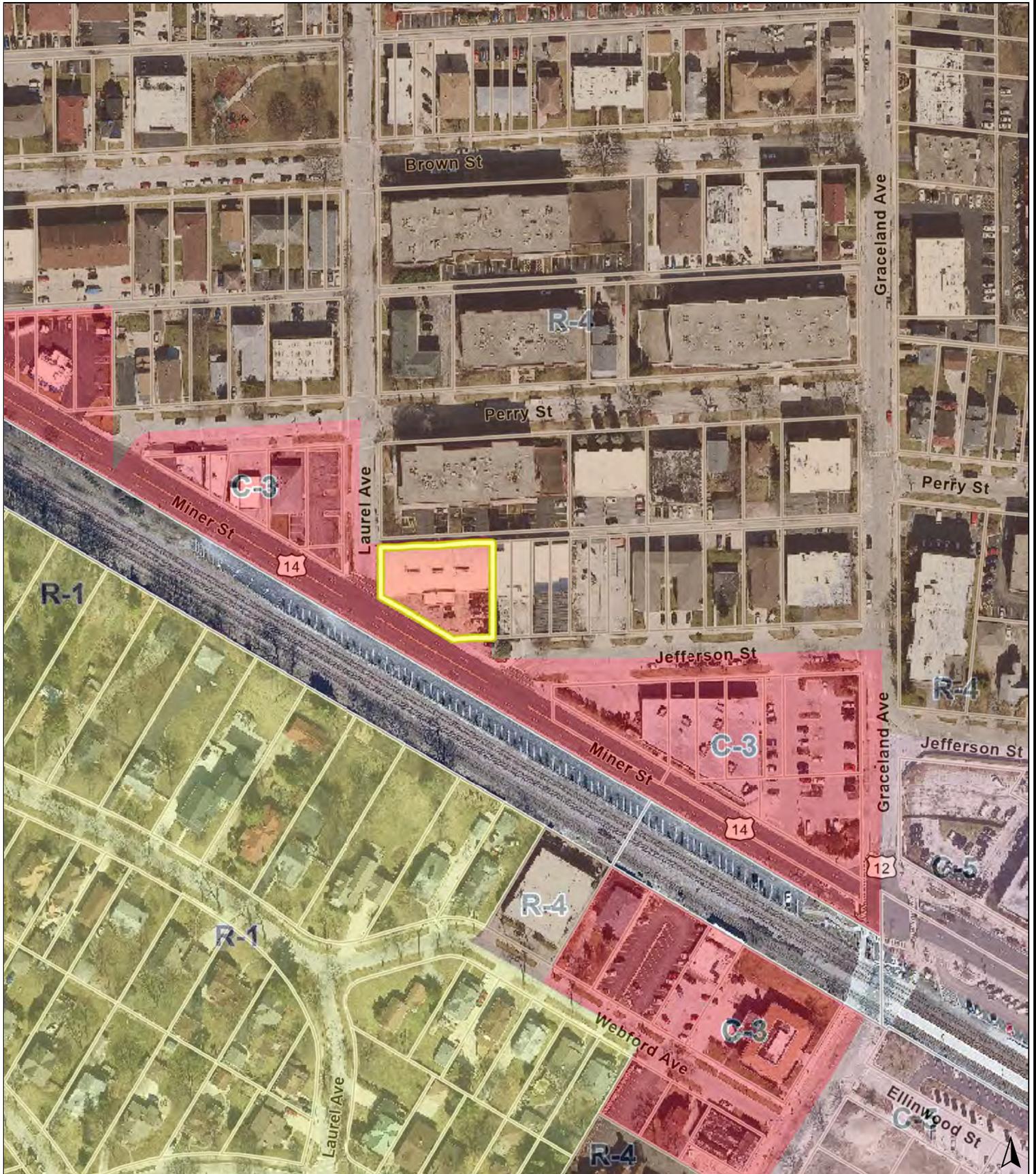
Conditions of Approval:

1. That a landscape area located north and west of the proposed handicap accessible parking spot shall be added, which contains at least four shrubs and one tree prior to issuance of any building permits related to the expansion.
2. Vehicles related to the business cannot be stored or parked overnight on the surrounding residential streets.
3. That the sidewalk along Miner Street should not be blocked by vehicles at any time.
4. There shall be no vehicle drop-off on the property between 6 p.m. and 8 a.m. (Note: The PZB may wish to discuss if the hours are too stringent.)
5. No damaged or inoperable vehicles shall be parked or stored outside at any time.

6. That all submitted permit documents shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.
7. That each business operating on the property shall have separately identified off-street parking spaces that comply with Chapter 9 of the Zoning Ordinance, or that adhere to limitation of any subsequent relief that may be granted.

Attachments:

- Attachment 1: Location and Zoning Map
- Attachment 2: Site and Context Photos
- Attachment 3: ALTA/ACSM Land Title Survey
- Attachment 4: Excerpt from Ordinance Z-7-20 (Conditions)
- Attachment 5: Petitioner's Standards for a Conditional Use
- Attachment 6: Petitioner's Project Narrative
- Attachment 7: Architectural Plans and Site Plan
- Attachment 8: Parking Exhibit



Print Date: 1/19/2023

Notes

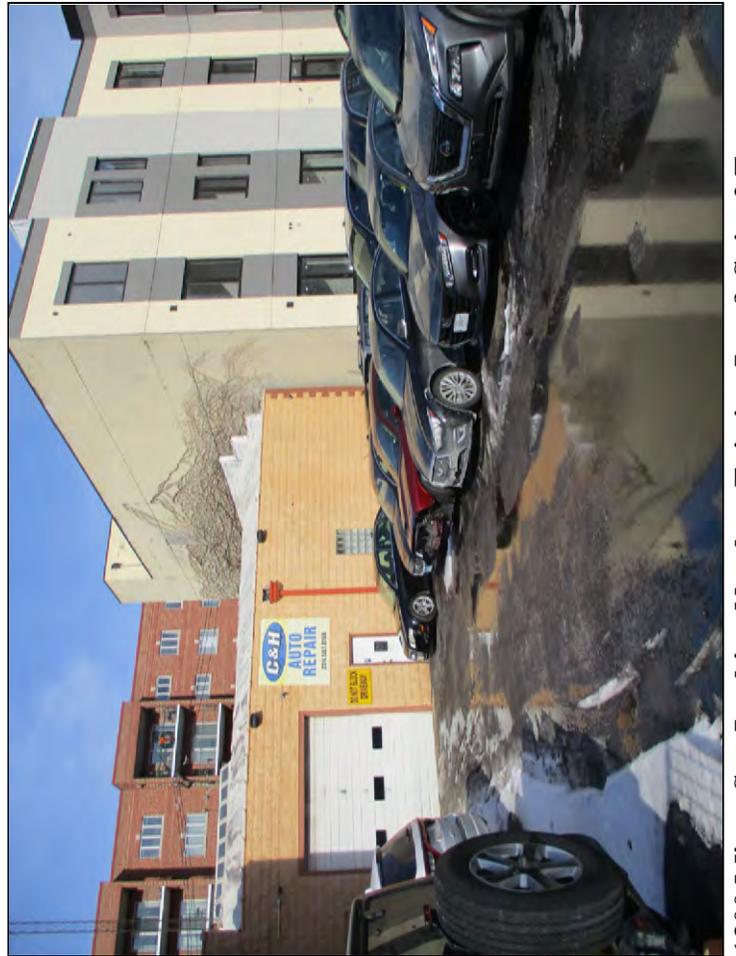
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently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



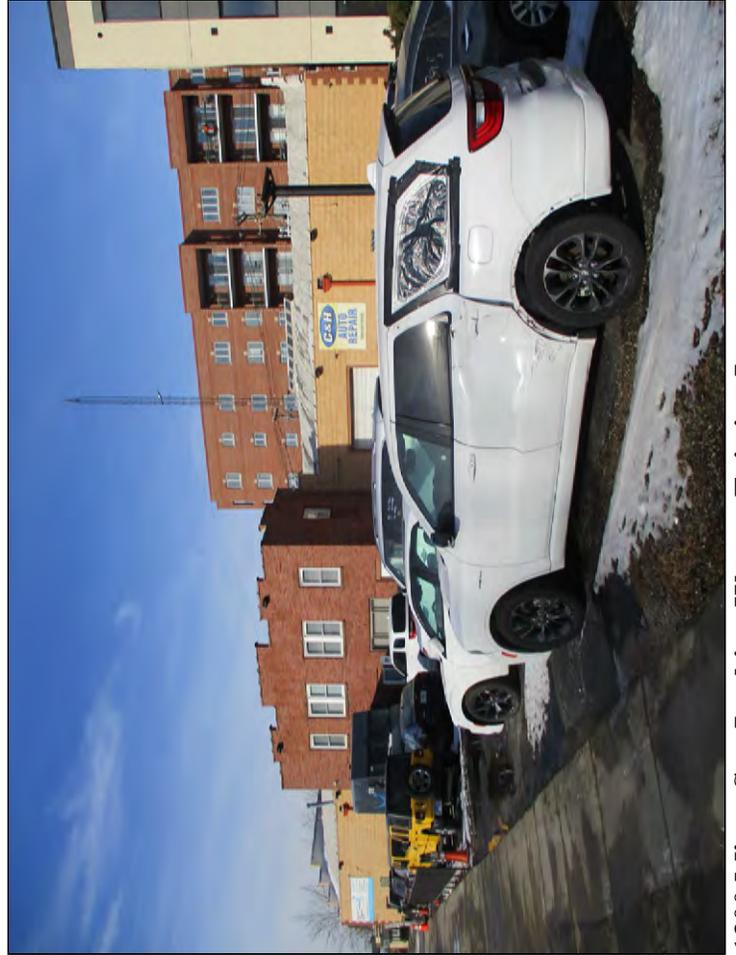
1300 Miner St – Public Notice & Suite 1 Entrance



1300 Miner St – Looking North at Existing Lot



1300 Miner St – Looking North at Existing Lot & Suite 2 Entrance



1300 Miner St – Looking West at Existing Lot



**VICINITY MAP
FLOOD ZONE**

MICHAEL J. EMMERT SURVEYS, INC. DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. THE SUBJECT PROPERTY IS LOCATED WITHIN COMMUNITY NUMBER 170001. THE EFFECTIVE DATE OF THE FLOOD INSURANCE RATE MAP IS AUGUST 18, 2008. THE FLOOD INSURANCE RATE MAP IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

BEARING BASIS

THE COURSE OF IMPER STREET IS ASSUMED TO BE NORTH 58 DEGREES 21 MINUTES 41 SECONDS WEST.

ZONED "C-3" GENERAL COMMERCIAL DISTRICT

ZONING INFORMATION AS PER CITY OF DES PLAINES 841-301-5300

- BUILDING SETBACKS - 10 FEET
- FRONT - 5 FEET - BUILDING IS LEGAL, NON-CORPORATING
- SIDE - 5 FEET - BUILDING IS LEGAL, NON-CORPORATING
- REAR - 5 FEET - BUILDING IS LEGAL, NON-CORPORATING
- MAXIMUM BUILDING HEIGHT - 45 FEET

PARKING

REQUIRED PARKING PER ZONING:
 AUTO REPAIR - 3 SPACES PER RETAIL BAY PLUS ONE SPACE FOR EVERY 200 SQ. FT. OF ACCESSORY RETAIL.
 ACCESSORY RETAIL - 2 SPACES PER 100 SQ. FT. OF ACCESSORY RETAIL.
 AS BUILT PARKING SUMMARY:
 REGULAR SPACES - 6
 TOTAL SPACES - 6
 THERE IS ADDITIONAL ON SITE NON STRIPED PARKING AVAILABLE.

LEGALLY DESCRIBED AS FOLLOWS:

LOTS 26, 27, 28, 29, 30 AND 31 IN BLOCK 5 IN 8TH BROWN'S ADDITION TO DES PLAINES, A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 41 NORTH RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LING NORTH OF THE CHICAGO AND NORTH WESTERN RAILROAD COMPANY (EXCLUDING THEREFROM THAT PART OF SAID LOTS TAKEN FOR THE OPENING OF IMPER STREET IN COOK COUNTY, ILLINOIS).

THE FOREGOING LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS SHOWN IN SCHEDULE A OF THE CHICAGO ZONING ORDINANCE, AS AMENDED, WHICH IS THE ZONING MAP OF THE CITY OF CHICAGO, ILLINOIS, AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY.

CONTAINING 15,347 SQ. FT. OR 0.3523 ACRES

THE SUBJECT PROPERTY ADJACES IMPER STREET (A PUBLIC STREET) ON THE SOUTHWEST AND ADJACES APPROXIMATELY STRAIGHT STREET ON THE WEST. DIRECT ACCESS IS PROVIDED TO THE PROPERTY FROM IMPER STREET.

SCHEDULE B GENERAL EXCEPTIONS

- ITEMS 1 THROUGH 7 - NOT SURVEY RELATED
- ITEM 8 - FOUNDATION BY NUMBER 09-17-408-01-000
- ITEMS 9 THROUGH 13 - NOT SURVEY RELATED
- ITEM 14 - FOUNDATION BY NUMBER 09-17-408-01-000
- ITEMS 15 THROUGH 19 - NOT SURVEY RELATED
- ITEM 20 - FOUNDATION BY NUMBER 09-17-408-01-000
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**PLAT OF SURVEY
ALTA WCSM LAND TITLE SURVEY**
by
Michael J. Emmert Surveys, Inc.

AS WITH ANY STANDARD REAL ESTATE SURVEY FOR ALTA/WCSM LAND TITLE SURVEYS EXTENSIVE FIELD WORK WAS CONDUCTED TO VERIFY THE ACCURACY OF THE SURVEY. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/WCSM LAND TITLE SURVEYS. THE FIELD WORK WAS COMPLETED ON JUNE 18, 2013.

THIS IS TO CERTIFY THAT THIS MAP OF PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/WCSM LAND TITLE SURVEYS. THE FIELD WORK WAS COMPLETED ON JUNE 18, 2013.

DR. MICHAEL J. EMMERT SURVEYS, INC.
 1100 S. LA SALLE AVENUE, SUITE 100
 CHICAGO, ILLINOIS 60606
 PROFESSIONAL LICENSE NO. 0499

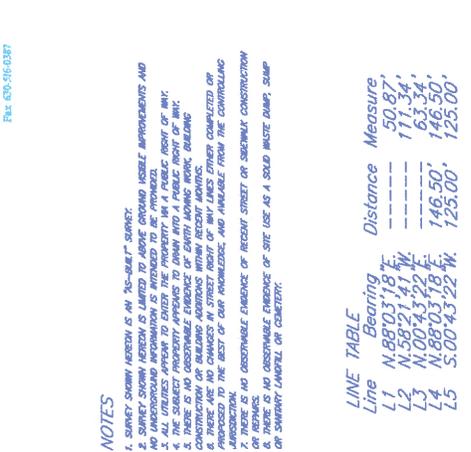


original plat is in colors
 All other details are in black ink
 115 East Vallarta Street
 Elmhurst, Illinois 60126
 Office: 630-516-0383
 Fax: 630-516-0387

NOTES:
 1. SURVEY SHOWN HEREON IS AN "AS-BUILT" SURVEY.
 2. SURVEY SHOWN HEREON IS LIMITED TO ABOVE GRADE INSECT IMPROVEMENTS AND NO UNDERGROUND IMPROVEMENTS IS INTENDED TO BE PROVIDED.
 3. THE SUBJECT PROPERTY APPEARS TO ADJACENT TO A PUBLIC RIGHT OF WAY.
 4. THERE IS NO OBSERVABLE EVIDENCE OF EXISTING MOBILE HOME, BUILDING OR STRUCTURE ON THE SUBJECT PROPERTY.
 5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/WCSM LAND TITLE SURVEYS.
 6. THE SURVEY WAS COMPLETED ON JUNE 18, 2013.
 7. THE SURVEY WAS CONDUCTED BY MICHAEL J. EMMERT SURVEYS, INC.
 8. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
 9. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, STUMP OR SIMILAR UNLAWFUL OR ILLEGAL USE.

LINE TABLE

Line	Bearing	Distance	Measure
L1	N 88°03'19" W	50.87'	
L2	N 00°21'52" W	171.34'	
L3	N 00°21'52" W	163.50'	
L4	N 88°03'19" W	146.50'	
L5	S 00°40'22" W	123.00'	



SYMBOLS

- CONCRETE FILLED POST
- HYDRANT
- MANHOLE
- SOIL
- LEFT
- UTILITY PALE
- CONCRETE CURB
- CONCRETE CURB AND GUTTER
- CONCRETE

SCALE: 1" = 10'

DATE: JUNE 20, 2013
 DRAWN BY: MJE
 CHD. BY: MJE

**1500 MINER STREET
DES PLAINES, ILLINOIS**

4. Those certain “Mixing Room and Paint Booth Specifications” submitted by Petitioner, and consisting of four pages, attached to and by this reference made a part of, this Ordinance as **Exhibit D**.

C. Additional Conditions. The development, use, and maintenance of the Subject Property shall be subject to and contingent upon the following additional conditions:

1. Vehicles related to the business cannot be stored or parked overnight on the surrounding residential streets.
2. The sidewalk along Miner Street must not be blocked by vehicles at any time.
3. There shall be no vehicle drop-off on the property between 6 pm and 8 am.
4. No damaged or inoperable vehicles shall be parked or stored outside at any time.
5. A four-foot black aluminum or wrought iron open-face fence shall be added along the southwest property line abutting the parking area in compliance with all applicable codes; provided, however, that the fence height may be reduced to three-feet for the portion of the fence abutting parking space number 3 as depicted on the Site Plan.
6. A dry chemical fire suppression system shall be installed inside the mixing room and paint booth. Plans and details of this system will be required at time of building permit application.
7. A landscape area located north and west of the proposed handicap accessible parking spot, as depicted on the Site Plan, shall be added, which landscape area must contain at least four shrubs and one tree.
8. All submitted documents submitted to the City as part of the permit application process shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.

SECTION 5. RECORDATION; BINDING EFFECT. A copy of this Ordinance must be recorded in the Office of the Cook County Recorder of Deeds. This Ordinance and the privileges, obligations, and provisions contained herein run with the Subject Property and inure to the benefit of, and are binding upon, the Petitioner and Owner and their respective personal



STANDARDS FOR CONDITIONAL USES

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Conditional Use in terms of the following standards. Keep in mind that in responding to the items below, you are demonstrating that the proposed use is appropriate for the site and will not have a negative impact on surrounding properties and the community. Please answer each item completely and thoroughly (two to three sentences each).

1. The proposed conditional use is in fact a conditional use established within the specific zoning district involved;
Blessing Automotive is an auto body repair shop that is currently an existing Conditional Use in a C-3 District. Blessing Automotive is seeking to expand it's business which in turn is seeking expand their existing Conditional Use for this site.
2. The proposed conditional use is in accordance with the objectives of the city's comprehensive plan and this title;
Yes, this conditional use would be ideal since there is another automotive repair shop next to this vacant space. There would be really no change in the use of these commercial units and should comply with the existing zoning for this area.
3. The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity;
There will be no change to the exterior of the building. Since this building houses two existing automotive business there would be no additional signage of use of the lot.
4. The proposed conditional use is not hazardous or disturbing to existing neighboring uses;
The proposed conditional use is not a hazardous or should be disturbing to the existing neighbors. Since all the activity will occur on the south side of the building, no additional noise will not occur with the neighbors to the north.

5. The proposed conditional use is to be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or the persons or agencies responsible for the establishment of the proposed conditional use shall provide adequately any such services; Yes Blessing Automotive will be served adequately by all public facilities and service. Blessing will maintain services as it has currently. If it needs additional service it should be minor.

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;
The conditional use will not create any excessive additional requirements at public expense for public facilities and services. Blessing will not be detrimental to the economical welfare of the community.

7. The proposed conditional use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
Since Blessing Automotive has been currently operating at it's current location, we feel that this has not been any complaint to its current operation. Therefore, the proposed expansion will not be detrimental to any persons, property, or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

8. The proposed conditional use provides vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares;
The existing entrance points to the property will not change, therefore the current vehicular access to the property will not create an interference with traffic on the public thoroughfares.

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

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

**Blessing Automotive LLC
1300 Miner Street**

December 30, 2022

To: Community Development Department
Village of Des Plaines

Re: Blessing Automotive LLC Auto Body Shop
1300 Miner Street

Project Narrative:

Due to the increase demands of our services as a body shop, a decision must be made to either increase our facilities to accommodate the increase demand or seek a different location which is larger than our present space. However, it has come to our attention that the space directly adjacent to our space is vacant and that space was previously used for automotive services. It would seem like an idea space to expand our present business without the added cost of seeking and moving to a new location. The landlord had provided five additional spaces leaving two parking spaces for the third tenant.

The proposed business hours are:

Monday- Friday 8:00 am to 6:00 pm
Saturday 9:00 am to 2: 00 pm

No over-night drop off will be allowed during non-business hours.

All inoperable vehicles will be stored inside for the duration of repairs.

The business would have two employees.

We anticipate that 10 vehicles would be serviced each week.

The services will include the following:

- Removal of damaged auto parts;
- Realigning car frames and chassis;
- Patching dents and rep and minor auto body damage;
- Fit, attach and weld replacement parts in place;
- Prime, paint and apply finish to restored parts.

All priming and painting will be done inside the existing prefabricated fireproof spray booth with filtered exhaust system. There is an existing grease trap interceptor connected to the floor drain system.

Please note most of the remodeling work for the project will be done inside the building.

All site lighting will remain the same, and all landscaping will remain the same.

If there are additional questions, please feel free to contact me at (773) 653-4882 or my architect, Edward Yung at (847) 845-3352.

Melbin Ordonez

Blessing Automotive.

NO NEW LANDSCAPING IS PROPOSED
ALL EXISTING LANDSCAPING WILL BE
RETAINED AND MAINTAINED

PARKING REQUIREMENT, PER 12-9-7
COMMERCIAL/AUTO BODY SHOP (AUTO REPAIR)
2 PER SERVICE BAY

PROVIDED:
5 SERVICE BAYS
13 CUSTOMER SPACES
1 ADA SPACE
2 EMPLOYEE SPACES

OUTDOOR LIGHTING FOR OFF-STREET
PARKING PER 12-12-10: LIGHT

PAKING LIGHTING ARE EXISTING



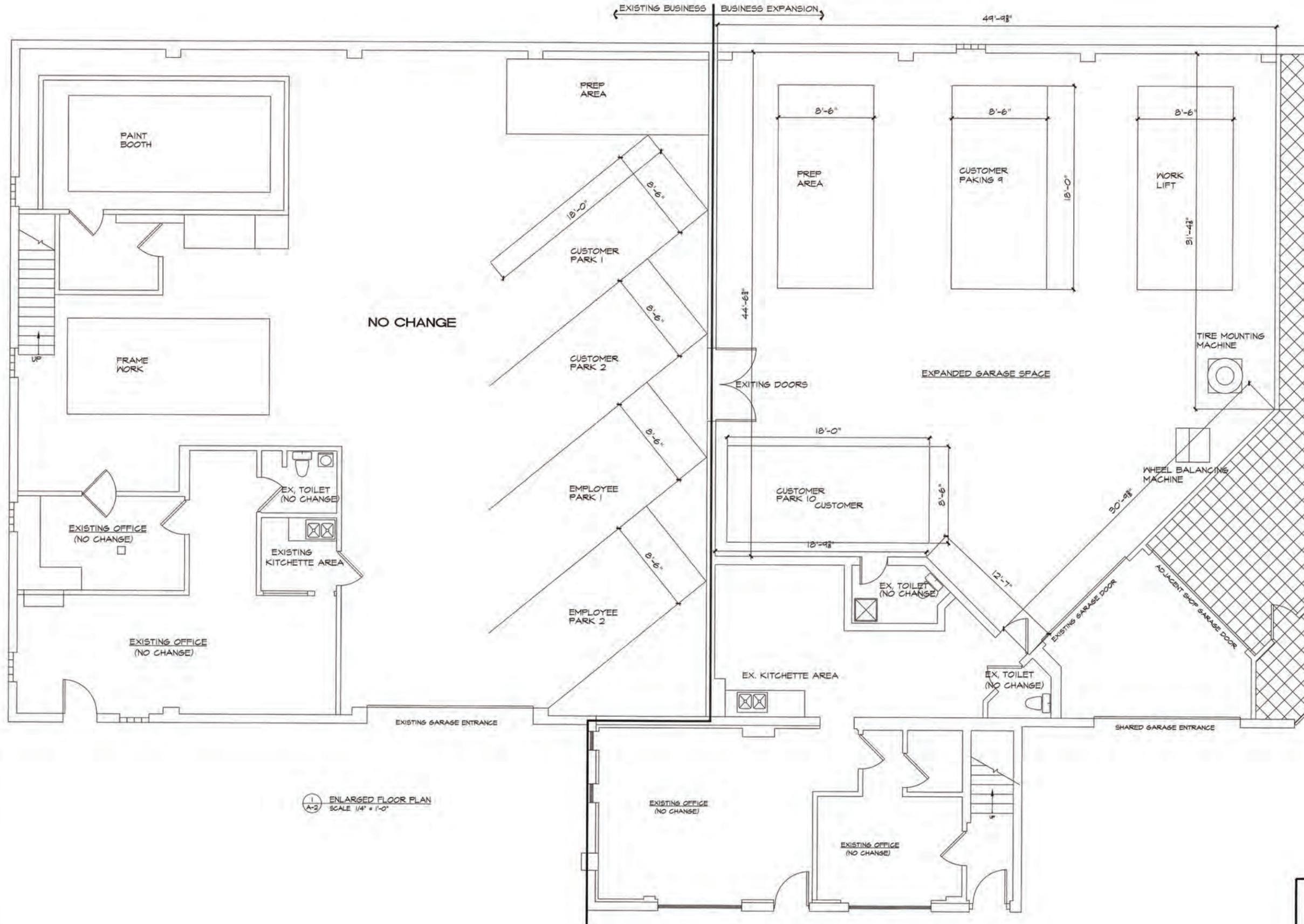
1 SITE PLAN
A-1 SCALE 1/8" = 1'-0"



YUNG Architects LTD.
ARCHITECTS/PLANNERS/INTERIORS/CONSTRUCTION MANAGERS
1100 WEST NORTHWEST HIGHWAY, MT. PROSPECT, ILLINOIS 60056
TELEPHONE: (847) 845-3352 EMAIL: YUNGARCH@COMCAST.NET

BLESSINGS AUTOMOTIVE LLC
EXPANSION TO UNIT 2
1300 Miner Street - Unit 2
DES PLAINES, ILLINOIS 60056

DATE	
REVISIONS	
NUMBER	
DRAWN BY:	JL & EY
DATE ISSUED:	11/17/2022
PROJECT 2201	
SHEET TITLE:	ARCHITECTURAL & COMBINED SITE PLAN
SHEET #:	A-1



1
A-2 ENLARGED FLOOR PLAN
SCALE 1/4" = 1'-0"

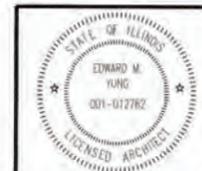
YUNG Architects LTD.

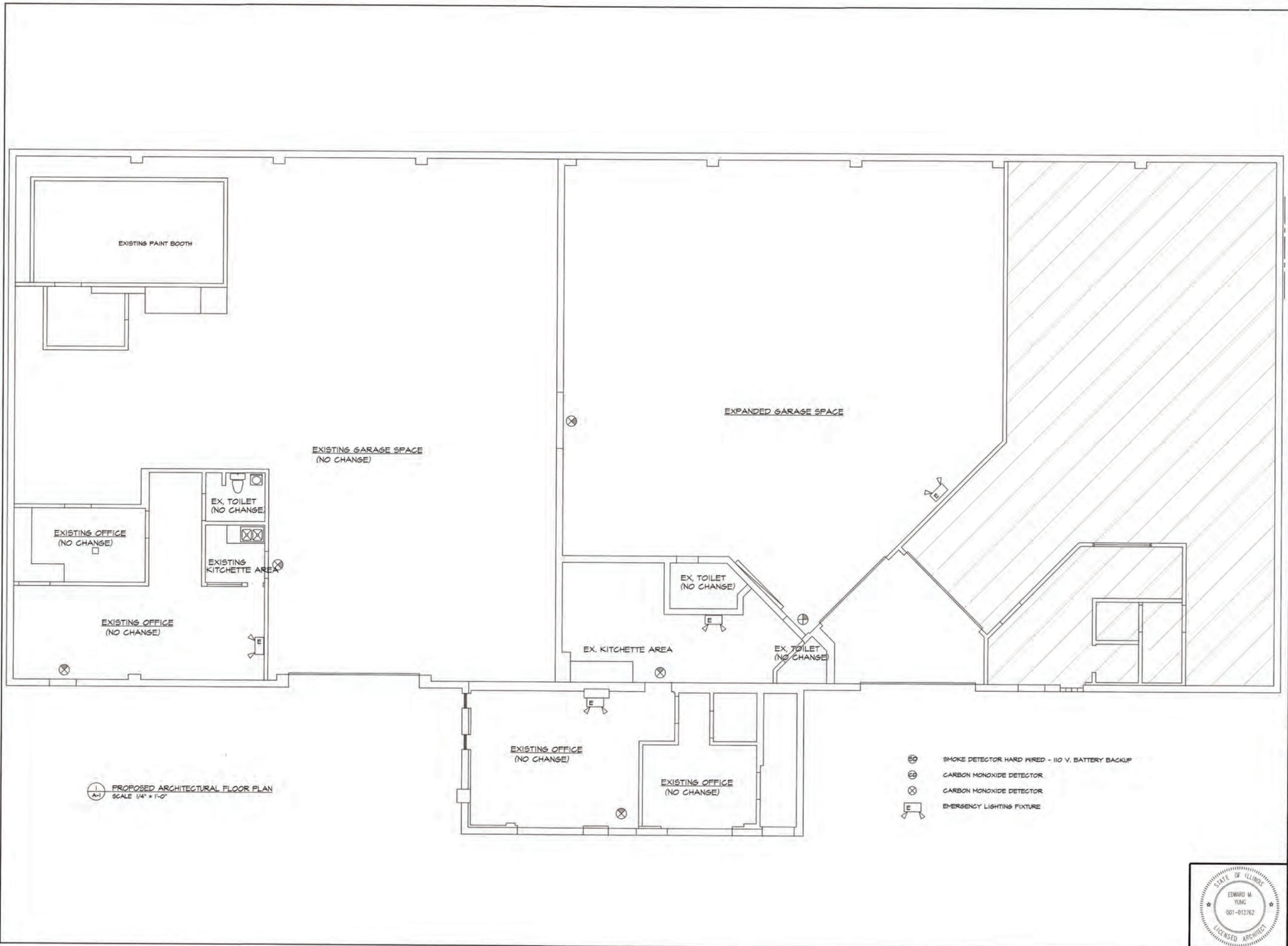
ARCHITECTS/PLANNERS/INTERIORS/CONSTRUCTION MANAGERS
1100 WEST NORTHWEST HIGHWAY, MT. PROSPECT, ILLINOIS 60056
TELEPHONE (847) 845-3352 EMAIL: YUNGARCH@COMCAST.NET

INTERIOR RENOVATION
OF EXISTING
TWO STORY RESIDENTIAL
5622 SOUTH ELIZABETH STREET,
CHICAGO ILLINOIS 60638

DATE	REVISIONS	NUMBER

DRAWN BY: EMM
DATE ISSUED: 11-17-2022
PROJECT 2261
SHEET TITLE: ARCHITECTURAL PLAN -
SHEET # A-2





YUNG Architects LTD.
 ARCHITECTS/PLANNERS/INTERIORS/CONSTRUCTION MANAGERS
 1100 WEST NORTHWEST HIGHWAY, MT. PROSPECT, ILLINOIS 60056
 TELEPHONE: (847) 845-3352 EMAIL: YUNGARCH@COMCAST.NET

BLESSINGS AUTOMOTIVE LLC
EXPANSION TO UNIT 2
 1300 Miner Street - Unit 2
 DES PLAINES, ILLINOIS 60036

DATE	REVISIONS	NUMBER

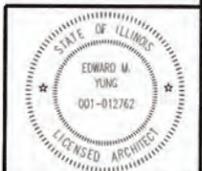
DRAWN BY:
JL & EY

DATE ISSUED:
07/28/2022

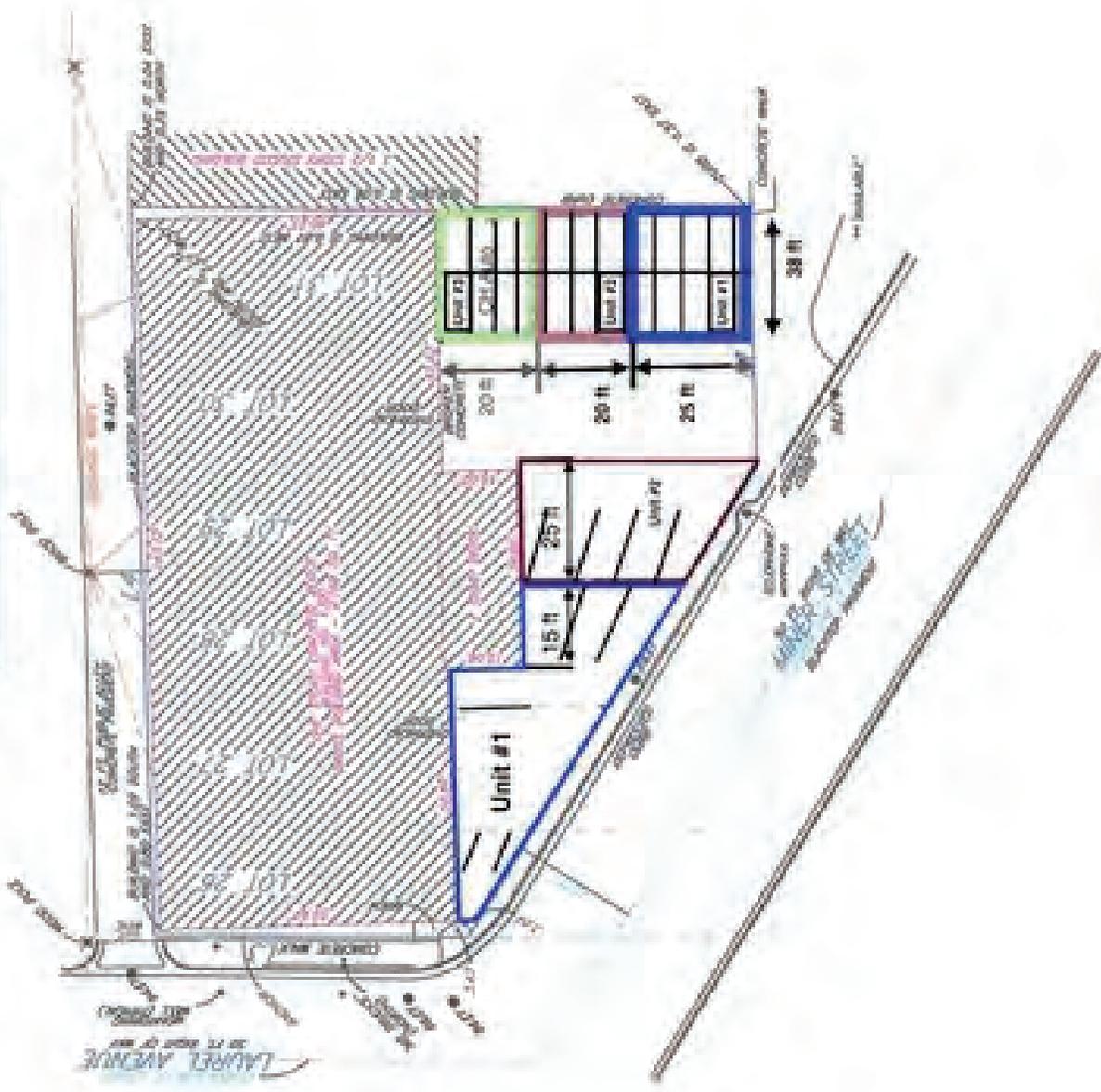
PROJECT 2261

SHEET TITLE:
ARCHITECTURAL PLAN -
FLOORPLANS, SCHEDULES
& NOTES

SHEET #:
EM-1



Parking Map



MEMORANDUM

Date: January 24, 2023

To: Planning and Zoning Board (PZB)

From: Samantha Redman, Associate Planner

Cc: John T. Carlisle, AICP, Director of Community and Economic Development

Subject: Off-Street Parking Variation and Conditional Use for Proposed Commercially Zoned Assembly Use at 1683 Elk Blvd

Update: The Planning and Zoning Board (PZB) approved the parking variation and recommended the conditional use to City Council at the December 13, 2022 meeting. However, shortly after the meeting, the Fire Prevention Bureau and Building Division re-examined the proposed use and determined the maximum fire occupancy could be increased. The original occupancy was 21 people; the new approved maximum occupancy is 49. The new calculation takes into consideration the floor plan of the building and area of the intended assembly use, excluding portions of the building that would be used for office use.

The petitioner has re-submitted this application to increase the requested number of people for the assembly use. Because the original request only estimated a maximum of 21 people, the PZB must re-evaluate the request for an assembly use with a maximum of 49 people and re-consider the request for parking variation.

Issue: The petitioner is requesting (i) a variation from the collective off-street parking requirements for the mix of uses proposed at the subject property and (ii) a conditional use permit to operate a Commercially Zoned Assembly Use in the C-3 General Commercial District.

PIN: 09-16-300-119-0000 and 09-216-300-120-0000

Petitioner: Jiju Mathew, Living Hope Church, 1683 Elk Blvd., Des Plaines, IL, 60016

Owner/Property

Control: Thomas H. Ahlbeck (via Elk Creek LLC, 1651 Elk Blvd., Des Plaines, IL 60016 and Elk Boulevard LLC, 1665-1695 Elk Blvd., Des Plaines, IL 60016)

Case Number: #22-048-CU-V

Ward Number: #1, Alderman Mark Lysakowski

Existing Zoning: C-3, General Commercial

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

Surrounding Land Uses: North: Commercial buildings
South: Open space/river
East: Single Family Residence
West: Commercial Building

Street Classification: Elk Blvd is classified as a local street.

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

Property/Zoning History: This property is one unit of a two-building, six-unit office complex (west building: 1651 Elk Blvd., east building: 1665-1695 Elk Blvd.), and is one zoning lot. The property is zoned C-3 and the uses operating at this site have consisted of commercial office space throughout the known history of the development. This site is located within the 100-year floodplain, requiring adherence to Federal Emergency Management Agency (FEMA) regulations for any construction in this location.

Project Description: The petitioner, Jiju Mathew of the Living Hope Church, is proposing a conditional use to allow a commercially zoned assembly at 1683 Elk Blvd. Specifically, the petitioner is interested in using one unit of the 1665-1695 building (east building) for worship services. The church has used this property as an office space for one year and now proposes to host worship services on Sundays and weeknights after standard business hours.

Proposed Use and Hours of Operation

1683 Elk is one unit out of six in a two-building, multi-tenant office complex (six total uses/tenants). All other tenants are classified as “office” in the Zoning Ordinance, including Ahlbeck and Company, an accounting company; a dentist office; an IT company; a video production company; and the Center of Concern, a nonprofit organization that provides housing and social services to senior and other at-risk populations.

The attached floor plan of the 1683 Elk unit includes office space and a common meeting area that the petitioner intends to use for worship services. The applicant requests a maximum of 49 people for the assembly use. The proposed hours of operation are as follows:

- 9 a.m. to 6 p.m. for hours of the office use (Tuesday through Friday; Saturday and Sunday for occasional office use)
- 5 p.m. to 10 p.m. for assembly uses on weekdays (Monday through Friday)
- 7:30 a.m. to 3 p.m. for assembly uses on Saturdays and Sundays

Generally, the hours of operation for the other tenants in this office building are Monday through Friday, 8 a.m. to 5 p.m.

Off-Street Parking

Pursuant to Section 12-9-7, commercially zoned assembly uses for places of worship are required to provide 1 space for every 60 square feet of gross floor area. For comparison, the existing office use for the 1683 space requires 1 space for every 250 square feet of gross floor area. The definition of “floor area” in Section 12-13-3 allows spaces such as restrooms, mechanical rooms, hallways, and storage areas to be excluded. The following reflects the required parking.

Address	Business	Use	Gross Floor Area	Existing Required Parking	New Required Parking
1651 Elk Blvd	Ahlbeck and Company	Office	2,673	10.69	10.69
1665 Elk Blvd	Center of Concern	Office	3,632	14.53	14.53
1677 Elk Blvd	H M S Media	Office	1,848	7.4	7.4
1683 Elk Blvd	Living Hope Church	Office (existing); Commercially Zoned Assembly (proposed)	1,727	6.9	28.78
1689 Elk Blvd	Jensen	Office	1,727	6.91	6.91
1695 Elk Blvd	Des Plaines Family Dentistry	Office	1,713	6.85	6.85
			Total*	54	76
*Spaces rounded up to next whole number					

The parking lot currently includes 56 standard parking spaces and two accessible spaces (58 total) to serve the two buildings collectively. Although the 1651 Elk (office building) adjoins 1645 Elk (Pavestone Brick Paving), Pavestone is a separate zoning lot, with its own parking lot and does not use this parking area.

A minimum of three accessible spaces are required, so designating additional accessible parking spaces to satisfy Section 12-9-8 is a recommended approval condition. The spaces in front of 1683 Elk have striping for a loading zone and a handicap-accessible curb but are missing some necessary striping and signage. These may be an option for the petitioner to fulfill the condition.

Staff determined the available parking for all tenants in the complex – *without* the proposed assembly use – meets the requirement. Section 12-9-3.A provides that required parking may be provided collectively. Adding the assembly use increases the total requirement to 76, making the parking lot 18 spaces short of the requirement without the practical ability to add more.

The petitioner’s narrative states a maximum of 35 spaces would be used in this

parking lot for this use. However, it is important to note the assembly use is not proposed to overlap in hours with the other office uses. The petitioner states in the attached Response to Standards that no tenants in this office complex currently operate on Sunday, and therefore the parking lot would not be in regular use by the other businesses in the complex on this day of the week. Note the neighboring tenants do not have hours of operation after 5 p.m. on any day of the week, leaving many spaces unoccupied. The petitioner's narrative also states the attendees will be mostly comprised of families, anticipating a maximum of 30 families in attendance with many in the same vehicle rather than driving separately.

The attached Parking Study completed in October 2022 indicates an average of 32 spaces are occupied on a weekday and average of two spaces occupied on Sundays. Additionally, the church requests to use the space on occasional evenings for meetings or other worship activities, intending to operate after 5 p.m. and not exceeding 20 attendees.

Standards for Variation

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.**

Comment: The existing 58 parking spaces are not sufficient to meet the parking requirement for the proposed mix of uses on this property. However, the proposed use will operate after business hours of the other tenants in this office complex. In addition, many attendees are in the same family and would likely come to the property together in one vehicle.

Without the variation, to meet the existing parking requirements the occupants and/or the property owner would need to (i) expand the parking lot to accommodate the proposed assembly use or (ii) acquire or sign a parking agreement with property owners with available parking on nearby parcels to meet the collective parking requirements in Section 12-9-3. In staff's view, the second option would necessitate pedestrian crossings of Elk Boulevard where there is not a convenient or reasonably close pedestrian crossing.

As discussed in Standard 2 below, expansion of the parking area is not feasible due to physical constraints. Due the limitations on the size of the assembly and the location of the property, it presents a hardship and practical difficulty to meet the parking requirements in Section 12-9-7.

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.

Comment: 1683 Elk is a small space within a 100-year floodplain in close proximity to the river and a water feature to the south, which presents constraints to construction and expansion of impervious surface (parking lot) due to local and federal regulations.

If required to meet collective parking standards pursuant to Section 12-9-7, the acquisition of other parking areas would also present a challenge due to the location. The collective parking requirements limit the location of any off-street parking spaces to properties that are partially or fully unoccupied (i.e., no existing uses) within 1,000 feet of the subject parcel. There are few available vacant or partially vacant properties within 1,000 feet that could provide an additional 18 parking spaces, and anything across the street might induce unsafe crossings.

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.

Comment: At the time of construction, the site met parking requirements and did not have the same physical constraints (floodplain and development of the surrounding parcels) that now limit the expansion of the parking lot. When constructed, an assembly use was not envisioned to occupy any of the office spaces. However, it is increasingly common for churches and other places of worship to occupy office spaces, as it is often more economical for smaller churches to lease existing properties rather than purchasing or constructing new facilities.

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.

Comment: If the variation is not approved, the conditional use could not be granted because parking requirements for the new mixture of uses could not be satisfied due to the physical limitations of the site, discussed in Standard 2.

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.**

Comment: This variation would not constitute a special privilege for the occupant. It is a reasonable request in this circumstance to reduce the parking standards due to the physical limitations of the property.

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.**

Comment: As discussed in the petitioner’s narrative, the petitioner and property owner have confirmed with neighbors that the use of the parking spaces on Sunday and after hours would not disturb their business activities. A parking agreement exists between the property owner and petitioner discussing the exact hours and spaces allocated for Living Hope Church to ensure the proposed use is in harmony with the other tenants and that off-street parking demand is met to limit any potential nuisance to the neighborhood.

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.**

Comment: Expansion of the parking lot to accommodate the new use would be challenging due to the location in the floodplain, constraints with the existing water feature to the south, and the fact the area surrounding this site is already fully developed. If the church were required to find additional parking elsewhere, it would be challenging to meet the collective parking requirements section of the Zoning Ordinance; the petitioner or the property owner would need to locate and sign an agreement with the owner of a parcel within an allowable distance of 1683 Elk, with available parking that could accommodate this use. This would be unnecessary, as the narrative discusses the lack of overlap in the hours of operation of the other tenants and the availability of parking during the proposed hours of service.

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.**

Comment: This is the minimum required relief needed to alleviate the hardship.

PZB Additions or Modifications (if any): _____

Standards for Conditional Use

The following is a discussion of standards for zoning amendments from Section 12-3-4(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided below and in the petitioner’s response to standards. The PZB may use this rationale toward its recommendation, or the Board may make up its own.

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

Comment: Commercially zoned assembly use requires a conditional use permit in the C-3 Zoning District.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: Although his use would not conflict with any overarching policies of the comprehensive plan, the 2019 Comprehensive Plan illustrates this area to be used for commercial activities.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: All uses will be located within an existing building; no changes to the appearance are proposed. The worship services will occur indoors. Although an office complex, this use will not alter the appearance of this property and will not result in excess traffic or deliveries.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: As discussed in the Petitioner’s Response to Standards, the petitioner discussed the proposed worship services with each of the existing tenants in the office complex and confirmed no businesses operate on Sunday. The businesses in this complex operate during typical business hours, 8 a.m. to 5 p.m. The proposed worship services will occur between 7:30 a.m. and 3 p.m. on weekends and no activities after 10 p.m. are proposed after business hours during weeknights. Parking can be accommodated on site and will not require any overflow parking into the adjacent neighborhood.

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, agencies responsible for establishing the Conditional Use shall provide adequately any such services:**

Comment: The existing building has been adequately served by essential public facilities and services. Staff has no concerns that the proposed use will not be adequately served with essential public facilities and 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 will not be detrimental to the economic well-being of the entire community:**

Comment: The proposed use would neither create a burden on public facilities, nor would it be a detriment to the economic well-being 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:**

Comment: As discussed in this staff report and the Petitioner's Narrative and Response to Standards, the hours of operation for the proposed uses do not overlap with the hours of operation for the other existing tenants; therefore, the parking demand of this request would be met. No larger truck traffic will be generated by any uses. All proposed activities would take place inside the building reducing any noise, smoke fumes, light, glare, odors, or other concerns.

PZB Additions or Modifications (if necessary): _____

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

Comment: Vehicular access will continue to be provided through one access point on Elk Blvd. This use will generate new traffic and parking on Saturdays and Sundays. However, the site is located on Elk Blvd, a generally low-traffic connection between Rand Road and River Road with two lanes of traffic in either direction, and near two arterial roads; therefore, the existing street network is capable of accommodating new traffic. The number of vehicles entering/exiting the parking lot would not exceed the number of vehicles typically located at the site Monday through Friday. As discussed in the parking section of this report, adequate parking would be available for this use given the worship services will not overlap with the normal business owners of the other businesses in the complex. Refer to the Parking Study for additional details.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The subject property is within an existing building and thus would not result in the loss or damage of natural, scenic, or historic features. No new development is proposed for this site.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The proposed uses comply with all applicable requirements as stated in the Zoning Ordinance. A Standard Variation for parking is necessary and submitted concurrently with this application to provide relief to the parking standards for this conditional use.

PZB Additions or Modifications (if necessary): _____

_____.

PZB Procedure and Recommended Conditions: There are two requests upon which the PZB must take action. First, a Standard Variation, for which the PZB is the deciding body, and second, a recommendation to the City Council regarding a conditional use permit.

Standard Variation

Pursuant to Sections 12-3-6(F), (I), and (J) of the Zoning Ordinance, the PZB may vote to approve, approve with conditions, deny, or approve relief less than requested. The request is to vary the off-street parking requirement for the proposed mix of uses, which includes a commercially zoned assembly, from 76 spaces to 58 total spaces. This relief is 24 percent of the requirement, which falls under a Standard Variation (up to 30 percent relief).

If the variation fails, consideration of the conditional use will be moot.

Conditional Use

Pursuant to Section 12-3-4(E) of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or denial of the conditional use. The City Council has final authority over this request.

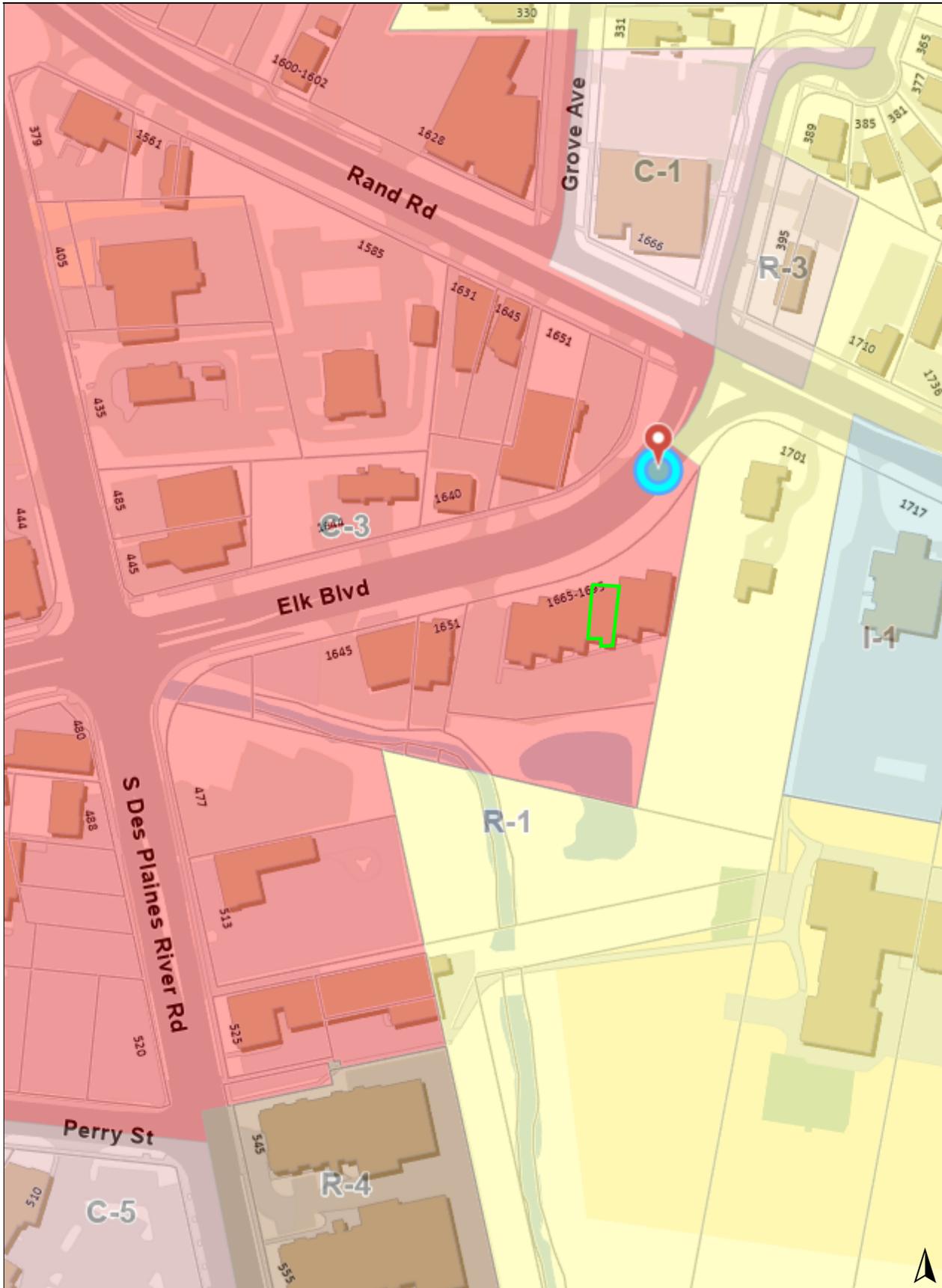
Should the PZB vote to approve the variation and recommend approval of the conditional use, staff suggests the following conditions:

Recommend Conditions of Approval:

1. The Subject Property shall only be used for the Activities during the following times:
 - a. 9 a.m. to 6 p.m. for hours of the office use (Tuesday through Friday; Saturday and Sunday for employees, as needed).
 - b. 5 p.m. to 10 p.m. for assembly uses on weeknights (Monday through Friday).
 - c. 7:30 a.m. to 3 p.m. for assembly uses on Saturdays and Sundays.
 - d. Any other hours of operation that are approved by the Director of Community and Economic Development.
2. Additional accessible parking for the development shall be located on site to meet the mobility accessible standards pursuant to Section 12-9-8.
3. The Activities and the Subject Property must comply at all times with the maximum occupancy load determined by the Fire Department.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Project Narrative and Responses to Standards
- Attachment 4: Parking Study
- Attachment 5: Floor Plan
- Attachment 6: Plat of Survey/Site Plan



Legend

- Subject Site
- Zoning
- C-1: Neighborhood Shopping
- C-3: General Comm
- C-5: Central Busines
- I-1: Institutional
- R-1: Single Family Residential
- R-3: Townhouse Residential
- R-4: Central Core Residential



Print Date: 12/5/2022

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.



1683 Elk Blvd – Public Notice Sign



North side of office building, facing Elk Blvd



1677 and 1683 Elk Blvd front entrances

Attachment 2



1651 Elk Blvd, adjacent building and portion of available parking lot



View of parking lot facing west



View of parking lot facing east



View of separation between residential property to the east and office complex; separated by six foot tall, solid fence



View of adjacent commercial properties across from property to the north



Living Hope

1683 Elk Boulevard, Des Plaines, IL 60016

pastors@onelivinghope.com · admin@onelivinghope.com

City of Des Plaines
Planning and Zoning Division
Community and Economic Development Department
1420 Miner Street
Des Plaines, IL 60016

TO WHOM IT MAY CONCERN:

Living Hope Church respectfully requests approval for a conditional use permit and a standard variation for parking of its current church office, located at 1683 Elk Boulevard in Des Plaines, as its regular place of worship and meeting for a period of two to three years.

We had originally submitted our application on October 17th, where the fire department approved of the code based on the number of people we were expecting indicated clearly in our narrative however within a few days prior to the public hearing on December 13th, the fire department confirmed the maximum occupancy of 21. We are now re-submitting and revising our application for a conditional use permit due because we have received confirmation that the maximum occupancy has changed from 21 to 49.

Living Hope Church currently has four employees as listed here:

- Jiju Mathew, Co-Lead Pastor;
- Jimi Vilson, Co-Lead Pastor;
- Nigel Probert, Intentional Transitional Pastor (until the end of March 2023); and
- Mabel Philip, Communication Coordinator.

Living Hope would like to use our commercial zoned office space for worship on Sundays. The following hours listed would be our hours of operation for a typical office administration use and assembly use:

- 9 A.M. to 6 P.M. for hours for office use (Tuesday through Friday; Saturday/Sunday for employees, as needed)
- 5 P.M. to 10 P.M. for assembly uses on weeknights (Monday through Friday)
- 7 A.M. to 3 P.M. for assembly uses on Saturdays and Sundays

www.onelivinghope.com

The maximum families we have is about 30 units but on a typical given Sunday, we have 12-16 family units attending Sunday worship service. We are expecting to utilize 28 to 35 parking spaces in the lot.

We would continue using the church office for the employees as stated above in addition to meetings on weeknights or weekends as needed. We likely will use the church office one to two nights per week on a regular basis.

At most, we expect 20 people in attendance on a weeknight. We may also want to use the church office to host special ministry events. For example, we may host a small group of women for a conference or have a youth group night.

We are requesting a standard variation to reduce the parking requirement for this property to accommodate the worship service use. Per the City of Des Plaines, the entire office complex would require 76 spaces to meet parking requirements with this new use. We are requesting a reduction of 58 spaces, the total number of spaces on site. As discussed, the other uses on site do not have hours of operation overlapping with our proposed use, and therefore we respectfully request a variation.

Our current landlord has asked and received affirmations from the businesses within the complex regarding this situation—use on Sundays for worship services. Weeknight use should not pose a problem for these businesses since our meetings are after normal business hours. We will use the parking lot, which should be ample space given our current number of congregants, for weeknight meetings and weekend use.

Furthermore, we have an existing shared use agreement for parking facilities with our current landlord confirming that this proposed use will not cause any disturbance to our neighbors within the office complex. Here are the terms:

USE OF FACILITIES

Neither party shall have exclusive use of the facilities, but they shall be always shared and in particular:

- 5 of the undesignated parking spaces in the parking lot at 1665-1695 Elk Boulevard owned by Elk Creek LLC will be available for the use of Living Hope Church, a 501(c)(3) nonprofit at all times in accordance with the lease. This will apply during normal business hours will be 9 a.m. to 5 p.m.
- A total of 26 of the undesignated spaces in the parking lot located at 1651-1695 Elk Boulevard owned by either Elk Creek LLC or 1651 Elk Boulevard LLC will be available for the use of the Living Hope Church, a 501(c)(3) non-profit outside of normal business hours including primarily evenings and Saturdays.

- A total of 53 of the spaces in the parking lot located at 1651-1695 Elk Boulevard owned by Elk Boulevard or Elk Creek LLC will be available for the use of Living Hope Church, a 501(c)(3) non-profit from 6 a.m. to 2 p.m. on Sundays.

Thank you for taking the time to review our application.

Sincerely,



Jiju Mathew, Co-Lead Pastor



Jimi Vilson, Co-Lead Pastor



STANDARDS FOR CONDITIONAL USES

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Conditional Use in terms of the following standards. Keep in mind that in responding to the items below, you are demonstrating that the proposed use is appropriate for the site and will not have a negative impact on surrounding properties and the community. Please answer each item completely and thoroughly (two to three sentences each).

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

Yes, this proposed conditional use is allowed within the C-3 zoning district.

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

Worship centers are not specifically discussed in the comprehensive master plan. This proposed conditional use does not conflict with any policies of the master plan.

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

The proposed conditional use will continue to be maintained as such that we will not be making any changes in appearance with the existing or intended character of the general vicinity.

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

The proposed conditional use will not be hazardous or disturbing to existing neighbor uses where the owner received affirmation from the neighbors for this proposed conditional use and has indicated that they are not in operation or is in use on a Sunday. Therefore, it will not disturb existing neighbor and their use.

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

The proposed conditional use will be primarily limited to indoor use as such it will not impact essential public facilities and services.

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;

The proposed conditional use does not create excessive additional requirements at public expense and will not be detrimental to the economic welfare of the community. This proposed conditional use is place of worship and desires to serve the community instead of taking away from or impacting local businesses.

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;

The proposed conditional use does not involve uses that would be detrimental to any specified areas as it will be in compliance with the environmental performance standards. Even though there might be increased traffic, it is not excessive or detrimental to any persons, property or the general public.

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

The proposed conditional use does provide access to the property and do not anticipate traffic interference as the unit is located off two main roads (Rand and River Roads) where this commercial space does have its own parking lot with 58 parking spaces, and 7 of those parking spaces are for the 1683 unit.

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

The proposed conditional use does not result in any destruction, loss or damage of natural, scenic or historical features as our use will be limited to indoor use.

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

Yes, this proposed conditional use is and will maintain compliance with all regulations and local ordinances.

STANDARDS FOR VARIATIONS

In order to understand your reasons for requesting a variation, please answer the following items completely and thoroughly (two to three sentences each). Variation applicants must demonstrate that special circumstances or unusual conditions prevent them from following the specific regulations of their zoning district. Applicants must prove that the zoning regulations, in combination with the uncommon conditions of the property, prevents them from making any reasonable use of the land. Keep in mind that no variation may be granted that would adversely affect surrounding properties or the general neighborhood.

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.

The existing parking requirement requires enough parking spaces to accommodate all uses for the property. The parking lot, combined with the parking available on the adjacent lot, does not amount to enough parking or space for constructing additional parking to accommodate the proposed assembly use and the existing office uses. The unusual shape of the property, in a developed area, constrained by a water feature to the south, and the location of the property in the floodplain, makes expansion particularly challenging.

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.

The assembly use is within an existing office building. This building is within an existing floodplain and adjacent to a creek, which presents constrains to construction and expansion of impervious surface (parking lot). An alternative to the variation is constructing an additional parking area, and the property owner would need to acquire additional property and expand the parking lot to accommodate this assembly use; however, this is a developed area and there is no available space for this type of expansion.

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.

At the time of the construction of this building, an assembly use was not envisioned to occupy any of the office spaces. However, it is increasingly common for churches and other places of worship to occupy office spaces, as it is often more economical for smaller churches to lease existing properties rather than purchasing or constructing new facilities. At the time of construction, the site met parking requirements and did not have the same floodplain constraints.

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.

If the variation is not granted, the conditional use for the worship facilities at this location would likely not be granted and deprive the property owner and occupants of the full use of the space.

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.

This variation would not constitute a special privilege for the occupant. This variation allows for full utilization of the space. The parking variation allows for the use of the site after the hours of operation by other businesses, fully utilizing the available parking spaces that would otherwise be unoccupied after business hours for the other office tenants.

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.

A conditional use permit is being processed alongside this variation, allowing for worship services in this unit. The conditional use process has not identified any issues with this use in this location and Living Hope Church has taken the time and effort to work with the tenants and the property owner to ensure the proposed use is in harmony with the neighbors, including signing a parking agreement; the parking variation will not create an incompatibility with the existing neighborhood.

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.

No other reasonable alternative to this variation is available. Expansion of the parking lot to accommodate the new use would be challenging due to the location in the floodplain, constraints with the existing creek, and the fact the area surrounding this site is already fully developed. If the church was required to find additional parking elsewhere, it would be challenging to meet the collective parking requirements section of the zoning ordinance; Living Hope or the property owner would need to locate and sign an agreement with a property owner of a parcel within 1000 feet of 1683 Elk, with available parking that could accommodate this use. This would be unnecessary, as the narrative discusses the lack of overlap in the hours of operation of the other tenants and the availability of parking during the proposed hours of service.

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.

This is the minimum required relief needed to alleviate the hardship.

October 16, 2022

To,
LIVING HOPE CHURCH
1651-1695 ELK BLVD
DES PLAINES, IL

Attn: Mr. Jiju Mathew (Pastor)

SUBJECT: Parking Evaluation Study

Dear Mr. Mathew,

This memorandum summarizes the results of a parking evaluation conducted by Kaletech, LLC, for Living Hope Church located at 1683 Elk Blvd, Des Plaines, Illinois. As proposed, the Living Hope Church occupies the existing one-story commercial building located on the south side of Elk Blvd. The existing commercial building **currently has a total of 58 parking spaces**. Attached is a copy of an existing Plat of Survey & site Plan (**Attachment 1**)

It is estimated that during the normal weekdays there will be only about 4 to 6 Church parishioners will be visiting the Church at the same time and about 70 members will be visiting the church on Sunday for Church Services.

The purpose of this evaluation was to estimate the peak parking demand during the Living Hope Church's Sunday meeting at 10:00 am and to determine if sufficient parking is available to accommodate the peak parking demand.

As per the City code 12-9-7, OFF Street parking for a church requires 1 parking space for every 5 seats. In cases where there is no affixed seating, 1 space shall be provided for every 60 square feet of floor area.

The Floor area for the proposed Church is approximately 2020 SF. Based on the above Town requirements the Church will need 33 parking spaces during its peak demand time which will be on Sunday during the church services.

From above the Church will need about 3 to 5 parking spaces during the weekdays and about 33 parking spaces on Sunday

As per Section 12-9-8 of Code: Mobility Impaired Accessible parking will require 2 parking spaces.

Kaletech performed a parking survey at the existing parking lot located at 1651-195 Elk Blvd every half hour from 12:30 P.M. to 2:30 P.M. on Friday, October 14, 2022, and the parking survey was conducted every half hour from 9:30 A.M. to 11:30 A.M. on Sunday, October 16, 2022. See attached Site Photographs (Attachment 2)

Table 1 shows the results of the parking survey during weekdays.
& Table 2 shows the results of the parking survey during **Sunday**.

Table 1
 LIVING HOPE CHURCH PARKING SURVEY
FRIDAY October 14,2022

Time	Parked Vehicles
12:30 P.M	33
1: 00 P.M	32
1:30 P.M	32
2:30 P.M	32

Table 2
 LIVING HOPE CHURCH PARKING SURVEY
SUNDAY October 16,2022

Time	Parked Vehicles
9:30 A.M	3
10:30 A.M	2
11:00 A.M	2
11:30 A.M	2

Existing Parking lot has a total of 58 Parking spaces. The Peak demand parking for the Church will be on Sunday.

Based upon above survey we feel that there are adequate parking spaces available at the Church's Current parking lot during the weekdays (3 to 5 Parking Spaces) & on Sunday (33 Parking Spaces).

If you have any questions, please feel free to call me on my Cell @ (630)-853-2533.

Thank you for requesting Kaletch LLC. to provide professional services on this Project

Encl: Attachment 1- Existing Plat Plan & Site Plan
 Attachment 2- Site Photographs

Respectfully,
Kaletech LLC



Chetan Kale, P.E. LEED AP
 Principal



1. Front, south elevation



2. East elevation

SITE PHOTOGRAPHS

Project: 1 Living Hope Church, IL
Attachment 4



3. Partial west elevation



4. Looking West from the entrance.

SITE PHOTOGRAPHS



5. Typical parking during weekdays



6. View of Handicapped parking space

SITE PHOTOGRAPHS



7. View of empty parking lot on Sunday



8. Looking east of the parking lot on Sunday

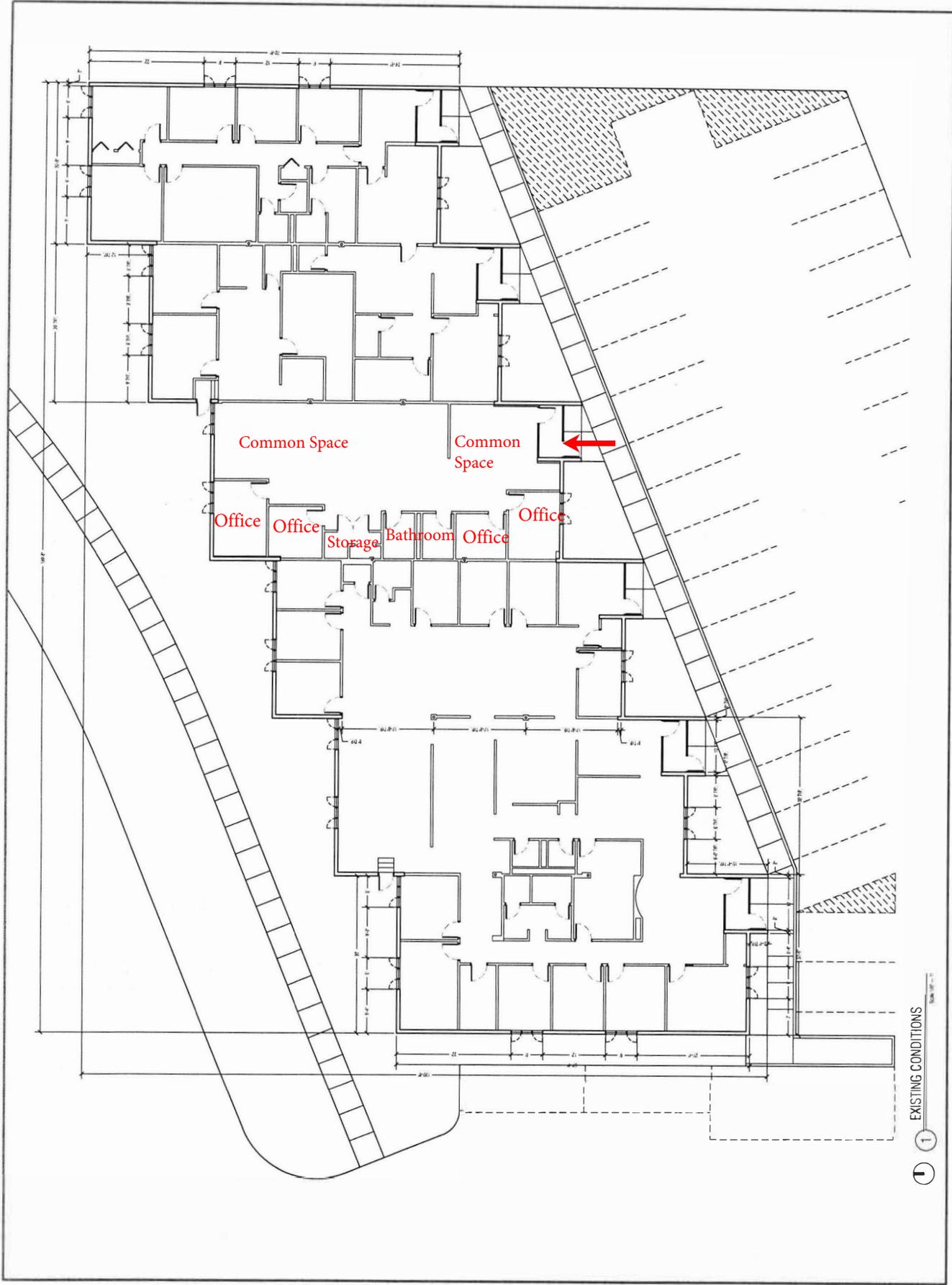


9. Looking west of the parking lot

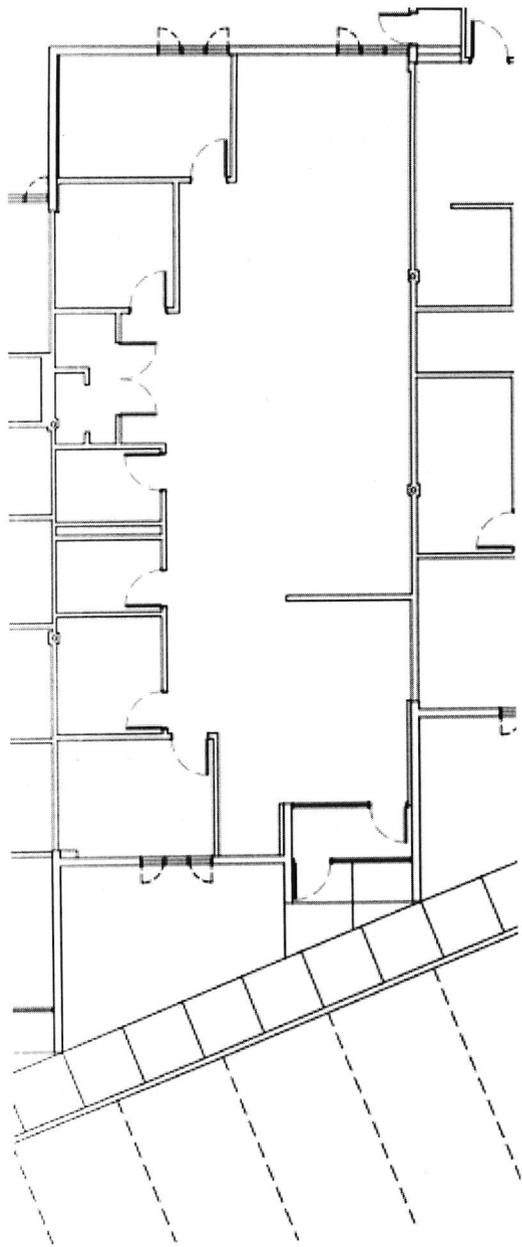


10. View of parking lot near the entrance of the office complex.

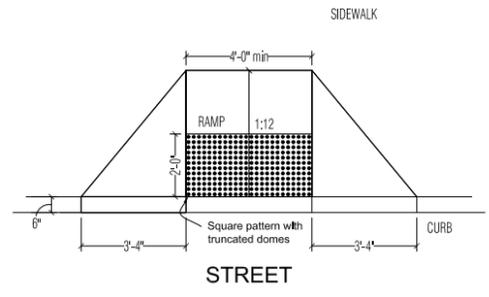
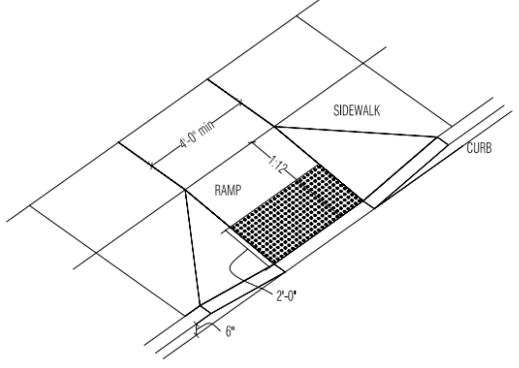
SITE PHOTOGRAPHS



1 EXISTING CONDITIONS



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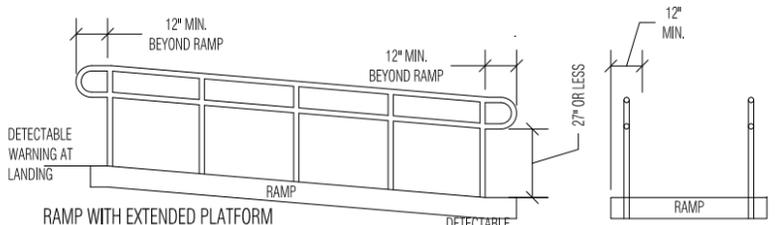


2 HC CURB CUT
Scale: 3/8" = 1'

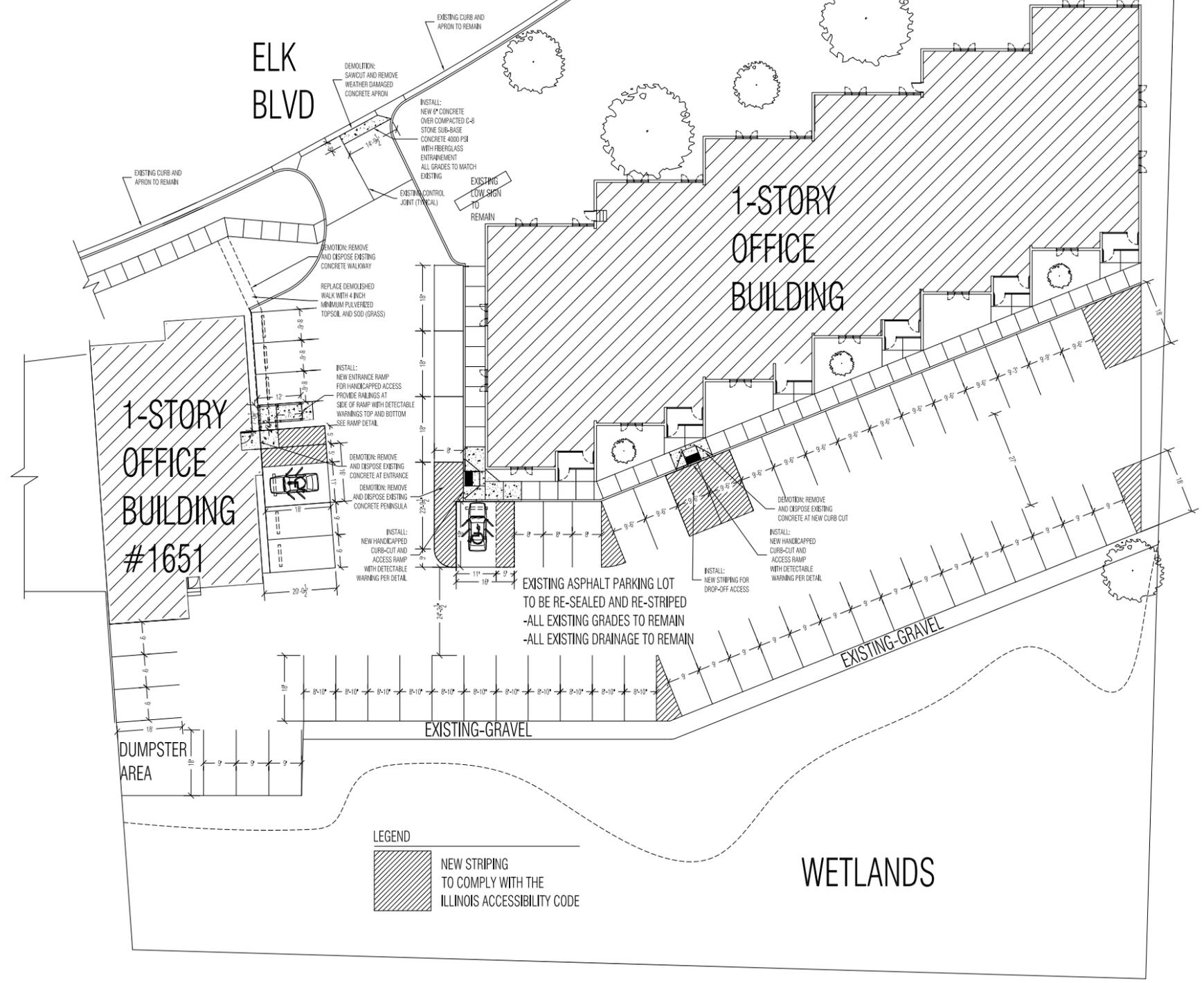
ACCESSIBLE PARKING SPACES SHALL BE DESIGNATED AS RESERVED FOR ENVIRONMENTALLY LIMITED PERSONS BY PROVIDING A R7-4 (US DEPARTMENT OF TRANSPORTATION STANDARD SIGN WHICH CONTAINS THE INTERNATIONAL SYMBOL OF ACCESSIBILITY).
 SIGNS SHALL BE VERTICALLY MOUNTED ON A POST OR A WALL AT FRONT CENTER OF THE PARKING SPACE. NO MORE THAN 5 FEET HORIZONTALLY FROM THE FRONT OF THE PARKING SPACE AND SET A MINIMUM UP 5 FEET FROM FINISHED GRADE TO THE BOTTOM OF THE SIGN.
 LOCATE SIGN ON-CENTER WITHIN THE 11' PARKING SPACE.
 SUCH SIGNS SHALL BE LOCATED SO THEY CANNOT BE OBTURED BY A VEHICLE PARKED IN THE SPACE.
 COMPLY FULLY TO HC SECTION 400.310(C)(7)



1 HC PARKING SIGNAGE
Scale: 1" = 1'



RAMP WITH EXTENDED PLATFORM
NOTE: MINIMUM 1 TO 12 SLOPE. MAXIMUM 12' RUN WITHOUT LANDING



1 PROPOSED PARKING LOT STRIPING
Scale: 1/16" = 1'

APPROVAL STAMPS

 James A. Kapche, A.J.A.
 Illinois License 001-011501
 Expiration 11-2018
 ARCHITECT'S CERTIFICATION
 I hereby certify that these plans were prepared under my direct supervision and to the best of my professional knowledge they conform to the building codes adopted by the building authority with jurisdiction
 THE CITY OF DESPLAINES, IL

ABSOLUTE ARCHITECTURE PC
 ILLINOIS DESIGN FIRM # 184003856
 1922 NORTH MENDEL STREET
 CHICAGO, ILLINOIS 60642
 PH: 312.263.7345 - FAX: 312.263.7346

PROJECT TITLE
**RE-STRIPING OF EXTERIOR PARKING LOT
 COMMERCIAL OFFICE BUILDING COMPLEX
 1651 - 1695 ELK BLVD
 Des Plaines, Illinois**

ISSUED/REVISED	DATE	DESCRIPTION
1	08/25/2018	ISSUED FOR PERMIT
2		
3		
4		
5		
6		
7		
8		
9		

PROJECT NO: 18019.00
SHEET DESCRIPTION:

PARKING LOT STRIPING
 SHEET NUMBER
SP.1

MEMORANDUM

Date: January 19, 2023
To: Planning and Zoning Board (PZB)
From: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*
Subject: Request to Continue 22-055-APPEAL: 1378 Margret Street

The subject of the appeal is a Zoning Administrator determination that a structure erected in 2022 at 1378 Margret Street is a trellis and subject to the rules of the Zoning Ordinance regarding trellises.

Because the PZB on Tuesday, January 10, 2023 began consideration of zoning text amendments related to fences, trellises, and arbors, (with its consideration continued until February 28), staff has requested and the attorney for the petitioner (appellant) has agreed to continue the appeal hearing to the Board's regular meeting of Tuesday, February 28, 2023. The PZB's Rules of Procedure (Section 6.06) states that continuances in these circumstances "...shall be granted..." so I recommend the Board grant this request, which is attached.

Also attached is one written public comment received as of January 19, 2023, regarding the hearing.

Attachments

- Attachment 1: Petitioner's Email Agreeing to Continue Hearing
- Attachment 2: Excerpt from PZB Rules of Procedure
- Attachment 3: Public Comment Received January 18, 2023

- (e) The total amount of time allocated for Public Comment Time at any meeting shall not exceed 30 minutes, unless determined otherwise by the Chair. In the event that all persons desiring to speak during the Public Comment Time are not able to do so within the time limit allowed, the Chair may either extend the time allocated for Public Comment Time, or allow for continuation of Public Comment Time after the completion of all other matters on the agenda, or as the PZB may otherwise determine.
- (f) No person shall speak during the Public Comment Time for more than three minutes, unless the Chair designates a longer or shorter time period. Generally, the longer or shorter time period will apply to all persons participating in the Public Comment Time at the same meeting.

Section 6.04 Applicant Appearance Required at Hearing. The Applicant or its agent or counsel must be present in person at any and all PZB hearings relative to a specific request for Conditional Use, Variation, Amendment, or Appeal (collectively, “*Requested Relief*”). The applicant landowner, corporation, partnership, or any other non-homeowner entity must be present either individually or by his/her/their agent or by his/her/their counsel at any and all PZB hearings on the Requested Relief.

Section 6.05 Applicant’s Presentation of Evidence. The Applicant is solely responsible for presenting testimony and evidence to the PZB supporting its application for the Requested Relief and establishing that it satisfies the standards and requirements set forth in the Zoning Ordinance for the Requested Relief. The Applicant should be given wide latitude to present testimony, evidence, and witnesses in support of its application.

Section 6.06 Continuances. Any Applicant may request and shall be granted one continuance of a public hearing on an application. If an applicant fails to appear at a scheduled hearing without giving prior notice to the Secretary, the hearing shall be continued once so long as applicant has not previously used said one continuance. Any further requests for continuance by the applicant shall be subject to the approval of the PZB for good cause shown.

Section 6.07 Registration of Participants at the Hearing. Anyone besides the Applicant who will testify at a PZB hearing(s) relative to specific Requested Relief must sign in prior to the commencement of that PZB hearing relative to that specific Requested Relief by using one or more of the following three sign in sheets:

- (a) Each person testifying in favor of the Requested Relief shall have five minutes to present testimony.
- (b) Each person testifying against the Requested Relief shall have five minutes to present testimony.
- (c) Each person testifying neither in favor of or in opposition the Requested Relief shall have five minutes to present his/her testimony.

The Chair may, in his or her discretion and with the consent of the PZB, adjust these time in an equitable fashion. Designated and pre-registered representatives of groups either in favor or against the Requested Relief may be granted extended time to present testimony.

From: [Adam Findlay](#)
To: [Brooke Lenneman \(Contact\)](#)
Cc: [John Carlisle](#)
Subject: RE: 1378 Margret Appeal - Status of January 24 hearing date
Date: Thursday, January 19, 2023 10:35:46 AM
Attachments: [image002.png](#)
[image004.png](#)
[image001.png](#)

Thank you, Brooke. We agree with continuing until February 24.

Adam J. Findlay, J.D.

DIRECT (847) 713-1331
OFFICE (847) 382-9195
FAX (847) 382-9125
EMAIL afindlay@kelleherholland.com
WEB www.kelleherholland.com

-

102 S. Wynstone Park Drive | North Barrington, IL 60010

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From: Brooke D. Lenneman <Brooke.Lenneman@ElrodFriedman.com>
Sent: Thursday, January 19, 2023 9:58 AM
To: Adam Findlay <afindlay@kelleherholland.com>
Cc: John Carlisle <jcarlisle@desplaines.org>
Subject: 1378 Margret Appeal - Status of January 24 hearing date

Adam,

Per our conversations, the City has submitted a request to the Board to continue the hearing on the appeal to February 28. The Board will vote on the continuation request on January 24th. We fully expect that this continuation request to be granted (these types of requests are routinely granted and are provided for in the Board's rules). In the extremely unlikely circumstance that the Board does not vote for the continuance, City staff will withdraw the appeal from the January 24 agenda and re-notice the hearing for February 28 or another mutually agreeable date. Either way, the hearing on the appeal will not take place on January 24.

Thank you,
Brooke

Brooke Lenneman

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From:
To: [Margaret Mosele](#)
Subject: Appeal at NW corner of Forest and Margret
Date: Wednesday, January 18, 2023 7:22:17 PM

I live down the street and when I saw the trellis put up I was in disbelief that the city would allow such a monstrosity in Des Plaines. The property owners put up a fence, (I'm guessing six foot tall), then added tall bushes against their fence that are taller than the fence and then they put up the (I'm guessing three foot) trellis. It looked like a castle wall, there was nothing aesthetically pleasing about it. I would drive past that castle wall several times a week, and just couldn't make any sense of it, it just looked dumb. After several months of looking at the monstrosity it finally came down and what a positive difference it made not being there. I support zoning codes against such a monstrosity wall in Des Plaines and zoning codes that prohibit a trellis or any item above the fence.