



Planning and Zoning Board Agenda May 23, 2023 Room 102 – 7:00 P.M.

Call to Order and Roll Call

Approval of Minutes: April 25, 2023

Public Comment: For matters that are not on the agenda.

Pending Applications:

1. Address: 260 Dulles Road

Case Number: 23-021-V

The petitioner is requesting a major variation to extend the use of the temporary classroom structure on the site beyond the 12-month period permitted via the zoning ordinance and any other variations, waivers, and zoning relief as may be necessary.

PIN: 08-13-214-018-0000

Petitioner: Community Consolidated School District 59 (Representative: Ron O-Connor), 1001 Leicester Road, Elk Grove Village, IL 60007

Owner: Community Consolidated School District 59, 1001 Leicester Road, Elk Grove Village, IL 60007

2. Address: 984 Lee Street

Case Number: 23-024-CU

The petitioner is requesting a conditional use request in the C-3 General Commercial zoning district for a food processing establishment, and any other variations, waivers, and zoning relief as may be necessary.

PINs: 09-20-203-016-0000; -017; 018; -031

Petitioner: Sang Chul Hong, 3721 Vantage Lane, Glenview, IL 60026

Owner: Ho and Chul LLC, 3721 Vantage Lane, Glenview, IL 60026

3. Address: Citywide

Case Number: 23-025-TA

The petitioner is requesting text amendments to the Zoning Ordinance related to eligibility for and changes to Localized Alternative Sign Regulations (LASRs) pursuant to Section 12-11-8.

PIN: Citywide

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

Owner: N/A

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
April 25, 2023
DRAFT MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, April 25, 2023, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

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

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

ABSENT: Weaver

ALSO PRESENT: John Carlisle, AICP, CED Director
Jonathan Stytz, AICP, Senior Planner
Samantha Redman, Associate Planner
Margie Mosele, Executive Assistant

A quorum was present.

Call to Order and Roll Call

Chair Announcement: The public hearing regarding an appeal at 1378 Margret Street has been withdrawn by the appellant and will not be heard this evening.

APPROVAL OF MINUTES FROM APRIL 11, 2023

A motion was made by Board Member Fowler, seconded by Board Member Veremis to approve the meeting minutes of April 11, 2023.

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

NAYES: None

ABSTAIN: None

*****MOTION CARRIES ****

PUBLIC COMMENT ON NON-AGENDA ITEM

- None

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Applications

1. Address: 2777 Mannheim Road

Case Number: 23-014-CU-TSUB

The petitioner is requesting the following items: (i) a conditional use permit to allow two drive-through uses on the subject property that is next to residential properties; (ii) a tentative plat of subdivision to consolidate the five existing lots into three lots of record; and (iii) and any other variations, waivers, and zoning relief as may be necessary.

PINs: 09331080120000, 09-33-108-013-0000, 09-33-108-014-0000, 09-33-108-022-0000, and 09-33-108-023-0000

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

Owner: Gus Sutter, 2777 Mannheim Road, Des Plaines, IL, 60018

Ward: #6 Alderman Malcolm Chester
(Alderman-elect Mark Walsten after May 1,2023)

Existing Zoning: C-3 General Commercial District

Existing Land Use: Restaurant and Banquet Hall (Commercial)

Surrounding Zoning: North: C-3, General Commercial District
South: C-3, General Commercial District
East: R-1, Single Family Residential District
West: Commercial (Village of Rosemont)

Surrounding Land Use: North: Car wash (commercial)
South: Commercial restaurant and retail development under construction, also by GW Properties
East: Railroad; then Greco Avenue and single-family residences
West: Hotel (Commercial) in Village of Rosemont

Street Classification: Mannheim Road is an arterial road under IDOT jurisdiction.
Pratt Avenue is a local road.

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

Zoning/Property History: Based on City records, the subject property was annexed into the City in 1956. It was originally utilized as an office and warehouse building for Marland Oil Company until 1979, when the building was demolished, and the site was cleared. In 1990, the footing and

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foundation was constructed for café La Cave, and a year later the restaurant/banquet hall was fully built out. The property has been utilized as a restaurant and banquet hall since.

Development Summary:

Developer GW Properties, which is under construction for a multi-building restaurant-and-retail development on the *southeast* corner of Mannheim and Pratt (Outback Steakhouse, First Watch, Five Guys), is now also proposing a full redevelopment at the northeast corner—the former Café La Cave site. The proposed development is three new restaurants (“Class B” under the Zoning Ordinance) with indoor and outdoor seating and drive-throughs. The information for each proposed business is summarized below and described in detail in the attached Business Narratives.

- Guzman Y Gomez is a fast-casual restaurant proposed for the one-story stand-alone 2,850-square foot building positioned on the northern lot (Lot 1) of the commercial development. Their anticipated hours of operation are from 7:00 a.m. to 10:00 p.m. daily with five to ten employees on site at a given time. The building is designed with predominately brick material of varying colors, metal canopy structures, and an Exterior Insulation and Finish System (EIFS) accent.
- Cava is a fast-casual Mediterranean restaurant proposed for the one story stand-alone 2,500-square foot building positioned in the center of the commercial development along Mannheim (Lot 2). Their anticipated hours of operation are from 10:45 a.m. to 10:00 p.m. daily with five to ten employees on site at a given time. The building is designed with predominately stucco material and finished wood accent.
- Raising Canes is a quick-service restaurant proposed for the one-story 3,300-square-foot building positioned on the southern lot (Lot 3) of the commercial development at the northeast corner of Mannheim and Pratt. Their anticipated hours of operation are from 9:30 a.m. to 1:30 a.m. Sunday through Thursday and 9:30 a.m. to 3:30 a.m. Friday to Saturday. There are expected to be eight to fifteen employees on site at a given time. The building is designed with predominately brick material of varying colors, finished wood accents, concrete masonry units, and metal canopy structures throughout.

Tentative Plat of Subdivision

Request Summary: Overview

The subject property consists of five lots of records in the C-3 district totaling 2.39 acres, all under the address of 2777 Mannheim Road. The petitioner has requested a Tentative Plat, titled 2777 Mannheim Road Subdivision, to consolidate the existing five lots into three as shown on the attached Tentative Plat and detailed in the table below.

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Lot	Lot Type	Lot Width	Lot Depth	Lot Area
Lot 1	Interior	125 feet (west); 140 feet (east)	208 feet (north); 244 feet (south)	29,740 SF (0.68 acres);
Lot 2	Interior	123 feet (west); 126 feet (east)	244 feet (north); 277 feet (south)	31,835 SF (0.73 acres);
Lot 3	Corner	125 feet (west); 143 feet (east)	277 feet (north); 288 feet (south)	42,869 SF (0.98 acres)

The subject property’s unique shape is narrower on the north and gradually widens as it continues south. Thus, while the proposed lot widths are similar, the lot depths and areas increase substantially from proposed Lot 1 to proposed Lot 3. Nonetheless, all proposed lots meet the minimum lot depth requirement in Section 13-2-5.R of the Subdivision Regulations. Note that there are no lot width or lot area requirements for commercial districts.

Building Lines and Easements

The proposed subdivision shows the following building lines and easements: (i) a new 5-foot front building setback line along the west property line for all proposed lots where the proposed subdivision abuts Mannheim; (ii) a 25-foot rear building setback line along the east property line for all proposed lots of the subdivision; (iii) a five-foot side building setback line along the south of Lot 3, where the proposed subdivision abuts Pratt; and (iv) a new ten-foot-wide public utility and drainage easement extending throughout the development.

Subdivision Process, Required Public Improvements

Although the petitioner’s request is for a Tentative Plat only at this time, the Board and public may benefit from understanding the requirements of a Final Plat, which is the second step in the subdivision approval process. The steps for Final Plat are articulated in Sections 13-2-4 through 13-2-8 of the Subdivision Regulations. In summary, the Final Plat submittal requires engineering plans that must be approved by the City Engineer, in particular a grading and stormwater management plan. Ultimately a permit from the Metropolitan Water Reclamation District (MWRD) will be required for construction. Tentative Plat approval does not require submittal of engineering plans. Regardless, the Department of Public Works and Engineering has provided brief comments (attached) based on the submittal. The Engineering review is more detailed for plans at the Final Plat stage, as those are accompanied by civil drawings.

Chapter 13-3 allows the City to require various right-of-way improvements based on criteria such as traffic and effect on adjacent properties. The attached Engineering memo explains that the project will require: (i) widening Pratt Avenue within existing right-of-way to allow a new turn lane from Pratt to Mannheim; and (ii) per IDOT comments, a widening of Mannheim Road for a center turn lane along the development’s west frontage, enabling left turns from southbound Mannheim to eastbound Pratt.

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Conditional Uses

Request Summary: Overview

The proposal includes three separate Class B restaurants, each with its own drive-through facility. “Restaurant, Class B” is a permitted use in the C-3 district. However, drive-through facilities on lots adjacent to residential properties require a conditional use permit. Although the properties are separated from the residential homes on Greco Avenue by both the Greco right of- way and the railroad right-of-way, research indicated that in this area, specifically for the Starbucks at 2655 Mannheim, a conditional use for a drive through was required by previous zoning administration. Further, the proposed drive-throughs are sited on the eastern portions of the properties, putting them closer to the residential lot lines than if they were on the other side of the lots or separated by a building or other development barrier (provided, however, that all of the drive-throughs would be well screened because of the railroad sound wall and the trees in the Greco right of way).

The table below summarizes the allowance of both uses identified above across all commercial districts (Section 12-7-3, Table 3, of the Zoning Ordinance; where P = Permitted Use and C = Conditional Use). As identified in Note 2, drive-through facilities are permitted only as an accessory use to a principal use, such as a restaurant. As the restaurant buildings will serve as the principal use on each lot for this development, this requirement is met.

Use	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Drive-Through Facility (located adjacent to residential use)		C ¹³	C ²	C2	C ^{2,10}		
Restaurant, Class B		P ²¹	P	P	P		P ⁶

Notes:

- 2. When an accessory use only.
- 6. When incorporated within, or accessory to, an office/hotel use.
- 10. Except on Miner Street, Ellinwood Street or Lee Street.
- 13. When an accessory use to a financial institution.
- 21. The total space/use is up to 2,500 square feet and is accessory to an office building/hotel.

All three lots will abut Mannheim on the west and the railroad tracks on the east. However, Lot 3 will also abut Pratt to the south. As a result, the designated front yard for all three lots will be the west property line along Mannheim, making the east property line the rear yard, and the north and south property lines the side yards.

Building Design Standards

All new construction must adhere to Section 12-3-11 of the Zoning Ordinance, which specifically focuses on transparency and exterior building materials. Plans submitted at this time show each of the three buildings will meet the exterior building material

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standards. However, the transparency regulations that will need to be addressed at time of building permit, or the proper relief would need to be obtained.

Proposed Site Plan

The attached Site Plan identifies the proposed improvements for all three lots in relation to access, circulation, parking, building footprints, outdoor seating areas, dumpster enclosures, and drive-through stacking. Note that the Site Plan refers to Lot 1 as Lot C, Lot 2 as Lot B, and Lot 3 as Lot A. For consistency, this report will refer to the proposed lots by their number on the Tentative Plat.

- **Access:** The subject property currently contains three access points (driveway curb-cuts)—two from Mannheim and one from Pratt. The proposal alters the site access by removing the northernmost curb-cut off Mannheim and adding a second curb-cut on Pratt. On the Pratt side, the changes align with curb-cuts for the under-construction commercial development at the southeast corner of the Mannheim-Pratt intersection. On Mannheim, the plan removes a curb-cut that is close to another; removing curb-cuts is generally viewed as a best practice. Lots 2 and 3 will have direct access onto Mannheim or Pratt. However, access to Lot 1 will require access through either Lot 2 or 3 via a cross-access easement. It is also important to note that the proposed changes on the access from Mannheim will require an Illinois Department of Transportation (IDOT) permit. IDOT’s comments related to the proposed development are summarized in the *Traffic Study and IDOT Comment* section.

- **Circulation:** The lots in the proposed development are designed to be cohesive and connected so that motorists and pedestrians can pass through any of the lots to reach their destination. Each lot contains a 24-foot-wide east-west two-way drive aisle for circulation and parking access on the individual lots. However, two 24-foot-wide north-south two-way travel drive aisles are also proposed not only to provide direct access to additional parking spaces but also to provide direct connections to the other lots. The proposed drive aisle widths exceed the 22-foot-minimum-width requirement in Section 12-9-6.B of the Zoning Ordinance.

- **Drive-Through Stacking:** Given that all three restaurants will utilize drive-through facilities in their operations, appropriate drive-through stacking spaces are required. Section 12-9-4 of the Zoning Ordinance requires that all drive-through facilities provide a minimum of six stacking spaces per facility plus one stacking space per waiting area provided as part of the facility. The attached Site Plan indicates that all three restaurants will contain a single drive-through facility with seven or more stacking spaces provided in Conformance with this section.

- **Parking:** Ninety-degree off-street standard and accessible parking spaces are provided for each lot as identified in the table and illustrated on the attached Site Plan. Under Section 12-9-7 of the Zoning Ordinance, Class B restaurants are required to provide one parking space for every 50 square feet of net floor area, or one parking space for every

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four seats, whichever is greater, plus one parking space for every three employees. Sections 12-9-6.B and 12-9-8 of the Zoning Ordinance require a minimum of 8.5 feet in width and 18 feet in depth for standard spaces and a minimum of 16 feet in width and 18 feet in depth for accessible spaces. The attached Site Plan indicates that the proposed parking spaces met or exceed these requirements.

Off-Street Parking	Required Spaces	Provided Spaces
Lot 1 (Guzman Y Gomez)	22 standard spaces; 2 accessible spaces	29 standard spaces; 2 accessible spaces
Lot 2 (Cava)	24 standard spaces; 2 accessible spaces	38 standard spaces; 2 accessible spaces
Lot 3 (Raising Canes)	23 standard spaces; 2 accessible spaces	45 standard spaces; 2 accessible spaces

• **Building Footprints and Setbacks:** The attached Site Plan and respective civil plans for Lots 1-3 (also attached), identify the positioning and dimensions of the proposed building on each lot. Section 12-7-3.L of the Zoning Ordinance requires that commercial properties meet certain bulk controls as identified in the table, which are met by the proposed development. Note that there are no building coverage or lot coverage restrictions for the commercial districts and that a larger building setback distance is required for the rear (east) property line because it is adjacent to residences.

C-3 District Bulk Controls	Required	Proposed Buildings		
		Lot 1	Lot 2	Lot 3
Maximum height	45 Feet	28 Feet	19 Feet	23 Feet
Minimum front yard (Adjacent Other)	5 Feet	89 Feet	95 Feet	64 Feet
Minimum side yard (North, Adjacent Other)	5 Feet if abutting street	31 Feet	33 Feet	28 Feet
Minimum side yard (South, Adjacent Other)	5 Feet if abutting street	54 Feet	57 Feet	62 Feet
Minimum rear yard (Adjacent residential)	25 Feet	51 Feet	114 Feet	146 Feet

• **Outdoor Seating Areas:** Each of the three proposed restaurant developments includes an outdoor seating area facing Mannheim as identified in the table below. Note that the outdoor seating areas are not factored into the required off-street parking calculation.

Outdoor Seating	Lot 1	Lot 2	Lot 3
Seating Area (SF)			
• Indoor	~918 SF	~1,013 SF	~900 SF
• Outdoor	~522 SF	~383 SF	~157 SF
• Total	~1,440 SF	~1,396 SF	~1,056 SF
Seating Area (number of seats)			
• Indoor	~50 seats	~44 seats	~36 seats
• Outdoor	~15 seats	~13 seats	~7 seats
• Total	~65 seats	~57 seats	~42 seats

- **Pedestrian access to public sidewalks:** Lot 3 (Raising Canes) has two sidewalk connections through the parking lot, one to each Mannheim and Pratt sidewalk. However, Lots 1 and 2 do not. A recommended staff approval condition is that these connections be added. Because the parking proposed around all three uses would exceed the required minimums, a loss of potentially 3-4 standard spaces would not create a deficiency, either practical or code, in staff’s opinion.

- **Dumpster Enclosures:** Dumpsters and their respective enclosures have been proposed for all three lots, positioned towards the back near the drive-through entrances. Section 12-10-11 of the Zoning Ordinance requires all dumpsters that are stored outside to be improved with a four-sided enclosure constructed of a solid wood or masonry fence a minimum of six feet—but no more than eight feet—in height. Elevation drawings will be required at time of building permit to ensure that all requirements are met for the dumpster enclosures.

The proposed development involves the installation of new exterior lighting, which must comply with the environmental and performance standards for lighting in Section 12-12-10 of the Zoning Ordinance summarized below. Based on the attached Photometric Plans, the maximum horizontal foot-candles given off by the neighboring property as measured at the abutting property line for all proposed lots meets this requirement.

Districts	Maximum Foot-Candles Allowed	Highest Proposed Measurement at Property Line (in foot-candles)		
		Lot 1	Lot 2	Lot 3
Single Family Residential	0.1	0.0 (East)	0.0 (East)	0.0 (East)
Commercial	2.0	0.4 (North); 1.8 (South); 1.0 (West)	0.3 (West)	1.2 (North); • (South); • (West)

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Traffic Study and IDOT Comments

The petitioner provided the attached Traffic Study from KLOA to analyze the anticipated impact the proposed development would have on traffic and the surrounding roadway network. Overall, the study concluded: (i) the proposed development will be consistent and compatible with existing traffic volumes and patterns in the area; (ii) there is no substantial net new traffic generated by the development; (iii) the internal circulation allows for adequate access and dispersion of traffic entering, exiting, and navigating the development; and (iv) that wayfinding, stop, and do not enter signs be installed to direct traffic.

This study did not recommend any roadway improvements on either Pratt or Mannheim. However, the Public Works and Engineering (PWE) department determined that a three-lane cross-section shall be provided Pratt to facilitate traffic flow and prevent back-up from west to east, toward the railroad tracks. The petitioner’s attached Civil and Site Plans illustrate this requirement.

In addition, IDOT has required that Mannheim is widened in order to add a left- turn lane into the development for both curb-cuts off Mannheim. The petitioner is working with the City to address this comment, with a final resolution likely decided by the time of Final Plat submittal. Nonetheless, staff recommends an approval condition at this stage that the final development plans satisfy all permitting requirements of relevant agencies, specifically IDOT and the City.

Photometric Plan

The proposed development involves the installation of new exterior lighting, which must comply with the environmental and performance standards for lighting in Section 12-12-10 of the Zoning Ordinance summarized below. Based on the attached Photometric Plans, the maximum horizontal foot-candles given off by the neighboring property as measured at the abutting property line for all proposed lots meets this requirement.

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		Lot 1	Lot 2	Lot 3
Single Family Residential	0.1	0.0 (East)	0.0 (East)	0.0 (East)
Commercial	2.0	0.4 (North); 1.8 (South); 1.0 (West)	• (North); • (South); 0.3 (West)	1.2 (North); • (South); • (West)

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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 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: The proposed development includes three Class B restaurants with drive-through facilities. A drive-through facility 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 existing businesses in Des Plaines. The subject property is large, and the existing restaurant and banquet hall is vacant after the closing of Café La Cave. This provides a prime opportunity for the redevelopment of the site. The proposed restaurant development with drive-through facilities meets this intent of the Comprehensive Plan while also repurposing a vacant space along a major commercial corridor in Des Plaines.

PZB Additions or Modifications (if necessary): _____

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

Comment: The property is located on a commercially zoned property along an established commercial corridor in Des Plaines and is surrounded on all sides by commercial development except the east where the Metra railroad and residences are located. The buildings and related drive-through facilities in the proposed development are designed to be harmonious and consistent with existing commercial developments along this corridor, many of which contain drive-through facilities and are adjacent to residential development to the east.

PZB Additions or Modifications (if necessary): _____

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

Comment: The existing property contains a restaurant and banquet hall, of which all activities occur inside the building. While the subject property will be redeveloped for three separate restaurant uses and drive-through queuing will occur at the rear of the property, the primary use on the subject property will remain commercial. In addition, the railroad located directly east of the subject property provides a separate buffer between the proposed development and existing residences.

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 restaurant and banquet hall is adequately served by three curb-cuts (two off Mannheim and one-off Pratt). The proposed development proposes closing one of the existing curb-cuts on Mannheim and adding one on Pratt, maintaining three total curb-cuts for access. All curb-cuts are designed to be full-access. However, additional public improvements, including roadway widening on Pratt and Mannheim, will be necessary to obtain IDOT and City right-of-way permitting approval. The subject property is adequately served by essential public facilities and services, which the proposed development will not alter. However, the attached Tentative Plat identifies the new utility connections and easements proposed for the development.

PZB Additions or Modifications (if necessary): _____

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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 drive-through facilities and restaurants overall will provide a net economic benefit for the City, residents, and visitors by providing additional services and tax revenue over the long term.

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: Although drive-through facilities inherently consist of auto traffic and require vehicle turn movements, the attached Traffic Study points out that instead of generating new traffic, the businesses are likely to capture existing traffic to be their customers. Without question, the traffic counts in the area Mannheim Road, close to O’Hare and Allstate Arena—are part of what makes the site appealing to the potential tenants. However, the Public Works and Engineering Department comments in its attached memo that it does not believe the peak traffic volumes from Allstate Arena events have been fully modeled and analyzed. Nonetheless, the required public improvements—specifically the turn lanes on both Mannheim and Pratt—are intended to control and manage traffic demand and should be adequate to serve the development. In addition, the design of the restaurant lots, location of the proposed drive-through facilities, and provided landscaping/screening on the subject property as a whole, will effectively reduce the production of noise, smoke fumes, glare, and odors generating from this use. The proposed public improvements, especially roadway widenings, will assist in managing and circulating traffic volumes throughout the site.

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 drive-through facilities are designed and positioned on the rear of each lot with the intention of minimizing any inference with off-street parking and drive aisles throughout the site. In addition, the public improvements included with this proposal will further minimize traffic inference on surrounding roadways by providing left turn lanes off Mannheim and Pratt.

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:

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Comment: The subject property is already developed with a large restaurant and banquet hall. As such, the proposed redevelopment will not result in the destruction, loss, or damage of any natural, scenic, or historic features of the site. In fact, the attached Landscape Plans indicate that additional natural features, such as trees, shrubs, and perennials, will be installed throughout the subject property, where there is currently minimal landscaping present.

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 drive-through facilities will 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 Condition: Given the separate conditional use and tentative plat requests, the PZB shall take two motions. First, pursuant to Section 13-2-3 of the Subdivision Regulations, the PZB may vote to approve, approve with conditions, or deny the Tentative Plat of Subdivision. In regard to the conditional use request, the PZB may vote to *recommend* approval, approval with conditions, or denial of the conditional use for the drive-through facilities. If the PZB chooses to recommend approval for the conditional use request, staff recommends the following conditions.

Recommended Conditions of Approval:

1. All proposed ground- and building-mounted signs must comply with all provisions of Section 12-11, or the petitioner must obtain necessary relief, such as but not limited to variation or approval of a conditional use for localized alternative sign regulations (LASR).
2. All proposed buildings must comply with all provisions of Section 12-3-11, or the petitioner must obtain necessary relief, such as a variation.
3. A lighting plan labeling all building-mounted and freestanding light fixtures and providing photometric details must be submitted and approved with the building permit.
4. Grading/drainage and other on-site infrastructure details are provided to the satisfaction of the Public Works and Engineering Department with the submission of the Final Plat of Subdivision.
5. Final engineering plans are prepared to fulfill requirements of the Public Works and Engineering Department and IDOT, and to illustrate all required public improvements, including but not limited to: (i) widening of Mannheim Road and installation of a left-turn lane for access onto the proposed development and Pratt Avenue pursuant to IDOT

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requirements; (ii) Pratt Avenue widening to accommodate both left- and right-turn lanes to Mannheim; and (iii) water main replacement on the west side of the development.

6. Marked pedestrian paths between the buildings and public sidewalk shall be provided for the buildings on Lots 1 and 2.
7. Commercial off-site parking, such as parking for Allstate Arena events or O'Hare travelers, shall not be permitted.

Attachments:

- Attachment 1: Location/Zoning Map
- Attachment 2: Site and Context Photos
- Attachment 3: ALTA/NSPS Land Title Survey
- Attachment 4: Responses to Standards for Conditional Uses
- Attachment 5: Project Narrative
- Attachment 6: Business Narratives
- Attachment 7: Site Plan
- Attachment 8: Floor Plans
- Attachment 9: Elevation and Signage Plans
- Attachment 10: Civil Plans
- Attachment 11: Photometric Plans
- Attachment 12: Landscape Plans
- Attachment 13: Nicor "Will-Serve" Letter
- Attachment 14: Tentative Plat of Subdivision
- Attachment 15: Engineering Memo
- Attachment 16: Traffic Impact Study without appendices

Chair Szabo swore in Mitch Goltz from GW Properties. Mr. Goltz stated that he was here a few weeks ago, excited to be here with our third project in Des Plaines. They own the property across the street with Outback Steakhouse, Five Guys, and retail space. We are purchasing Café La Cave Banquet Hall with three lots – Raising Cane's (a representative is here tonight), Cava Mediterranean, and Guzman Y Gomez. They are looking for a Conditional Use for the drive-throughs.

Mr. Goltz provided an aerial of the site. He stated that elevations have been provided to the city for all of the proposed retail sites. He provided a proposed rendering for a similar site they developed in Grayslake. He provided a refresher for the Mannheim Pratt project across the street from this project. Construction is going on now, then we will turn to the tenants to complete their construction, and they are looking forward to having things complete in the fall. Mr. Goltz provided combined aerial and stated that they are working closely on some roadway improvements on Pratt and Mannheim to allow these uses. Each parcel will have its own parking on site and some cross access on site. He stated that this will be a great improvement to Mannheim and will transform the area into a thriving retail corridor.

Member Hofherr said that they mentioned a proposed new development on the SW corner of Mannheim and Pratt. Is it SW or SE?

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Mr. Goltz stated that it is SE, sorry, that's correct.

Chair Szabo stated that he is glad to see you have more than adequate parking. That could be a problem with three restaurants there. What will happen with snow?

Mr. Goltz stated that snow will be removed and there is an area for snow dumping along the railroad tracks. We do have a lot of parking. Each tenant uses innovative design for drive-throughs; with a lot of two lanes of stacking drive-throughs versus one, we see a lot of people using those versus parking and going in, so they have less demand for parking. We will have enough parking and area for snow dumping if it snows.

Member Catalano stated that I don't know if this is a question for staff or the applicant. Public Works brought it up that the traffic study did not address traffic for All State arena. That seems like a huge omission. Is that addressed in any way? I live down here, traffic in the evenings is not lean. It starts backing right into peak hours. He asked if there is any follow up from Public Works.

John Carlisle, CED Director, stated that there is an engineering memo in your packet. From the staff's perspective, the study is not perfect and should have modeled that in more detail, that was the engineer's comment. Two agencies have weighed in on this project to make the roadway circulation work. A requirement is from the engineering department that Mannheim should have a left and a right out and widened 2 ft to accommodate that. Bigger comments came into the City from IDOT about Mannheim. There is extra width there that will accommodate the comments. It is a big, recent comment. From the staff's perspective, even if the modeling of the traffic study is not correct now, IDOT and the City have looked at this and believe improvements will be required, regardless of whether there is a study.

Mr. Goltz stated they just received IDOT comments after four months. They propose a right turn line from Mannheim onto Pratt and left lane onto Pratt. There is a suicide lane on Mannheim now- they would like to see a full turn lane onto Pratt.

Member Catalano asked about Southbound left. South of Pratt there will be a right turn lane into Pratt, will that continue?

Mr. Goltz stated that past the intersection, no, you wouldn't normally see that. A lot of access and entries will be coming off the Pratt entrance. During peak hours, there will not be a lot of overlap with the arena.

Member Catalano stated that you will not get traffic into your development during the start of the show. With Dunkin' and McDonald's, there is a turn lane out that you can merge into. Those two lanes are blocked if people want to leave the site. I don't know why the police let them turn there. I get caught in that traffic all the time.

Mr. Goltz stated I am not sure there is a way to accommodate this; there will always be traffic from this use. I am not necessarily saying IDOT is correct, but we have worked closely with staff.

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Member Catalano stated if you have the right turn through your property on Mannheim, it would work better, north of Pratt. You will have it south.

Mr. Goltz stated there is only so much Right of Way for turn lanes. IDOT said it is better to widen and have additional space. Half an hour before a show starts, you're not going far.

Member Veremis stated if you are going north, you are more likely to turn down Pratt. You have two curb cuts on Pratt and only one on Mannheim.

Mr. Goltz stated we will reuse the one existing access point and then have the two on Pratt.

Chair Szabo asked if there were any further questions.

Jonathan Stytz, Senior Planner, provided the staff report. He gave an overview of the project, explained the Tentative Plat of Subdivision and the three drive throughs. Mr. Stytz provided a Location Map, explained five lots condensed into three. He explained the Site Photos, the three restaurant locations and areas for the drive-thru. He explained the proposed Site Plan and Uses and Bulk Matrices. Restaurants are permitted in the C-3 District, however the three drive-throughs will require Conditional Use. New subdivision proposal discussed and how the three lots would be laid out. Mr. Stytz went over the Traffic Study from KLOA. The petitioner has already incorporated the Public Works and Engineering comments.

Mr. Stytz stated for tonight, given the separate conditional use and tentative plat requests, the PZB shall take two motions. First, pursuant to Section 13-2-3 of the Subdivision Regulations, the PZB may vote to approve, approve with conditions, or deny the Tentative Plat of Subdivision. In regard to the conditional use request, the PZB may vote to *recommend* approval, approval with conditions, or denial of the conditional use for the drive-through facilities. If the PZB chooses to recommend approval for the conditional use request, staff recommends the following conditions.

Recommended Conditions of Approval:

- All proposed ground- and building-mounted signs must comply with all provisions of Section 12-11, or the petitioner must obtain necessary relief, such as but not limited to variation or approval of a conditional use for localized alternative sign regulations (LASR).
- All proposed buildings must comply with all provisions of Section 12-3-11, or the petitioner must obtain necessary relief, such as a variation.
- A lighting plan labeling all building-mounted and freestanding light fixtures and providing photometric details must be submitted and approved with the building permit.
- Grading/drainage and other on-site infrastructure details are provided to the satisfaction of the Public Works and Engineering Department with the submission of the Final Plat of Subdivision.
- Final engineering plans are prepared to fulfill requirements of the Public Works and Engineering Department and IDOT, and to illustrate all required public improvements, including but not limited to: (i) widening of Mannheim Road and installation of a left-turn lane for access onto the proposed development and Pratt Avenue pursuant to IDOT

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requirements; (ii) Pratt Avenue widening to accommodate both left- and right-turn lanes to Mannheim; and (iii) water main replacement on the west side of the development.

- Marked pedestrian paths between the buildings and public sidewalk shall be provided for the buildings on Lots 1 and 2.
- Commercial off-site parking, such as parking for Allstate Arena events or O’Hare travelers, shall not be permitted.

Member Fowler asked with the drive-through, I don’t understand just having the one exit on Mannheim. Why is there no second exit? For the restaurant to the north, you have to go around or turn around and go out. Cava, the drive-through will cause a lot of backups.

Mr. Goltz stated Cava is a drive-through, but it is operating as a pickup for order ahead. Guzman will not be as busy, but it is showing how many cars it could possibly have. The limiting of exits is to guide traffic where we want it to go. The Cava plan is a drive-through but it is intended to be more like a Chipotle. You order ahead and pick it up, like curbside pickup. We reviewed the plan with the city, IDOT, and tenants who have opened these across the world. Our plan forces cars in a certain direction. Raising Canes will likely have more stacking than the others. This is what you will see with drive-throughs in the future, this type of design.

A motion was made by Board Member Saletnik, seconded by Board Member Hofherr to approve the Tentative Plat of Subdivision.

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

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

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik to recommend approval of the Conditional Use with the seven recommended conditions of approval.

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

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

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2. Address: 820-848 Lee Street

Case Number: 23-013-CU

The petitioner is requesting an amendment to a previously approved conditional use permit and variation, or a new conditional use permit and variation, whichever is necessary, related to the following items: (i) operating a Commercially Zoned Assembly Use in the C-5 Zoning District; (ii) operating a private elementary and high school in the C-5 Zoning District; and (iii) operating with a variation from the collective off-street parking requirements at the subject property; and any other variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-425-029-0000, 09-17-425-030-0000, 09-17-452-031-0000, 09-17-425-032-0000, 09-17-425-033-0000

Petitioner: Little Bulgarian School in Chicago, 832 Lee St., Des Plaines, IL, 60016

Owner: Little Bulgarian School in Chicago, 832 Lee St., Des Plaines, IL, 60016

Ward Number: #2, Alderman Colt Moylan

Existing Zoning: C-5, General Commercial

Surrounding Zoning: North: C-5, Central Business
South: C-5, Central Business
East: R-4, Central Core Residential and C-5, Central Business
West: C-5, Central Business

Surrounding Land Uses: North: Office Building
South: Office Building
East: Townhomes and Religious Use
West: Condominiums

Street Classification: Lee Street is an arterial street.

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

Property/Zoning History: This site is zoned C-5 and includes five parcels. 832 Lee Street includes the Little Bulgarian School building and the associated parking lot, which was completed in 2021. 842 and 848 Lee Street are two single-family houses that the Little Bulgarian School owns and operates as rentals. In 2019 Ordinance Z-12-19 (see attached) granted the subject property conditional use permits to operate as a commercially zoned assembly use and a private school for

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high school students and a major variation to the parking requirement. The parking variation allowed for the total required parking to be reduced from 73 to 63 spaces. After Z-12-19 was approved and signed by the petitioner, the petitioner submitted a business registration application to the City. In accordance with the approved conditions of approval and the signed unconditional agreement of consent, the petitioner is limited to assembly uses related to:

- a.) Community services
- b.) Recreational and social activities
- c.) Private school and adult education lessons
- d.) Office uses directly related to the Little Bulgarian School Organization

The petitioner submitted a business registration application in July 2019 to operate their uses from this location. The City required the petitioner to sign an affidavit restricting uses to those related to the school. However, the Petitioner did not approve of the restrictions in the affidavit and thus refused to sign the document. During this business registration process, the property was inspected several times by the building, zoning, and fire departments to determine if the site is compliant with applicable zoning, fire and building codes. The property passed all inspections on April 19, 2023. Because the affidavit was not signed, however, no business registration has been issued for the uses on this property.

The petitioner has been issued several violations for operating in this location without a business registration. The first violation was issued for operating in conflict with their conditional use in December 2021, when it was discovered that large events were held on the site without a business license allowing for the assembly use. A second violation was issued in March 2022 for operating without a business license and hosting events with liquor without proper City approvals. Three administrative hearings were held regarding this case. The City Attorney and staff met with the petitioner in February 2023 to discuss how to proceed.

Project Description:

The petitioner has submitted this application to amend the conditional use to allow for assembly uses related and unrelated to the school to be held on their property. The petitioner and property owner, Little Bulgarian School (LBS), is requesting a conditional use for the following:

- 1.) Allow commercially zoned assembly uses at 832 Lee St., open to the public and not restricted to the school activities. These events may include athletic events, performances, fundraisers, cultural events, or other events. The petitioner requests that the school be able to rent or lend facilities to third parties that:
 - a) Support and promote the school.
 - b) Celebrate, promote, support, and educate about Bulgarian culture, arts, and history.
 - c) Support and promote civic education, volunteerism, and community engagement.

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d) Support the activities of community residents and other community, educational, and cultural groups, and organizations.

2.) Allow for a private school for students of all ages (elementary, high school, adult classes) to operate seven days a week.

Proposed Uses and Hours of Operation

The petitioner does not have any plans to alter the interior or exterior of any of the properties at 820-848 Lee Street. All proposed uses will be located inside the building.

The below table provides an outline of approximate days and times of programming in the building. As stated in the Petitioner’s Narrative and Response to Standards, the specific programming will vary depending on demand, available resources, seasonality, or other factors. Some activities may occur simultaneously on the site, either when the programming is complimentary (i.e., a preschool recital during the weekday preschool) or when there will not be a conflict with other uses of the facilities. Efforts will be taken by the petitioner to program in a way that does not overburden the facility. A condition of approval states the fire occupancy load cannot be exceeded at any time in the building, requiring the petitioner to ensure any activities rescheduled in a way that does not violate any fire codes.

Use	Types of Activities	Hours of Operation	Spaces Utilized	Maximum # of Occupants
Assembly uses ¹	Athletic events, fundraisers, performances, cultural events, other events relevant to mission of school	Monday through Thursday, 5 p.m. to 10 p.m. Friday & Saturday, 11 a.m. to 3 p.m. or 5 p.m. to 11 p.m., Sunday, 11 a.m. to 3 p.m. or 5 p.m. to 10 p.m.	Gym, library	254 in the gym (fire occupancy limit for gym, balcony, and stage combined) + 10 in library (for special events)
Private School ¹	Weekend classes	Saturday and Sunday, 9 a.m. to 3 p.m.	Classrooms, craft space, library, gym	200 students + 15 teachers / staff members
	Weekday Preschool	M-F, 7 a.m. to 4 p.m.	Classrooms, craft space,	60 students over three sessions (12-

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			library, gym	20 students per session) + 2 staff members
	Weekday After School	M-F, 5:30 p.m. to 8 p.m.	Classrooms, craft space, library, gym	60 students over three sessions (12-20 students per session), two instructors + 90 adults and two instructors
	Weekday school ²	M-F, 7 a.m. to 4 p.m.	Classrooms, craft space, library, gym	200 students + 15 teachers / staff members
Office	Organization related office and meeting activities	As needed, during operating hours of the school	Offices	Varies
Other Recreational Use	Gym use by local basketball group	Upon request, subject to availability	Gym	234 in the gym (fire occupancy limit for gym and balcony combined)
Single family residences ³	Residential rental	N/A	Houses	N/A
¹ Requires conditional use ² Estimate from approximate weekend school enrollment. LBS is exploring this option and has not obtained necessary state licensing yet to operate this type of school. ³ Rental properties unassociated with school and assembly use activities.				

Drop-Off and Pick-up Operations

Most students participating in classes or programs will likely be dropped off and picked up by parents. The 2019 KLOA Traffic Study provided guidance on how to reduce conflicts on the site and improve traffic flow, stating that pick-ups and drop-offs should not occur in the front of the building along Lee St. Rather, students should be dropped off in the rear of the building, using the alley for access. Any staff members or older students parking at the site should be instructed to enter from the Lee Street entrance to the northmost parking lot.

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Off-Street Parking

Pursuant to Section 12-9-7, commercially zoned assembly uses for community centers are required to provide one space for every 200 square feet of gross activity area. The proposed private school would require one space for each classroom, plus one space per 200 square feet of area devoted to offices, plus one space for every six students based on maximum enrollment. The definition of “floor area” in Section 12-13-3 allows certain spaces such as restrooms, mechanical rooms, hallways, and a percentage of storage areas. The table below reflects the floor area of the building. Note the single-family residences are excluded from this calculation, as they each have their own parking areas that satisfy requirements and will not be using the LBS parking lot.

Use	Floor Area	Required parking ²
Assembly uses community centers, banquet halls and membership organizations	3678.5 square feet ¹	19 spaces
Private School	13 classrooms Max enrollment: 200 students Offices: 309 square feet	13 spaces + 2 spaces + 34 spaces
	Total	67 spaces
¹ Excludes floor area for mechanical room and a percentage of storage areas		
² Spaces rounded up to next whole number		

During the previous entitlement process in 2019, it was determined 73 spaces were required to meet the anticipated parking demand. Since 2019, the petitioner has achieved a better understanding of how building spaces will be used, and thus submitted a more detailed floor plan to city staff for review. The updated floor plan (including square footage of storage and mechanical areas) allows a greater portion of the building to be excluded from the parking calculation, and thus reducing the amount of necessary parking from 73 to 67 spaces. The parking variation from the original Z-12-19 that reduced the required parking from 73 to 63 spaces is still valid and applicable. *However, because the new conditional use request envisions more frequent and potentially larger events, and therefore potential peaks in parking demand, the PZB and/or City Council may find parking to be relevant in its consideration.*

In addition to the 63 spaces available for the property, a parking agreement allows the petitioner to use 28 parking spaces at 854 Lee Street (Immanuel Lutheran Church’s west parking lot) during the hours of 6:39PM to 11:30PM Monday through Friday and Saturday from 1:30PM to 11:59PM and Sunday from 1:30PM to 11:30PM (Refer to attachment). The parking agreement is

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active until August 31, 2025, with terms allowing for renewal after this date. The additional spaces would be able to accommodate any excess parking demand for either the assembly use or school during the noted hours.

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 may or may not 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 and private schools require a conditional use permit in the C-5 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: The 2019 Comprehensive Plan illustrates this area to be used for institutional uses. Institutional uses include the proposed school and community organizations associated with this request.

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: No alterations to the building are proposed with this application, thus there will be no changes to appearance that would affect the character of the neighborhood.

PZB Additions or Modifications (if necessary): _____

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

Comment: All activities will occur inside the existing building and will be minimally disruptive to the neighborhood. Parking will be accommodated by the sixty-three spaces provided on site. A parking variation was granted in the previous conditional use process to allow a reduction from 73 to 63 spaces. Based on the petitioner’s narrative, it does not appear the new activities proposed will be greater in intensity than the previous uses approved by the 2019 ordinance. Staff does not anticipate any concerns with the proposed uses interfering with the parking equilibrium of the neighborhood. The 2019 traffic study

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indicates the traffic generated by this use will not substantially be affected by the proposed uses in this area. For the school activities, the most intensive traffic generation will be during pick-up and drop-off. However, the traffic study does not take into account the proposed assembly uses – for which there are at least 14 events listed (see narrative) - but focuses solely on school uses. The petitioner is currently working with a traffic engineer to update the traffic study.

At the time of the report writing, adequate information for staff to assess traffic impact based on the combination of uses is not available. A recommended condition of approval states an updated traffic study must be provided and reviewed by city staff prior to the case appearing before City Council, to provide an adequate understanding to decision-makers regarding the impact of this use to the neighborhood. *However, the Board may choose to ask the petitioner to answer questions or present evidence related to traffic before voting on a recommendation to the Council, regardless of the recommended conditions.*

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 in the future.

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: All activities are proposed to occur inside the building and will not involve any processes or activities that will be disruptive to the neighborhood. Any uses must be in compliance with the Environmental Performance Standards in Chapter 12 of the Zoning Ordinance. Noise level for any activities on the site will be regulated by Section 6-2-7 of

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the Police Regulations in the City’s municipal code. Refer to Standards 4 and 8 for discussion on traffic impacts.

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 Lee Street, to the north parking lot, and the alley for pickups and drop-offs of students or parking in the rear of the building, as stated in the attached Petitioner’s Narrative and Responses to Standards. Particularly because the petitioner is seeking an entitlement for up to 200 daytime students, the use of the Lee Street curb may not be sufficient. The site plan does not include a designated off-street pick-up or drop-off area. At this time, adequate information to assess traffic impact based on the combination of uses is not available. The 2019 traffic study indicates the traffic generated by this use will not substantially be affected by this use in this area. However, the traffic study does not take into account the proposed assembly uses but focuses solely on school uses. Staff comments on this standard are consistent with Standard No. 4.

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.

PZB Additions or Modifications (if necessary): _____

PZB Procedure and Recommended Conditions: Pursuant to Sections 12-3-4(E) of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or disapproval of the conditional use. The City Council has final authority over both requests. However, should the PZB recommend approval of the conditional use, staff suggests the following conditions for the conditional use request.

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Conditions of Approval:

1. The operation of the commercially zoned assembly and private school uses shall be located only within the School Building at 832 Lee Street. The Single-Family Homes shall not be used for commercially zoned assembly or private school uses.
2. Any expansion for any use shall require the Petitioner to obtain an amendment to the Conditional Use Permits.
3. The Subject Property shall only be used as a commercially zoned assembly use for uses related to the school or open to the public that meet any of the following goals of the School:
 - a. Support and promote the School.
 - b. Celebrate, promote, support, and educate about Bulgarian culture, arts, and history.
 - c. Support and promote civic education, volunteerism, and community engagement.
 - d. Support the activities of community residents and other community educational, and cultural groups, and organizations.
4. The maximum number of people in any space shall not exceed the maximum occupancy load prescribed by the Fire Department. Every room or space that is an assembly occupancy shall have the occupant load of that room or space posted in a conspicuous place, near the main exit.
5. No alcohol shall be served during any event unless approved by the City of Des Plaines, as required by the Fire Department. Any food service preparation for any member shall come from a commercial grade kitchen.
6. The Petitioner shall maintain the Parking Lease Agreement as long as the Subject Property is used for commercially zoned assembly use and a private school. Any amendment to the Parking Lease Agreement shall be approved by the Director of Community and Economic Development.
7. An updated traffic study addendum detailing the traffic impacts of the proposed assembly uses must be submitted for review by city staff prior to the case appearing before the City Council.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Project Narrative and Responses to Standards
- Attachment 4: 2019 Traffic Study Prepared by KLOA
- Attachment 5: Parking Agreement for 854 Lee Street
- Attachment 6: Site Plan
- Attachment 7: Floor Plan
- Attachment 8: Original 2019 Ordinance – Z-12-19

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Chair Szabo swore in Karl Camillucci, Partner at Taft Law Firm, Attorney for the Petitioner. Mr. Camillucci explained the application which includes an amendment to two existing conditional use permits that were approved in 2019. This is a former school building. The proposed changes would be to update and clarify the assembly and school uses. They would like to amend their Conditional Use Permit to come into compliance.

A background on the Little Bulgarian School was given. Little Bulgarian School would like to grow to allow general community events, volunteer work and a cultural center. They are a community and cultural center that strives to educate people on Bulgarian culture. The current Conditional Use permit Z-12-19-were passed in 2019. This authorizes a combination of commercial zoned assembly uses and a private school. It also authorized a variation for off street parking. There are no proposed improvements or building changes to the site. Little Bulgarian school submitted a table of current and proposed programming and activities that would be conducted at the school. Someday, they would like to have a full-time day school for up to 200 students. They would like to include weekday and weekend classes and after-school programming. They are also looking to have assembly uses with third parties and have special events, but they will not have a commercial offering of the space. Mr. Camillucci also states that while they understand why the staff asked for maximum occupancy of the space to determine the intensity of the use, the school presently does not have plans to have as many people (students or attendees) as listed in the staff report.

For the traffic and parking considerations, they would like to amend the condition of approval related to the traffic study. They feel that they have ample parking. They feel the current 63 parking spaces far exceeds the current demand. They also have access to 28 additional spaces. The traffic study did not discuss the assembly uses; however the petitioner notes no traffic issues with access points on Lee Street and the alley. The traffic study recommends the use of the alley for drop off and pickups. Little Bulgarian School would like to have condition #7 be removed since the traffic study showed no impact to current conditions.

Member Fowler asked if they have a formal agreement with the Emmanuel Lutheran Church for the additional parking?

Mr. Camillucci stated they do have a formal agreement and it is in the packet.

Member Veremis asked about past violations where liquor was served at events.

Mr. Camillucci stated that they had a misunderstanding about alcohol at past events, and they will make sure they have proper licensing before having a special event with alcohol.

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Member Catalano stated that there have been several citations at this site including not having a business license. Will Little Bulgarian School comply with the suggested conditions of approval if the Conditional Use passes? Also have all the past code violations been corrected?

Mr. Camillucci stated that all past violations have been corrected and they plan to get their business registration. They are here to get the amendment to document more clearly what is allowed with the conditional use permit and operate in compliance with city ordinances.

Member Veremis asked how many students attended the school when it was a full-time school and how often will they hold large events and how many people attend them?

Member Fowler stated that in its hay day there were about 150-175 students at the school. There was never an issue with drop off and pick up. She stated that in her opinion she does not believe they need to do another traffic study. She stated that she would propose we drop Condition #7.

Mr. Camillucci stated that they would hold 1-2 large events a month and could have around 100-150 people in attendance. We have worked with the city and agree upon the maximum occupancy for each space.

Chair Szabo asked why condition #5 “Any food service preparation for any member shall come from a commercial grade kitchen” is so specific? What about bake sales?

Chair Szabo swore in George Petrov President of the Board of Little Bulgarian School. Mr. Petrov stated that in 2019 the building had an old kitchen. The old kitchen would not meet standards, so it is not utilized.

Samantha Redman, Associate Planner stated that this is a standard condition for this type of assembly use. Since they do not have a commercial kitchen serving food would be a health code issue. Without a commercial kitchen they could not prepare food, serve hot lunch etc.

John Carlisle CED Director stated that this is a carryover from the original 2019 conditional use. The Board has the opportunity to recommend something different. He believes food service preparation means hot preparation on site. A commercial grade kitchen is a code compliant kitchen. It would have to pass the health inspection under all relevant local/county/state health codes.

Mr. Petrov stated that they do not provide hot lunches. The students bring their own lunches. The special events are catered. Their current kitchen is not up to the current code.

Ms. Redman, Associate Planner, gave the staff report. She explained the Location Map and site photos. She provided photos of the rear area that would be used for school pick up and drop offs. Ms. Redman gave the background on their Zoning Ordinance from 2019- Z-12-19 which

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approved a conditional use for assembly and private school and a parking variation. Ms. Redman reiterated that they do not have a business registration, but they are working on getting it. She explained their current floor plans. She explained the Conditional Use request for Private Elementary and High School for 7 days a week. For the assembly use they are proposing to include athletics, performance, fundraisers, cultural and other relevant events. The current fire occupancy for the assembly use areas is 254 people. The parking variation from the previous ordinance is still in effect, allowing for the existing 63 spaces to satisfy the off-street parking requirements. Emmanuel Lutheran Church also has 28 parking spaces available. The reason the Traffic Study is needed is because an assembly use study was never done.

Ms. Redman stated that for tonight - pursuant to Sections 12-3-4(E) of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or disapproval of the conditional use. The City Council has final authority over both requests. However, should the PZB recommend approval of the conditional use, staff suggests the following conditions for the conditional use request.

Conditions of Approval:

1. The operation of the commercially zoned assembly and private school uses shall be located only within the School Building at 832 Lee Street. The Single-Family Homes shall not be used for commercially zoned assembly or private school uses.
2. Any expansion of any use shall require the Petitioner to obtain an amendment to the Conditional Use Permits.
3. The Subject Property shall only be used as a commercially zoned assembly use for uses related to the school or open to the public that meet any of the following goals of the School:
 - a. Support and promote the School.
 - b. Celebrate, promote, support, and educate about Bulgarian culture, arts, and history.
 - c. Support and promote civic education, volunteerism, and community engagement.
 - d. Support the activities of community residents and other community educational, and cultural groups, and organizations.
4. The maximum number of people in any space shall not exceed the maximum occupancy load prescribed by the Fire Department. Every room or space that is an assembly occupancy shall have the occupant load of that room or space posted in a conspicuous place, near the main exit.
5. No alcohol shall be served during any event unless approved by the City of Des Plaines, as required by the Fire Department. Any food service preparation for any member shall

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come from a commercial grade kitchen.

6. The Petitioner shall maintain the Parking Lease Agreement as long as the Subject Property is used for commercially zoned assembly use and a private school. Any amendment to the Parking Lease Agreement shall be approved by the Director of Community and Economic Development.
7. An updated traffic study addendum detailing the traffic impacts of the proposed assembly uses must be submitted for review by city staff prior to the case appearing before City Council

Member Saletnik stated that #4 is a life safety code. He believes that there can be changes to #5 He would propose that it state - no on site food preparation is allowed, however off-site prepared food is allowed to be served. He would like more information on #7- how often do you have large assemblies, how large are they and what do you see that turning into in the future? And when you have the events- when are they held?

Chair Szabo swore in Lubomir Krovlev, Board Member of the Little Bulgarian School. Mr. Krovlev stated that large events stopped once they found out they were not allowed without a permit. When they have large events, they usually have between 80-90 people. The large events are fundraisers for the not-for-profit organization. They expect the same amount of attendance for events moving forward. The events are typically on Saturday after 7 pm and ending by 11 pm.

Chair Szabo asked about renting the gym for the neighborhood basketball players.

Ms. Redman stated that the Conditional Use includes the use of this area for the athletic events, as the ordinances is supportive activities of community residents and other community educational or cultural groups and organizations.

A motion was made by Board Member Saletnik, seconded by Board Member Fowler to approve the conditional use permit with the following changes made to the conditions of approval. Eliminate Condition # 7. Modify Condition #5 to state:

No alcohol shall be served during any event unless approved by the City of Des Plaines, as required by the Fire Department. On premises food preparation is not allowed; however, food prepared off premises may be served on premises.

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

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

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3. Address: 1773 Webster

Case Number: 23-019-V

The petitioner is requesting Major Variations to allow an 11-foot-tall and 50-foot-wide trellis in the interior side yard at 1773 Webster Lane where a maximum height of six feet and a maximum width of eight feet are permitted.

- Petitioner:** Demetrios and Isabelle Giokaris, 1773 Webster Lane, Des Plaines, IL 60018
- Owner:** Demetrios and Isabelle Giokaris, 1773 Webster Lane, Des Plaines, IL 60018
- PIN:** 09-29-101-022-0000
- Ward:** #5, Alderman Carla Brookman
- Existing Zoning:** R-1 Single Family Residential district
- Existing Land Use:** Single Family Residence
- Surrounding Zoning:** North: R-1 Single Family Residential district
South: R-1 Single Family Residential district
East: R-1 Single Family Residential district
West: R-1 Single Family Residential district
- Surrounding Land Use:** North: Single Family Residence (Residential)
South: Single Family Residence (Residential)
East: Single Family Residence (Residential)
West: Single Family Residence (Residential)
- Street Classification:** Webster Lane is classified as a local road.
- Comprehensive Plan:** The Comprehensive Plan illustrates the site as residential.
- Zoning/Property History:** Based on City records, the subject property was annexed into the City in 1953 and has been used as a single-family residence.

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Background: *Structure Installation and Enforcement*

The existing structure is located along the north property line and spans 50 feet from the residence to the frame shed as shown on the attached Plat of Survey/Site Plan. This structure was installed without a permit in November 2022. On November 17, 2022, a complaint was filed regarding the structure in question, and Code Enforcement visited the property on November 18, 2022, to investigate. Based on the findings, code enforcement sent the property owner a letter informing him that the structure did not meet either the fence or trellis limitations of the Zoning Ordinance. Even though the rules have since been amended (Ordinance Z-6-23, see further discussion later in this report), the structure would not have complied with height limitations under the old rules. On November 23, 2022, staff informed the petitioner of the determination and identified that the existing structure shall be removed and replaced with a structure that conforms to trellis or fence rules or apply for a variation.

Variation Request

On December 8, 2022, the petitioner informed staff of the intent to pursue a minor variation for height of the structure. By March 6, 2023, a complete submittal was provided to staff for the variation request, and the petitioner seeks to have a structure that would be defined as a trellis (see attached drawings); provided, however, that the trellis would be taller and wider than is allowed. Therefore, approval of relief is necessary.

Recent Text Amendments for Fences, Trellises, and Arbors

On April 3, 2023, text amendments to clarify regulations and add terms for fences, trellises, and arbors were approved through Ordinance Z-6-23. The following definitions have been established for fence and trellis structures:

- **FENCE:** A structure used as a barrier or boundary to enclose, divide, or screen a piece of land. The term “fence” includes fences, walls, and other structural or artificial barriers that function as a wall or a fence. For the purposes of this Title, the term "fence" does not include arbors, trellises, or naturally growing shrubs, bushes, and other foliage. Fences must be made of wood, vinyl, metal, masonry, or a combination thereof. The height of a fence is measured from the immediately adjacent finished grade to the highest point of the fence.
- **TRELLIS:** A freestanding structure with latticework intended primarily to support vines or climbing plants. The height of a trellis is measured from the immediately adjacent finished grade to the highest point of the trellis.

In addition to the new definitions, a summary of the new trellis regulations—as they relate to the petitioner’s request—are below.

- **Location:** Trellises are permitted in all required front, side, corner-side, or rear

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yards or the buildable area with some limitations.

- **Height:** Allows trellises up to six feet in height in the interior side yards;
- **Width:** Trellises cannot exceed 8 feet in width;
- **Material:** Trellises must be constructed of wood, wrought iron, vinyl, or similar decorative material; and
- **Separation:** Trellises may not be attached to or located less than six feet from other trellises.

Even though the structure existing on the subject property was constructed prior to the approval of these amendments, the structure in question was not "...otherwise lawful..." (Section 12-5-6) and therefore could not be legally nonconforming. The structure, both existing and as proposed with this application (altered), is subject to the new standards.

Project Description: Overview

The petitioners, Demetrios and Isabelle Giokaris, have requested major variations to allow an 11-foot-tall and 50-foot-wide structure with a 4-foot-long overhang (into the subject lot, not over the lot line). Sketch plans for the proposed structure are attached. The petitioner intends to alter the existing structure so that it would match the proposed plans and be classified as a trellis. The subject property consists of a 18,014-square-foot (0.41-acre) lot with a 2,365-square-foot, two-story brick house, one frame shed, concrete stoop areas, a wood deck, and concrete driveway connecting to Webster as shown in the attached Plat of Survey/Site Plan. The existing structure is currently solid and positioned one foot off the property line in the interior side yard directly next to an existing fence as shown on the Photos of Existing Conditions.

Intended Adjustments to Existing Structure

In the Responses to Standards, the petitioners claim that the addition of the solid structure was necessitated by nuisances caused by their next-door neighbor to appropriately screen them from the neighbor’s property. They also indicate that the proposed structure would be utilized as a support for climbing plants. However, both the existing solid composition of the structure and horizontal boards starting approximately 6 feet above the ground at the top of the existing 6-foot-tall fence prevent any plantings from growing on or attaching to the structure for support. Therefore, as shown on the plans, the petitioner intends to remove every other (i.e. alternating) horizontal board on the structure and extend this pattern down to grade in order to create openings for climbing plants and meet the classification of a trellis. There are no plans to reduce the height or width of the structure, requiring variations from Sections 12-7-1.C and 12-8-14.B.1 of the Ordinance.

PZB Considerations

Based on the substantial size, positioning, and design of the structure in question, the PZB may wish to analyze if the true intent/utilization of the structure, as

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proposed to be designed, is more to serve as a barrier to screen the petitioner’s property from view from the neighbor instead of a structure for the primary purpose of providing support for climbing plants. Further, the PZB may inquire as to what plantings the petitioner intends to install on the property that necessitate an 11-foot-tall, 50-foot-wide trellis structure, or namely why alternative plantings that do not need support from other structures were not installed in its place. Nonetheless, see staff’s analysis of the variation standards.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Rationale for how the proposed amendments would or would not 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. 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: Considering the other opportunities available, the zoning challenges encountered do not rise to the level of hardship or practical difficulty. The petitioner argues that the nuisances caused by their neighbor require the installation of the structure in question to serve as buffer screening between the two properties. This is further enforced by the size and design of the existing structure extending 50 feet between the existing shed and residence. Approval would allow a structure that is almost double the allowable height and six times the allowable width. Through either testimony in the public hearing or via the submitted responses, the Board should review, question, and evaluate whether a hardship or practical difficulty exists.

PZB Additions or Modifications (if necessary): _____

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

Comment: The subject property is a typical rectangular, interior lot that is neither exceptional to the surrounding lots nor contains unique physical features that prevent the petitioner from complying with the appropriate regulations. It has been noted that there have been reoccurring nuisances generated by the neighboring property. However, *these are conditions of the neighboring property abutting the petitioner’s property—not unique physical conditions of the subject property itself*, which is the basis of this variation standard. As there are ample opportunities for the petitioner to locate a code-compliant trellis or trellises on the subject property, the request for an 11-foot-tall and 50-foot-wide trellis appears to be more of a personal preference of the property owner instead of a

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definable physical condition.

PZB Additions or Modifications (if necessary): _____

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

Comment: As there is no definable unique physical condition of the subject property itself, it is noted that the property attributes as they relate to size and location were not caused by the petitioner. However, the development of the deck and 11-foot-wide and 50-foot-wide barrier-type structure was directly constructed by the petitioner, and any perceived unique physical conditions or hardships created from these items are a direct result of the actions of the property owner.

PZB Additions or Modifications (if necessary): _____

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

Comment: Carrying out the strict letter of this code for height and width restrictions of a trellis structure does not deprive the property owners of substantial rights. First, while homeowners are able to construct trellises, as permitted by the trellis regulations, having the ability to construct a trellis in and of itself is not a right granted to property owners. Enforcing the trellis height and width requirements does not deny the property owners from constructing a trellis on their property but requires said trellis structure to conform with the applicable requirements that apply to any trellis structure installed throughout the City.

Given the initially installed, existing 11-foot-tall and 50-foot-wide structure on the subject property, as illustrated in the attached Photos of Existing Conditions, and the petitioner’s rationale that the structure in question is necessary to address perceived nuisances from a neighboring property, the PZB may discuss whether the true intention of this structure is more to provide a substantial barrier between the two properties rather than providing support for climbing plants. Even if solely for the intention of supporting climbing plants, the PZB may ask itself if the ability to install a structure at this scale is a right to which Des Plaines property owners are entitled given there are available alternatives to achieve the functional needs of a trellis.

PZB Additions or Modifications (if necessary): _____

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

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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: Granting this variation may, in fact, provide a special privilege for the property owner not available to other single-family residential properties. Variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body (e.g. PZB and/or City Council) usually determines the applicant has exhausted design options that do not require a variation. In this case, there are different design options, sizes, and positions for a trellis structure on the subject property, none of which warrant the substantial size of the structure in question. Granting a variation for this design at this location, when other viable options are available throughout the property, could be too lenient and tread into the territory of allowing a special privilege.

PZB Additions or Modifications (if necessary): _____

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

Comment: On one hand, the project would allow re-investment into a single-family home, which the Zoning Ordinance and Comprehensive Plan want to encourage. However, the existing structure is solely for the benefit of the property owner and is not consistent with any general and specific purposes of the Comprehensive Plan. For one, the structure is 50-foot-wide, extending from the residence to an existing shed, resembling a fence/barrier more than any standard trellis structure. Further, the petitioner references Section 12-10-1 of Chapter 10, “Landscaping and Screening”, of the Zoning Ordinance related to the purpose of the landscaping requirements in their responses to standards. A trellis structure is not, by definition, natural foliage utilized to meet the landscaping requirements detailed in this section nor is a trellis mentioned in the section as a means to satisfy the landscaping requirements. Instead, a trellis is a built structure which purpose is decoration and support for climbing plants. Conversely, a fence structure is referenced several times in the aforementioned section as a means to appropriately screen non-residential uses from residences. This code section reference by the petitioner clarifies the intention and use of the structure in question as a screening mechanism—similar to a fence—under the guise of a trellis. In addition, the existing structure is solid with horizontal boards starting approximately 6 feet above grade, which does not provide support for climbing plants. Even the proposed alterations to the structure appear to be more focused on maintaining the barrier-like presence of the structure rather than serving the purpose of a trellis. Nonetheless, the existing barrier-type structure is not harmonious with other residences in the R-1 district and does not meet the regulations for either trellis or fence structures. There are reasonable options for designing a trellis structure to create an adequate space for the growing of various plant material without the height and width of the existing structure in question.

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PZB Additions or Modifications (if necessary): _____

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

Comment: There are several alternatives to the height and width variations being requested. The code allows for the installation of multiple trellis structures on the property, with a minimum 6-foot-separation between structures. It also allows for various trellis heights based on the trellis location on the property, restricting trellis height to 6 feet or less in required yards but allowing a maximum trellis height of 8 feet in the buildable area. In addition to the above improvements, natural plantings can also be added to provide a natural barrier between the properties as sought by the petitioner. In short, there are ample alternatives available based on the regulations, not just for trellis structures in which multiple designs and locations are available based on the regulations, but also other improvements such as landscaping. The PZB may wish to ask why certain alternative designs are not feasible.

PZB Additions or Modifications (if necessary): _____

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

Comment: The approval of the height and width variations may provide relief for the petitioner given their current proposal for the existing structure installed on site. However, staff argues that the alleged hardship related to nuisances from a neighboring property could be satisfied with alternative proposals that better utilize the physical characteristics of the property, incorporate trellis structures in a cohesive and harmonious way with the neighboring built environment, and meet the appropriate requirements. And while the minor adjustments to the existing barrier-type structure may be more convenient and less intensive than the alternative plans, these are not factors in staff’s analysis that demonstrate a true hardship or practical difficulty. The PZB may determine if the measure of relief is appropriate or necessary in its recommendation.

PZB Additions or Modifications (if necessary): _____

PZB Procedure and Recommended Conditions: Under Section 12-3-6(F) of the Zoning Ordinance (Major Variations), the PZB has the authority to recommend approval, approval subject to conditions, or denial of the request to City Council. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined in the Zoning Ordinance. If the PZB recommends approval of the request, staff recommends the following conditions.

Conditions of Approval:

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1. No easements are affected, or drainage concerns are created.
2. The structure must be freestanding without any attachment to existing structures on the property.
3. All appropriate building permit documents and details, including dimensions and labels necessary to denote the addition, must be submitted and approved for the proposed project. All permit documents shall be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building and life safety codes.

Attachments:

- Attachment 1: Location and Zoning Map Petitioner's
- Attachment 2: Site & Context Photos
- Attachment 3: Existing Condition Photos
- Attachment 4: Responses to Standards for Variation
- Attachment 5: Plat of Survey and Site Plan
- Attachment 6: Trellis Sketches

Chair Szabo asked if the petitioner was present.

Jonathan Stytz, Senior Planner stated that the petitioner at 1773 Webster formally withdrew their Variation request. This withdrawal came in today.

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New Business:

1. Discussion of Potential PZB Workshop and Special Meeting

John Carlisle, CED Director stated that the developer/interested party in the two developments were looking to hold the workshop but will not be ready for May 9, 2023. They asked if the board could start thinking about other days that might work. Many of the Board members stated that Tuesday, Wednesday, and Thursdays seem like the best days. Mr. Carlisle thought we could hold a special meeting on a non PZB meeting day since it might be a long meeting otherwise.

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday May 9, 2023.

Chairman Szabo adjourned the meeting by voice vote at 8:34 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: May 17, 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 a Major Variation to Extend the Use of a Temporary Classroom Structure in the R-1 District at 260 Dulles Road, Case #23-021-V

Issue: The petitioner is requesting a Major Variation to allow a one-year extension of the use of a temporary classroom structure in the R-1 Single Family Residential district at 260 Dulles Road, where the installation and use of a temporary classroom structure is limited to a maximum of one year before it shall be removed.

Petitioner: Community Consolidated School District 59 (Representative: Ron O'Connor), 1001 Leicester Road, Elk Grove Village, IL 60007
Owner: Community Consolidated School District 59, 1001 Leicester Road, Elk Grove Village, IL 60007
Case Number: 23-021-V
PIN: 08-13-214-018-0000
Ward: #4, Alderman Dick Sayad
Existing Zoning: R-1 Single Family Residential district
Existing Land Use: Brentwood Elementary School
Surrounding Zoning: North: R-1 Single Family Residential district
South: R-1 Single Family Residential district
East: R-1 Single Family Residential district
West: R-1 Single Family Residential district
Surrounding Land Use: North: Single Family Residence (Residential)
South: Single Family Residence (Residential)
East: Single Family Residence (Residential)
West: Single Family Residence (Residential)

Street Classification: Dulles Road and Brentwood Drive are classified as local roads.

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

Zoning/Property History: Based on City records, the subject property was annexed into the City in 1959 and has been used as an elementary school.

Background: *Text Amendment for Temporary Classroom Structures*
On August 1, 2022, a new temporary classroom structure use, as defined below, was added as a new temporary use to Section 12-8-11, Temporary Uses, of the Zoning Ordinance, through Ordinance Z-24-22.

- **TEMPORARY CLASSROOM STRUCTURE:** A temporary structure that is (i) detached from a principal structure, (ii) located on the same zoning lot as, and is incidental and subordinate to, a public or private elementary, middle, or high school, and (iii) used solely as an educational classroom facility. Temporary classroom structures must comply with the Temporary Uses section of this title.

In addition to the new definitions, a summary of the Temporary Classroom Structure regulations is below.

- **Eligibility:** This structure is only permitted on lots where the principal use is a public or private elementary, middle, or high school and only after the approval of a Zoning Certificate;
- **Duration:** This structure is only permitted for up to 12 months after the date it is constructed or placed on an eligible zoning lot unless otherwise extended by the Zoning Administrator due to an active construction project on the subject lot;
- **Location:** The structure must be located on a dust-free hard surface outside of any public right-of-way or utility easement and shall not reduce, block, or interfere with parking lot drive aisles and spaces;
- **Quantity:** Up to two temporary classroom structures are permitted on an eligible lot at a given time unless a greater number is approved by the Zoning Administrator due to an active construction project on the subject lot;
- **Area:** The total combined area of all temporary classroom structures cannot exceed five percent of the gross floor area of the school building footprint; and
- **Height:** This structure cannot exceed 15 feet in height as measured from grade to the highest point of the roofline.

Zoning Certificate

On August 2, 2022, a Zoning Certificate was approved for one temporary classroom structure on the subject property pursuant to the aforementioned regulations. On February 24, 2023, the petitioner requested from staff an extension of the temporary classroom structure for an additional academic year (2023-2024, or into Summer 2024). As there was no active construction project occurring on site, the lot was not eligible for an extension, requiring a major variation.

Project Description:

Overview

The petitioner, Ron O'Connor on behalf of the Community Consolidated School District 59, has requested a major variation to allow a year extension for the use of a temporary classroom structure in the R-1 Single Family Residential district at 260 Dulles Road, which was installed on the subject property in 2022 and is permitted for up to a year unless an active construction project on the subject property requires its continued use. The subject property is at the northeast corner of the Dulles Road/Brentwood Avenue intersection and consists of a 3.28-acre lot with a 59,452-square-foot, one-story school building, playground area, bus and passenger car drop-off/pickup areas, and recreational area as shown in the attached Plat of Survey. The temporary structure currently installed on the subject property consists of two separate classroom spaces and a restroom totaling 1,650 square feet in area and 8.5 feet in height as shown on the attached Architectural Plans in conformance with the area and height requirements above. It is located along the east school building elevation on a dust-free paved surface with access from the north (facing Brentwood Avenue).

The current zoning certificate for the temporary classroom structure was awarded on August 2, 2022 and is valid for one year, currently set to expire on August 2, 2023, requiring the removal of the temporary classroom structure. While the duration for the use of a temporary classroom structure can be extended by the zoning administrator when an active construction project on the subject property necessitates its continued use, there is currently no such construction project in progress or proposed to be in progress prior to the upcoming August 2, 2023 deadline. As such, the petitioner's request to extend the use of the temporary classroom structure without meeting this prerequisite requires a major variation approved by the City Council.

Current Proposal and Potential Long-Term Solution

The petitioner's request for the extension of the zoning certificate for another year to allow the school district to finalize plans to address the current concerns addressed in the attached Project Narrative. This proposal does not include any changes to the existing temporary classroom structure itself or its location on the subject property. However, the attached Temporary Classroom Structure Architectural Plans have been provided for reference.

In addition, the petitioner has also provided plans related to a potential expansion of the school building including the addition of two new classrooms and enlarged gym space as noted in the attached School Building Addition Architectural Plans (Potential). The PZB may wish to inquire if the school building addition illustrated on these plans will be pursued and the anticipated timing for this project, or, if this option is not pursued, what other long-term solutions the school district has proposed to address the issues raised and the anticipated timing of the implementation of each solution if selected.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Rationale for how the proposed amendments would or would not 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. 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: Given the increase in student enrollment in recent years and the general timing, planning, execution, and completion of a school addition project of this scale, the zoning challenges encountered may rise to the level of hardship or practical difficulty necessary for consideration of relief. The petitioner explains that the consistent increase in student enrollment the past three years has required the school district to seek short-term alternatives while considering larger scale projects to address the overcrowding issues in the long-term. While the school district has engaged an architect to design a much-needed addition for the school, the time required to finalize the designs, hire contractors, and begin construction on the subject property—with minimal impact to the students during the school year—is a practical difficulty that the school district cannot address before the deadline of the zoning certificate for the temporary classroom. In an effort to work with the school district and address the aforementioned issues, a variation to extend the use of the temporary classroom structure for a year may be warranted. However, in their consideration of the testimony in the public hearing or via the submitted responses, the Board should review, question, and evaluate whether a hardship or practical difficulty exists.

PZB Additions or Modifications (if necessary): _____

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

Comment: The subject property is exceptional in shape given the curvilinear streets and single-family residence that abut it on three of its five sides. While the lot is relatively large for a property in a residential district, the existing school building and related improvements fill a majority of the available space. In addition, the unique shape limits available locations for additions given the building setback requirements in the R-1 Single Family Residential district, which do not distinguish between uses. Further, the petitioner’s continued efforts to address the overcrowding issue through a building expansion indicate that long-term solutions exist aside from the unique physical characteristics of the subject property, but that additional use of the existing temporary classroom structure is necessary for the time-being. The unique physical features existing on this site do appear to be exceptional compared to other school uses located within the R-1 district, which potentially justify the current need for a temporary classroom structure on the subject property.

PZB Additions or Modifications (if necessary): _____

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

Comment: There is no indication that the current property owner or previous property owner created the aforementioned unique physical characteristics of the subject property. It is conceivable that the current development on the subject property—and any space constraints related to it—can be attributed to the past or current owner. However, the specific overcrowding issue stemming from continual student enrollment growth over the past three years may or may not be attributable to the current owner. On one hand, school districts are presented with student population trends beyond their control. On the other hand, part of their planning is to adjust for increases as it relates to facilities. Depending on the Board’s opinion, the variation request for the use of the existing temporary classroom structure for one year could be viewed as a temporary, short-term solution to address this issue and potentially avoid future variation requests.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: While denying the variation request to utilize the existing temporary classroom structure may not necessarily deprive the property owner of their rights per se, it would negatively impact the operations and use of the subject property as an elementary school, which could have lasting adverse effects on the school district and school-aged children alike. Given the importance of providing a sufficient environment for the education of youth and the opportunities available to the City to assist the school district in providing said environment, it may arguably benefit the City and residents as a whole to provide this temporary allowance in order to permit a more permanent, long-term solution.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: Granting this variation does not provide a special privilege for the property owner not available to other school uses in the City but rather addresses a current issue facing School District 59 in the short term. Variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body (e.g. PZB and/or City Council) usually determines the applicant has exhausted options that do not require a variation. In this case, there are a variety of options that the school district is considering to effectively resolve this issue, but none of which can be accomplished in the remaining time allotting for the use of the temporary classroom structure. Granting a one-time variation for the continued use of the temporary classroom structure at this location while permanent solution is enacted does not constitute a special privilege.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: Since a temporary classroom structure is a short-term use only permitted as accessory to existing eligible educational institutions in Des Plaines, its limited presence on a school property is compatible with the current conditions and overall character of the existing development. A temporary classroom is intended to be active only for a limited period of time on an existing dust-free hard surface so as to not change the existing development on the site but rather serve the school building and community as a whole. A variation to extend the use of a temporary classroom structure for a period of one year to address a larger overcrowding problem on the subject property still meets this intention while also promoting the implementation of permanent, long-term solution that negates the need of the temporary classroom structure in the future. For those reasons, the request to extend the use of the existing temporary classroom structure would be harmony with the general purposes of the Des Plaines 2019 Comprehensive Plan.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: There are no reasonable alternatives in the short-term—aside from the extended use of the existing temporary classroom structure—to address the current overcrowding issues exhibited on site with the active use of the property as a school. Given the expiration date of the zoning certificate for the temporary classroom structure approaching in less than three months, the completion, passing of inspections, and opening of any addition to the school building, all while school is actively in session, would not be possible. As such, the variation request to extend the use of the temporary classroom structure appears to be one of the few plausible options in the short-term.

PZB Additions or Modifications (if necessary): _____

_____.

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

Comment: The approval of the requested variation is the minimum relief required to alleviate the aforementioned hardships in the short-term and allow the school district to move forward on the implementation of larger, permanent improvements on the subject property.

PZB Additions or Modifications (if necessary): _____

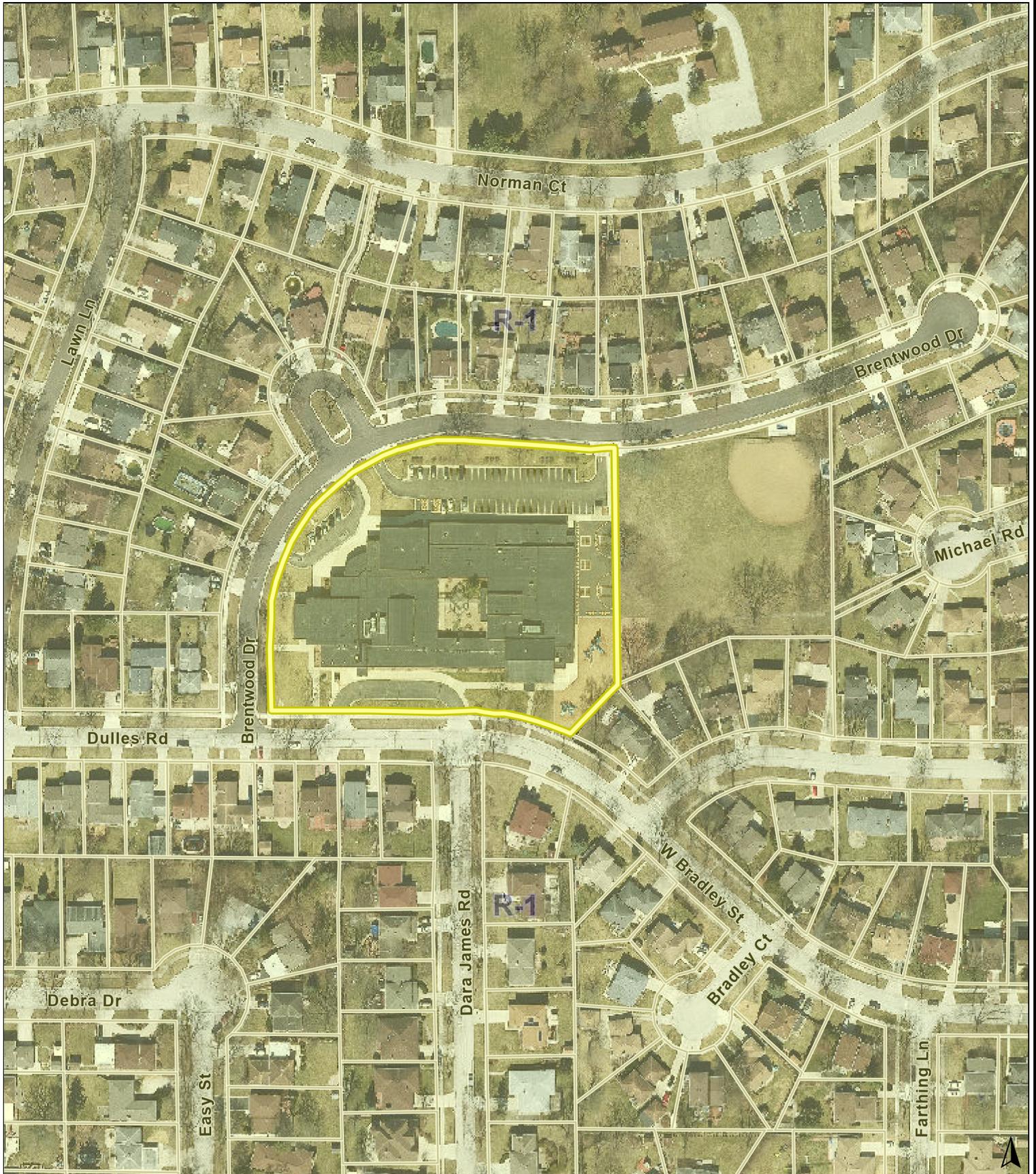
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PZB Procedure and Recommended Conditions: Under Section 12-3-6(F) of the Zoning Ordinance (Major Variations), the PZB has the authority to recommend approval, approval subject to conditions, or denial of the request to City Council. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined in the Zoning Ordinance.

Attachments:

- Attachment 1: Location and Zoning Map
- Attachment 2: Site & Context Photos
- Attachment 3: Existing Condition Photos
- Attachment 4: Petitioner’s Responses to Standards for Variation
- Attachment 5: Project Narrative
- Attachment 6: Select Temporary Classroom Structure Architectural Plans¹
- Attachment 7: School Building Expansion Architectural Plans (Potential)

¹ Full plans available upon request to the Community and Economic Development department.



Print Date: 5/17/2023

Notes

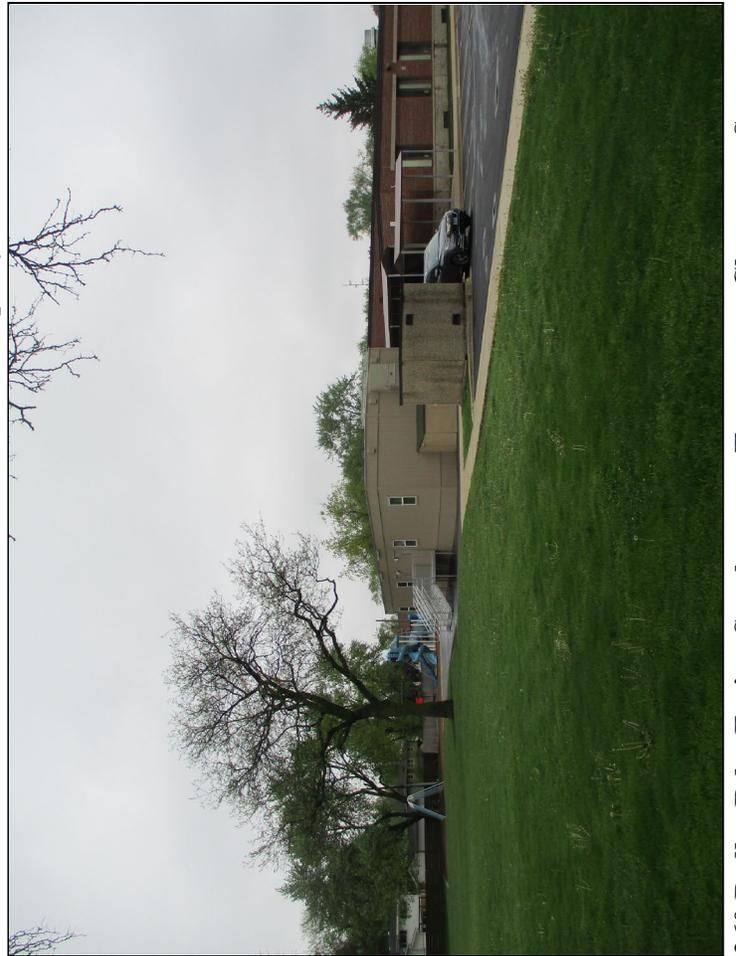
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently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



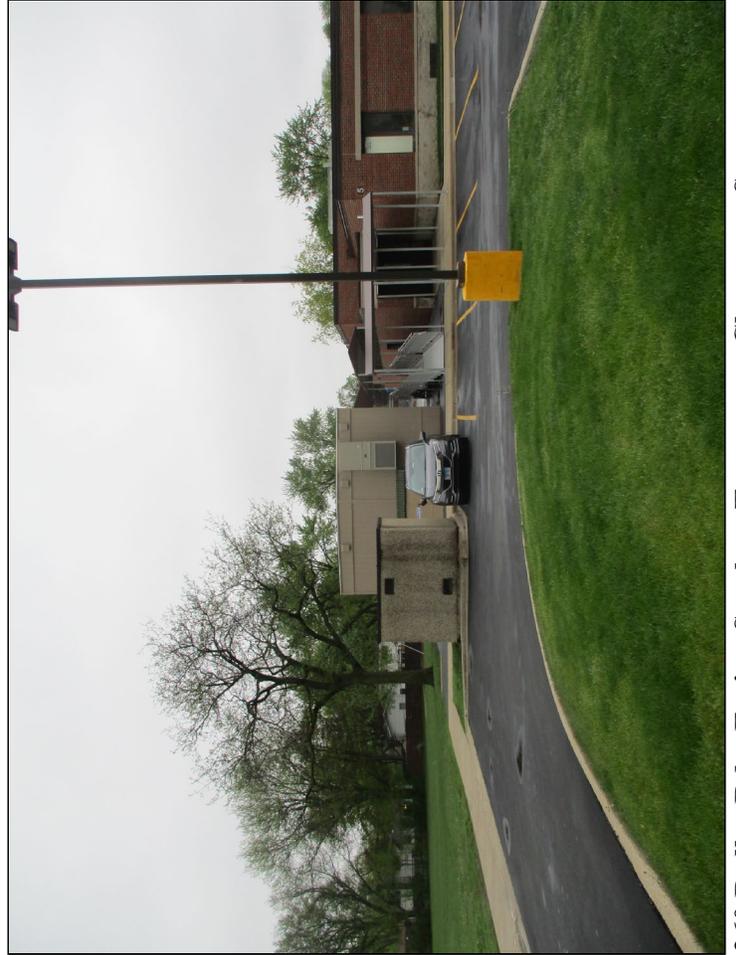
260 Dulles Rd – Public Notice and Front of Property



260 Dulles Rd – Facing Northwest at Front of School

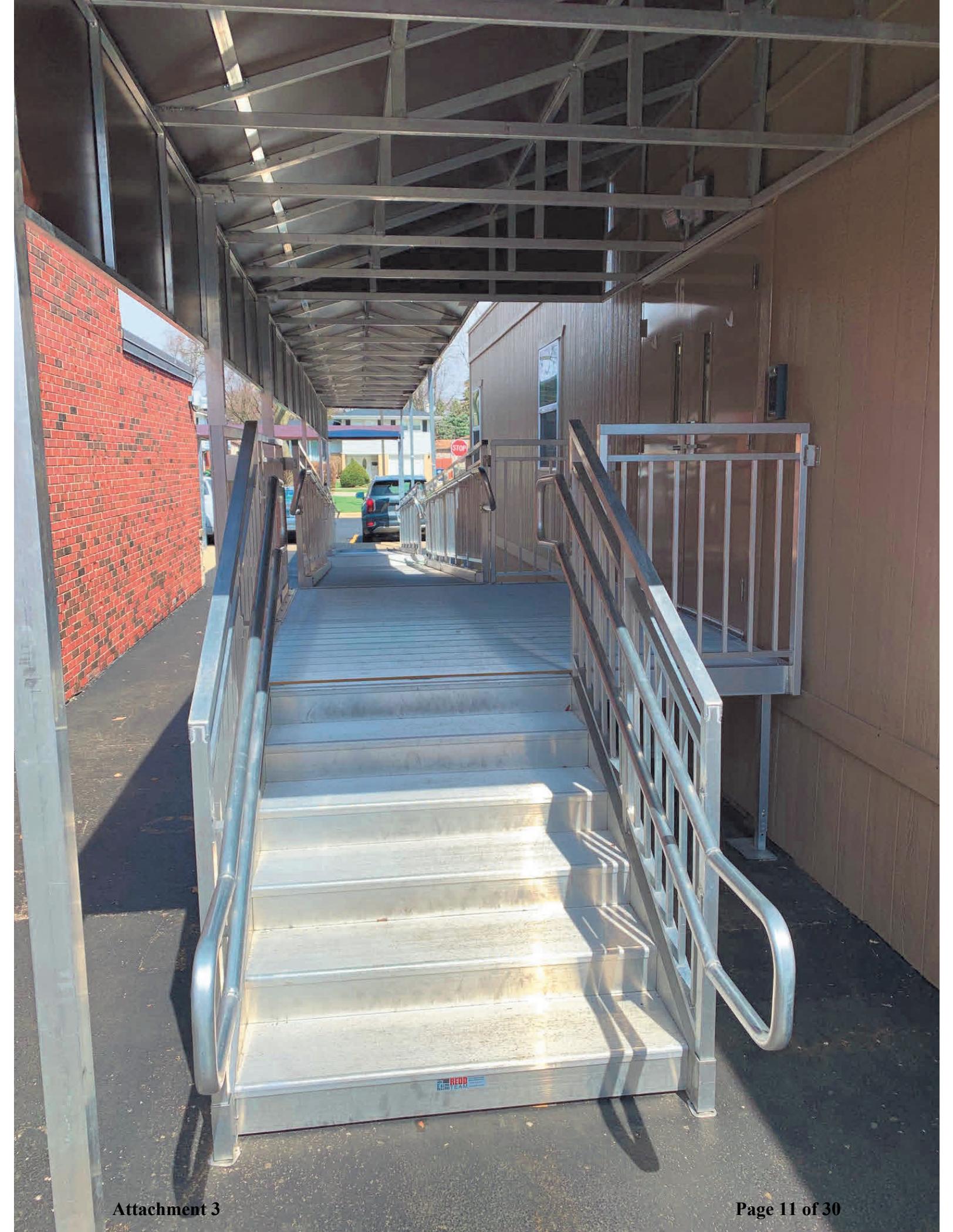


260 Dulles Rd – Facing Southwest at Temporary Classroom Structure



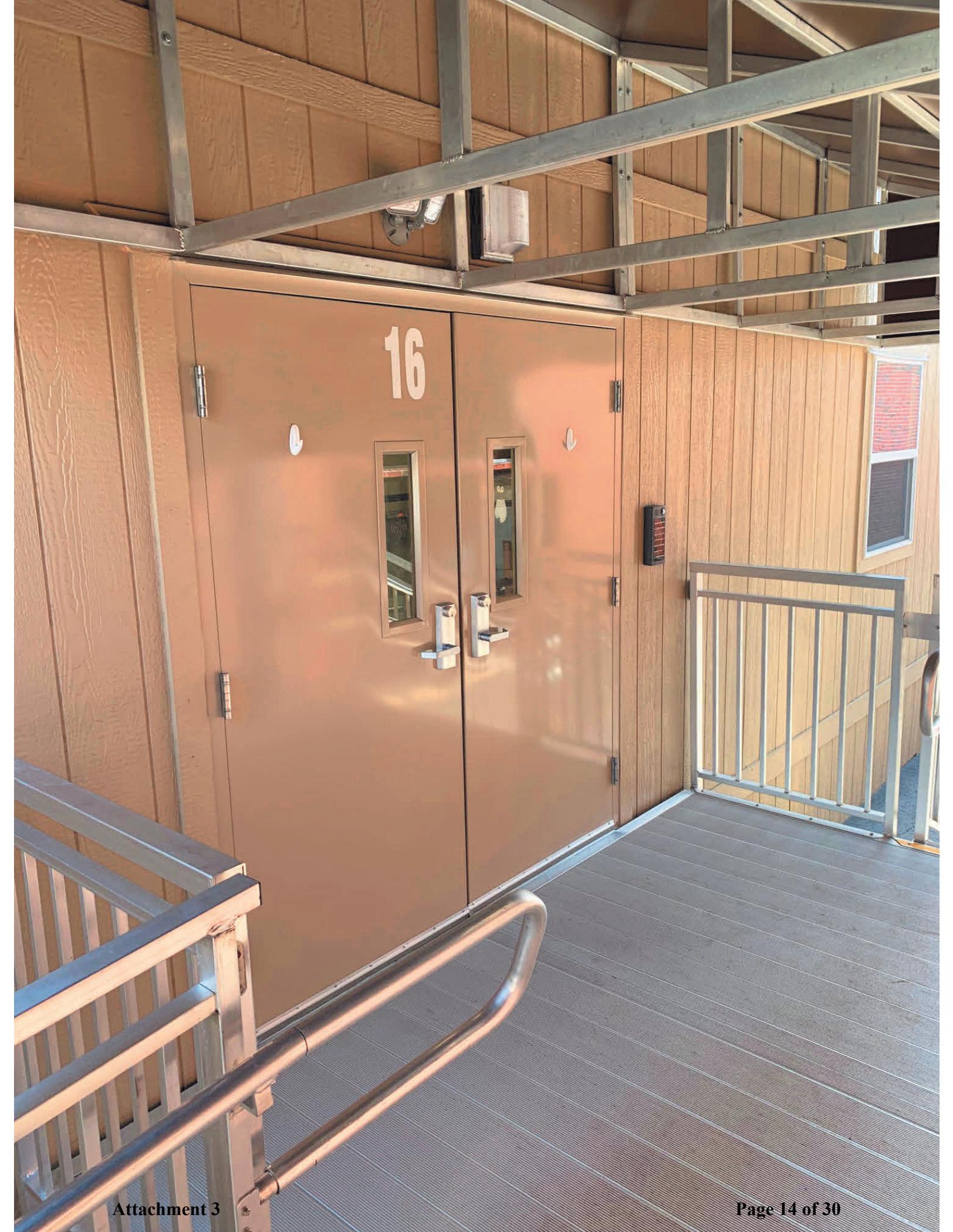
260 Dulles Rd – Facing South at Temporary Classroom Structure













Standards For Variations

The district would wish to extend the use of the temporary classroom structure at Brentwood Elementary under Section 12-8-11 "Temporary Uses."

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

- A hardship will be created by carrying out the strict letter of the provisions, specifically since the school is overcrowded. This eliminates the temporary classrooms that create relief in the building; these have been a tremendous relief for the current school year. Denying a year-long extension will create hardship on families and the community, as students may have to be relocated, placed in overcrowded classrooms, and away from their current school.

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.

- Brentwood Elementary is in a landlocked area. Expansion of the building within a previous time frame would not have been possible. The district is exploring options on how to either work with construction going forward or shifting the student population (redistricting), hiring experts on the process.

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.

- This situation was created by natural forces, such as where families moved to. Most families moved into the Brentwood area, which then created a greater population density in that particular area in the district. This then created an overcrowding situation in the school.

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.

- Enforcement may place Brentwood students at a disadvantage due to a reduction in space, classroom overcrowding, and/or uneducated decision-making for the district. Brentwood will not be utilized optimally compared to other schools, but plans are being

evaluated and implemented. The district will have a plan working with three professionals, such as construction or redistricting.

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 is not a profitable situation. The district spent approximately \$500,000 for a temporary solution, which was the temporary classroom. The situation was an extreme circumstance that the district does not want to be in.

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.

- The district has been working with three different professionals to create a successful plan. All proposals are consistent with the title's specifications. A solution is necessary, but will entail planning with a one-year extension.

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.

- Allowing the district to have temporary classroom space for one additional year is imperative. Construction cannot happen without displacement of students; the administration and board have worked to try finding solutions on alleviating overcrowding at Brentwood, such as a boundary change or construction.

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.

- The temporary structure is not a permanent solution. This is the minimum action taken to ensure that students have space and access to educational resources in Des Plaines. By the end of the one-year extension period, the district will have and be executing a plan for either a boundary change and/or building additions.



City of Des Plaines
Planning and Zoning Commission
1420 Miner Street
Des Plaines, IL 60016

Community Consolidated School District 59 serves four municipalities. The district has attempted to work with multiple stakeholders over the past three years in order to provide a solution that is beneficial to kids. Crowding issues have been a concern for Brentwood. Satellite mobile units have been a temporary solution for creating space for our children. Recent events have created a tipping point.

For example, the district is now servicing an influx of newcomers from Eastern Europe and South America. This has added 52 additional students to Brentwood in the past two years. Forty children have been placed at the school just this year alone. As of today, there are now 428 students housed in the facility. This has been a burden on the learning space.

Several solutions have been discussed. The district is entering into an educational alignment study with an architect so that planning can occur when it comes to maximum utilization of Brentwood. We are also reviewing potential boundary changes in order to alleviate the student population. This is not anything to be taken lightly, as it will impact families and other schools for years to come.

Additionally, the district has engaged with another architect in drawing plans for potentially expanding the gym and building classrooms. The timeline to begin a project is no sooner than the summer of 2024 due to material shortages and lining up laborers with minimal disruption to the learning environment.

The district is committed to providing the best education possible for all kids. Potential solutions may be boundary changes and building additions through tax dollars. We cannot make a sound decision without the due diligence required, as this affects our shared constituents. The ability to continue the use of the mobile classroom units would allow CCSD59 the time it needs to effectively plan for a long-term solution to this issue.

Thank you for continuing to partner with us,

A handwritten signature in black ink, appearing to read "Ron O'Connor", with a long horizontal flourish extending to the right.

Ron O'Connor
Assistant Superintendent for Business
Community Consolidated School District 59

CC: Dr. Terri Bresnahan, Superintendent

Illinois State Building Codes

2014 NATIONAL ELECTRIC CODE
 2015 INTERNATIONAL BUILDING CODE
 2015 INTERNATIONAL MECHANICAL CODE
 2015 INTERNATIONAL ENERGY CONSERVATION CODE
 2014 ILLINOIS STATE PLUMBING CODE
 ILLINOIS HANDICAP GUIDELINES

3rd party and State Review and Label w/3rd Party Inspection

**Satellite Shelters
 2474 Classroom
 23'-6" x 70'-0"**

Site Locations

**22-23666-67
 Robert Frost Elementary
 1308 Cypress
 MT. Prospect, IL 60056**

**22-23668-69
 Brentwood Elementary
 260 Dulles Road
 Des Plaines, IL 60016**

MANUFACTURER INFORMATION

Manufacturer: C&B Custom Modular
 2224 Bloomingdale Drive
 Bristol, Indiana 46507
 (574) 848-7300

MFG. Plant Address: 2224 Bloomingdale Drive
 Bristol, Indiana 46507

Contact Person: Dan Speelman

3rd Party Agency: T.R. Arnold & Associates
 4703 Chester Drive
 Elkhart, Indiana 46516
 (574) 264-0745

Model Name/Number: Satellite 24x74 Classroom
 22-23666-69

Building Notes:

- All materials are C and B Custom Modular's standards unless otherwise specified.
- Locate state seals, 3rd party seals and data plate on face of electrical panel unless unit has no EP then to be located At Hitch End In Ceiling Cavity.
- All door adjustments are on site by others.
- C and B Custom Modular Inc. is not responsible for local codes or permits.
- Building to be located >10'-0" from existing or assumed property line and >20'-0" from an existing building.
- Buildings on the same property shall be assumed to have a property line between them.
- The building exterior and the facilities within the building shall be identified with the international symbol of accessibility. (Signage by others)
- The dealer/owner shall be responsible for on site barrier free provisions, i.e.: Steps, ramps, parking signs etc.
- Building approach (walkway or ramp) to be 5'-0" wide minimum and have a running slope not steeper than one unit vertical in 12 units horizontal.
- Exit doors to remain operable during business hours from the inside without the use of a key or any special knowledge.
- Corrosion resistant flashing at top and sides of doors, windows and at roof penetrations shall be provided.
- Kraft faced insulation to be facing tight to warm side of cavity for vapor barrier.
- All sources of air leakage in the building thermal envelope to be sealed, caulked, gasketed, weather stripped or wrapped with moisture vapor-permeable wrapping to minimize air leakage. (Air leakage at mate-lines to be address by others at site)
- Commissioning plan, if required, provided by others once building is installed at site.
- Building shall not be located in areas that exceed those listed on the cover sheet design criteria and state codes.
- Building shall not be located in Flood Zone.

BUILDING INFORMATION

Use Group: "E"
 Construction Type: "V-B"
 Square Feet: 1945 sq. ft.
 Occupant Load: 68
 Stories/Height: 1 / 13'-16" high (Approx.)
 Building Weight: 25,500 LBS. Unit A
 27,200 LBS. Unit B

DESIGN LOADS

Roof Snow Load: 30 PSF
 Ground Snow Load: 25 PSF
 Roof Dead Load: 13 PSF MAX
 Floor Live Load: 50 PSF
 Corridor Live Load: 100 PSF
 Floor Dead Load: 22 PSF
 Risk Category: "II"
 Wind Speed: Vasd: 90 mph, Vult: 116 mph
 Wind Exposure: C
 Seismic Design Category: C
 Ss: 0.135
 S1: 0.06

Mechanical Notes:

- Exhaust fans and venting equipment to be ducted to exterior and terminate at an approved vent cap.
- Return air via grilles and/or undercut doors.
- Materials exposed within plenum shall be noncombustible or shall have a flame spread index of not more than 25 and a smoke-developed index of not more than 50 when tested in accordance with ASTM E-84.
- Metal chimneys shall extend at least 3'-0" above the highest point that they pass through the room and 2'-0" minimum higher than other portions of a building within 10'-0"
- All ducts shall be class 1/A flame spread and constructed compliant with UL181.
- Ducts shall be insulated to a minimum of R5 for ductwork in conditioned space, and R8 for ductwork in unconditioned space to provide thermal resistance.
- All ducts shall be constructed as specified in the SMACNA HVAC Duct Construction Standards.
- All fiberglass ducts shall be constructed as specified in the SMACNA-2010 Fibrous Glass Duct Construction Standards or NAIMA Fibrous Glass Duct Construction Standards.
- Flexible ducts and connectors shall be installed in accessible areas only.
- Attic to be Naturally ventilated at 1sf per 150sf, or mechanically ventilated at >.02cfm per SF.
- HVAC system to be tested and balanced within 10%± of the design parameters and any reports required are by others once building is installed at site.

Illinois Code Compliance Certificate & Seal:

The fourth part Illinois Code Compliance Certificate will be completed by the manufacturer within 30 days after the shipment of the modular dwelling from the plant. The manufacturer shall complete a copy of the certificate and forward a copy to the IDPH, the approved third party inspection agency and to the owner of the modular dwelling. Prior to leaving the factory, the Illinois seal and the label of the approved inspection agency shall be placed on the electrical panel of the modular structure.

Drawing Index

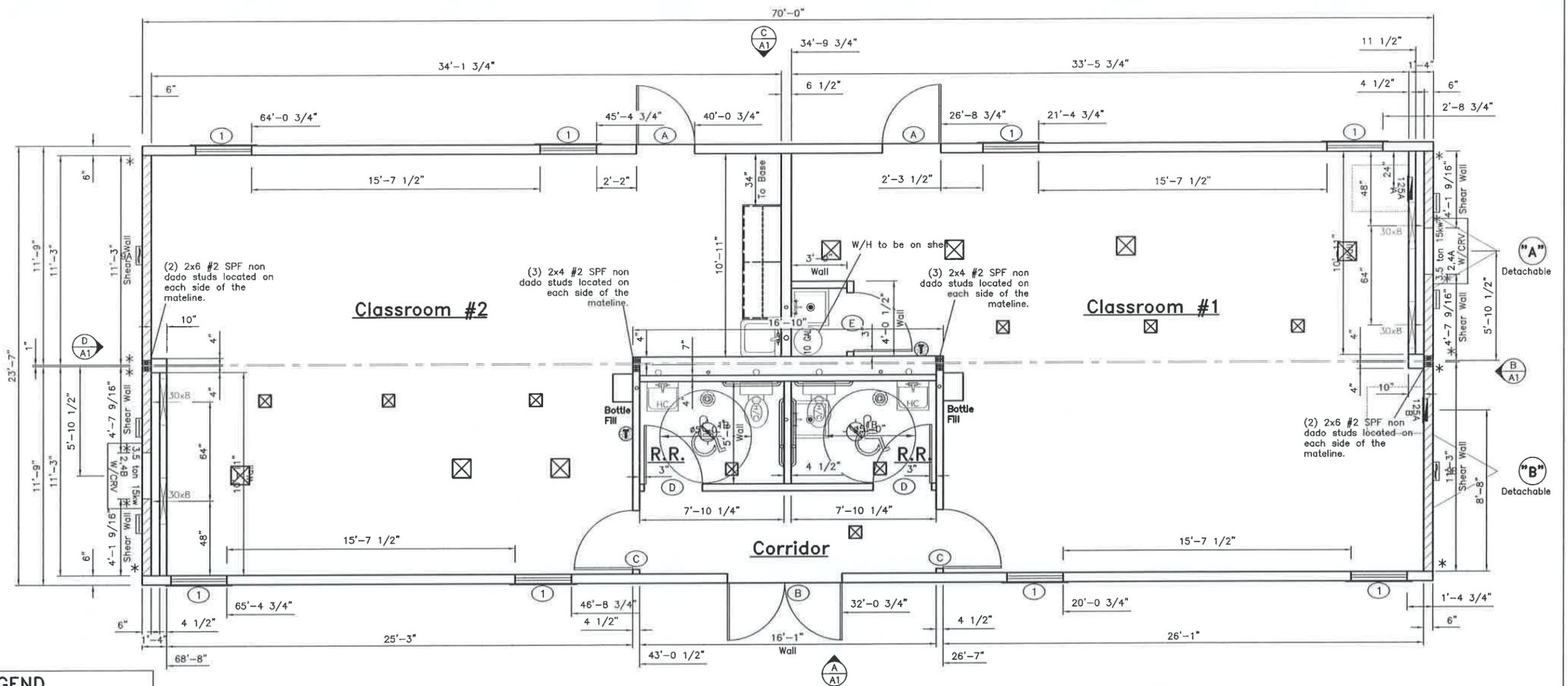
Page	Page Description
C1	Project Cover Sheet
C2	Building Specifications
A1	Building Elevations
A2	Production Floor Plan
A2.1	Wall / Accessibility Details
E1	Production Electrical Plan
E2	Calculations and Diagrams
M1	Production Mechanical Plan
S1	Blocking Points
S2	Cross Section / Details
S2.1	Fastening Schedule / Details
S3	Production Frame Framing Plan
S4	Production Floor Framing Plan
S5	Production Roof Framing Plan
P1	DWV and Fresh Water Plumbing Schematics
Attached	Data plate, Truss and Calculations



2224 Bloomingdale Drive
 Bristol, Indiana 46507
 PH: (574) 848-7300
 FX: (574) 848-1950

**C & B
 MODULAR, INC.**

Scale: DS	Drawn: WS	Date: Aug 03, 2022	Plot Date:
Serial Numbers: 22-23666-69	Drawing Number:	DWG File Name: 22-23666-69.dwg	
Approval Numbers:	Sales Representative: Lewis C.		
Title: Satellite Shelter 24x74 School (23'-6" x 70'-0")			Page #: C1
Sheet Description: Building Cover Sheet			



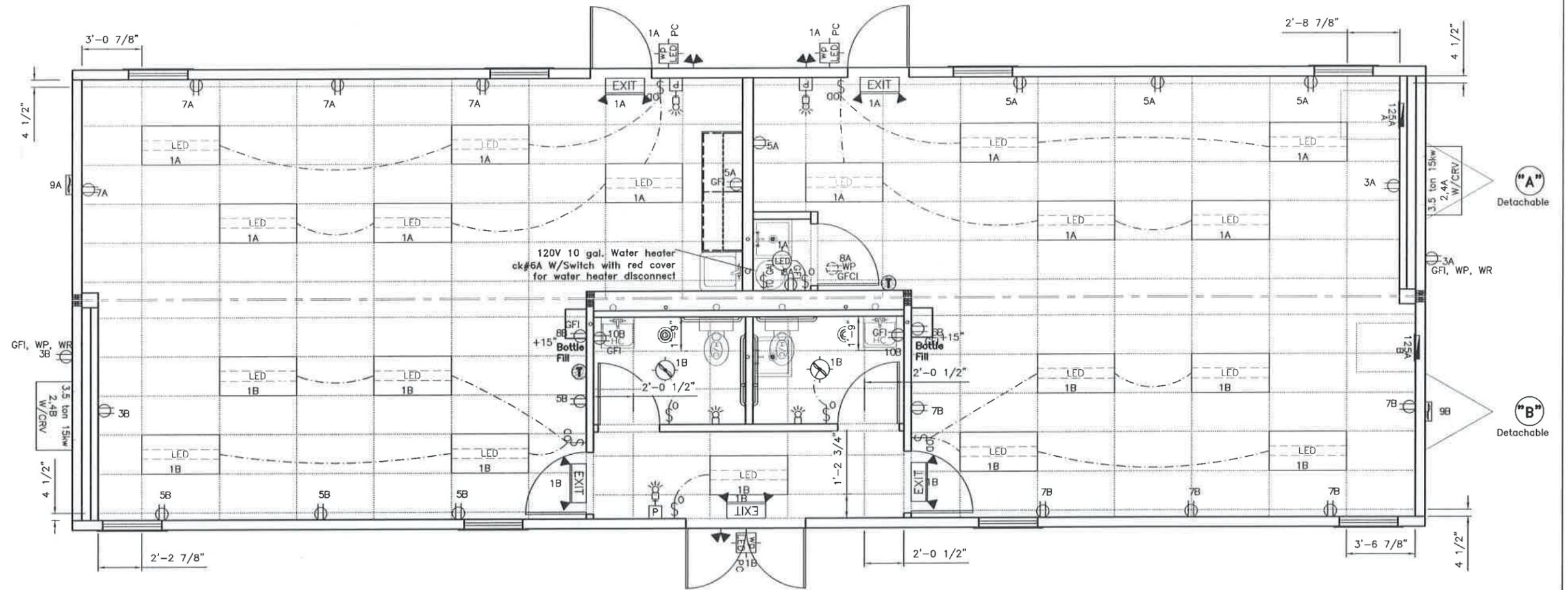
DRAWING LEGEND		
SYMBOL	QTY.	DESCRIPTION
	2	120/240 electric panel (+30" AFF to bottom of panel)
	2	100 CFM exhaust fan/lt combo w/9W LED bulb
	2	Low voltage programmable thermostat (+48" AFF to top)
	2	100 CFM Power gable vent
	4	Gable vent
	4	Set of R/A grille through wall (30x8)
	7	12x12 white SA diffuser with adjustable damper.
	9	8x8 white SA diffuser with adjustable damper.

DOOR, WINDOW AND OPENING SCHEDULE				
SYMBOL	QTY.	DESCRIPTION	ROUGH OPENING	Header
A	2	Door: 36x80 Teistor pro 20ga ins/steel door w/5x20 sg-lite Handle: Hager 4701 Panic Hardware w/47CE keyed lever Other: Drip cap, HC threshold, weather stripping	38 x 81	(2) 2x6 #2 spf laid flat
B	1	Door: 72x80 18ga ins/steel door w/5x20 sg-lite Handle: Hager 4701 Panic Hardware w/47CE keyed lever Other: Drip cap, HC threshold, weather stripping	74 x 81	(3) 2x4 #2 spf on edge
C	2	Door: 36x80 prefinished solid core wood door Handle: Tell #LC2484CIL 260 Classroom entry lever Other: Ball bearing hinge, floor mounted door stop, 12641 Closer	37 1/2 x 81	Non load bearing
D	2	Door: 36x80 prefinished solid core wood door Handle: Tell Privacy #LC2476CIL Lever Other: Ball bearing hinge, floor mounted door stop, 12641 Closer	37 1/2 x 81	Non load bearing
E	1	Door: 36x80 prefinished solid core wood door Handle: Tell #LC2484CIL 260 Classroom entry lever Other: Ball bearing hinge, floor mounted door stop	37 1/2 x 81	Non load bearing
1	8	Item: Wintech G70 36x48 horizontal slider w/DIG, Low E Coating Argon Filled Vinyl (White Finish) bug screen, drip cap	36 1/4 x 48 1/4 up 32" A.F.F.	(2) 2x6 #2 spf laid flat

- Notes:**
- All structural headers shall be glued, fastened and bear on (1) 2x4/6 jack stud #2 spf each side of opening.
 - Doors, windows and openings on end walls do not require structural header because roof trusses carry the load.

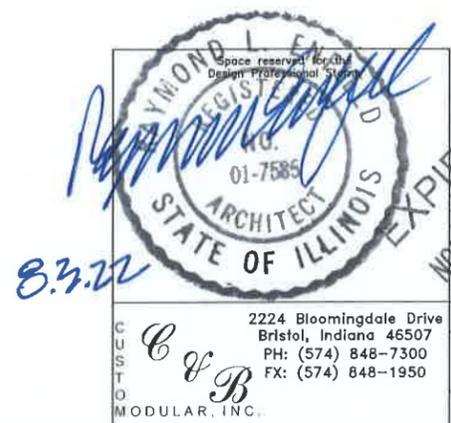


Scale: 3/16" = 1'-0"	Drawn: DS	Date: Aug 03, 2022
Serial Numbers: 22-23666-69	Drawing Number: 22-23666-69.dwg	Plot Date: Aug 03, 2022
Approval Numbers:	Sales Representative: Lawis C.	
2224 Bloomingdale Drive Bristol, Indiana 46507 PH: (574) 848-7300 FX: (574) 848-1950		
Title: Satellite Shelter 24x74 School (23'-6" x 70'-0")		Page #: A2
Sheet Description: Production Floor Plan		



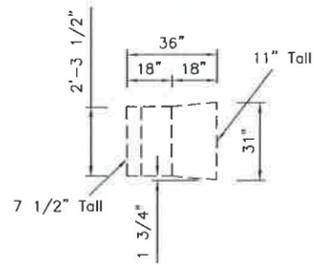
DRAWING LEGEND		
SYMBOL	QTY.	DESCRIPTION
	2	120/240 electric panel (+30" AFF to bottom of panel)
	2	100 CFM exhaust fan/lt combo w/9W LED bulb
	2	Low voltage programmable thermostat (+48" AFF to top)
	2	100 CFM Power gable vent
	4	Gable vent
	19	120V duplex grounding type (tamper resistant) (+18" AFF unless noted)
	6	120V duplex GFCI protected (tamper resistant) (+42" AFF unless noted)
	1	120V GFCI recept for heattape (below floor)
	3	2x4-jbox w/ conduit thru floor for pull station (+42" AFF unless noted)(device by others @ site)
	5	2x4-jbox w/ conduit thru floor for horn/stobe (+80" AFF unless noted)(device by others @ site)
	1	120V toggle type W/RED COVER (+42" AFF unless noted)
	4	120V occupancy sensor type w/ manual override (+42" AFF unless noted)
	4	120V ivory occupancy sensor type w/ dual manual override (+42" AFF unless noted)

DRAWING LEGEND		
SYMBOL	QTY.	DESCRIPTION
	19	120v 4' LED troffer light w/ diffuser.
	1	120v Flush Mount 11.7W LED light (800 Lumens) w/ globe (Ceiling Mount)
	3	120v exterior weatherproof LED porch light w/ photocell (+74" AFF unless noted)
	3	Remote dual head for EM-back-up light (+74" AFF unless noted)
	5	Emergency Flood / exit light combo (+88" AFF unless noted)

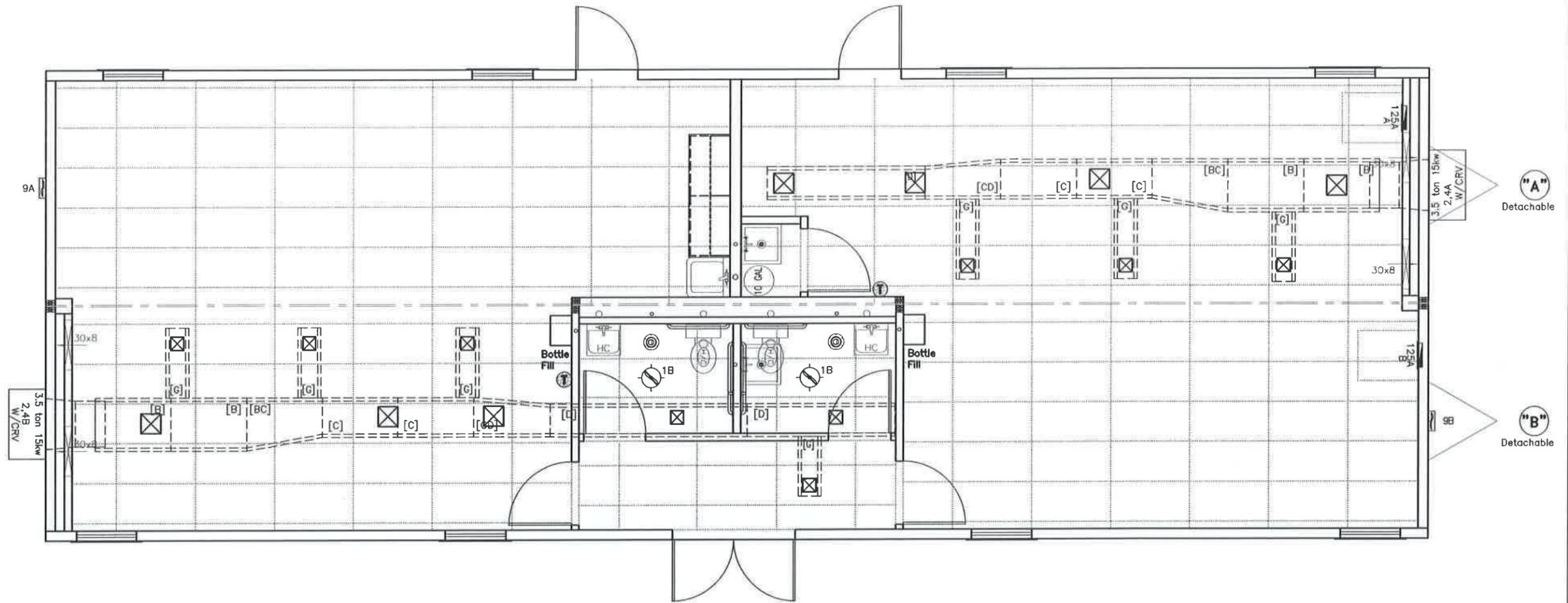


ID	Revision	Date

Scale: 1/16" = 1'-0"	Drawn: DS	Date: WS	Plot Date: Aug 03, 2022
Serial Number: 22-23666-69	Drawing Number: 22-23666-69.dwg	DWG File Name: 22-23666-69.dwg	
Approval Numbers:	Sales Representative: Lewis C.		
Title: Satellite Shelter			
24x74 School (23'-6" x 70'-0")			
Sheet Description: Production Electrical Plan			Page #: E1



3 1/2 Ton Bard Transition



DRAWING LEGEND		
SYMBOL	QTY.	DESCRIPTION
[Symbol]	2	120/240 electric panel (+30" AFF to bottom of panel)
[Symbol]	2	100 CFM exhaust fan/lt combo w/9W LED bulb
[Symbol]	2	Low voltage programmable thermostat (+48" AFF to top)
[Symbol]	2	100 CFM Power gable vent
[Symbol]	4	Gable vent
[Symbol]	4	Set of R/A grille through wall (30x8)
[Symbol]	7	12x12 white SA diffuser with adjustable damper.
[Symbol]	9	8x8 white SA diffuser with adjustable damper.

Ventilation and Light Requirements						
Room Name	sqft	Window Area	Door Area	Openable Window Area	8% Required Window Area	4% Required Openable Area
Classroom 1	656	48.00	20.00	24.00	52.48	26.24
Classroom 2	669	48.00	20.00	24.00	53.52	26.76
Restroom 1	43	0.00	0.00	0.00	3.44	1.72
Restroom 2	43	0.00	0.00	0.00	3.44	1.72
Foyer	72	0.00	20.00	0.00	5.76	2.88
Janitor	11	0.00	0.00	0.00	0.88	0.44

Notes:
 1.) All rooms have artificial lighting
 2.) All restrooms are exhausted at a minimum of 70cfm per flushing fixture
 3.) Bard HVAC units w/CRV are capable of up to 50% fresh air
 3.5-ton w/CRV = 1400cfm with up to 700cfm fresh air

Outdoor Air Flow Rate:
 $(58 \times 10) + (0.12 \times 1645) = 777.4$
 $Voz = 777.4 / 0.8 = 971.75$

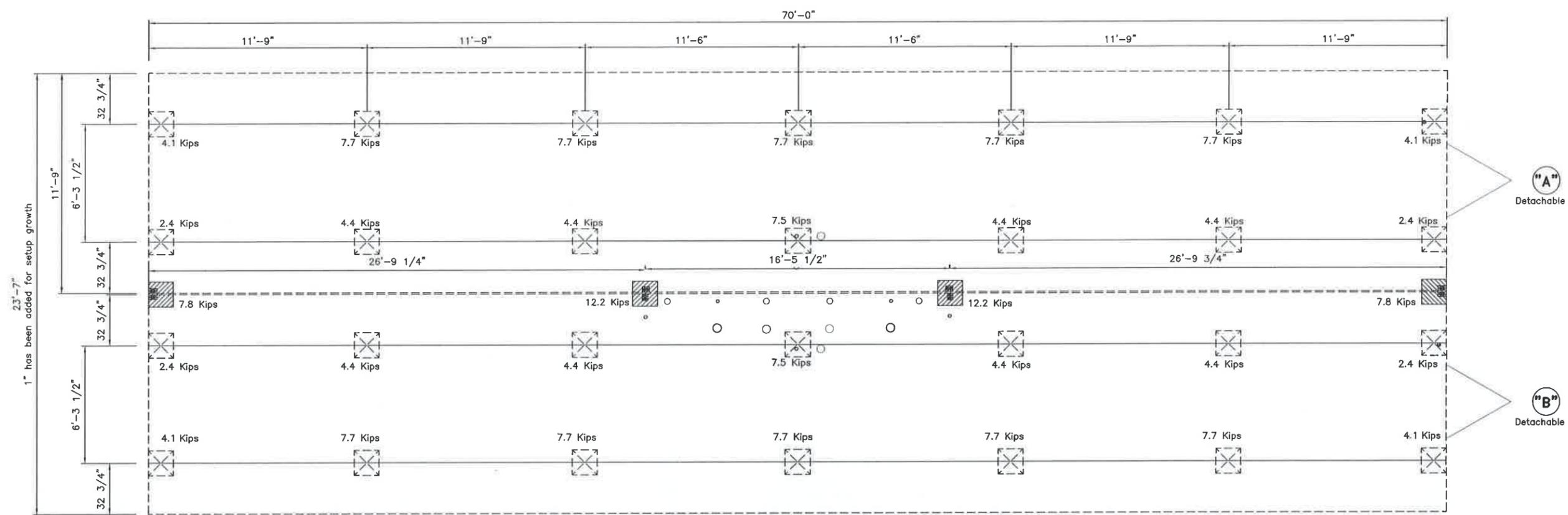
Duct Legend	
ID	Description
B	28w X 8h X 46l
BC	28w X 8h to 20w X 8h X 46l transition
C	20w X 8h X 46L
CD	20w X 8h to 16w X 6h X 46l transition
D	16w X 6h X 120L (or cut to fit)
G	10w X 4h X 120L (or cut to fit)
All duct dimensions are INSIDE dims.	

8.3.22

Scale: 3/16" = 1'-0"	Drawn: DS	Date: WS	Plot Date: Aug 03, 2022
Serial Numbers: 22-23666-69	Drawing Number: 22-23666-69.dwg	DWG File Name: 22-23666-69.dwg	
Approval Numbers:	Sales Representative: Lewis C.		

MODULAR, INC.
 2224 Bloomingdale Drive
 Bristol, Indiana 46507
 PH: (574) 848-7300
 FX: (574) 848-1950

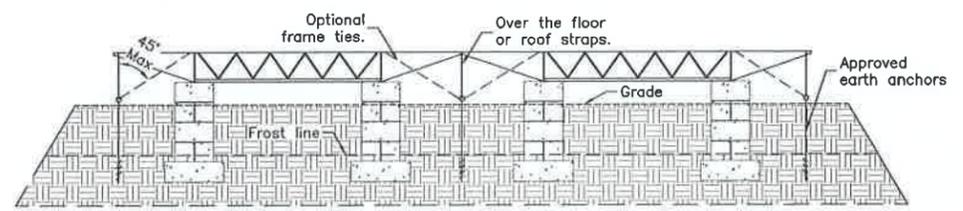
Title: Satellite Shelter
 24x74 School (23'-6" x 70'-0")
 Sheet Description: Production Mechanical Plan
 Page #: M1



DRAWING LEGEND		
SYMBOL	QTY.	DESCRIPTION
	28	Blocking up to main I-beam
	4	Blocking up to floor framing

FOUNDATION NOTES

- This is a suggested plan only. Foundation to be designed by a professional engineer or registered architect per local soil and climate conditions in accordance with all applicable local and state codes.
- Crawl space to be ventilated at 1sqft. per 150 sqft.
- Provide positive underdrainage: Minimum 4" peagravel and 6mil polyethylene vapor barrier.
- Provide minimum crawl space access of 22" x 24"
- Minimum footing depth of 3'-6" or per local conditions.
- C&B Custom Modular Inc. assumes no responsibility for actual foundation design and/or construction.
- Assumed soil bearing 2,500 PSF or per local conditions.
- Numbers adjacent to piers are vertical loads in KIPS.
- Minimum concrete psi for proposed foundation to be 2,500psi.
- Piers in Maryland not to be drystacked



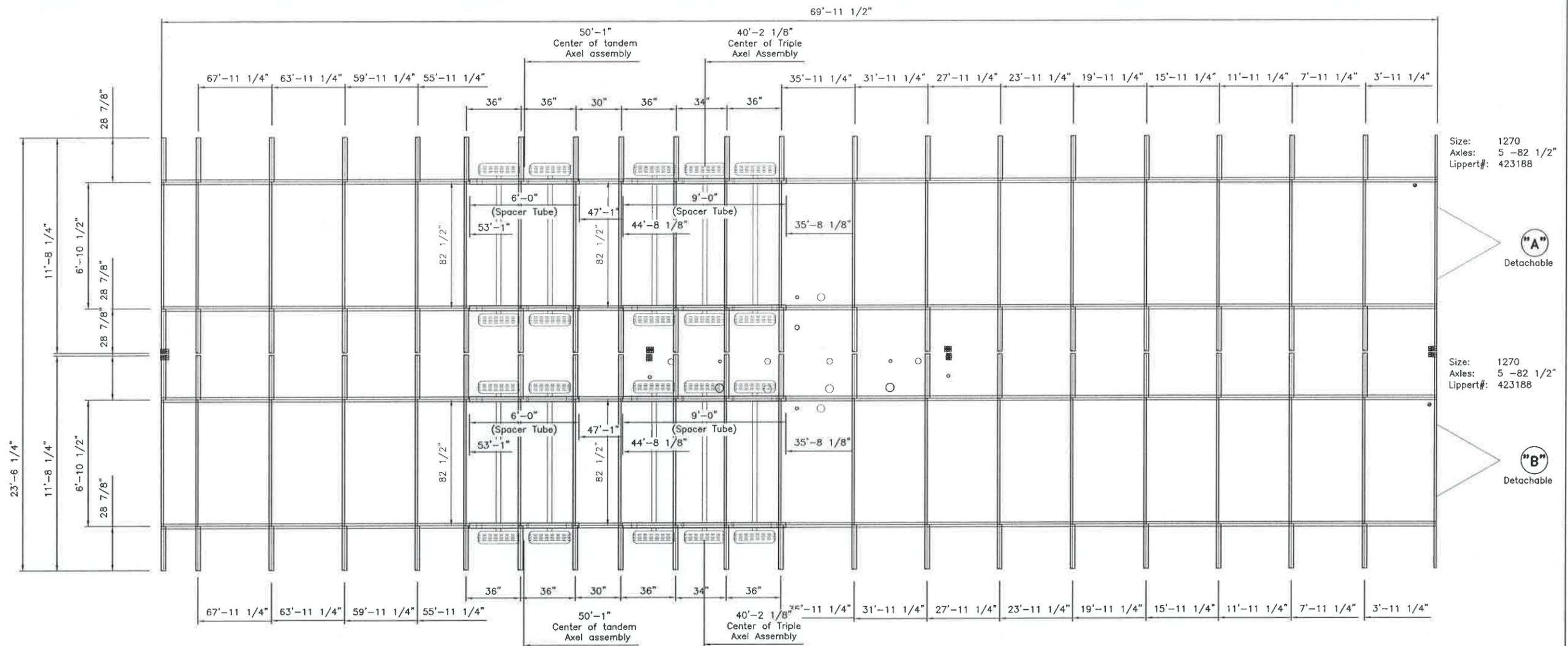
Notes: The bottom of the footings shall be below the local frost line

Alternate tiedown to be designed by others and approved by the local building official

Outrigger Frame Tie-Down Detail



Scale: 3/16" = 1'-0" DS Serial Numbers: 22-23666-69 Approval Numbers:		Drawn: WS Drawing Number: 22-23666-69.dwg Date: Aug 03, 2022 DWG File Name: 22-23666-69.dwg Sales Representative: Lewis C.	
Title: Satellite Shelter 24x74 School (23'-6" x 70'-0") Sheet Description: Suggested Blocking Points		Page #: S1	



Size: 1270
Axles: 5 -82 1/2"
Lippert#: 423188

"A"
Detachable

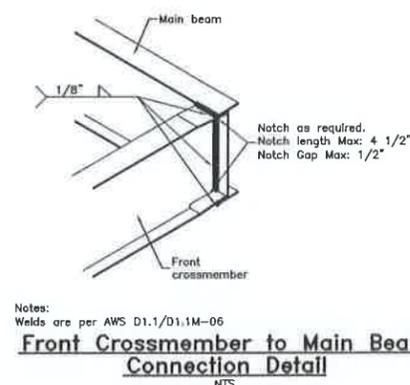
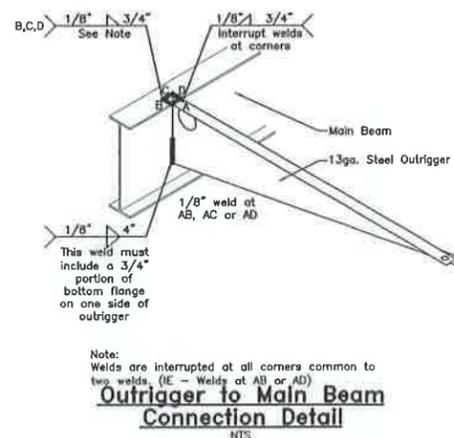
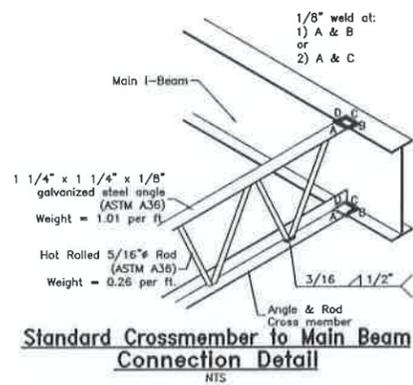
Size: 1270
Axles: 5 -82 1/2"
Lippert#: 423188

"B"
Detachable

DRAWING LEGEND		
SYMBOL	QTY.	DESCRIPTION

Frame Framing Notes:

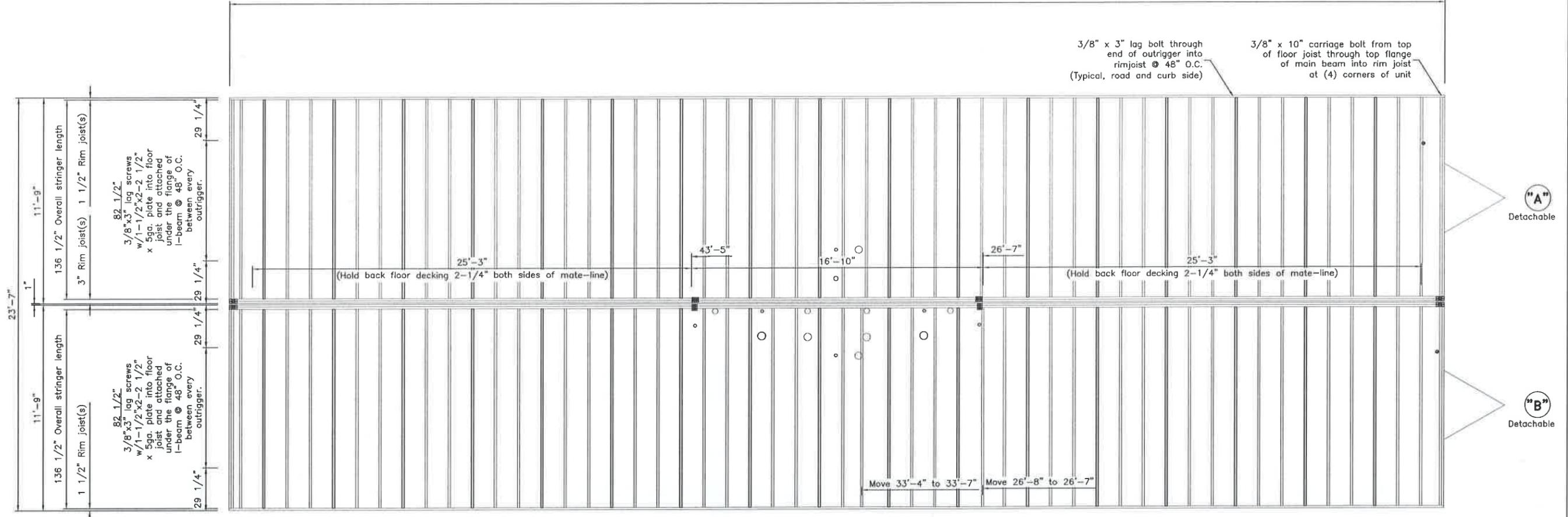
- C&B Custom Modular purchases the steel chassis pre-assembled from a local supplier "Lippert Components LLC."
- C&B does not do any welding on the steel chassis.
- The details and plan indicates typical steel chassis construction and welds done by Lippert Componets LLC.



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ID	Revision	Date
Scale: 3/16" = 1'-0"	Drawn: DS	Date: WS
Serial Numbers: 22-23666-69	Drawing Number: 22-23666-69.dwg	Plot Date: Aug 03, 2022
Approval Numbers:	Sales Representative: Lewis C.	
Title: Satellite Shelter		
24x74 School (23'-6" x 70'-0")		
Sheet Description: Production Steel Frame Plan		Page #: S3

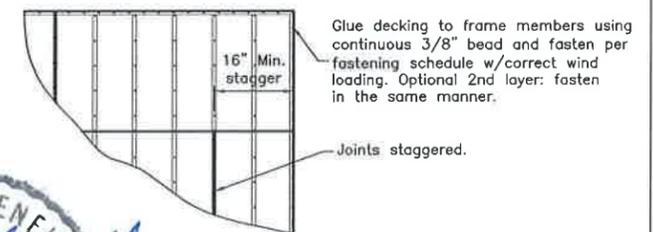
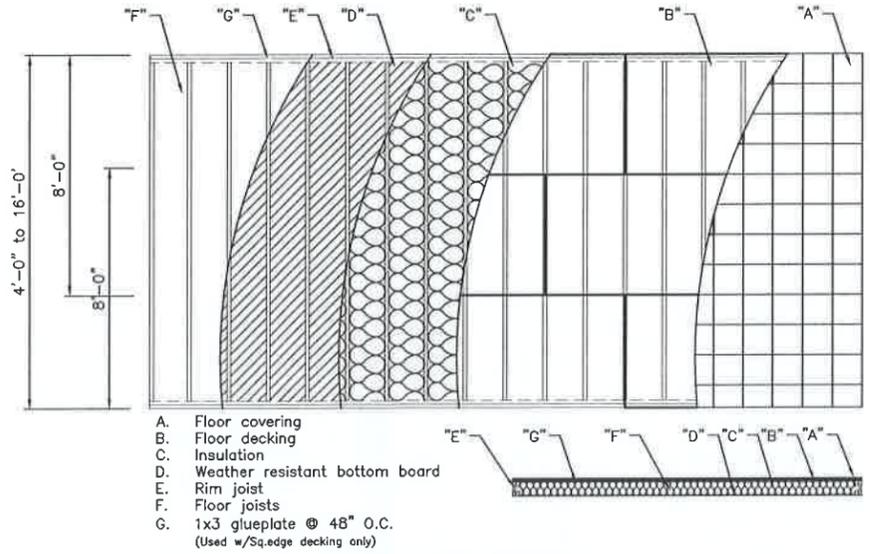
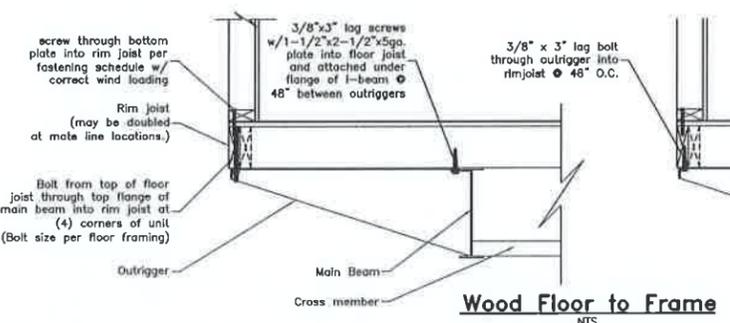
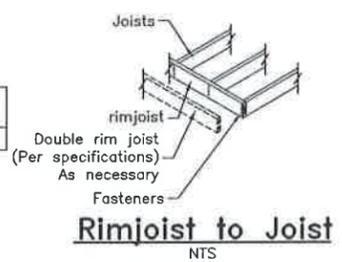
70'-0" Joists at 16" O.C. unless noted.



"A"
Detachable

"B"
Detachable

DRAWING LEGEND	
SYMBOL	DESCRIPTION
QTY.	

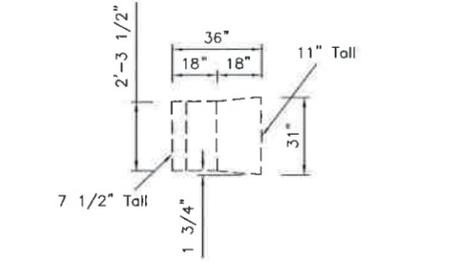
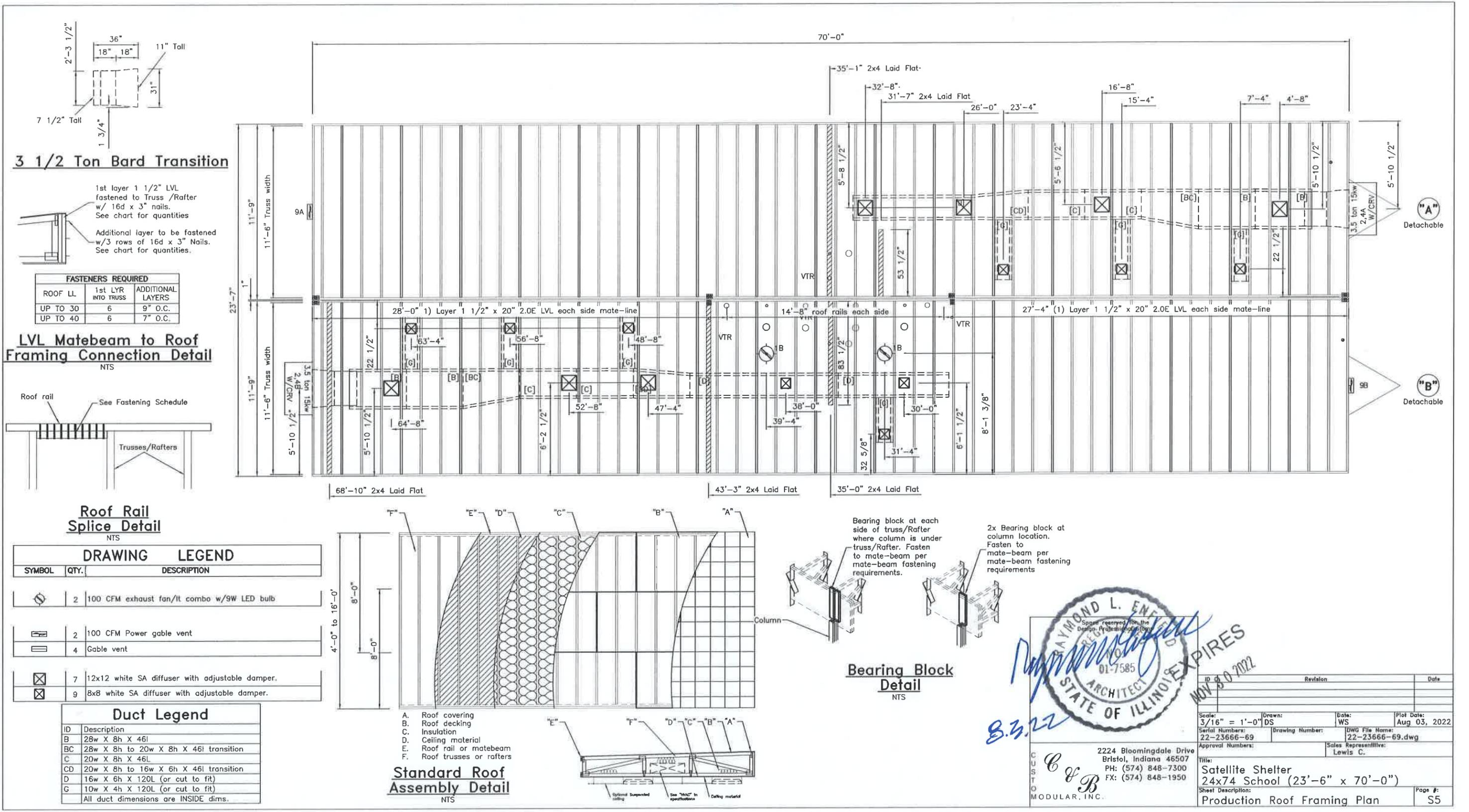


Transverse Floor Decking Fastening Detail
NTS

ID	Revision	Date
3/16"	DS	Aug 03, 2022
Scale: 3/16" = 1'-0"	Drawn: WS	Plot Date: Aug 03, 2022
Serial Numbers: 22-23666-69	Drawing Number: 22-23666-69.dwg	DWG File Name: 22-23666-69.dwg
Approval Numbers:	Sales Representative: Lewis C.	
Title: Satellite Shelter 24x74 School (23'-6" x 70'-0")		Page #: S4
Sheet Description: Production Floor Framing Plan		

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CUSTOMER MODULAR, INC.

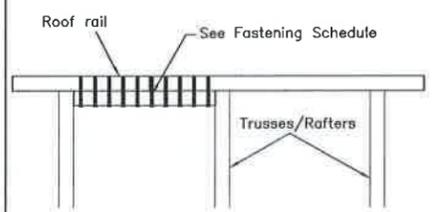


3 1/2 Ton Bard Transition

1st layer 1 1/2" LVL fastened to Truss /Rafter w/ 16d x 3" nails. See chart for quantities.
 Additional layer to be fastened w/ 3 rows of 16d x 3" Nails. See chart for quantities.

FASTENERS REQUIRED		
ROOF LL	1st LYR INTO TRUSS	ADDITIONAL LAYERS
UP TO 30	6	9" O.C.
UP TO 40	6	7" O.C.

LVL Matebeam to Roof Framing Connection Detail
NTS

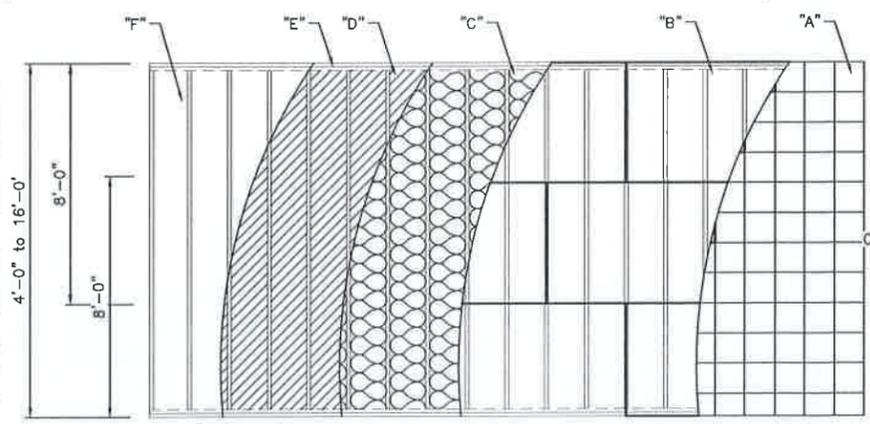


Roof Rail Splice Detail
NTS

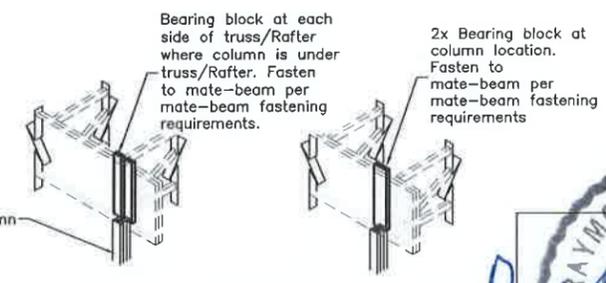
DRAWING LEGEND	
SYMBOL	DESCRIPTION
	2 100 CFM exhaust fan/lt combo w/9W LED bulb
	2 100 CFM Power gable vent
	4 Gable vent
	7 12x12 white SA diffuser with adjustable damper.
	9 8x8 white SA diffuser with adjustable damper.

Duct Legend

ID	Description
B	28w X 8h X 46l
BC	28w X 8h to 20w X 8h X 46l transition
C	20w X 8h X 46l
CD	20w X 8h to 16w X 6h X 46l transition
D	16w X 6h X 120L (or cut to fit)
G	10w X 4h X 120L (or cut to fit)
All duct dimensions are INSIDE dims.	



Standard Roof Assembly Detail
NTS



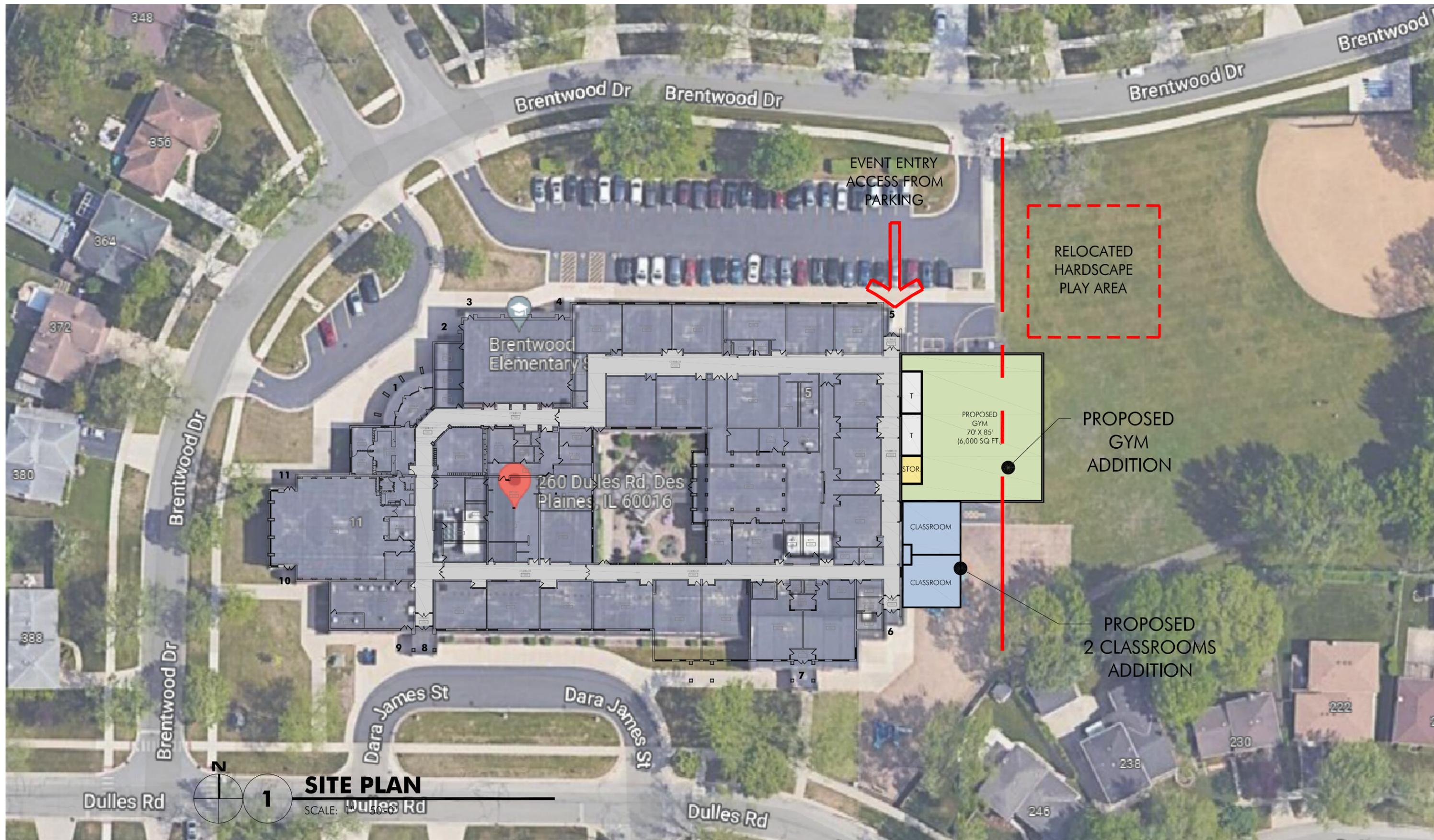
Bearing Block Detail
NTS



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 C & B MODULAR, INC.

Revision	Date

Scale: 3/16" = 1'-0"	Drawn: DS	Date: WS	Plot Date: Aug 03, 2022
Serial Numbers: 22-23666-69	Drawing Number: 22-23666-69.dwg	DWG File Name: 22-23666-69.dwg	
Approval Numbers:	Sales Representative: Lewis C.		
Title: Satellite Shelter		Page #: S5	
Sheet Description: Production Roof Framing Plan			







FIRST FLOOR PLAN
 SCALE: 1" = 40'-0"



MEMORANDUM

Date: May 18, 2023
To: Planning and Zoning Board (PZB)
From: Samantha Redman, Associate Planner *SR*
Cc: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*
Subject: Conditional Use for Proposed Food Processing Establishment (Kimchi Production) at 984 Lee Street

PIN: 09-20-203-016-0000; 09-20-203-017-0000, 09-20-203-018-0000, 09-20-203-031-0000

Petitioner: Sang Chul Hong, 3721 Vantage Lane, Glenview, IL 60026

Owner/Property Control: Ho and Chul LLC, 3721 Vantage Lane, Glenview IL 60026

Case Number: #23-024-CU

Ward Number: #2, Alderman Colt Moylan

Existing Zoning: C-3, General Commercial

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

Surrounding Land Uses: North: Commercial building
South: Commercial building
East: Commercial buildings
West: Vacant parking lot

Street Classification: Oakton Street is classified as a minor arterial road.

Comprehensive Plan: Industrial is the recommended use for this property.

Property/Zoning History: The property currently consists of a commercial building and a gravel parking area to the north. Because the multiple parcels are under single

ownership/control and will be seek permitting as a unit, they are considered one zoning lot. This building was most recently used for Illinois Carpet and Drapery, which closed in 2022. The property has been commercially zoned since the 1940s.

Prior to the current owner/petitioner acquiring the property, it received several code enforcement violations over the past few years related to outdoor storage, garbage and debris, and parking of vehicles unrelated to the business. However, all complaints have been addressed at the time of this application. Any necessary alterations to meet building or fire code requirements will be addressed at the time of building permit. A permit is currently being processed to repair the roof of the building to address safety concerns.

Project Description:

The petitioner, Sang Chul Hong, is proposing a conditional use to allow a food processing establishment at 984 Lee St. A food processing establishment requires a conditional use in the C-3 district if the space/use is more than 2,500 square feet.

Proposed Use and Business Operation Details

The business, 5000 Years Foods, processes kimchi, a fermented vegetable product commonly consumed with Korean cuisine. The company has operated for more than 30 years in Chicago at 3465 Kimball Ave. The kimchi production process involves chopping cabbage, radish and green onion and placing them in salt water with seasoning and spices. No preservatives or other chemicals are used by this facility in the processing of their kimchi product. The kimchi is individually canned and distributed to retailers in sizes ranging from 16 ounces to five-gallon tubs.

Limited noise and odor are generated by this use. The supplies used for the production of kimchi include a vegetable mixer, specialty cabbage and radish cutters, and a garlic grinder. The loading/unloading of kimchi will involve a forklift and pallet/hand jacks. Walk-in coolers will be installed on site to hold supplies in between production and distribution. The existing office in the building will be used for business operations. Loading and unloading will occur within the loading dock inside the building. Dumpster pickup is scheduled for every day. Refer to provided Floor Plan for locations of existing and proposed building amenities.

The proposed hours of operation are Monday through Friday from 8 a.m. to 4 p.m. The total number of employees proposed are six office employees and six warehouse employees, for a total of twelve employees. 5000 Years Foods is a solely a food processor and does not intend to have direct retail operations at this time.

Loading

All loading and unloading will occur in the loading dock inside the building, accessed from Oakwood Avenue, a local street. Products are proposed to received daily by 24-foot box trucks. Kimchi distributors, which would be the primary customers, are anticipated to pick up products five to eight times daily at the loading docks. The average time spent loading/unloading at the loading dock is estimated to be less than 10 minutes.

Buildings in commercial districts are required to have one loading space, measuring fifteen feet in width and 35 feet in length. The loading space located within the building is 16 feet by 55 feet, exceeding the minimum requirements in Section 12-9-9.

Parking

Food processing establishments are required to provide 2 spaces for every 1000 feet of dedicated food preparation and office areas. The below table provides an overview of required and provided parking for this building and use.

Total Square Feet of Building	15235 sq ft
Total Square Feet of Dedicated Food Preparation and Office Areas	7,777 sq ft
Total Parking Required*	16 spaces*
Total Accessible Spaces Required	2 spaces
Total Proposed Parking Provided**	43 spaces
Total Accessible Spaces Provided	2 spaces
*Parking spaces rounded up to next whole number **Recommended condition of approval language would allow site plan revision to reduce parking lot size; provided, however, the minimum must be met.	

Off-street parking will be located along the alley and in a newly constructed parking lot to the north. Presently the parking lot to the north is a gravel lot without any striping. The petitioner proposes to pave and provide 28 standard spaces and two accessible spaces. This parking lot is currently gated and will continue to be gated to prevent parking by non-employees or customers of the facility.

Standards for Conditional Use

The following is a discussion of standards for conditional uses 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: Food processing establishments more than 2,500 square feet in size require 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: The 2019 Comprehensive Plan illustrates this area to be used for Industrial. Food processing establishments are only possible within the C-3, M-1, and M-2 districts and the use involves the processing of goods, more similar to manufacturing than typical commercial uses. Therefore, this conditional use is aligned with the comprehensive plan classification for this property.

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; the only notable appearance changes proposed are (i) the signs for the business, which will be designed to meet requirements of the Zoning Ordinance; and (ii) the parking lot enhancements on the northern lot. The existing building is harmonious with other similar buildings in this area.

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 business will operate Monday through Friday from 8 a.m. to 4 p.m. The property is within an existing commercial area and there are not anticipated hazardous or disruptive activities to this neighborhood. See the Petitioner’s Narrative and Response to Standards for additional information about business operations.

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. The establishment will follow all local, state and federal regulations regarding the preparation, storage and distribution of food products.

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 not create a burden on public facilities. This new business would be located within an existing, unoccupied portion of the building and provide additional business activity to this corridor.

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: Loading/unloading will be during business hours and will be located inside the building. Delivery of materials is anticipated to be daily and up to eight pickups by distributors are expected, with a total loading/unloading time of approximately 10 minutes. The tools used to manufacture kimchi are not noisy and all production will occur inside the building. Odor will be mitigated by a daily dumpster pickup at the facility to eliminate any food product. No odor is generated by the machinery used in the production.

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: Access to the building will continue to be provided by Oakwood Avenue for the loading/unloading and through the alley for the parking lot. New traffic generated will be associated with employees and the loading/unloading of materials for processing and distribution. The previous use for this building included a similar amount of traffic without documented traffic issues and the proposed use will not generate large truck traffic, so a traffic study was not requested by staff. Staff believes that the existing street network can accommodate the traffic for this new use.

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.

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 permit. City Council has final authority on the proposal.

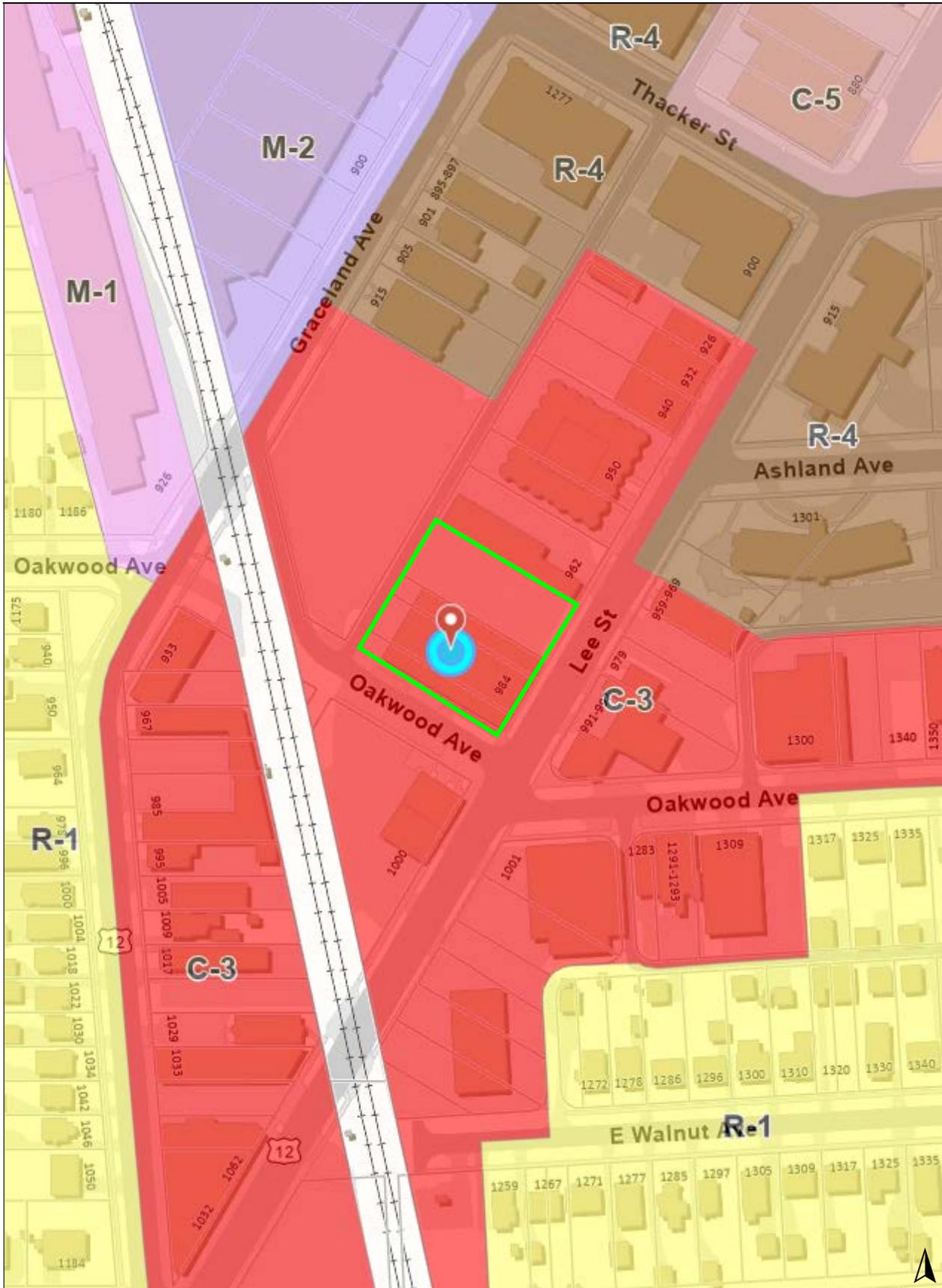
Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Uses) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff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

Recommend Conditions of Approval:

1. The Subject Property shall have a daily dumpster pickup during any day of regular business operations.
2. No motor vehicles unassociated with the petitioner’s business operations may be parked in any of the parking areas associated with the property. Outdoor storage outside of a permitted accessory structure is prohibited on the site.
3. All parking areas must be paved, striped, and landscaped according to all applicable Zoning Ordinance standards. Accessible parking spaces shall be located on site to meet accessibility standards pursuant to Section 12-9-8 and Illinois Accessibility Code. The petitioner may revise the site plan to reduce the number of parking spaces; provided, however, the minimum number are provided.

Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Project Narrative and Responses to Standards
- Attachment 4: Floor Plans and Site Plans



Legend

- Subject Site
- Zoning
 - C-3: General Comm
 - C-5: Central Busines
 - M-1: Limited Manufacturing
 - M-2: General Manufacturing
 - R-1: Single Family Residential
 - R-4: Central Core Residential



Print Date: 5/15/2023

Notes

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984 Lee – Public Notice Sign



Loading doors along Oakwood Avenue and parking spaces along alley



View of gravel parking lot with gate, access from alley



View of front of building, corner of Oakwood Avenue and Lee Street



5000 Years Foods, Inc.

984 Lee St., Des Plaines, IL 60016

Date: 04/25/2023

City of Des Plaines Planning Department 1420 Miner Street Des Plaines, IL 60016

Re: Kimchi Manufacturing Project Narrative

To Whom It May Concern:

We are writing to provide a project narrative for our proposed Kimchi manufacturing facility in Des Plaines. Our company, 5000 Years Foods, Inc., is a leading manufacturer of high-quality Kimchi products and has been in business for over 30 years. We are excited about the opportunity to expand our operations to Des Plaines and bring our unique products to the local community.

Our proposed Kimchi manufacturing facility will be located at 984 Lee St., Des Plaines, IL 60016 within the C-3 zoning district. The facility will consist of a 15,200 square foot building and processing area of 2800 square foot will be used for the production and distribution of Kimchi products.

We have carefully reviewed the zoning regulations and comprehensive plan for Des Plaines and believe that our proposed use is compatible with the surrounding area. The Kimchi manufacturing process is not noisy or disruptive, and we will comply with all applicable regulations and guidelines related to odor control and waste disposal. In addition, our facility will employ a relatively small number of workers, with most of the production process being automated.

We have conducted a thorough review of the site and believe that it is well-suited for our proposed use. The site is conveniently located near major transportation routes and has adequate access to utilities and other necessary infrastructure. We will also be implementing environmentally friendly practices and technology to minimize our impact on the local ecosystem.

Our proposed Kimchi manufacturing facility will bring economic benefits to the Des Plaines community, including job creation and increased tax revenue. We are committed to being a responsible and engaged member of the community and will work closely with local officials and residents to address any concerns and ensure a positive outcome for all stakeholders.

Thank you for considering our proposal. We look forward to working with the city of Des Plaines to bring this project to fruition.

P.S. Please see page 2 regarding business operation detail information.

Sincerely,

Sang Chul Hong

5000 Years Foods, Inc.



5000 Years Foods, Inc.

984 Lee St., Des Plaines, IL 60016

Business Operation Details Information

- **Operating Day & Hours:**

Monday 8AM – 4PM

Tuesday 8AM – 4PM

Wednesday 8AM – 4PM

Thursday 8AM – 4PM

Friday 8AM – 4PM

- **Employees Numbers:**

- Office – 6 employees

- Warehouse – 6 employees

- **Waste Management Company Information**

Company Name: Haulla

Account No: 606182209071

Dumpster removal schedule: Everyday

- **Pest Control Company**

- Kim's Pest Control

- Service duration: Once a month

- **Receiving Product**

- Receiving schedule: once a day

- Unloading duration at loading dock: less than 10 minutes

- Truck type: 24' Box Truck

- Shipment - palletized

- **Distributor Pick up**

- Loading duration at loading dock: less than 10 minutes

- Shipment: palletized

- Picking up schedule: during business hours

- Normally 5-8 distributors pick up products per day

- **Products in use**

- Napa Cabbage, Radish, Green Onion, Red Pepper, Salt, Monosodium, Sugar, Fish Sauce

- **Environment material**

- All Stainless Steel based equipment, polyethylene cutting board, Rubber Bin



5000 Years Foods, Inc.

984 Lee St., Des Plaines, IL 60016

- **Supplies in use**
 - Vegetable mixer
 - Napa cabbage cutter
 - Radish cutter
 - Electric powered forklift
 - Garlic grinder
 - Stainless worktable
 - Pallet jack & Hand jack
 - Pet jar
 - Bleach
 - Plastic tub

STANDARDS FOR CONDITIONAL USES

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

RESPONSE: Food processing establishment is a Conditional Use in the C-3, General Commercial Zoning District when the total space/use is over 2,500 square feet.

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

RESPONSE: The subject property is currently vacant without any use. The proposed food processing establishment proposes a new development for this site including site improvements. These site improvements will provide job opportunities for local residents, increase access to locally produced food, and bring economic benefits such as increased tax revenue.

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

RESPONSE: The proposed Conditional Use for a food processing establishment would allow for a development that would be harmonious with the surrounding commercial development in the area, as the site will be structured and improved to meet the similar kinds of facilities. The petitioner will maintain the use to blend with the character of the neighborhood and development within the surrounding area.

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

RESPONSE: The proposed use would not be hazardous or disturbing to the existing neighboring uses because our manufacturing process does not produce disruptive noise. Rather, the site will be improved to incorporate sustainable and efficient practices such as better waste disposal to minimize the environmental impact.

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

RESPONSE: The subject property has direct access to essential public facilities and services. The petitioner has no concerns that the proposed use will be adequately served with 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;

RESPONSE: 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. The proposed use could improve the local economy because our business can increase tax revenues and bring employment opportunity to the community.

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

RESPONSE: All proposed activities for the proposed food processing establishment would take place inside the newly improved building reducing any noise, smoke fumes, light, glare, odors, or other concerns potentially posed by new developments. Our facility can be run by a relatively small number of workers because of the latest automated production process. The site will be newly structured in a way that will not impact on the traffic of the existing site.

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

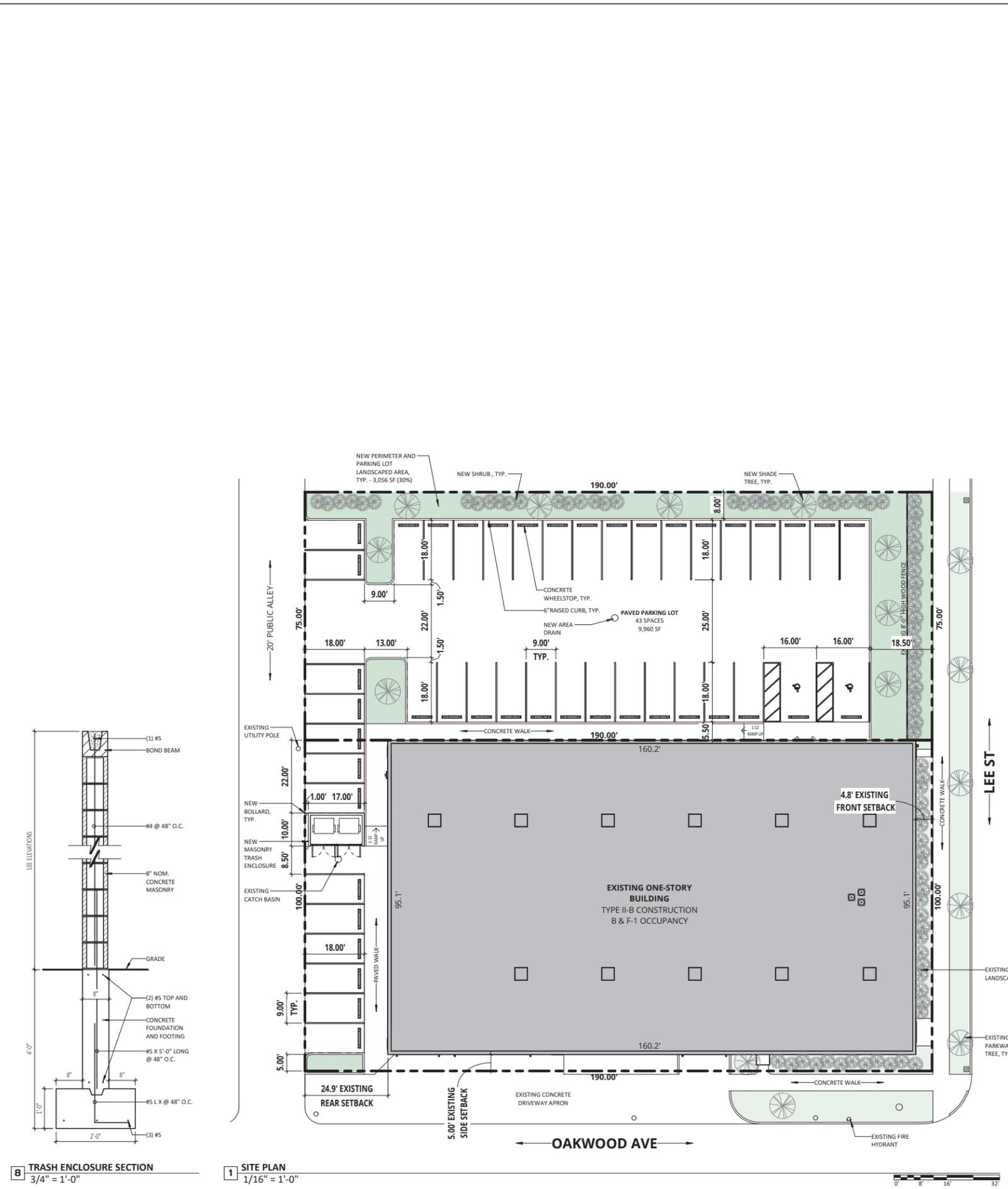
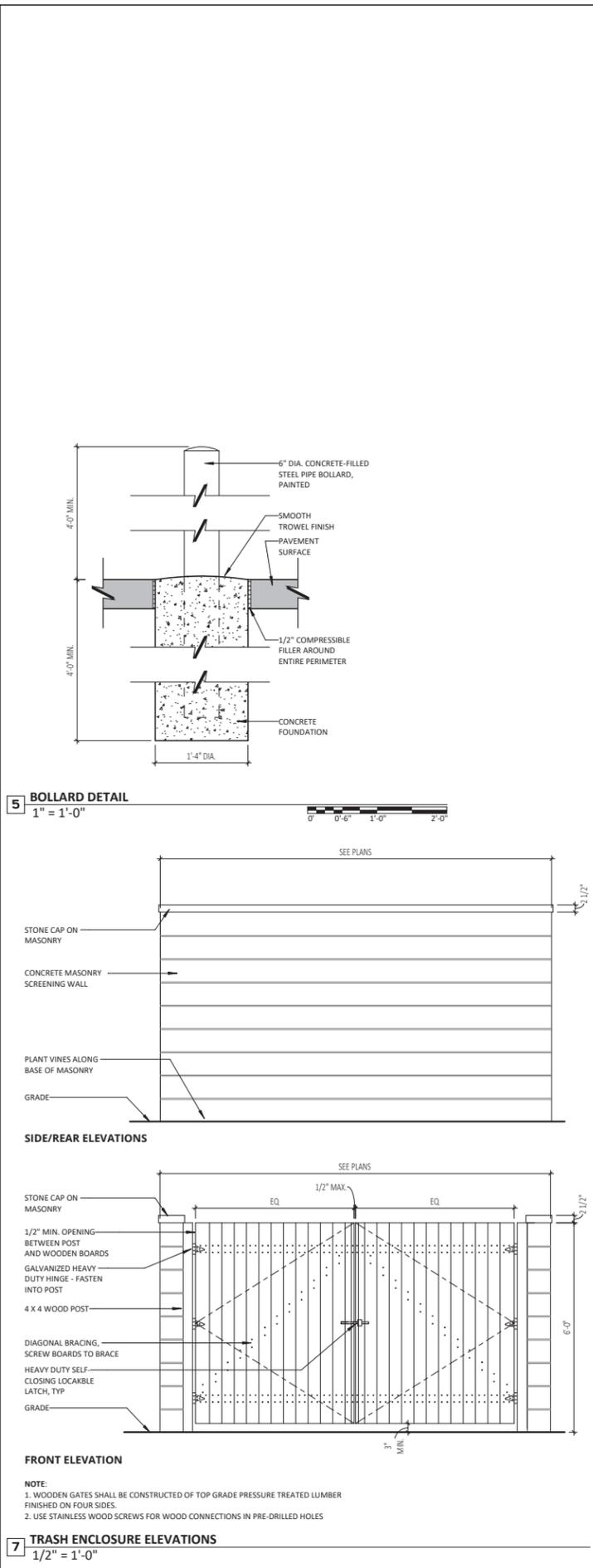
RESPONSE: The proposed use will not create an interference with traffic on surrounding public. The petitioner plans to improve the site that will allow for adequate entrance and exit, traffic flow . Additional parkway improvements will also improve the vehicular access and public throughfares.

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

RESPONSE: The subject property has already been developed in the past, so the new use would not result in the loss or damage of natural, scenic, or historic features.

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

RESPONSE: The proposed use and proposed development will comply with all applicable requirements as stated in the Zoning Ordinance.



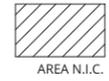
SITE PLAN LEGEND



PARKWAY TREE



NEW/ALTERED CONSTRUCTION



AREA N.I.C.



BICYCLE PARKING SPACE

SHEET NOTES

- ALL EXISTING UTILITY LINES TO REMAIN UNLESS NOTED OTHERWISE.
- ALL EXISTING GRADING & DRAINAGE PATTERNS TO REMAIN UNLESS NOTED OTHERWISE.
- ALL SUBSURFACE PAVEMENT AREAS SHALL BE COMPACTED TO MEET 95% DENSITY MINIMUM IN ALL AREAS.
- ALL PAVEMENT AREAS SHALL BE RAMPED UP FLUSH WITH THE FINISHED FLOOR AT ALL DOOR OPENINGS, MAX. 2% SLOPE.
- PROTECT AND MAINTAIN EXISTING PARKWAY TREES TO MAINTAIN.
- TREES TO HAVE A MINIMUM CALIPER SIZE OF 2 1/2" 9 TREES TOTAL, SPECIES SHALL BE AN EVEN MIX OF THE FOLLOWING SPECIES:
 - ACER MIYABEI
 - G. BILOBA 'LAKEVIEW'
 - CELTIS OCCIDENTALIS
 - GLEDITSIA TRIACANTHOS
- OTHER APPROVED EQ ON THE APPROVED LIST OF TREES IN THE GUIDE TO THE CHICAGO LANDSCAPE ORDINANCE
- SHRUBS ARE TO BE 30" HIGH WITH A MINIMUM SPREAD OF 24", AND SHALL BE SPACED 3'-0" O.C., SPECIES TO BE:
 - BUXUS MICROPHYLLA KOREANA
 - OTHER APPROVED EQ ON THE APPROVED LIST OF SHRUBS IN THE GUIDE TO THE CHICAGO LANDSCAPE ORDINANCE
- ALL OFF-STREET PARKING LOTS SHALL BE PROVIDED WITH LIGHTING. THE LEVEL OF ILLUMINATION AT ANY POINT IN THE PARKING LOT OR STRUCTURE SHALL NOT BE LESS THAN ONE FOOT-CANDLE MEASURED AT THE PAVEMENT. ALL LIGHTING USED SHALL BE SHIELDED OR OTHERWISE OPTICALLY CONTROLLED SO TO PROVIDE GLARELESS ILLUMINATION IN A MANNER THAT DOES NOT CREATE A NUISANCE ON ADJACENT PROPERTY. THE PARKING LOT LIGHT FIXTURES SHALL NOT EXCEED 30 FEET IN HEIGHT FROM ESTABLISHED GRADE. ALL PARKING LOT LIGHT FIXTURES ATTACHED TO THE GROUND SHALL BE SETBACK AT LEAST THREE FEET FROM ALL PROPERTY LINES.

ZONING REQUIREMENTS

ZONE: C-3
USE: FOOD PROCESSING ESTABLISHMENT

MAX. BUILDING HEIGHT: 45 FT
PROVIDED BUILDING HEIGHT: 22 FT EXISTING

FRONT YARD SETBACK: 5 FT
ACTUAL FRONT SETBACK: 4.8 FT EXISTING

REAR YARD SETBACK: 25 FT
PROVIDED REAR SETBACK: 24.9 FT EXISTING

SIDE YARD SETBACKS: 5 FT AT STREET
PROVIDED SIDE YARDS: 5 FT EXISTING

PARKING SPACES REQUIRED:
2 SPACES FOR EVERY 1,000 SQUARE FEET OF FOOD PREPARATION AND OFFICE AREAS

19,340/1,000 SF X 2 = 39 SPACES
(INCLUDING 2 ACCESSIBLE SPACES)

PARKING SPACES PROVIDED: 43 SPACES

LOADING SPACE REQUIRED: 1 REQUIRED
LOADING SPACE PROVIDED: 1 EXISTING

04/24/2023

ILLINOIS LICENSE NO: 001.022640
EXPIRATION: 11/30/2024

5000 YEAR FOODS

FOOD PROCESSING FACILITY

984 LEE ST
DES PLAINES, IL 60016

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	04/24/2023

THOMAS MONTGOMERY ARCHITECT
www.tcmontgomery.com

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CHICAGO IL 60608
773.999.9842

tom@tcmontgomery.com

JOB NO.: 23.008

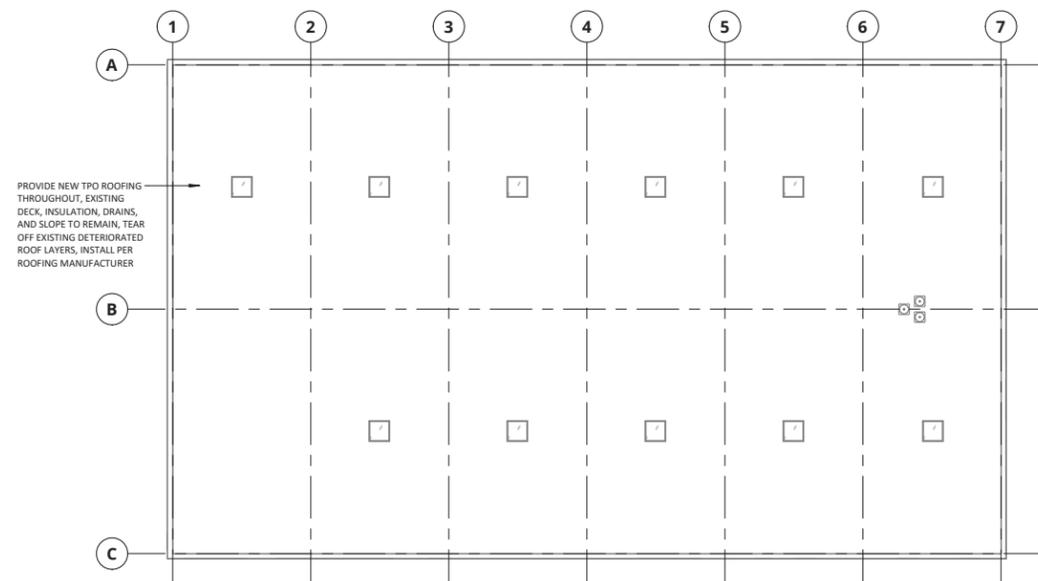
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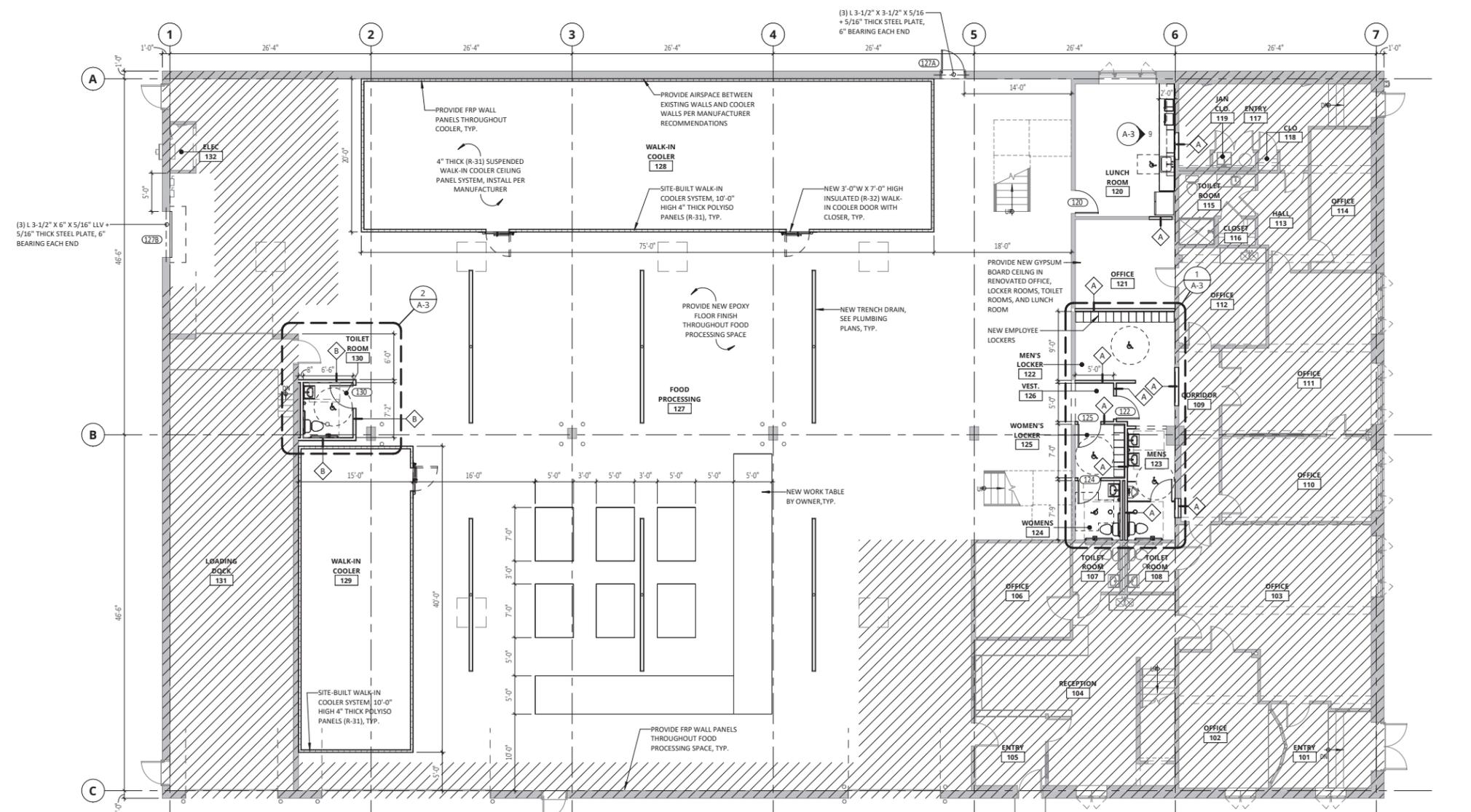
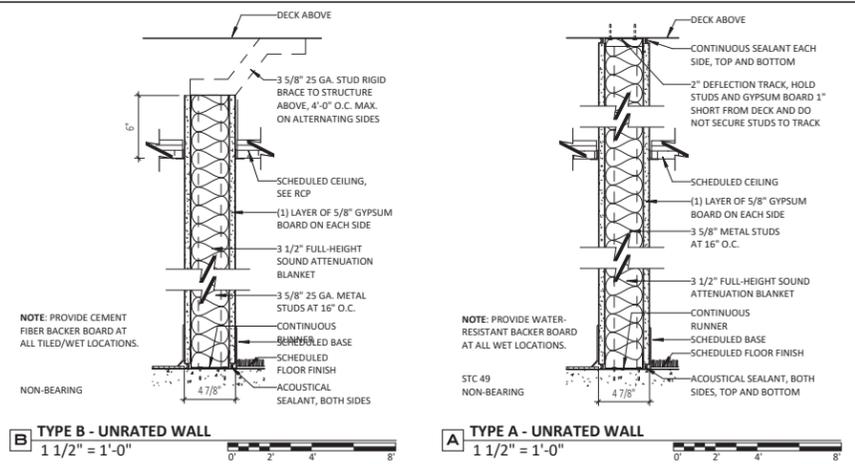
SCALE: As indicated

TITLE: **SITE PLAN**

SHEET: **A-0**

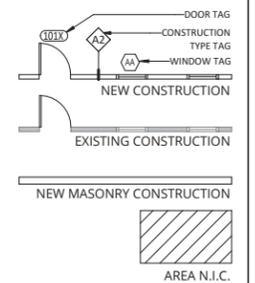


2 ROOF PLAN
1/16" = 1'-0"



1 FIRST FLOOR PLAN
1/8" = 1'-0"

FLOOR PLAN LEGEND



SHEET NOTES

- DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS GOVERN.
 - IN CASE OF ANY DISCREPANCY WITHIN THE DRAWINGS, OR ANY DISCREPANCY BETWEEN THE DRAWINGS AND SITE CONDITIONS, NOTIFY ARCHITECT.
 - INDICATED DIMENSIONS ARE TO THE FINISHED FACE OF MATERIALS, U.O.N.
 - ALL DIMENSIONS MARKED "CLEAR", "CLR", OR "HOLD" SHALL BE MAINTAINED AND SHALL ALLOW FOR THICKNESS OF ALL WALL FINISHES, AND SHALL NOT VARY MORE THAN 1/8" WITHOUT WRITTEN INSTRUCTION FROM ARCHITECT.
 - PROVIDE TYPE "X" OR TYPE "C" GYPSUM BOARD ON ALL FIRE-RATED PARTITIONS. REFER TO THE PARTITION TYPE DETAILS FOR MORE INFORMATION AND DESIGNATED UL ASSEMBLIES.
 - PROVIDE CEMENTITIOUS BACKER BOARD (DUROCK OR EQUAL) AT PARTITIONS SCHEDULED TO RECEIVE CERAMIC TILE (U.O.N.).
 - PROVIDE FIRE SAFE PENETRATIONS AT FIRE RATED PARTITIONS PER THE APPLICABLE UL ASSEMBLY. ALL EXISTING AND NEW UL RATED FLOOR PENETRATIONS FOR PIPING AND CONDUIT SHALL BE FULLY PACKED AND SEALED IN ACCORDANCE WITH THE APPLICABLE BUILDING AND FIRE CODES. FIRE SEAL ALL OPENINGS IN WALLS AND FLOORS AROUND DRAINS AND WATER LINES.
 - PROVIDE BLOCKING AS REQUIRED AT LOCATIONS INCLUDING, BUT NOT LIMITED TO: GRAB BARS, SHELVING, OVERHEAD CABINETS, SIGNAGE, TOILET ROOM ACCESSORIES, WALL MOUNTED EQUIPMENT, ETC.
 - ALL WORK SHALL BE ERRECTED AND INSTALLED PLUMBS, LEVEL, SQUARE AND TRUE, AND IN PROPER ALIGNMENT. "ALIGN" MEANS TO ACCURATELY LOCATE FINISHED FACES IN THE SAME PLANE.
 - WHERE EXISTING EXTERIOR WALLS OR CEILING ARE STRIPPED DOWN TO THE EXISTING STUDS, OR WHERE ANY EXTERIOR WALL STUD CAVITY IS EXPOSED, THE STUD CAVITIES MUST BE COMPLETELY FILLED WITH INSULATION.
 - PROVIDE ALL FIRESTOPPING AS REQUIRED BY CODE.
 - ALL EQUIPMENT AND APPLIANCES, INCLUDING SMOKE & CO DETECTORS, AIR CONDITIONER, WATER HEATER(S) AND FURNACE(S), SHALL BE INSTALLED IN ACCORDANCE WITH THEIR LISTINGS AND THE MANUFACTURER'S INSTALLATION INSTRUCTIONS. A COPY OF THE MANUFACTURER'S INSTALLATION INSTRUCTIONS MUST BE PROVIDED ON SITE FOR EACH INSPECTION.
 - ALL INSTALLED INSULATION SHALL BE LABELED OR THE INSTALLED R-VALUES PROVIDED. BLOWN INSULATION SHALL BE MARKED EVERY 300 SF. INSULATION SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
- SAFEGUARDS DURING CONSTRUCTION**
- EACH CONTRACTOR SHALL OBSERVE ALL LOCAL, STATE, AND FEDERAL RULES AND REGULATIONS REGARDING SAFETY AND SHALL PROVIDE ALL NECESSARY EQUIPMENT, SCAFFOLDING, PLANKING, RAILING, SHEETING, ETC. IN ORDER TO SAFEGUARD AND PROTECT THE HEALTH, AND WELL BEING OF ALL THE WORKERS EMPLOYED BY THE CONTRACTOR ON THE CONSTRUCTION SITE. EACH CONTRACTOR SHALL EXPLAIN, INSTRUCT, AND DIRECT ALL WORKERS UNDER HIS JURISDICTION TO OBSERVE ALL THE NECESSARY SAFETY, RULES AND REGULATIONS. EACH CONTRACTOR SHALL MAKE DAILY INSPECTIONS TO VERIFY THAT ALL SAFETY RULES ARE BEING OBSERVED.
 - ALL PROCEDURES REGARDING SAFETY ARE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL PROCURE AND PAY FOR THE INSURANCE TO INDEMNIFY AND HOLD HARMLESS THE OWNER, AND THEIR AGENTS, EMPLOYEES AND CONSULTANTS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSS AND EXPENSES, INCLUDING ATTORNEYS FEES, RESULTING FROM INJURIES, DEATH, SICKNESS, DISEASES, OR ANY OTHER PHYSICAL HANDICAP ARISING FROM NON-OBSERVANCE OF THE SAFETY RULES AND REGULATIONS.



ILLINOIS LICENSE NO: 001.022640
EXPIRATION: 11/30/2024

5000 YEAR FOODS

FOOD PROCESSING FACILITY

984 LEE ST
DES PLAINES, IL 60016

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	04/24/2023

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SCALE: As indicated

TITLE: **FLOOR PLAN**
SHEET: **A-1**

MEMORANDUM

Date: May 19, 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: Zoning Text Amendments Regarding Localized Alternative Sign Regulations (LASRs)

Issue: The petitioner is proposing zoning text amendments to Section 12-11-8 of the Zoning Ordinance to: (i) allow commercial developments with multiple buildings to establish a LASR; and (ii) create an allowance for changes to a LASR sign plan with certain restrictions.

PIN: Citywide

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

Case Number: #23-025-TA

Request Description: The City of Des Plaines is proposing amending the Zoning Ordinance to allow commercial developments with multiple buildings to establish a LASR, and create an allowance for changes to a LASR sign plan with certain restrictions.

Background

Chapter 11, “Signs”, of the Zoning Ordinance was created for the purpose of “provid[ing] a legal framework for the comprehensive regulation of signs in the City of Des Plaines” while “recogniz[ing] the need for adequate identification, advertising, and communication within the community, which is structurally sound, well maintained and attractive in appearance.” With this purpose in mind, Section 12-11-1 of the Zoning Ordinance specifically identifies the following objectives:

“to control the height, area, location and other similar aspects of signs and sign structures, while also: (i) preserving the noncommercial character of residential neighborhoods; (ii) providing reasonable yet appropriate conditions for identifying businesses and services rendered in commercial, institutional and industrial areas; (iii) reducing traffic hazards by restricting signs and lights which exceed a viewer's capacity to receive information or which increases the potential for accidents created by signage which distracts or obstructs a viewer's vision; and (iv) protecting the health, safety and general welfare of the residents of the City.”

Section 12-13-3 defines a sign broadly, as shown below, with the intention of effectively regulating a wide variety of different advertising methods while also adhering to the objectives and purpose of the Ordinance.

SIGN: Any object, device, or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, state, city, or organization; works of art which in no way identify a product; scoreboards located on athletic fields.

This section also defines different sign types that are listed and regulated by standards in Sections 12-11-4, 12-11-5, and 12-11-6 of the Zoning Ordinance based their type and the zoning district of the property for which they are proposed to be installed. However, while a majority of developments within the City are able to meet the existing sign requirements, some larger developments or distinct uses are unique or contain multiple buildings, which can present a practical difficulty to comply with the specific sign regulations, such as size, quantity, location, projection, height, and setbacks. For this reason, Section 12-11-8 of the Zoning Ordinance allows for a LASR, or sign plan, for specific uses in order to provide an option for developments with additional signage needs that do not meet the standards in Zoning Ordinance. In simple terms, a LASR is similar to a planned unit development (PUD) but *just for signs*.

Expand Possibility for LASRs

A LASR requires a conditional use application submittal which must be approved by City Council and recorded to be effective. The Zoning Ordinance allows for only a limited list of uses to be eligible for a LASR: (i) planned developments; (ii) commercial shopping centers (“shopping center” having a specific definition); (iii) office parks; (iv) universities and colleges; (v) medical centers; and (vi) institutions having multi-building campuses. Properties or proposed developments that are not one of the aforementioned items must comply with the sign regulations in Chapter 11 of the Zoning Ordinance or must apply for a sign variation. When relief is granted in the form of a variation, it requires demonstration of hardship and seven other criteria, when, in fact, the more appropriate type of relief is one that simply acknowledges the uniqueness and specific purpose of signs within a development (akin to exceptions in a PUD). Further, while shopping centers (buildings with three or more commercial units) are eligible for a LASR Sign Plan, this regulation does not account for larger commercial developments with multiple individual lots, each with its own building. As such, the intent of these amendments is to create an allowance for larger commercial developments which necessitate additional signage or want to obtain City Council approval for brand-standard signs that do not conform with the sign regulations in the Zoning Ordinance.

Distinguish Between Major and Minor Changes to LASR Sign Plans

The other purpose of these amendments is to add an allowance for changes to existing LASR Sign Plans. A parallel process is already in place for PUDs under Section 12-3-5.G, but currently not considered for LASR Sign Plans in the Zoning Ordinance. At this time, eligible uses that have a LASR Sign Plan are required to submit a conditional use application to add or adjust *any* signs included in the LASR Sign Plan, even if the proposed changes would comply with the sign standards in Chapter 11. The conditional use process—which consists of a minimum 90-day process and City Council approval—adds a delay in the issuance of sign permits and improvements to properties, including those improvements that relate to wayfinding for pedestrian and motorists alike.

That said, the proposed amendments provide the language to allow changes to LASR Sign Plans through two separate categories: Major and Minor changes. Major changes are defined as those which alter the intent of the approved LASR Sign Plan and/or propose signs that do not conform with the sign regulations in Chapter 11. These changes require a conditional use and City Council approval to amend the Sign Plan and record it with Cook County. Conversely, minor changes are those which do not alter the intent of the approved Sign Plan and conform with the sign requirements. These changes can be administratively approved by the Zoning Administrator, kept on file with the City (Department of Community and Economic Development), and be recorded to become the newly effective LASR.

Proposed Amendments

The full proposed amendments are attached and are summarized below:

Section 12-11-8, Localized Alternative Sign Regulations: Modify this section accordingly:

- Modify Section 12-11-8.A, “Authority,” to add an allowance for “commercial developments with multiple buildings”.
- Add subsection E, “Changes to a Localized Alternative Sign Regulation After Approval,” to identify major versus minor changes to a LASR Sign Plan and provide an allowance for changes to a LASR Sign Plan without City Council approval but with certain restrictions.

Standards for Zoning Text Amendment:

The following is a discussion of standards for zoning amendments from Section 12-3-7.E of the Zoning Ordinance. The PZB may recommend the City Council approve, approve with modifications, or deny the amendments. The PZB *may* adopt the following rationale for how the proposed amendments would satisfy the standards, and or the Board may use its own.

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

These amendments help fulfill the intended purpose of Chapter 11, “Signs”, of the Zoning Ordinance by expanding the allowance of LASR Sign Plans for more commercial developments to meet their existing signage needs as well as providing a more stream-lined path for changes to existing LASR Sign Plans to address changing signage needs in the future. These amendments provide more flexibility in the code to allow for different development designs and uses that can greatly benefit the community as a whole and make Des Plaines more development-friendly. As the City is mostly built-out, these amendments also provide more opportunities for the redevelopment or extension of existing sites throughout the City that can ultimately encourage reinvestment in properties overall.

PZB Modifications (if any): _____
_____.

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

The proposed amendments allow for further flexibility for unique and larger non-residential developments to provide adequate identification, advertising, and communication within the community as is enjoyed by uses currently eligible for LASR Sign Plans. These amendments also allow for a more stream lined path for the update or adjustment of existing LASR Sign Plans depending on the request, meaning that changes which meet the existing sign regulations will be processed more efficiently through administrative review and approval, but major changes that either do not comply with the sign regulations or significantly change the intent of the LASR Sign Plan will require the review and approval of the City Council. This ensures that proposed major changes are analyzed in detail to ensure that the proposed signs meet the general purpose of Chapter 11.

PZB Modifications (if any): _____
_____.

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

The proposed amendments would allow for additional signs on properties eligible for a LASR Sign Plan that may require additional public facilities and services for an individual site based on its use and design. However, these amendments would still require site plan review and adherence to applicable municipal codes to ensure that any proposed buildings are compliant and are adequately serviced.

PZB Modifications (if any): _____
_____.

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

It is not anticipated that the proposed amendments will have any adverse effect on surrounding properties. Instead, the flexibility provided with these amendments encourages reinvestment in properties and can lead to new uses or improvements to existing uses that benefits the City and its residents.

PZB Modifications (if any): _____
_____.

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

The proposed text amendments facilitate a path towards responsible standards for development and growth for eligible uses and properties by establishing a clear and streamlined permitting path for additional signs or updates to existing LASR Sign Plans.

PZB Modifications (if any): _____
_____.

PZB Procedure and Recommendation: Under Section 12-3-7 of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve with modifications, or deny the above-mentioned amendments. The Board should clearly state any modifications so that its recommended language can be incorporated in the approving ordinance passed on to the Council, which has final authority on the proposal.

Attachment

Attachment 1: Proposed Amendments

12-11-8: LOCALIZED ALTERNATIVE SIGN REGULATIONS:

- A. Authority: Commercial shopping centers or multi-building commercial or institutional developments such as office parks, universities, colleges, medical centers, ~~and institution having multi-building campuses~~ may establish a localized alternative sign regulation plan for their property subject to review and approval by the Planning and Zoning Board pursuant to the procedures for conditional uses found in section 12-3-4, "Conditional Uses", of this title.

* * *

- E. Changes In The Localized Alternative Sign Regulation After Approval: Signs included with a Localized Alternative Sign Regulation shall be developed only according to the approved and recorded sign plan. Changes, which alter the already approved sign plan, will require a new sign plan for recording, after approval by the Planning and Zoning Board and the City Council. The recorded sign plan, together with all recorded amendments, shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use and location of signs in the Localized Alternative Sign project.

1. "Major Changes": Major changes are modifications which alter the concept or intent of the Localized Alternative Sign Regulation or do not meet the standards for the respective sign type(s) in the underlying zoning district, including but not limited to the following:

- a. The addition of new signs that exceed or do not conform to district regulations regarding sign type, quantity, size, location, and design;
- b. The relocation of any existing sign, where the sign would not be permitted by the regulations for the underlying district;
- c. An increase in height or area of any existing sign beyond the allowable limits of the underlying district; and
- d. The conversion or replacement of any existing signs to a different sign type, including but not limited to internal illumination and electronic messaging; provided, however, that changes in material, color, or copy may be categorized as Minor Changes upon determination of the Director of Community and Economic Development.

Major Changes shall require the submission by the applicant of a new application that shall be processed and approved in the same manner as required of an original application.

2. "Minor Changes": Minor changes are modifications that are not defined as major changes, do not alter the concept or intent of a Localized Alternative Sign Regulation, and conform with the sign regulations in the underlying zoning district. The Director of Community and Economic Development may approve minor changes that meet the criteria set forth in this subsection through an administrative adjustment process without the approval of the Planning and Zoning Board or City Council. The Department of Community and Economic Development shall maintain records of Minor Changes to LASR.

3. Recording Of Changes: All changes to the sign plan shall be recorded with the county recorder's office as amendments to the sign plan, or reflected in the recording of a new corrected sign plan.