



Planning and Zoning Board Agenda

July 11, 2023

Room 102 – 7:00 P.M.

Call to Order and Roll Call

Approval of Minutes: June 27, 2023

Public Comment: For matters that are not on the agenda

Pending Applications:

- 1. **Address :** 1065 Lee Street **Case Number:** 23-035-CU

The petitioner is requesting a conditional use permit for (i) operating an auto service repair use in the C-3 Zoning District; (ii) operating a motor vehicle sales use in the C-3 zoning district; (iii) and any other variations, waivers and zoning relief as may be necessary.

PIN: 09-20-214-002-0000
Petitioner: Krzysztof Bernatek, 2017 De Cook Ave, Park Ridge, IL 60068
Owner: Centrust Bank, 385 Waukegan Rd, Northbrook, IL 60062

- 2. **Address:** 733 Lee Street **Case Number:** 23-038-TA-CU-V

The petitioner is requesting (i) text amendments to the Zoning Ordinance to allow “Schools – private, elementary and high school” with a conditional use permit in the C-5 District for properties with frontage along the 700 block of Lee Street, with additional language stating an accessory allowance for kindergarten and pre-kindergarten at such schools; (ii) a conditional use permit for a “School – private, elementary and high school or amended conditional use permit as granted by Ordinance Z-024-10, whichever is necessary, to operate an elementary school (up to eighth grade) with kindergarten and pre-kindergarten programs; (iii) a conditional use permit for commercially zoned assembly; (iv) a variation to reduce the minimum required yards for the existing building on the subject property; (v) a variation to waive the recording requirement for a collective parking agreement under the off-street parking regulations; (vi) a variation to allow the continuation of parking lot surfacing, curbing, gutters, and lighting despite modifications approved through a site plan incorporated into a conditional use permit; (vii) a variation to allow continued lawful status of an existing pole sign that does not conform the minimum setback from a lot line or required base landscaping, (viii) a variation to relieve strict adherence to parking lot landscaping and parkway landscaping requirements; and (ix) any other variations, waivers, and zoning relief as may be necessary.

PINs: 09-20-200-042-0000, 09-20-200-006-0000
Petitioner: ICCD Academy, NFP, 733 Lee Street, Des Plaines IL, 60016
Owner: Trustee of Trust No. 16506, Parkway Bank and Trust Company, 4800 North Harlem Avenue, Harwood Heights, Illinois 60706 (Beneficiary: ICCD Academy, NFP)

City of Des Plaines, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the accessibility of the meeting(s) or facilities, contact the ADA Coordinator at 847-391-5486 to allow the City to make reasonable accommodations for these persons. The public hearing may be continued to a further date, time and place without publication of a further published notice such as this notice.



DES PLAINES PLANNING AND ZONING BOARD MEETING
June 27, 2023
DRAFT MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, June 27, 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: Weaver, Catalano (arrived 7:04), Fowler, Saletnik, Veremis, Szabo

ABSENT: Hofherr

ALSO PRESENT: John T. Carlisle, AICP, Director of CED
Jonathan Stytz, AICP, Senior Planner
Margie Mosele, Executive Assistant

A quorum was present.

APPROVAL OF MINUTES

1. June 6, 2023 PZB Workshop

A motion was made by Board Member Fowler, seconded by Board Member Veremis to approve the meeting minutes PZB Workshop of June 6, 2023.

AYES: Fowler, Veremis, Weaver, Saletnik, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIES ****

2. June 13, 2023 PZB Meeting

A motion was made by Board Member Weaver seconded by Board Member Saletnik to approve the meeting minutes of June 13, 2023.

AYES: Weaver, Saletnik, Fowler, Veremis, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIES ****

PUBLIC COMMENT ON NON-AGENDA ITEM - None

Applications:

1. **Address:** 81 N. Broadway Street

Case Number: 23-028-CU

The petitioner is requesting a Conditional Use for a Commercially-Zoned Assembly Use in the C-3 General Commercial zoning district at 81 N. Broadway Street, and any other variations, waivers, and zoning relief as may be necessary.

Petitioner: Romanian Heritage Center NFP (Representative: Steven Bonica, 83 N. Broadway Street, Des Plaines, IL 60016)

Owner: Romanian Heritage Center NFP, 83 N. Broadway Street, Des Plaines, IL 60016

PIN: 09-07-418-015-0000

Ward: #7, Alderman Patsy Smith

Existing Zoning: C-3, General Commercial District

Existing Land Use: Vacant Building

Surrounding Zoning: North: C-3, General Commercial District

South: C-3, General Commercial District

East: R-1, Single Family Residential District

West: C-3, General Commercial District

Surrounding Land Use: North: Vacant Building

South: Multi-Unit Residential Building

East: Single Family Residences

West: Electrician (Commercial)/Vacant Building

Street Classification: Broadway Street is classified as a local street.

Comprehensive Plan: The Comprehensive Plan illustrates this site as Higher Density Urban Mix with Residential.

Zoning/Property History: Based on City records, the subject property was annexed into the city in 1927 as vacant piece of land and has been a commercial building since at least 1961. The subject property has undergone some site improvements since then but has been consistently utilized as a commercial building.

Project Description: *Overview*

The petitioner has requested a Conditional Use Permit to host meetings and events (assembly) within the proposed library/media space at the Romanian Heritage Center NFP, 81 N. Broadway Street. This type of activity is categorized under the commercially zoned assembly use as defined below.

COMMERCIALY ZONED ASSEMBLY USES:

A use that is primarily for the purpose of the assembly of people, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: commercial theater, banquet halls, nightclubs, church, synagogue, temple, meeting house, mosque, or other place of worship. For allowable accessory uses, refer to the specific land uses defined in this chapter. Such uses shall adhere to the off-street parking requirements under "assembly uses".

The property at 81 N. Broadway Street is in the C-3 zoning district, along Broadway between Cumberland Circle (i.e. the intersection of Broadway, Golf Road, Wolf Road, and State Street) and Northwest Highway, near the Cumberland Metra Station. The subject property contains a one-story commercial building with on-street parking in the front and an accessory parking lot at the rear as shown on the attached Plat of Survey.

The petitioner currently operates an office, which is a permitted use and has a valid business registration, on a property at 83 N. Broadway Street directly north of the subject property. The space is utilized as a media office for the Romanian-American Network and a law office for the Leahu Law Group, LLC.

Proposal

The petitioner plans to completely remodel the interior of the existing building to locate a library/multi-media room, which will occupy most of the space. In addition, there is a Romanian heritage exhibit area, along with restrooms, and storage areas. The need for the Conditional Use stems from conducting meetings and events. Section 12-13-3 of the Zoning Ordinance, in defining commercially zoned assembly, includes the example of a "meeting house," and the petitioner intends to conduct meeting events of various professional and civic groups tied to the organization. On the other hand, the private library is a *permitted* use, and the classes and art workshops would be considered accessory to the library and therefore permitted. The true focus of this request is using the property for meetings and events.

The petitioner intends to utilize the subject property for various uses as described in the attached Activities and Programs Brochure, and summarized in the following table. Note that the Fire Prevention Bureau reviewed the plans and visited the space. The maximum occupancy load is 73 people.

Use Description	Occurrence*	Staff Size	Group Size
Private Romanian Library and Heritage Research Center for members, students, tutoring	Monday-Friday, up to 3 hrs. a day	2-3	12 (members); 2-3 (students)
Romanian Language and Heritage Classes (Two separate groups)	Twice a month on Tuesdays and Thursdays	2-3	8-12 students
History and Heritage of the Romanian People	Once a quarter	2	10-20 participants
English Classes	Weekly, Mondays	2	6-12 students
Arts and Crafts Workshops	Varies	2	6-10 students
Faith and Life – Fellowship and Religious Studies	Varies based on event	2-4	12-20 participants
Events	Varies	Varies	Varies

*Not open on U.S. and Romanian Holidays

Off-Street Parking

The subject property contains a surface off-street parking area shared between 81 and 83 N. Broadway Street. As such, the off-street parking requirement must consider the existing office uses at 83 N. Broadway Street and the proposed assembly uses at 81 N. Broadway Street, pursuant to Sections 12-9-7 and 12-9-8 of the Zoning Ordinance:

- One parking space for every 250 square feet of gross floor area for office areas; and
- One parking space for 200 square feet of gross activity area for the commercially zoned assembly area (library).
- *Note: A library has a parking minimum of only 1 space per every 750 square feet of gross floor area. However, for the purposes of this request, the requirement for commercially zoned assembly must be used because it is more restrictive (i.e. contemplates more people). Nonetheless, should the commercially zoned assembly not be approved, staff preliminarily believes the total parking requirement for office at 83 N. Broadway and Library at 81 N. Broadway could be met by the rear parking lot.*

The existing office area at 83 N. Broadway Street consists of 840 square feet and the total gross activity area for the proposed use at 81 N. Broadway Street consists of 1,100 square feet, requiring a total of 11 off-street parking spaces, including a minimum of one accessible space. The attached Site Plan shows the existing parking area at the rear of the building that is designed to accommodate 16 off-street parking spaces including

one accessible space on the subject property. Staff has added a condition that a revised Site Plan prepared by a design professional is submitted with full dimensions on the parking area in conformance with Sections 12-9-7 and 12-9-8 of the Zoning Ordinance at time of building permit.

Collective Parking Agreements

The petitioner has submitted the attached Proposed Parking Use Plan to identify how the parking area will be utilized during their operations throughout the week. It is noted that on regular weekdays from 9 a.m. to 7 p.m. and Saturdays from 9 a.m. to 1 p.m., the available off-street parking available on the subject property would be sufficient for their operations. However, the petitioner does identify that more parking—in addition to the spaces available on the subject property—is necessary on regular week days from 6 p.m. to 9 p.m., Saturdays after 5 p.m., and Sundays from 1 p.m. to 5 p.m. Section 12-9-3 of the Zoning Ordinance allows for up to 33 percent of the required off-street parking to be fulfilled on a separate, privately-owned zoning lot provided that the following conditions are met for the collective parking spaces:

- The collective parking spaces utilized on the separate zoning lot are in excess of the total requirement for all uses that occupy that lot, or that sufficient data has been provided to the city indicating that there is not a substantial conflict in the hours of operation of all the uses on the lot;
- The collective parking spaces are within 300 feet of the use served;
- Pedestrian travel between the collective parking spaces and the use severed does not require at-grade crossings of roadways classified by the Illinois Department of Transportation (IDOT) as arterials; and
- A written agreement guarantees that the parking spaces on the separate zoning lot will be maintained so long as the uses requiring parking are in existence, or unless the required parking is provided elsewhere in accordance with the Zoning Ordinance.

As such, staff has added a condition that the petitioner must obtain, execute, and submit to staff a collective parking agreement with each property it intends to use for additional parking to address all parking requirements pursuant to Sections 12-9-3 and 12-9-7 of the Des Plaines Zoning Ordinance.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance, as amended. Rationale for how well the proposal addresses 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 activities consisting of meetings, events, and other gatherings involving the assembly of people is classified as a Commercially Zoned Assembly use. A Commercially Zoned Assembly use is a conditional use 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 proposed commercially zoned assembly repurposes an existing vacant space, which helps to achieve the goal of the Comprehensive Plan to foster and improve commercial developments. This proposal can also provide another asset to the community through the promotion of cultural diversity, which the Comprehensive Plan strives to preserve and foster.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposal will not redevelop the existing space in a way that would not be harmonious and appropriate in appearance to surrounding development since the petitioner does not plan to alter the building's exterior. Instead, the proposal includes additional landscaping in front of the building and parking area improvements at its rear to improve the aesthetic appearance of the property.

PZB Additions or Modifications (if necessary): _____

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

Comment: Regarding activities that will take place inside the building, the proposed use will not be hazardous or disturbing to the existing neighborhood uses. The petitioner has proposed off-street parking spaces at the rear of the building and will provide a separate collective parking agreement with all properties it is utilizing for collective parking to handle any overflow parking during events. The Board should decide whether any concerns about utilizing multiple parking lots would rise to the level of "hazardous or disturbing."

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 is adequately served by essential public facilities and services through property access from a rear alley, on street parking in the front, and municipal services. Staff does not feel that the proposed use will alter the existing service of this property.

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 existing building does not create excessive additional requirements at the public expense for public facilities and services. Staff does not feel that the proposed use will create excessive additional requirements for public facilities and service, as the size and location of the existing building will remain the same.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposed use operations will not produce excessive production of noise, smoke fumes, glare, or odors since all operations will take place inside the building and consist of smaller groups of people. The anticipated events that will occur on occasion once or twice during the month will be scheduled and planned in coordination with proposed collective parking agreements to ensure adequate parking is provided. To the extent that evaluating traffic includes availability of parking, the Board may consider that issue. However, in terms generating regular, high-volume traffic, staff does not believe the use will do that, as the meetings would be somewhat infrequent.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposed use will have parking and property access concentrated at the rear of building with some parking in the front of the building. Staff feels that the proposed parking and access to the site is sufficient during normal operations but is recommending the requirement of collective parking agreement(s) to be established and executed between the proposed use and specified neighboring property owners to accommodate events with larger vehicular and pedestrian traffic.

PZB Additions or Modifications (if necessary): _____

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

Comment: The proposed use will not result in the destruction, loss, or damage of natural, scenic, or historic features since the property is already developed with the building and parking area. In addition, the subject building is not listed as a historic significant structure.

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 use will comply with all other regulations in the Zoning Ordinance. The conditional use will be the only entitlement necessary for the proposed request as presented.

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 request. The City Council has final authority on the proposal. If the PZB recommends approval of the request, staff recommends the following:

1. That the Board is comfortable with and has reviewed any necessary shared parking agreements before it would vote on a *recommendation for approval* to Council
2. A revised Site Plan prepared by a design professional is submitted at time of building permit with full dimensions on the parking area in conformance with Chapter 9 of the Zoning Ordinance.
3. The petitioner must obtain, execute, and submit to staff a collective parking agreement with each property it intends to use for additional parking to address all parking

requirements pursuant to Sections 12-9-3 and 12-9-7 of the Des Plaines Zoning Ordinance.

4. That all appropriate building permit documents and details, including all dimensions and labels necessary to denote all proposed improvements to the subject property are submitted as necessary for the proposal. 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 Map

Attachment 2: Site and Context Photos

Attachment 3: Petitioner's Responses to Standards

Attachment 4: Plat of Survey

Attachment 5: Project Narrative and Photos of Existing Conditions

Attachment 6: Activities and Programs Brochure

Attachment 7: Site and Parking Lot Plan

Attachment 8: Parking Use Plan

Attachment 9: Floor Plan

Chair Szabo stated that Steve Bonica, petitioner for the project, was sworn in last meeting. Mr. Bonica stated that the Romanian Heritage Center purchased the property at 81 Broadway street to turn it into a Cultural, Learning and Research Center for Literature, History and Traditional Art. He added that a separate space at 83 Broadway Street is already in use and is not a part of this petition. He stated that they are here today for a Conditional Use for assembly to hold community meetings, seminars, and gatherings. He plans to have a learning and tutoring center. He said he was here at the last meeting and heard the neighbor's concerns. He stated that the biggest issue was parking. He would like to submit evidence that they have solved that problem.

Mr. Bonica gave definition of anthropology. He stated that the Romanian Heritage Cultural Center is dedicated to the appreciation, preservation, and promotion of the cultural manifestation that impact and shape the existence of our ethnicity and define our identity. The cultural center consists of over 15,000 books and literature and would be open primarily from the hours of 9-5 pm. The operations will include running a learning and tutoring center and classes. He stated that he has submitted a schedule of proposed activities and programs. He would also like to have activities from 7-9 pm on weekdays and activities weekends. He stated that the larger events would only happen once per month and would be around 75-80 people. He said he listened to the neighbor's concerns and noted they have 13 parking spots, which are sufficient for the daytime activities. They talked to neighbors and are working on getting executed collective parking agreements with six other properties to address parking concerns. They have three written agreements and three verbal agreements that they are working to get executed. The other businesses would allow limited use of their parking lots after business hours—6 spaces at 42 N. Broadway; 6 spaces at 72 N. Broadway; and 8 spaces at 82 N. Broadway—that provide 20 additional parking spaces. They

secured verbal agreements for 581 E Golf (36 spaces), 79 N. Broadway (8 spaces), and 73 N. Broadway (6 spaces), which they are working to get those leases signed. He is looking for a Conditional Use for assembly to hold community meetings, seminars, and gatherings. He stated that the larger events would only happen once per month and would be around 75-80 people and they would have more than enough parking with the parking agreements.

Member Fowler stated that the maximum occupancy load is 73 people which is from the fire prevention bureau.

Mr. Bonica stated that they have talked to the neighbors and are pursuing collective parking agreements with the surrounding property owners.

Member Fowler restated that the fire prevention bureau restricted the building occupancy to 73, so it does not just have to do with parking.

Mr. Bonica stated that they will comply with whatever the Fire Department sets.

Member Vermis asked when he plans to have the other signed agreements.

Mr. Bonica responded he plans to have the signed agreements before the city council meeting, next week if possible. However, they still have additional 20 spaces available with the current signed agreements, totaling 33 spaces.

Member Vermis asked if they are utilizing the Romanian Baptist Church for parking.

Mr. Bonica stated that they were told by staff that they cannot rely on that for additional parking because it is a hazard.

Member Vermis asked how they will make sure that people are not parking on residential streets.

Mr. Bonica stated that people have the natural instinct to park as close as possible and the residential area would be a further walk.

Chair Szabo stated that is a good idea to have all of the written agreements before going to City Council and he wished he had them before tonight's meeting.

Mr. Bonica responded that he has that three executed collective parking agreements with him that equate to 20 additional spaces, and that he could provide them to the PZB.

Chair Szabo added that it would have also been nice if he had signed agreements in hand for the other three properties identified.

Mr. Bonica stated that since he has 33 parking spots that he has enough for the 73 max. He stated that the formula is multiplying the spots by three.

CED Director Carlisle stated that the maximum allowed by Fire is 73. The requirement for parking from zoning is a ratio based on use. He stated that Mr. Stytz will go over that in the staff report.

Senior Planner Stytz stated that assembly use is based off square footage of gross activity area. It is one space for every 200 square feet of gross activity area. The space is 1,100 square feet, based on the office next door, 11 spaces would be required.

Senior Planner Stytz gave the staff report. He stated that the petitioner is requesting a Conditional Use for a Commercially-Zoned Assembly Use in the C-3 General Commercial zoning district at 81 N. Broadway Street. He gave a presentation showing the Location Map and Background, Site Photos, Proposed Floor Plan, Proposed Site and Parking Use Plan, Proposed Schedule of Activities, and Planning and Zoning Board Considerations. He stated that staff has not seen and does not have the signed parking agreements. He stated that they will be looking to have them prior to going to City Council. The PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the request. The City Council has final authority on the proposal. If the PZB recommends approval of the request, staff recommends the following:

1. That the Board is comfortable with and has reviewed any necessary shared parking agreements before it would vote on a *recommendation for approval* to Council
2. A revised Site Plan prepared by a design professional is submitted at time of building permit with full dimensions on the parking area in conformance with Chapter 9 of the Zoning Ordinance.
3. The petitioner must obtain, execute, and submit to staff a collective parking agreement with each property it intends to use for additional parking to address all parking requirements pursuant to Sections 12-9-3 and 12-9-7 of the Des Plaines Zoning Ordinance.
4. That all appropriate building permit documents and details, including all dimensions and labels necessary to denote all proposed improvements to the subject property are submitted as necessary for the proposal. 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.

Member Weaver state that he is looking at an aerial photo that shows parking street. He also asked if there are any parking restrictions on Broadway and if there are times associated with the restriction.

Mr. Stytz stated that there is a three-hour parking restriction, and it is not for heavy vehicles, but he does not believe there are times associated with the three-hour parking restriction.

Member Catalano stated that based on the gross activity area they would be required to have 11 parking spaces. He noted that originally there were 16 parking spaces and now there are 13 spaces. He asked why they need more parking.

Mr. Stytz stated that the original site plan had 16 spaces, but it has been revised to 13.

Mr. Carlisle stated that with an assembly use there is a spike in demand for parking at certain times. The petitioner stated that he could have 73 people. The Conditional Use you are not bound to take the simple base line number because you need to consider all the factors. For that reason, we know there will be more than 11 households. So there has to be an additional arraignment to accommodate the attendance spikes. The written agreements are not in the packets because we have not seen them. Our recommendation to this board is that if you are considering a recommendation of approval and you look at the parking leases and you are comfortable with what they say before they are processed by staff to go to City Council.

Member Saletnik stated that we might have to continue this case since he does not have all the written agreements. He asked how many parking spaces they have with the written agreements. He also asked if they understand that the Fire Occupancy does not allow more than 73 so when Mr. Bonica states that he could have more than 90 that would not be allowed. And out of the 73 people, are they families or are they individuals? He also stated that the 73 comes from a square footage of the assembly space. He stated you cannot have more than 73 people occupying that room at any one time.

Mr. Bonica stated that they have written lease agreements for an additional 20 spaces. Which added to their 13 spaces will take care of 32% of full occupancy. They were told to look at the municipal code for parking and they found the formula that they confirmed with their architect and attorney which he was told it is 32% of the number of full occupancy. That would mean with 33 parking spots they would have enough for full occupancy before the other verbal agreements are set. He stated that if the occupancy is 73 they will abide by that. He stated that he does everything by the book. He came her to be good role model and good citizens. He wants to provide a space where everyone is welcome and feel proud of the culture.

Member Weaver thinks that Mr. Bonicas attempt to find other parking spaces at other properties is admirable. However, the written agreements you have are on the west side on Broadway and the verbal agreements are on the East side. Looking at the map, Yale Court is close to your business. That is why the agreements for the parking on the east side are important and if you get a lease for them, you will have a very good plan.

Mr. Bonica stated that he believes people will come in the front door so the parking would be across the street and Yale Court would be further. He would provide parking spaces and signs. He also proposed that his neighbors at Yale Court start a petition to make Yale Court resident parking only. He stated he would help them with it.

Member Veremis asked a question to staff. If this were to be recommended for approval tonight, when would it go to City Council. Would we have time to meet another time before so staff could go over the agreements?

John Carlisle stated that this is a very busy time for Planning and Zoning and City Council. August 7, 2023 is the next City Council meeting that could hear this case. He stated that staff has not seen the agreements. Chairman Szabo can enter the leases into record and then view them.

Chair Szabo entered the leases into the record. He asked the Planning and Zoning Board members to take a look at the signed leases.

Member Saletnik asked how many total spaces would be available from this property and the signed leases. And with a maximum occupancy of 73, how many would be needed?

Mr. Bonica stated that they will have 33 parking spots total with the signed leases. He also stated that they have the use of church vans for transportation. He is working to finalize the other leases.

Chair Szabo asked if any of the audience members were in favor or opposed to the petition.

Chair Szabo stated that Nita Rose of Seventh Avenue was sworn at the last meeting. She stated that she was here two years ago. She stated that he had big groups that parked in their neighborhoods, slammed car doors, etc., and they there was too much traffic going through the neighborhood. She stated she is concerned about parking and traffic because there are lots of families walking small children. She stated that he did not tell the truth when he first came and she had to tell the board. She stated that they do not want these people here, that they do not want them in their neighborhood. She believes the home values will go down.

Member Fowler asked how many events she has experienced from this petitioner and how big they were.

Ms. Rose stated she did not experience any events because they did not get approval to operate in the area, but that they do not want it to happen.

Chair Szabo swore in Diane Thompson of Seventh Avenue. She wanted to explain the type of neighborhood this traffic would infringe on. Her grandfather subdivided the neighborhood and dedicated the park to the neighborhood. She stated that its important to keep the neighborhood safe and it would not be as safe with the additional traffic.

Member Fowler asked if there are any kids playing at that park.

Mr. Thompson responded that kids do play at that park. Adults also utilize that space for meetings and gatherings.

Chair Szabo swore in Paul Holzer of Seventh Avenue. He is concerned about the proposed assembly use. He heard quantitative data to support capacity and community is supportive of the businesses in the area. The City has been helpful any time they had parking problems. He would welcome the Heritage Center. He wants to make sure this is in a properly zoned area.

Chair Szabo swore in Timothy Stef. He stated that he is familiar with the area. He stated he is a first-generation Romanian. He wants to see his culture around him. He does not understand why we would not want something that is good for society.

Chair Szabo swore in Brian Emerick. He does not have a problem with the type of business but he is concerned about the traffic. He is concerned about 80 people leaving the facility at 9 pm causing noise.

Mr. Bonica asked why we are talking about parking near Yale Court – people would not be coming from that way or parking there. They will be coming from Golf Road or Northwest Highway. Mr. Bonica stated that one of the residences talked about safety. He asked if she was implying that they were a risk for safety. He said they will not be parking by Yale court so there will be no traffic. He also asked about the resident that said he lied. He stated that looking back at the paperwork it states that they will do as much as they are allowed to do. The 80-person number was in the paperwork two years ago. He stated that he is here to work with you and that they are neighbors.

Chairman Szabo asked if any member would like to make a motion.

Member Weaver stated that he would like make a motion but would like to prefist it first. He stated that there are parking lots A,B,C,D, E and F on the diagram plus the 13 on the pettioners property which makes 82 spaces. They have a maximum meeting space of 73 and a potential of 82 parking spaces. He stated that parking lots D and E are not as visible and easy to find and the distance would not make less attractive, which makes parking lots A, B and C important. He stated one of the suggested conditions proposed by staff is *The petitioner must obtain, execute, and submit to staff a collective parking agreement with each property it intends to use for additional parking to address all parking requirements pursuant to Sections 12-9-3 and 12-9-7 of the Des Plaines Zoning Ordinance.*

Member Weaver stated that his condition would be that the collective parking agreements must include the parking lots on the East side such that we have at least 60 parking spaces.

A motion was made by Board Member Weaver, seconded by Board Member Catalano, to approve the Conditional Use with staff conditions #2 and #4 as written and with the staff condition #3 amended to require an executed collective parking agreement for Sites A-C located on the east side of Broadway Street as proposed by the petitioner.

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

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

2. **Address:** 1345 Golf / 16 Mary

Case Number: 23-031-TA-MAP

The petitioner is requesting the following items: (i) a Map Amendment under Section 12-3-7 of the Zoning Ordinance to rezone the subject property at 1345 E. Golf Road/16 Mary Street from C-3 General Commercial to M-2 General Manufacturing in preparation for a future request for an outdoor bulk material facility use; and (ii) a Text Amendment under 12-3-7 to allow a childcare center use in the M-2 district.

- Petitioner:** Pasque Mauro, 1269 E. Golf Road, Des Plaines, IL 60016
- Owner:** 1345 Golf / 16 Mary LLC (Representative: Pasque Mauro, 1269 E. Golf Road, Des Plaines, IL 60016)
- PINs:** 09-17-200-026-0000; -027; -039
- Ward:** #1, Alderman Mark A. Lysakowski
- Existing Zoning:** C-3, General Commercial District
- Existing Land Use:** Multi-tenant building with childcare center
- Surrounding Zoning:** North: I-1, Institutional District
South: M-1, Limited Manufacturing District
East: C-2, Limited Office Commercial District
West: M-2, General Manufacturing District
- Surrounding Land Use:** North: Hospital (Institutional)
South: Maine Township Highway Commission (Industrial)
East: Watch Manufacturer (Industrial); Electrician (Commercial)
West: Material Supply Business (Industrial)
- Street Classification:** Golf Road is an other principal arterial, and Mary Street and Redeker Road are each local streets.
- Comprehensive Plan:** The subject property is illustrated as Commercial Industrial Urban Mix.
- Zoning/Property History:** Based on City records, portions of the subject property—comprised of three parcels—were annexed into the city between 1965 and 1973 with a building, off-street parking area, and open space. Around the early 2000s, a commercial radio service facility, or cell tower, was installed on the property and has been in operation ever since. In 2014, a conditional use was approved for a childcare center on the

subject property, which began operations in 2015. In 2018, a conditional use amendment was approved to expand the existing childcare center in the existing building, which is still in operation on the subject property today. There have also been various manufacturing, warehouse, or production uses that have operated out of the remaining building space not occupied by the childcare center. One recent business was Chromatech printing (the building is sometimes called “the old Chromatech.”) However, the last business ceased operations in March 2023, making the childcare center the only active business on the subject property at this time.

Project Description: *Overview*

The subject property is located in the C-3 General Commercial district at the southwest corner of the Golf Road/Mary Street intersection and is comprised of three separate PINs totaling 2.22 acres, which are addressed under 1345 E. Golf Road and 16 Mary Street as shown below.

PIN	Size	Zoning
09-17-200-026-0000	26,327 SF / 0.60 acres	C-3 General Commercial
09-17-200-027-0000	1,371 SF / 0.03 acres	C-3 General Commercial
09-17-200-039-0000	69,196 SF / 1.59 acres	C-3 General Commercial

The subject property is improved with a one-story, 27,500-square-foot building and two off-street paved parking areas: one directly east of the building, where spaces are directly connected to the Mary Street right-of-way, and another north of the off-street parking area along Golf Road. Additionally, there is a cell tower, unpaved storage area, and outdoor activity area for the childcare center as shown on the attached ALTA/NSPS Land Title Survey.

While not part of this request, in the future the petitioner will propose to locate an outdoor bulk material facility use, as defined below, on the subject property as well as at 1331 E. Golf Road (also owned by the petitioner and already zoned M-2), which would be consolidated through the subdivision process as one cohesive development on a single lot of record.

OUTDOOR BULK MATERIAL FACILITY: An establishment used or occupied for the primary purposes of outdoor construction material storage, acceptance and transfer of landscape debris and stone or concrete crushing operations. This definition does not include the uses of warehouse, trade contractors, commercial storage, contractor's storage yard and commercial truck parking lot. "Outdoor bulk material facility" does not include any use otherwise listed specifically in a zoning district as a permitted or conditional use.

Proposed Improvements

The proposal includes on-site improvements including (i) the removal of the existing non-paved area and outdoor activity area for the childcare center on the subject property and the development on 1331 E. Golf Road as shown on the attached Demolition Plan; and (ii) the installation of outdoor storage bins, paved operations/parking areas, upgraded site access points, and new outdoor activity area for the childcare center as shown on the attached Site Plan. The existing building, cell tower, and on-street parking areas along Mary Street would be retained as part of this project, with some parking lot upgrades proposed.

There are also off-site improvements including (i) the removal of the two-existing curb-cuts off Golf Road and their replacement with a new three-lane, full access curb-cut onto Golf Road; (ii) the removal of the existing curb-cut off Mary Street; (iii) the upgrading of the existing curb-cut on Redeker Road with a new three-lane, full access curb-cut; (iv) and the removal of the existing concrete median on Golf Road and its replacement with a new left turn lane as shown on the attached Demolition Plan and attached Site Plan.

Future Requests

While the petitioner is applying only for the aforementioned map amendment and text amendments at this time, additional entitlements will be required prior to the operation of the proposed outdoor bulk material facility use—and would serve as the second application for this overall proposal—including necessary conditional use requests (pending the approval of the map and text amendment requests in this first application). In addition, the petitioner has noted that a subdivision and variation requests will also accompany the future, separate application for the proposed use on the subject property and 1331 E. Golf.

MAP AMENDMENT

Request Description:

Overview

The proposed outdoor bulk material facility use is not allowed in the C-3 district as a permitted or conditional use but is permitted in the M-2 General Manufacturing district through a conditional use permit as noted below.

Manufacturing Districts Use Matrix			
<i>Use</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>
Outdoor Bulk Material Facility*		C ⁴	

*This use is not allowed in the M-1 and M-3 zoning districts.

Note:

4. Outdoor bulk material storage shall only be allowed on the 1200 and 1300 blocks of East Golf Road. All outdoor storage areas shall be completely screened with either a solid masonry or wood fence and no outdoor materials shall exceed the height of the solid fence.

Note 4 above adds additional requirements for the type of use proposed. Given that the subject property is located at 1345 E. Golf Road, it is able to meet the location requirement in note 4. The proposed masonry fence meets the fence material requirement. However, the attached Site Plan indicates 12-foot-tall bins and an 8-foot-tall fence, which does not meet the screening requirements of Note 4 requirement and would need to be addressed with a future submittal.

Bulk Regulations

The operation of the outdoor bulk material facility use on the subject property would require a map amendment to the M-2 district and be subject to the bulk regulations in Section 12-7-4.H of the Zoning Ordinance. The table below compares the M-2 district regulations with the proposed development on the subject property.

M-2 General Manufacturing District Bulk Standards		
<i>Bulk Controls</i>	<i>Required</i>	<i>Proposed</i>
Maximum height	60 ft ¹	18 ft
Minimum front yard [north] (adjacent other and on major thoroughfare ¹)	65 ft	34 ft*
Minimum side yard <ul style="list-style-type: none"> • East (adjacent other) • West (adjacent manufacturing) 	50 ft 25 ft	30 ft* 85 ft
Minimum rear yard [south] (adjacent manufacturing)	25 ft	30 ft
Minimum lot size	None	N/A
Maximum building coverage	70 percent	59 percent

**Indicates that the regulation is not met; staff recommends seeking variations in the second submittal to avoid a long-term circumstance of a nonconforming structure.*

¹ For purposes of this report, the term “major thoroughfare” is defined as a roadway classified by the Illinois Department of Transportation (IDOT) as an arterial road. The subject property is located on Golf Road which is an arterial.

Note:

1. In instances when an M-2 zoned site shares a property line with a residentially zoned parcel(s), no portion of any principal building or structure on the M-2 zoned site shall be taller than 40 feet when within 120 feet of such abutting residentially zoned parcel(s). Portions of buildings or structures farther away than 120 feet from a residentially zoned parcel(s) may go up to the maximum allowable building height of 60 feet.

Based on the M-2 district bulk regulations above, the proposal would meet all standards with the exception of the required front/north setback (Golf) and east side setback (Mary). The north property line—designated as the front yard—fronts an arterial and is adjacent to the institutional district, which is not a manufacturing district, requiring a greater setback requirement. Similarly, the east side property line is adjacent to a commercial district, which also requires a larger side yard setback. The positioning of the existing building on the subject property does not meet the setback requirements of the M-2 district, and therefore future variations are recommended to avoid a long-term circumstance of a non-conforming structure.

The petitioner has noted that a second, separate application will be submitted with various variation requests—including those related to building setbacks. However, the PZB may consider the Site Plan Review standards in Section 12-3-2, described in more detail below, to determine whether or not the map amendment is appropriate.

Site Plan Review

Pursuant to Section 12-3-7.D.2 of the Zoning Ordinance, a Site Plan Review is required for all map amendment requests to assess how the request meets the characteristics identified in Section 12-3-2, which are listed below along with staff's assessment of each in relation to the current Site Plan provided by the petitioner. Please note that the current Site Plan is intended to be adjusted as necessary by the petitioner to address staff/public comments and incorporate all needs of the proposed outdoor bulk material facility use with a subsequent submittal that will formally seek necessary conditional use(s) and variations.

Site Plan Review	
<i>Item</i>	<i>Analysis (based on Proposal)</i>
The arrangement of structures on the site	<ul style="list-style-type: none"> Utilizes the existing building and on-street parking area with minimal changes Compatible with uses to the south and west but not necessarily with uses to the north and east.
The arrangement of open space and landscape improvements	<ul style="list-style-type: none"> Minimal landscape areas proposed Creates a functional but not necessarily a desirable environment for patrons, pedestrians, and occupants.
The adequacy of the proposed circulation system on the site	<ul style="list-style-type: none"> Improves site access and minimizes curb-cuts No real separation between pedestrian and vehicle circulation
The location, design, and screening of proposed off-street parking areas	<ul style="list-style-type: none"> Partial screening of parking areas provided, except on Mary Street Adequate perimeter parking lot landscaping not provided
The adequacy of the proposed landscaping design on the site	<ul style="list-style-type: none"> Proposed masonry walls provide some screening but are not proposed to be same height as bins Some landscaping proposed but no adequate logical transition between uses.
The design, location, and installation of proposed site illumination	<ul style="list-style-type: none"> Exterior illumination installed close to property lines, which could impact surrounding properties Photometric Plan will be required to confirm conformance with Section 12-12-10.
The correlation of the proposed site plan with adopted land use policies, goals, and objectives of the comp. plan	<ul style="list-style-type: none"> Fits the commercial industrial urban mix land use designated for the subject property on the future land use map in the Comprehensive Plan. Does not necessarily align with the Comprehensive Plan objective to redevelop the area with a cohesive development.

TEXT AMENDMENT

Request Description:

Overview

There is an existing childcare center operating on the subject property with an active conditional use permit. While a childcare center use is allowed in the C-3 district (current property zoning) through a conditional use permit, it is not currently allowed in the M-2 district as either a permitted or conditional use. Rezoning the property to M-2 would render the property a legal nonconforming use, which allows the use to continue operating but places various restrictions on the use's—and property's—ability to be permitted for expansion, relocation of structures, building and site alterations, etc. Thus, a text amendment is advisable to create an allowance for this use in the M-2 district and enable the site plan and mix of uses proposed by the petitioner.

Proposed Amendments

The petitioner has provided the attached Proposed Text Amendments to identify the requested language in Section 12-7-4.G. Based on the proposal, a childcare center would be established as a conditional use permit in the M-2 district, with a note requiring it to be a secondary principal use and for the manufacturing use to have 20 or more employees on staff. The petitioner's rationale for the proposed amendments is found in the attached Petitioner's Responses to Standards for Text Amendments.

Standards for Zoning Map Amendment:

The following is a discussion of standards for zoning map amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how well the proposal addresses 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. 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;

While the expansion of industrial uses, such as an outdoor bulk material facility, is not a listed overarching principal of the 2019 Comprehensive Plan, the proposed use arguably fits underneath the commercial industrial urban mix land use designated on the Future Land Use map. This plan contemplated potential redevelopment options for the area in which the subject property is located in an effort to create a more cohesive development area. However, the proposed map amendment does not necessarily fulfill this goal. The Board may decide whether there is sufficient alignment with the Comprehensive Plan to satisfy the standard.

PZB Additions or Modifications (if necessary): _____

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

The subject property is adjacent to manufacturing zoning to its south and west, but it also is adjacent to commercial (C-2 Limited Office) and institutional (I-1) zoning to its east and north – although Golf Road provides a naturally boundary between the “Five Corners” area in which the property lies and the Holy Family medical campus to the north. The smattering of different zoning districts in the general area naturally leads to a mix of uses, although it is undeniable that manufacturing, warehousing, storage, and various service repair uses—not the least of which is the existing Des Plaines Material and Supply at 1269 E. Golf—have clustered in this area. It could be argued the proposed map amendment reduces the transition area between the institutional uses north of Golf Road and the manufacturing uses south of Golf Road, but it could also be argued that Golf Road is a sufficient barrier to negate the need for a transition. While small setbacks and design of the existing building seem to fit with the existing commercial zoning designation, there is no denying the prevailing character of the development to the west, south, and east/southeast has a character aligned with a manufacturing designation. Nonetheless, the PZB should decide.

PZB Additions or Modifications (if necessary): _____

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

There are no perceived concerns with the continued adequacy of public facilities and services for the subject property with the proposed map amendment. The anticipated use of the subject property upon approval of the map amendment would arguably improve the public facilities and services available on the site.

PZB Additions or Modifications (if necessary): _____

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

The proposed map amendment would allow for uses that are by nature more intensive with various potential adverse effects, including traffic, noise, fumes, dust, and odors. These factors *may* negatively impact surrounding properties based on the proposed operation plans for a future manufacturing use. There is proposed screening for the site, but it does not fully screen the proposed operations or contain the potential effects mentioned above. As such, it is fathomable – although unknown from staff’s perspective – that the map amendment could lead to a future adverse effect on the value of properties in the surrounding area. On the other hand, the standard states “throughout the jurisdiction,” so it is concerned with a citywide impact. It could also be

argued that an investment by Des Plaines Material & Supply either (i) improves the economic vitality of Des Plaines overall or (ii) has negligible impact, in either case satisfying the standard. The PZB should weigh all of the above.

PZB Additions or Modifications (if necessary): _____

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

On one hand, the proposed amendment allows for additional uses not currently eligible for the subject property given its commercial zoning designation. However, it is not clear that the zoning change from commercial to manufacturing reflects responsible standards for growth. The PZB should review prior evaluation and decide.

PZB Additions or Modifications (if necessary): _____

Standards for Zoning Text Amendment:

The following is a discussion of standards for zoning text amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided 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. 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;

Please see the Petitioner's Responses to Standards for Text Amendments.

PZB Additions or Modifications (if necessary): _____

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

Please see the Petitioner's Responses to Standards for Text Amendments.

PZB Additions or Modifications (if necessary): _____

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

Please see the Petitioner's Responses to Standards for Text Amendments.

PZB Additions or Modifications (if necessary): _____

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

Please see the Petitioner's Responses to Standards for Text Amendments.

PZB Additions or Modifications (if necessary): _____

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

Please see the Petitioner's Responses to Standards for Text Amendments.

PZB Additions or Modifications (if necessary): _____

PZB Procedure and Recommended Conditions: Under Section 12-3-7.D (Procedure for Review and Decision for Amendments) of the Zoning Ordinance, the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve with modifications, or deny the above-mentioned requests at 1345 E. Golf Road/16 Mary Street. The City Council has final authority on the proposal.

Attachments:

Attachment 1: Location Map

Attachment 2: Site and Context Photos

Attachment 3: Petitioner's Responses to Standards for Map Amendments and Text Amendments

Attachment 4: ALTA-NSPS Land Title Survey

Attachment 5: Project Narrative

Attachment 6: Site Plan (includes Demolition Plan)

Attachment 7: Proposed Text Amendments

Attachment 8: Traffic Impact Study without Appendices²

Chair Szabo swore in Pat Mauro, petitioner, and Anasta Shkurti, Attorney for the petitioner. Mr. Shkurti stated that they applicant is the property owner of 1345 Golf and 16 Mary Street. The applicant owns Des Plaines Material Supply—DMS—which operates at 1269 E. Golf Road. They are here for two petitions: (1) A Map Amendment to rezone from C-3 to M-2; and (2) A Text Amendment to permit Child Care Center to operate in the M-2 district as a Conditional Use allowed as a secondary principal use. He stated that they will be looking to consolidate the property and apply for conditional use and variation requests in upcoming petitions.

² A full copy is available by request to the Department of Community and Economic Development.

Mr. Shkurti gave a presentation highlighting the project location and lot size. He highlighted the zoning areas on all the parcels. He explained which parcels they would like to rezone. He showed aerial photos and a map view of the property. He explained the site plan. He stated that they are here to rezone the parcel at 1345 Golf and 16 Mary and to allow for Conditional Use for childcare. They plan to relocate the parking lot and child play area.

Mr. Shkurti explained the Key Improvements Document. He explained that the total project will cost around \$2.5 million. He explained the four-year revenue and tax projections. He went over the footprint slide, explaining the parking spaces and site access. Mr. Shkurti showed pictures of what the protective wall would look like along with night photos showing the lighting. This is a good visibility barrier that will be well landscaped. They do not think there will be changes in the hours of operation. Currently DMS has 25 employees, and they expect to hire more. There is a truck loading area. There is also a resident customer parking area.

They have measures in place for noise, odor, and dust. The barrier wall is for noise and vibration. The business uses a hybrid crusher. With regards to dust, DMS has a fleet of water trucks and street sweepers. For odor mediation, they wash all the trucks daily and the employees use backpack sprayers with odor reducing product.

Chair Szabo asked if the childcare center is the only active use on the subject property.

Mr. Shkurti responded that the childcare center is currently the only use on site.

Chair Szabo asked if there are any plans to close the childcare center.

Mr. Shkurti responded no.

Member Weaver asked if the property south of the storage bins is Auto Crafters and if they have properties on both side of Auto Crafters. He asked if there has been any discussion with their landlord about your project?

Mr. Mauro stated yes, we are on both sides of Auto Crafters. We have 12 acres in total property. He stated that his neighbors are aware of their project.

Member Fowler asked if they plan to have a bigger showroom and have more of an experience inside the showroom.

Mr. Mauro stated that there will have a bigger show room for tools, sample stone etc. to be able to display more product. Business is picking up and we are busy so we need a bigger facility.

Jonathan Stytz, Senior Planner, gave the staff report. He explained that there are two requests. A Map Amendment to go from C-3 to M-2 and a City-Wide Text Amendment for a childcare center in the M-2 district. He went over the site photos of current conditions of outdoor play area, front parking area, parking area along Mary, and rear of building. Mr. Stytz explained the purpose of the site to have an outdoor bulk material facility. There current request has been split into two separate applications. They are applying for the Map and Text Amendments right now and in the future petitioner plans to apply for a Tentative and Final Plat of Subdivision, Conditional Uses and

Variations. Regarding the Map Amendment, the petitioner wants to rezone from C-3 to M-2 an outdoor bulk material facility is not allowed in C-3. Mr. Stytz went over the Proposed Map Amendment, a Site Plan Review and the Proposed Text Amendment. The proposed Text Amendment is to all a childcare center in the M-2 district as a Conditional Use. This would be a legal non-conforming use and it would limit the work that could be done to the facility. This is a secondary use and not a primary use. He explained the Proposed Site Plan and the PZB Considerations for the petition.

There are no recommended staff conditions for the map and text amendment requests (site plan is *not* approved through the map amendment). Future application will be submitted for the conditional use(s), subdivision/consolidation, and any variation requests.

•Two actions:

1. 1.Map Amendment (C-3 to M-2)•**Recommending Body:**Approval, approval with conditions, or denial of the request
2. 2.Text Amendment (Childcare Centers in M-2)•**Recommending Body:**Approval, approval with conditions, or denial of the request

Member Weaver asked since there are several more variations that they will be requesting for future we don't need to put that in the conditions for the recommendation for tonight.

Mr. Stytz stated that your focus for tonight is the Map and Text Amendments. The Site Plan is will not be approved as part of tonight's recommendation.

Member Weaver asked about the tenant, if they have any other tenants and if the other tenants are separate businesses. He also asked about the length of the tenant's lease.

Mr. Shkurti stated that the daycare is the only tenant in the building. He stated that the lease currently ends in 2025 with an option. Nothing will change for the childcare center until the Site Plan change is approved.

Chair Szabo asked where do most of the kids at the daycare center come from.

Mr. Shkurti stated he is not aware of where they come from. Mr. Mauro stated that some of his employees have children and have inquired about the rates for the childcare center.

Member Weaver stated that since the daycare is a tenant they could move if they were uncomfortable with the situation.

Mr. Mauro stated that he has told the childcare center about his plans, and she seems to be ok.

Chair Szabo stated that there is a need for this type of Outdoor Bulk Material facility in Des Plaines. It seems like a lot of businesses like this are leaving and we have a lot of contractors and landscapers in this town.

A motion was made by Board Member Saletnik seconded by Board Member Catalano to recommend to approval of the Map Amendment to go from C-3 to M-2 and the Text Amendment to allow the childcare Conditional Use in M-2.

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

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

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday July 11, 2023.

Chairman Szabo adjourned the meeting by voice vote at 8:50 p.m.

Sincerely,

Margie Mosele, Executive Assistant/Recording Secretary

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

MEMORANDUM

Date: July 11, 2023
To: Planning and Zoning Board (PZB)
From: Samantha Redman, Planner *SR*
Cc: John T. Carlisle, AICP, Director of Community and Economic Development
Subject: Conditional Use for Auto Service Repair and Motor Vehicle Sales at 1065 Lee Street

PIN: 09-20-214-002-0000

Petitioner: Krzysztof Bernatek, 2017 De Cook Ave., Park Ridge, IL 60068

Owner/Property Control: Centrust Bank, 385 Waukegan Rd., Northbrook, IL 60062

Case Number: #23-035-CU

Ward Number: #3, Alderman Sean Oskerka

Existing Zoning: C-3, General Commercial

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

Surrounding Land Uses: North: Parking lot
South: Commercial building
East: Commercial buildings
West: Railroad tracks

Street Classification: Lee Street is classified as a major road under jurisdiction of the Illinois Department of Transportation (IDOT).

Comprehensive Plan: Commercial 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 east. For several decades, Midwest Automotive operated at this property until closing in 2020. In 2001, a conditional use was granted to sell

four motor vehicles on the site. In 2019, an amendment to the conditional use allowed for the sale of up to ten motor vehicles on the property; however, in 2020, the conditional use for motor vehicle sales was rescinded due to a number of code violations. Specifically, vehicles were parked on the adjacent lot (parking lot for 1062 Lee), vehicles unassociated with the business were stored in the rear parking lot, and landscaping required by the previous conditional use was never installed. Since the closure of the business in 2020, several additional code enforcement issues have emerged, including debris stored on the site and the parking of trucks unassociated with a business in the rear gravel parking area.

Project Description:

The petitioner and contract purchaser, Krzysztof Bernatek, is proposing a conditional use to allow for auto service repair and motor vehicle sales at 1065 Lee St.

Proposed Use and Business Operation Details

Justpol Automotive is a proposed new auto service repair business. Currently the petitioner owns Kris Touhy Auto, which consists of two automotive repair businesses accessory to gas stations at 8801 Waukegan Road in Morton Grove and 5035 West Touhy Ave in Skokie. Currently, Kris Touhy Auto provides auto service repair (including tire replacement and repair, oil changes, and other activities associated with auto service repair) within gas stations. The petitioner intends to operate their first stand-alone auto service repair business at 1065 Lee St.

Six bays in the building will be used for auto repair; the office area will be used for general administrative duties as well as a waiting room and an area to display products for sale to auto repair customers. Per the petitioner, any retail activities will be associated with the auto service repair customers. No auto body repair will occur on this property.

Motor vehicle sales are a conditional use allowed within the C-3 Zoning District if they exceed 25,000 square feet. This property is 31,326 square feet. The motor vehicle sales will consist of five spaces, as noted on the Site Plan attachment. The petitioner may choose to expand the number of spaces used for motor vehicle sales in the future, after the rear parking lot is improved; expanding the number of sale spaces will require amendment to the conditional use.

Improvements to the Site

As discussed in the Property/Zoning History of this report, the property was previously an auto service repair business with long-term operations. Limited interior renovations are necessary to make the site suitable for the repair of vehicles in this location. Six repair bays are located within the building.

Proposed exterior improvements will include restriping and resurfacing of the parking lot, including adding two accessible spaces (as required by Section 12-9-8). The petitioner also plans to remove gravel from the rear parking area and pave an asphalt driveway in the back of the property leading to the dumpster enclosure and the rear overhead doors. Any unpaved areas on the property, including the remainder of the gravel parking lot in the rear, will be covered with grass, wood mulch, or other plant materials, as required by Section 12-10-

6.A. Several suggested conditions of approval involve these property improvements, which per the site plan are intended to enhance the rear of the property and lessen the amount of hardscape (parking surface) in favor of increasing the amount of landscaped area.

Impact to Neighborhood

Noise and odor associated with this site will be typical of an auto service repair use, which is the historical use of this property. The proposed hours of operation will be 8:00 a.m. to 5:00 p.m., Monday through Friday, Saturday 8:00 a.m. to 12:00 p.m. The proposed number of employees will be 10 or fewer. No additional entrances are proposed at this site; access will be provided by the existing two driveways.

A traffic study was not requested by staff, as the scale of this operation is the same as the previous use in this location and no known issues with traffic were communicated by Police or Code Enforcement surrounding the business that previously operated at this site. However, several violations were issued for the previous business, as discussed in the Property/Zoning History section of this report. Several suggested conditions of approval were written to provide assurances this conditional use will not result in additional violations if this type of use is reinstated.

Parking

The below table provides an overview of required and provided parking for this building and uses. After improvement of the rear parking area, additional parking spaces will be added to the total; however, the petitioner does not have specific plans. If additional display spaces are requested in the future, the petitioner would be required to amend the conditional use, as specified in the suggested conditions of approval.

Use	Requirement	Total Required	Total Proposed
Automotive service repair	2 spaces per service bay, plus 1 space for every 200 square feet of accessory retail	6 service bays = 12 spaces 1425 sq ft of office = 8 spaces 20 spaces	21 spaces
Motor vehicle sales	1 space for every 500 square feet of showroom and office floor area, plus 1 space for every 20 vehicle display spaces (required off street parking spaces cannot be occupied by motor vehicles for sale or for lease)	5 vehicle display spaces No showroom or office specifically for the motor vehicle sales 0 required spaces	5 vehicle display spaces
Accessible Spaces	Parking lots with 21 to 50 spaces require 2 spaces	2 accessible spaces	2 accessible spaces
Total Spaces:		<u>Required</u>	<u>Proposed</u>

	20 off-street parking spaces 2 accessible spaces	21 off street parking spaces* 5 display spaces for motor vehicle sales 26 total spaces
*Includes accessible spaces		

Most vehicles will be repaired and returned to the customer within 24 hours, per the petitioner. A suggested condition of approval would require all inoperable vehicles to be placed inside the building or in the rear parking lot only in striped spaces that would comply with the dimensional requirements of the Zoning Ordinance.

An additional suggested condition of approval acknowledges issues with the former auto service repair business using the adjacent parking lot to park vehicles. This parking lot on 1062 Lee Street is owned by a separate property owner and may not be used to park or store vehicles. The suggested condition of approval requires signage indicating parking areas for the auto repair business and stating that no parking is permitted on the adjacent property.

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: Auto service repair and motor vehicle sales (on properties greater than 25,000 square feet) are conditional uses within 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 2019 Comprehensive Plan illustrates this area to be used for Commercial. This business would bring commercial activity into this area; several buildings in this corridor are vacant, and revitalization with new businesses would be beneficial to the vitality of this area of Lee Street.

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: Many suggested conditions of approval are included with this case to provide assurances about the use being compliant with applicable zoning requirements, including requiring improvements to the parking lot, removal of gravel from the rear parking area, and providing landscaping around the pole sign and in front of the building or parking lot. No modifications to the exterior of the building are proposed.

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 8:00 a.m. to 5:00 p.m., and Saturday 8:00 a.m. to 12:00 p.m. The property is within an existing commercial area, with no residences directly adjacent. See the Petitioner's Narrative and Response to Standards for additional information about business operations. The suggested conditions of approval surrounding the location of parking, storage, disposal of materials, and landscaping are meant to provide assurances that limit any disturbance or nuisance to the neighborhood, either through the business operations or aesthetics of improvements.

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. Prior to business registration approval, the petitioner must provide a waste oil agreement to the Fire Prevention Bureau and undergo an inspection of the building by the fire, building, and zoning divisions to determine compliance with this conditional use and all applicable local, state and federal regulations.

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 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: Traffic generated by these uses will be consistent with the amount of traffic previously generated at this site, and staff believes the existing street network can accommodate the traffic for this use. This auto service repair use would result in the same amount of fumes, noise, and odors as other similar businesses, including the former business at this location.

The petitioner indicates in their narrative and response to standards that any hazardous materials generated by this use (oil, tires, etc.) will be properly handled and meet city, state, and federal requirements. Used tires are picked up by a third-party tire disposal company every other week, per the petitioner's response to standards. A suggested condition of approval states where used tires may be located and requires the petitioner to provide to staff a copy of this tire disposal company contract.

No underground storage tanks (UST) are proposed for this property; a previous used oil tank was located on this site and removed in 1990, per the State Fire Marshall UST Database.

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 two existing driveways along Lee Street. Traffic generated by these uses will be consistent with the amount of traffic previously generated at this site, so a traffic study was not requested by staff. Staff believes that the existing street network can accommodate the traffic for this new use, as the intensity is not increased compared to the previous use at this location.

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. Several proposed improvements and related suggested conditions of approval are proposed that would bring this property into closer conformance with requirements, including providing handicap accessible parking spaces, landscaping, and removal of non-permitted landscaping material (gravel) from the rear parking area.

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.

Recommended Conditions of Approval:

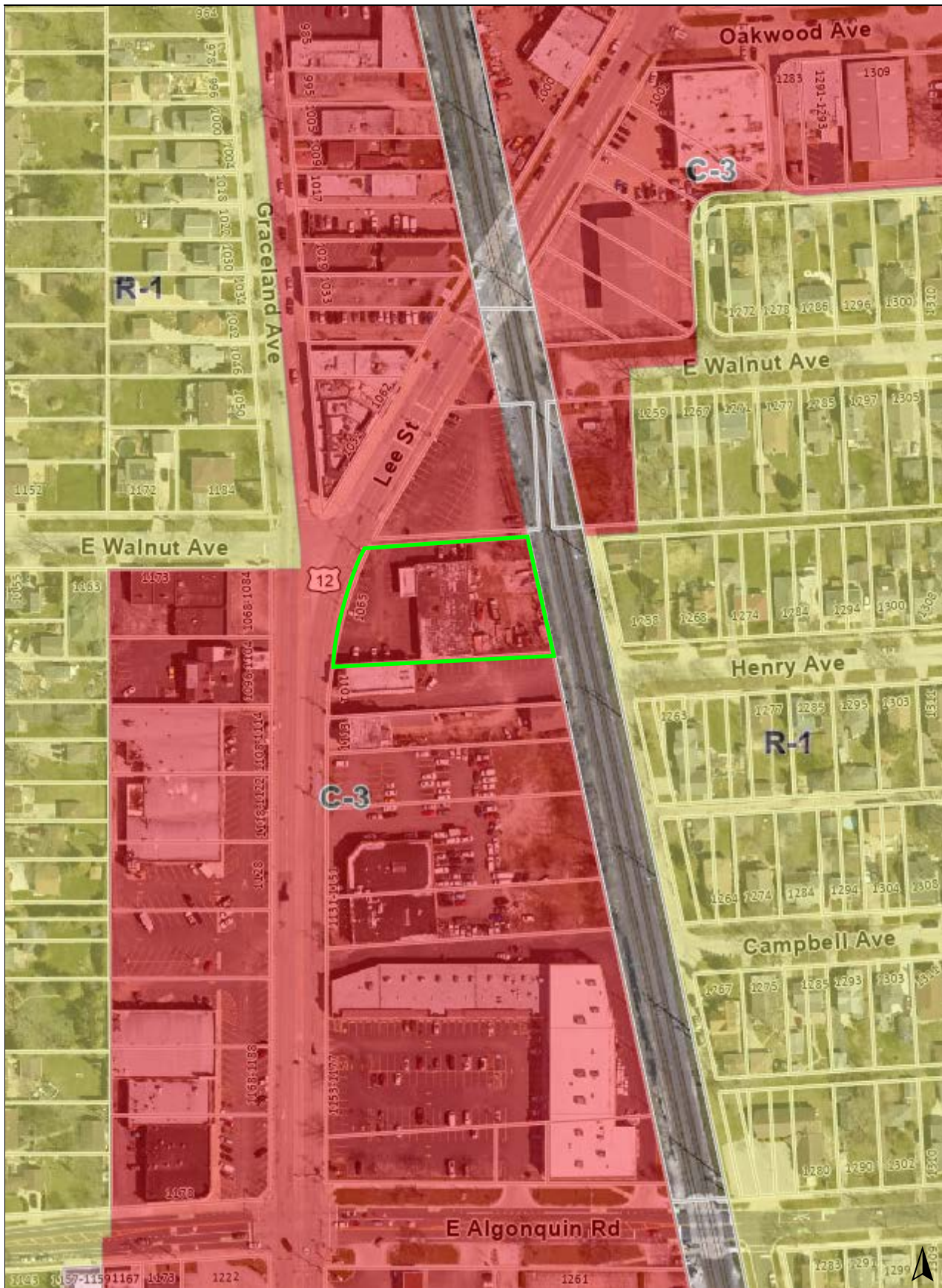
1. No motor vehicles unassociated with the petitioner’s business operations may be parked in any of the parking areas associated with the property.
2. Except for operable motor vehicles, no materials or supplies related to this use may be stored outside the building or the dumpster enclosure. Prior to business registration, all debris must be removed from the property, including the rear parking area.
3. All used tires must be located inside a building or within a permitted accessory structure. A contract indicating at minimum biweekly pickup of used tires must be provided to Community and Economic Development staff prior to approval of business registration. This tire disposal contract must be active if the auto service repair use is active on this property.
4. Any vehicles related to this use must be stored on this property, on a dust-free hard surface. Any inoperable vehicles must be located inside the building or placed in the rear parking/driveway area,

in which case the rear driveway area must contain striped parking spaces that satisfy all dimensional requirements of Chapter 12-9 (Off-Street Parking and Loading).

5. Identification and directional signs must be located on site noting the locations available for customers of the proposed business at 1065 Lee and noting that parking on the adjacent parking lot at 1062 Lee is prohibited.
6. Parking on the adjacent parking lot at 1062 Lee St is strictly prohibited, until and unless the petitioner acquires or leases this property, in which case the additional parking would be an expansion, and an amended conditional use would be required.
7. Motor vehicle sales requires a state dealer license. Prior to issuance of building registration, petitioner must obtain license; the City will cooperate in prerequisite process, such as signing the Certificate of Proper Zoning.
8. No more than five motor vehicles may be displayed for sale on site at one time. Through signs, striping, or a combination, these five spaces should be identified and reserved. Additional display spaces would require an amendment to the conditional use. Sufficient spaces to meet the minimum off-street parking requirements shall be provided on the property at all times.
9. 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 approved with this conditional use to adjust striping and landscaping; provided, however, the final plan includes the minimum number of spaces for this use.
10. Three feet of landscaping must be provided around the base of the existing pole sign, pursuant to Section 12-11-4.G. Landscaping or landscape planter boxes must be added to the street-facing portion of the building or parking lot prior to business registration.
11. A parking lot permit to reflect the site plan must be issued prior to business registration. The petitioner may revise the site plan approved with this conditional use; however, the paved area in the rear, if intended to be used for any parking, must meet dimensional requirements pursuant to Chapter 12-9. This permit must indicate all gravel will be removed from the property and be replaced by an approved landscaping material (turf, wood mulch, or other plant materials), pursuant to Section 12-10-6.

Attachments:

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

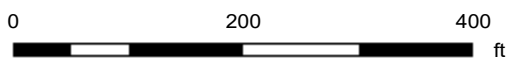


Legend

Subject Site

Zoning

- C-1: Neighborhood Shopping
- C-3: General Comm
- R-1: Single Family Residential



Print Date: 7/3/2023

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.



1065 Lee – Public Notice Sign



View of 6 work bays with overhead doors



View of existing pole sign and parking lot, facing Lee Street



View of rear parking area with gravel, debris and dumpster enclosure.

Subject: Conditional Use Approval for Automotive Repair and Sales Business in Des Plaines

Dear Members of the Des Plaines City Council,

I hope this letter finds you in good health and high spirits. I am writing to formally request your esteemed council's conditional use approval for the establishment of an automotive repair and sales business on a commercial lot in the city of Des Plaines, Illinois. As members of the local community, my family and I, who are Polish and have resided in Park Ridge for over 25 years, are eager to contribute positively to the city's economic growth and provide exemplary automotive services to its residents.

Business Overview:

Our proposed automotive repair and sales business endeavors to deliver exceptional automotive services to the residents of Des Plaines and the neighboring areas. Drawing upon our extensive experience in the industry, our goal is to establish a reputable establishment that offers a comprehensive range of services, including routine maintenance, repairs, and the sale of pre-owned vehicles. With a strong emphasis on customer satisfaction, we aim to build long-lasting relationships with our clientele, earning their trust and loyalty.

Polish Family-Owned Business:

As proud members of the Polish community and long-time residents of Park Ridge, we hold strong ties to the local area and its residents. Our family-owned business embodies the principles of hard work, integrity, and dedication. We are committed to making a positive impact on the local economy and fostering employment opportunities for the Des Plaines workforce. By opening our automotive repair and sales business, we seek to contribute to the city's growth and prosperity, while providing personalized and attentive service to our valued customers.

Employment and Size:

In-line with our vision for personalized service and maintaining close connections with our customers, our business model entails employing a small and dedicated team of professionals. We anticipate a workforce of less than ten individuals, carefully selected for their expertise and commitment to excellence. By cultivating a close-knit team, we aim to create a welcoming environment that fosters trust, reliability, and exceptional customer service.

Property Improvement Plans:

Recognizing the importance of enhancing the property and aligning it with the aesthetic values of Des Plaines, we have developed comprehensive plans for property improvements. Our proposed upgrades include:

a) Resurfacing Parking Lot: We intend to resurface the parking lot area in front and side of the property, ensuring a safe and well-maintained area that meets the highest standards of safety and convenience for our customers and employees. Regarding the improvements to the rear parking lot area, we are considering enhancements, but believe it would be more feasible to

undertake them in the future, after the business has been running, allowing us to establish a solid foundation first.

b) Exterior Renovations: To enhance the visual appeal of the property, we plan to apply new paint on stucco on the building's exterior. This renovation will give the facility a fresh and modern appearance that harmonizes with the architectural character of Des Plaines.

c) Interior Upgrades: The Interior itself does not require much to invest in. Our investment in repainting the walls and applying epoxy flooring will transform the interior into a clean and inviting space. This improvement will create a pleasant atmosphere for our customers, reinforcing their satisfaction and comfort.

d) Front Signage: We are committed to maintaining the highest standards of professionalism and brand identity. To this end, we will repaint the front sign, and add in a few pottery plants, ensuring that it stands as a visually appealing sign in the community, representing our dedication to excellence.

e) Landscaping: We recognize the significance of green spaces in creating a harmonious environment. Thus, we plan to remove weeds and introduce well-maintained pottery plants in the front of the property. This landscaping effort will not only enhance the property's curb appeal but also promote a sense of environmental responsibility.

In conclusion, we firmly believe that the establishment of our automotive repair and sales business will bring substantial benefits to the city of Des Plaines, its residents, and taxpayers. Our commitment to delivering exceptional automotive services, coupled with our property improvement plans and our status as a Polish family-owned business with deep roots in the neighboring community of Park Ridge, make us confident in our ability to contribute positively to the local economy. We kindly request the Des Plaines City Council's favorable consideration of our conditional use approval application.

Thank you for your attention to this matter, and we remain at your disposal for any further information or clarification you may require. We eagerly await the opportunity to serve the community and become an integral part of the vibrant Des Plaines business landscape.

Yours sincerely,

Krzysztof Bernatek

Standards For Conditional Uses

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

Yes, this property is zoned C-3, general commercial, which allows for auto service repair uses with a conditional use permit. The proposed auto service repair use was active on this property for over 20 years. However, since the business has not been operated for more than a year, we are required to get approval for a new conditional use.

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

This area of Des Plaines has had brick and mortar businesses that have been closing down, mainly due to the location and slow traffic. Our goal is to improve the area by bringing in business and hopefully bring in more traffic to the area. This area is illustrated as "Commercial" in the 2019 Comprehensive Plan; this proposed use would provide additional commercial activity to this area.

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

The general structure of the building currently on the property was automotive repair/sales, surrounded by multiple commercial properties. Our intention is to keep the integrity of the building with improvements to help bring in business but keep the character of the property. Any entrances/exits leading to Lee St. will also be kept the same, keeping the same amount of traffic.

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

When running an auto repair business, it is important to keep the property and surrounding area clean from any hazardous materials. We've been in the Gas Station/ Auto repair business for over a decade, so we know how to deal with any wastes required by the Fire Department or Epa. Any used oil, antifreeze, or any other fluids is collected in a Oil tank and pumped out by a third party. Any oil that reaches the ground, a triple catch basin is installed, stopping any toxic wastes before reaching the sewage system.

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;

This site was previously used for this exact use in this location; it is not anticipated the proposed use will create any additional strain on public services or facilities.

The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community;

The proposed Conditional Use does not require any additional public expense for public facilities and services. Our intention is to keep it the same as the previous conditional use.

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

The conditional uses are for automotive repair/sales which requires us to follow city and epa guidelines to help keep the environment safe. We are also licensed to handle Freon for A/C repairs, which requires us to use machinery to vacuum out any used freon into tanks. Finally, any used tires we are required to dispose of by a third party tire disposal company that comes collects every other week. Fire extinguishers are installed in multiple areas of the property and inspected by the fire department, for any emergencies.

For any customer coming in, most of them will be by appointment, not requiring too much parking.

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

The property has two entrances/exits that lead into Lee street, and no additional access points will be constructed to/from this site. Both are about two car lengths wide and do not interfere with traffic or surroundings. The parking lot next door will not be used to park vehicles; we will include signage and tell customers to only park on our property.

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

The conditional uses does not require to destroy, loss or damage any natural or historic feature of major importance, nor is it our intention.

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

Any additional regulations for the requested conditional use will be considered. Any improvements we see that would be beneficial for both the property and for the city is explained in the written letter.



www.exactaland.com | office: 773.305.4011



PROPERTY ADDRESS:
1065 LEE STREET, DES PLAINES, ILLINOIS 60016

SURVEY NUMBER: 2304.4115

DATE SIGNED: 04/25/23 **FIELD WORK DATE:** 4/24/2023

REVISION DATE(S):
(REV.1 4/25/2023)

POINTS OF INTEREST
NONE VISIBLE

STATE OF ILLINOIS }
COUNTY OF LASALLE } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.



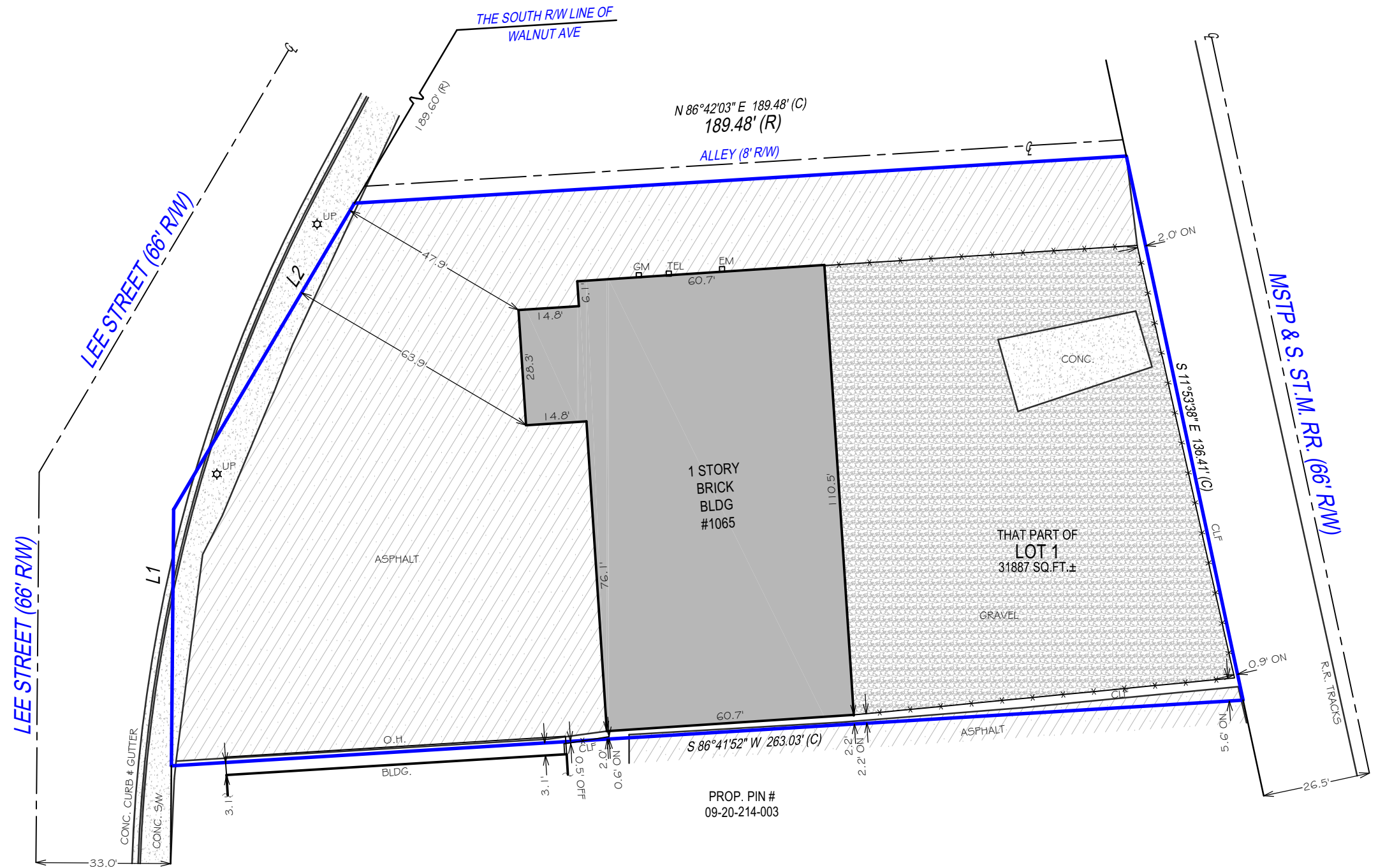
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2024
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008



Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450



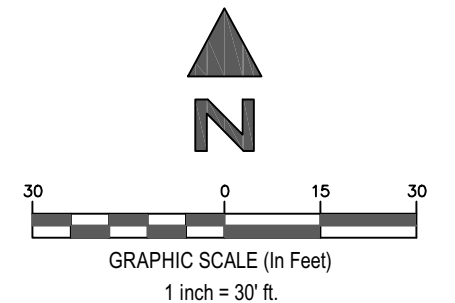
2304.4115
BOUNDARY SURVEY
COOK COUNTY



LINE TABLE:

L1	62.84' (R)
	N 0°41'52" E 62.84' (C)
L2	87.16' (R)
	N 30°45'52" E 87.16' (C)

PROP. PIN #
09-20-214-003




SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

PROPERTY ADDRESS: 1065 LEE STREET, DES PLAINES, ILLINOIS 60016	
SURVEY NUMBER: 2304.4115	
CERTIFIED TO: KRZYSZTOF BERNATEK; FIRST AMERICAN TITLE; FIRST AMERICAN TITLE INSURANCE COMPANY	
DATE OF SURVEY: 04/25/23	
BUYER: Krzysztof Bernatek	
LENDER:	
TITLE COMPANY: FIRST AMERICAN TITLE	
COMMITMENT DATE: NOT REVIEWED	CLIENT FILE NO:
LEGAL DESCRIPTION: THAT PART OF LOT 1, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, 87.16 FEET TO A POINT IN THE WESTERLY LINE OF SAID LOT 1; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1, 62.84 FEET; THENCE EAST ON A LINE PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1 TO THE EASTERLY LINE OF SAID LOT 1; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING, IN AUGUST RADDATZ' SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF LEE STREET AND WEST OF THE RIGHT-OF-WAY OF THE MINNEAPOLIS, ST. PAUL AND SAULT STS. MARIE RAILWAY, ACCORDING TO PLAT OF SAID SUBDIVISION FILED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON DECEMBER 19, 1921 AS DOCUMENT LR144799, IN COOK COUNTY, ILLINOIS.	
FLOOD ZONE INFORMATION:	

- GENERAL SURVEYORS NOTES:**
- The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless otherwise noted, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
 - The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
 - If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
 - This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
 - Alterations to this survey map and report by other than the signing surveyor are prohibited.
 - Dimensions are in feet and decimals thereof.
 - Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
 - Unless otherwise noted "SIR" indicates a set iron rebar, 5/8 inch in diameter and twenty-four inches long.
 - The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
 - Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
 - Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
 - The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
 - Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.
 - Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 00 degrees East is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.
 - THIS SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE PHONE NUMBER SHOWN HEREON.

SURVEYORS LEGEND:	
LINETYPES	ABBREVIATIONS
Boundary Line	(C) - Calculated
Center Line	(D) - Deed
Chain Link or Wire Fence	(F) - Field
Easement	(M) - Measured
Edge of Water	(P) - Plat
Iron Fence	(R) - Record
Overhead Lines	(S) - Survey
Structure	A/C - Air Conditioning
Survey Tie Line	AE - Access Easement
Vinyl Fence	ANE - Anchor Easement
Wall or Party Wall	ASBL - Accessory Setback Line
Wood Fence	B/W - Bay/Box Window
SURFACE TYPES	BC - Block Corner
Asphalt	BFP - Backflow Preventer
Brick or Tile	BLDG - Building
Concrete	BLK - Block
Covered Area	BM - Benchmark
Water	BR - Bearing Reference
Wood	BRL - Building Restriction Line
SYMBOLS	BSMT - Basement
Benchmark	C - Curve
Center Line	C/L - Center Line
Central Angle or Delta	C/P - Covered Porch
Common Ownership	C/S - Concrete Slab
Control Point	CATV - Cable TV Riser
Catch Basin	CB - Concrete Block
Elevation	CH - Chord Bearing
Fire Hydrant	CHIM - Chimney
Find or Set Monument	CLF - Chain Link Fence
Guywire or Anchor	CME - Canal Maintenance Easement
Manhole	CO - Clean Out
Tree	CONC - Concrete
Utility or Light Pole	COR - Corner
Well	CS/W - Concrete Sidewalk
	CUE - Control Utility Easement
	CVG - Concrete Valley Gutter
	D/W - Driveway
	DE - Drainage Easement
	DF - Drain Field
	DH - Drill Hole
	DUE - Drainage & Utility Easement
	ELEV - Elevation
	EM - Electric Meter
	ENCL - Enclosure
	ENT - Entrance
	EOP - Edge of Pavement
	EOW - Edge of Water
	ESMT - Easement
	EUB - Electric Utility Box
	F/DH - Found Drill Hole
	FCM - Found Concrete Monument
	FF - Finished Floor
	FIP - Found Iron Pipe
	FIPC - Found Iron Pipe & Cap
	FIR - Found Iron Rod
	FIRC - Found Iron Rod & Cap
	FN - Found Nail
	FN&D - Found Nail & Disc
	FRRSPK - Found Rail Road Spike
	GAR - Garage
	GM - Gas Meter
	ID - Identification
	IE/EE - Ingress/Egress Easement
	ILL - Illegible
	INST - Instrument
	INT - Intersection
	IRRE - Irrigation Easement
	L - Length
	LAE - Limited Access Easement
	LB# - License No. (Business)
	LBE - Limited Buffer Easement
	LE - Landscape Easement
	LME - Lake/Landscape Maintenance Easement
	LS# - License No. (Surveyor)
	MB - Map Book
	ME - Maintenance Easement
	MES - Mitered End Section
	MF - Metal Fence
	MH - Manhole
	MHWL - Mean High Water Line
	NR - Non-Radial
	NTS - Not to Scale
	NAVD88 - North American Vertical Datum 1988
	NGVD29 - National Geodetic Vertical Datum 1929
	OG - On Ground
	ORB - Official Records Book
	ORV - Official Record Volume
	O/A - Overall
	O/S - Offset
	OFF - Outside Subject Property
	OH - Overhang
	OHL - Overhead Utility Lines
	OHWL - Ordinary High Water Line
	ON - Inside Subject Property
	P/E - Pool Equipment
	PB - Plat Book
	PC - Point of Curvature
	PCC - Point of Compound Curvature
	PCP - Permanent Control Point
	PI - Point of Intersection
	PLS - Professional Land
	PLT - Planter
	POB - Point of Beginning
	POC - Point of Commencement
	PRC - Point of Reverse Curvature
	PRM - Permanent Reference Monument
	PSM - Professional Surveyor & Mapper
	PT - Point of Tangency
	PUE - Public Utility Easement
	R - Radius or Radial
	R/W - Right of Way
	RES - Residential
	RGE - Range
	ROE - Roof Overhang Easement
	RP - Radius Point
	S/W - Sidewalk
	SBL - Setback Line
	SCL - Survey Closure Line
	SCR - Screen
	SEC - Section
	SEP - Septic Tank
	SEW - Sewer
	SIRC - Set Iron Rod & Cap
	SMWE - Storm Water Management Easement
	SN&D - Set Nail and Disc
	SQFT - Square Feet
	STL - Survey Tie Line
	STY - Story
	SV - Sewer Valve
	SWE - Sidewalk Easement
	TBM - Temporary Bench Mark
	TEL - Telephone Facilities
	TOB - Top of Bank
	TUE - Technological Utility Easement
	TWP - Township
	TX - Transformer
	TYP - Typical
	UE - Utility Easement
	UG - Underground
	UP - Utility Pole
	UR - Utility Riser
	VF - Vinyl Fence
	W/C - Witness Corner
	W/F - Water Filter
	WF - Wood Fence
	WM - Water Meter/Valve Box
	WV - Water valve

JOB SPECIFIC SURVEYOR NOTES:
PORTION OF THE LOT APPEARS TO LIE WITHIN THE LEE STREET ROADWAY IMPROVEMENTS.



Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

SEE PAGE 1 OF 2 FOR MAP OF PROPERTY
PAGE 2 OF 2 - NOT VALID WITHOUT ALL PAGES



www.exactalands.com | office: 773.305.4011



PROPERTY ADDRESS:
1065 LEE STREET, DES PLAINES, ILLINOIS 60016

SURVEY NUMBER: 2304.4115

DATE SIGNED: 04/25/23 FIELD WORK DATE: 4/24/2023

REVISION DATE(S):
(REV.1 4/25/2023)

POINTS OF INTEREST
NONE VISIBLE

STATE OF ILLINOIS }
COUNTY OF LASALLE } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.



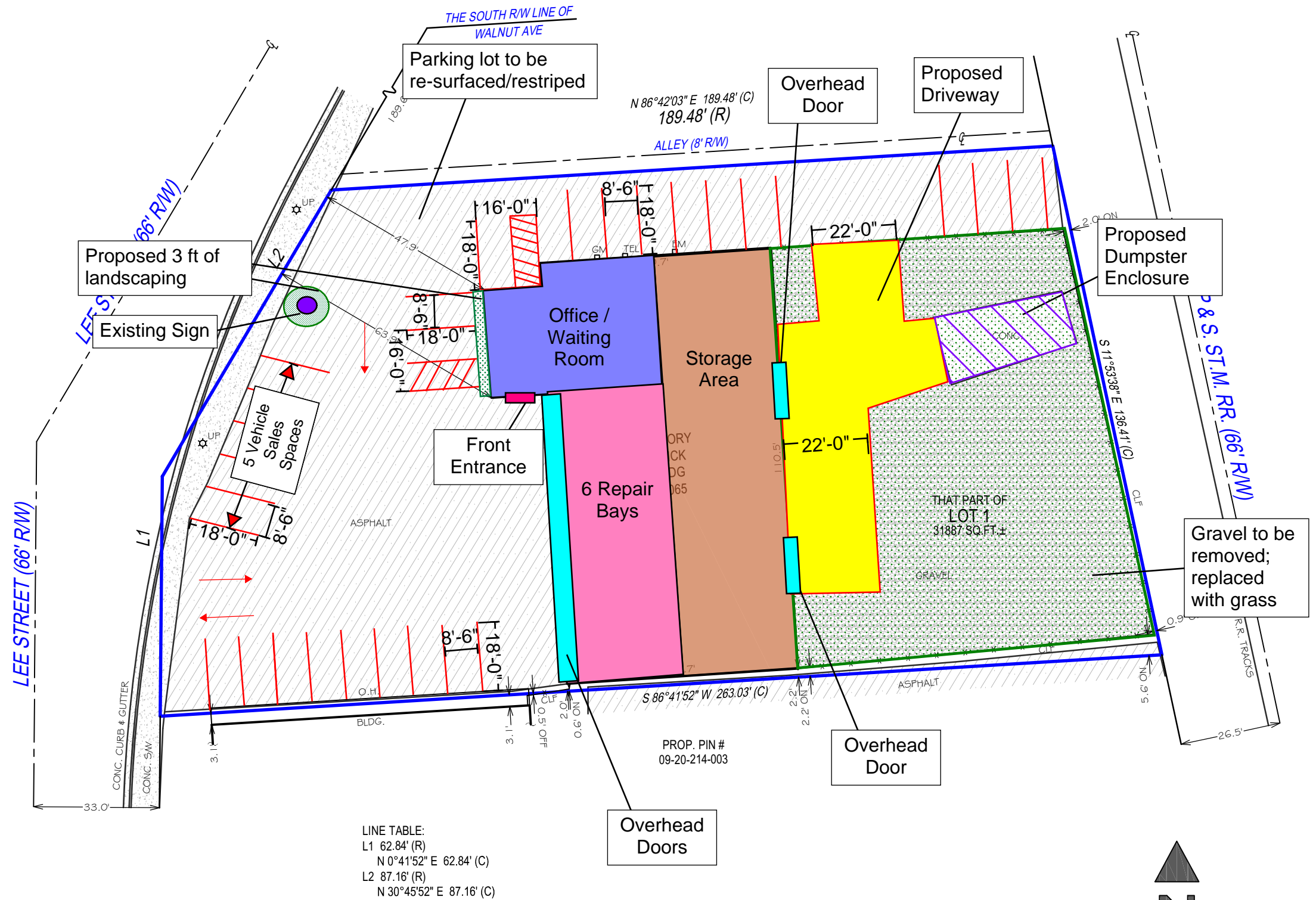
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2024
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008



Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

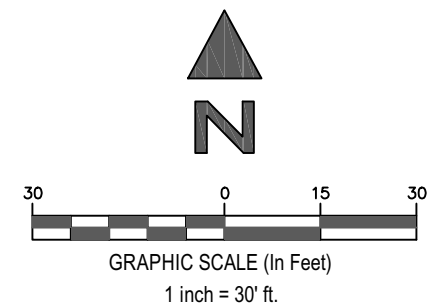


2304.4115
BOUNDARY SURVEY
COOK COUNTY



LINE TABLE:

L1	62.84' (R)
	N 0°41'52" E 62.84' (C)
L2	87.16' (R)
	N 30°45'52" E 87.16' (C)



SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

MEMORANDUM

Date: July 7, 2023
To: Planning and Zoning Board (PZB)
From: John T. Carlisle, AICP, Director of Community and Economic Development *JTC*
Subject: Zoning Text Amendment, Conditional Use, and Variation for Private School and Commercially Zoned Assembly at 733 Lee Street

Issue: The petitioner is requesting the following under the Zoning Ordinance (summarized): (i) text amendments to allow a “School – Private, Elementary and High” in the 700 block of Lee Street in the C-5 Central Business District, with a conditional use permit, where currently such schools are allowed only in the 800 block of Lee; (ii) a conditional use to operate such type of school at 733 Lee, or an amendment to the conditional use granted by Ordinance Z-024-10, whichever is necessary; (iii) a conditional use for commercially zoned assembly; and (iv) variations that address various existing structure, sign, and site conditions; the recording requirement for collective parking agreements; and proposed partial compliance with parking lot landscaping requirements.

PIN: 09-20-200-042-0000, 09-20-200-006-000

Petitioner: ICCD Academy NFP, 733 Lee St., Des Plaines, IL, 60016 (Authorized agent/representative: Mark Daniel, Daniel Law Office, 17W733 Butterfield Road, Unit F, Oakbrook Terrace, IL 60181)

Owner: Trustee of Trust No. 16505, Parkway Bank and Trust Co., 4800 N. Harlem Ave., Harwood Heights, IL 60706 (Beneficiary: ICCD Academy, NFP)

Case Number: #23-038-TA-CU-V

Ward Number: #2, Alderman Colt Moylan

Existing Zoning: C-5, Central Business District

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

Surrounding Land Uses: North: Office building, City-owned library parking garage
South: Financial institution (Old National Bank) and parking lot
East: Private school

West: Vacant site

Street Classifications: Lee Street is an arterial roadway (IDOT jurisdiction); Prairie Avenue and Center Street are collectors (local jurisdiction).

Comprehensive Plan : The Comprehensive Plan illustrates this site as Higher Density Urban Mix with Residential.

Property/Zoning History: This subject property/zoning lot is 33,177 square feet (just greater than .75 acres) and consists of two parcels. The lot is separate from both the small triangular lot and building at 1445 Prairie (not connected), as well as the lot and building at 749 Lee (currently Old National Bank; also not connected). The building on the subject property consists of three usable floors: a basement, first floor, and second floor. In addition, there is a surface parking lot in the east (rear), currently striped with 38 parking spaces per the Plat of Survey, accessible from Center Street. In 2010, Ordinance Z-024-10 (see attached) granted the subject property a conditional use to operate a school. This approving ordinance was requested at the time by Plato Academy, which occupied the building for several years before moving to 915 Lee Street. Plato shared the building with office tenants, notably the Greek American Restaurant Association. When Plato vacated, the office use remained. The petitioner purchased the property in 2022.

The petitioner approached staff in 2022 about opening Islamic City Center of Des Plaines Academy (ICCDA). The current Zoning Ordinance does not allow private schools in the 700 block of Lee (restriction was put in place in 2018). However, staff reviewed with the General Counsel and determined that the approving conditional use ordinance was written to run with the property and could be transferred to the same use – a private school – even though the new owner/operator was different than the original petitioner. Further, Section 12-3-4.H.3 states, “...a conditional use shall be deemed to relate to, and be for the benefit of, the use and lot in question, rather than the owner or operator of such use or lot.” Therefore, the petitioner has been utilizing the conditional use for their operations and building, bound to the restrictions of being a legal nonconforming use (Section 12-5-5) and adherence to all conditions and limitations of the 2010 approval. The City and the petitioner entered into an agreement, dated August 30, 2022, which reinforced that all conditions and parameters of the approving ordinance would apply to ICCDA. These parameters included (i) using only portions of the floor plan illustrated in the approving ordinance for school purposes; (ii) limiting enrollment to no more than 60 students, as this was represented by Plato Academy when they received the original approval; (iii) maintaining unobstructed windows, except for uniform, non-permanent window treatments; and (iv) remaining willing to work with the City if any traffic issues arise. The City issued a business registration in September 2022 to allow school occupancy for the 2022-2023 academic year, and the school subsequently opened. They are now requesting approvals to operate in a larger portion of the building with more students, and to have non-accessory worship and religious activities (“commercially zoned assembly”).

TEXT AMENDMENT

Request Description: The petitioner, ICCDA, is requesting to amend Section 12-7-3.K of the Zoning

Ordinance, specifically the Commercial Districts Use Matrix. Currently in the C-5 District, conditional use permits allow private schools only in the 800 block of Lee Street (currently the Little Bulgarian School/Center is in this block). This limitation was established in June 2018 (Ordinance Z-17-18). The requested text amendment would extend the possibility of private schools to the 700 block of Lee Street, but a conditional use would still be required, which means the PZB would hear and review and the City Council would have to approve any request for such school. The following are the proposed amendments (additions are **bold, double-underlined**; deletions are ~~struck through~~):

“12-7-3: COMMERCIAL DISTRICTS REGULATIONS:

K. Commercial Use Matrix:

TABLE 3

COMMERCIAL DISTRICTS USE MATRIX

P = Permitted use

C = Conditional use permit required

	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Schools, private - elementary and high school					C15		

Notes:

15. For properties with frontage located on the **700 block and** 800 block of Lee Street only. **Provided that there is an elementary or high school, the school may also operate kindergarten and pre-kindergarten programs accessory to the school.**

***”

CONDITIONAL USES / AMENDED CONDITIONAL USE

Request Description:

The petitioner is requesting two conditional use permits: (i) a private school, as the primary principal use; and (ii) a commercially zoned assembly as a secondary principal use. In the event the requested text amendment is not approved, ICCDA requests consideration of an amendment to the original conditional use to achieve the desired expansion of school operations.

Private school

The petitioner has operated ICCDA at the property since September 2022. They completed their first fall-to-spring main academic year in June 2023 and are currently providing summer programming. The school’s mission includes a traditional academic and religious curriculum, meaning that worship activities involving students, families, and staff are intrinsic and accessory to the school. Assuming the proposed text amendment is approved, the petitioner is seeking a new conditional use to entitle ICCDA specifically and to allow the organization to expand both student enrollment and the portions of the building that may be used for school purposes (i.e., basement and the second floor). In summary, the petitioner’s statement and plans request and depict the following:

- An allowance of *up to* 233 students, pre-K through eighth grade, exclusive of volunteers and staff
- An expanded number of classrooms (20, including art rooms and science or other labs), on both the first and second floors
- An auditorium on the second floor and prayer/worship area(s) in the basement; these areas would be part of the daily school curriculum but also serve as the proposed commercially zoned assembly area (see separate discussion later in the report).

This table outlines approximate days and times of programming in the building.

Activity	Days/Purpose	Time
General school hours	Monday-Thursday	8 a.m.-4 p.m.
	Friday	8 a.m.-2 p.m.
	Saturday-Sunday	9 a.m.-2 p.m.
General before-school program	Weekdays	7-8 a.m.
General after-school program	Monday-Thursday	4-6:30 p.m.
	Friday	2-6:30 p.m.
General staff & janitorial arrival	Weekdays	5:30-7:30 a.m.
Planned Drop-off Period	Weekdays	7:30-8:45 a.m.
	Saturday-Sunday	8:30-9:30 a.m.
Planned Pick-up Period	Monday-Thursday	3:30-4:30 p.m.
	Friday	1:30-2:30 p.m.
	Saturday-Sunday	1:30-2:30 p.m.
Ramadan (Iftar)	Assembly*	6-10:30 p.m.

**A secondary principal use, not necessarily accessory to the school*

Drop-off and Pick-up Operations

The petitioner has provided a detailed description and graphical depiction of drop-off and pick-up of students, using the property's on-site parking lot, with vehicles entering from and exiting to Center Street. In a typical day, the combined drop-off and pick-up duration is two hours and 15 minutes, and per the provided table and description, and the periods would not overlap with staff arrival and departure. ICCDA employees would be assigned parking spaces in locations that would have the least potential conflict with the temporary lanes. The drop-off and pick-up locations within the parking lot intuitively allow the younger students and their parents the nearer positions to the door, and the plan identifies that staff from the school would be outside the building during the periods to help manage the flow.

The attached plan includes observations, data, and projections prepared with the engineering firm KLOA and grounded in the makeup of the current student population. Because of the school's tendency to enroll multiple students from a single family, the petitioner expects that the number of vehicles circulating through a pick-up or drop-off would not exceed half, or 50 percent, of the enrollment. Further, they project that approximately 15 percent of students will walk to school. Finally, the petitioner expresses willingness to work with the Police Department to the extent necessary or required. It is worth noting Police and other City staff do not support the incorporating *on-street* loading on any of the adjacent streets: Lee, Prairie, or Center. However, it is also worth noting that upon receiving this comment in staff review prior to the public hearing, the petitioner revised their plans to make the fullest and most deliberate possible use of their parking lot and drive aisles.

Building Safety and Occupancy

The greatest challenge in allowing the desired student enrollment in staff's view is not the external factors surrounding parking and traffic but instead the remodeling or retrofitting the building such that classrooms and all school-occupancy spaces have sufficient hallway widths to provide means of egress. In the past, this building has been a mix of school and office occupancies; it is now proposed to be school and assembly (worship). The Building Division has worked extensively with the petitioner's architect to advise on floor plans with dimensions that could allow the occupancy to approach what the petitioner desires. However, while the attached floor plans are provided for zoning consideration, they should not be considered building permit-ready drawings. In fact, staff recommends a condition that while the maximum desired student enrollment of 233 could eventually be reached in the future under conditional use approval, the occupant load of the building cannot exceed the maximum established by the Chief Building Official and Fire Prevention Bureau; plans may be altered, and the occupant load may be increased, if required alterations are made.

Commercially Zoned Assembly

The petitioner describes certain activities that would be open to the public beyond ICCDA students, families, staff, and volunteers, particularly during holy periods during the calendar year. These activities are less frequent than the daily school operation, occupy only portions of the building (basement prayer areas, second-floor auditorium) and are therefore subordinate to the primary principal use; however, they are not incidental/accessory to the school, so the

assembly activity is categorized as a secondary principal use and must be approved via a conditional use. No text amendment is required, as commercially zoned assemblies are already established as a conditional use in the C-5 District, without any additional prerequisites or restrictions.

The Iftar, or daily fast-breaking evening meal during the annual holy period (approximately one month) of Ramadan, is identified as the main time during the year when commercially zoned assembly would occur. In addition, the petitioner notes that on Fridays, the building would host Jumu'ah prayers, which may occasionally be open to the public—although the statement attests when open to the public, the Jumu'ah would not overlap with school activities. The Board may wish to ask the petitioner to explain how the overlap would not occur if the submitted schedule shows the school being open on Fridays. Further, the PZB may ask the petitioner to clarify how the food component of Iftar will occur (i.e., food brought from the outside versus prepared on site). Language within the petitioner's statements indicates no food would be prepared on site.

The basement prayer/library area spans two rooms and is 2,904 square feet per the submitted floor plan. It does not have fixed seating but lists a maximum occupancy of 194 people. The second-floor auditorium is 903 square feet and proposed to have a maximum occupancy of 60 people (presumably through fixed seating). Collectively, these are the proposed assembly use areas.

Off-Street Parking (Both Uses)

The petitioner's plans show a restriped parking lot that actually increases the number of spaces from the current striping: from 38 currently to 42. The addition stems from the ability to design the accessible parking area more efficiently because of recent updates to the Illinois Accessibility Code. Further, the property lies in the C-5 District. Section 12-9-1 instructs "... no off-street parking shall be required for the first two thousand five hundred (2,500) square feet of a use...in the C-5 central business district." The petitioner is proposing two principal uses – private school (primary) and commercially zoned assembly (secondary) – and the sum of both minimums will establish the overall minimum. However, Ordinance allows the 2,500-square-foot deduction from each use. The rationale is that as the central business district C-5 is different from other areas of Des Plaines because of the availability of public parking garages and public transportation, as well as residential density that lends itself to households walking and having a reduced need to drive and park.

The table on the following page breaks down the minimum requirements for both a private school and a commercially zoned assembly, which must be summed to determine the total requirement. In summary, the total requirement is 39 spaces, and 42 are proposed to be provided, after parking lot improvements (restriping, addition of landscape island), so the requirement would be met. However, the submittal does not contain a description of the projected attendance of the assembly events. The floor plans establish a maximum occupancy of 60 people in the auditorium and 194 in the basement prayer/library area, but the petitioner may not intend to have or project this many attendees. Although the petitioner expressed potential assembly occupancy in their attached Cover Statement – specifically in their proposed conditions – the PZB may wish to ask the petitioner to more clearly identify the

potential number of people expected for an assembly.

Use, Required Ratio	Floor Area	Required parking
Private School (in this case “Elementary School”): 1 space for each classroom, plus 1 space per 200 square feet of area devoted to offices	<ul style="list-style-type: none"> • Office: (all excluded because of C-5 District) • 20 classrooms 	20 spaces
Commercially zoned assembly (in this case, “Place of Worship”): <ul style="list-style-type: none"> • 1 space for every 5 seats in the main auditorium, sanctuary, nave or similar place of assembly and other rooms ... which are to be occupied simultaneously. • In cases where there is no affixed seating, 1 space shall be provided for every 60 square feet of floor area. 	<ul style="list-style-type: none"> • Assuming maximum number of seats in the auditorium (60): 12 spaces. • Assuming simultaneous occupancy of the prayer area: 2,904 square feet – 2,500 square feet for C-5 exemption = 404 square feet / 60 = 6.73 spaces (rounds up to 7) 	12 for auditorium + 7 for prayer area = 19 spaces
	Total Required	39 spaces
	Total Proposed	42 spaces

Finally, regarding the refuse/dumpster, the existing dumpster is nonconforming, as it not enclosed. The site plan shows building a dumpster enclosure, which should bring the structure into conformance. The height and materials of the enclosure are not indicated on the site plan but would be regulated by Section 12-10-11.

VARIATIONS

Request Description:

The petitioner is electing to seek several variations related to existing conditions of the building and property, specifically its required yards (setbacks), parking lot, on-site and off-site/parkway landscaping, and signs. For this irregular corner lot, the front yard extends from the west lot line where it abuts Lee, the rear yard extends from the east lot line (Center), and there are three side yards: from the south lot line, which borders the Old National Bank parking and drive-through area; from the north lot line, which abuts Prairie; and from the west lot line portion that does not abut Lee but instead separates the ICCDA parking lot from the Old National parking lot. Based on real estate listing information,¹ the building was built originally in 1957 and renovated in 1977. Not surprising, the building is a nonconforming structure in multiple ways. While the variations requested may not be essential to entitling the operation of the school or assembly, they allow the petitioner to retain certain physical characteristics and make reasonable enhancements but not comply strictly with current Ordinance requirements. In particular, with the existing parking lot nonconforming regarding various minimum curb and landscaping uses, adding new striped spaces to it could be considered intensifying the nonconformity and requiring a full upgrade to strict adherence. Therefore, the petitioner is seeking variation to allow a partial upgrade – notably installing a landscape island down the middle of the central double-loaded parking stalls – but not installing perimeter buffer strips at the south or west lot lines. The necessary variation requests are listed in the following table:

Section	Requirement	Proposed	Type of Variation
12-7-3.L, Table 4	5-foot minimum side yard on the north lot line (Center Street)	Existing condition: 2-foot minimum side yard	Standard
12-9-3.A.4	Collective parking agreements shall be recorded.	n/a*	Major
<p><i>*The petitioner requested relief from having to record a collective parking agreement, but their site plan shows the parking minimum would be met on site; therefore, petitioner has not submitted a collective parking agreement.</i></p> <p style="text-align: center;"><i>Related to Parking Lot Design and Landscaping</i></p>			

¹ Loopnet (2023). Accessed July 6, 2023 at <https://www.loopnet.com/Listing/733-Lee-St-Des-Plaines-IL/3989538/>

12-9-6.D.	Install curb at least 3.5 feet from property lines at the parking lot perimeter.	Existing conditions: The south and west perimeters would not have curb.	Major
12-10-7	Parkway landscaping/trees with species and amounts as specified (applies here only in a small portion at near the corner of Prairie and Center)	Existing conditions in the area where the regulation is relevant.	Major
12-10-8.B.	Install perimeter parking lot landscaping at the south and western edges of the parking lot/lot lines	As shown in the site plan, install an interior landscape island but do not install perimeter landscaping at the south and west edges of the parking lot.	Major
<i>Related to the Existing Pole Sign near Center</i>			
12-11-4.G	Pole and monument signs shall be required to provide and maintain landscaping at the base of the sign	Existing conditions: no landscaping	Major
12-11-5.A.	No pole sign shall be constructed closer than five feet (5') from any property line.	Existing conditions: sign installed at lot line	Major

Standards for Text Amendments:

The following is a discussion of standards for zoning amendments from Section 12-3-7.E of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided here and also in the attached Petitioner’s Responses to Standards for Text Amendments. The PZB may use the statements below, use the petitioner’s responses, or adopt its own rationale.

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

Comment: Although the Comprehensive Plan illustrates the 700 block of Lee Street as “Higher Density Urban Mix with Residential,” a school use can (i) provide the kind of regular, daily activity that bolsters the Central Business District and (ii) provide a nearby educational option for the many (and growing number) of nearby households.

PZB Modifications (if any): _____
_____.

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

Comment: The amendments appear to be compatible because they reflect existing conditions on the east side of Lee Street. On the west side, the property is vacant and ripe for redevelopment, but the amendments would not automatically entitle a school; they simply expand the possibility for the conditional use process. The City would not be bound to approve a conditional use on, for example, the 750 Lee Street property on the west side of the street.

PZB Modifications (if any): _____
_____.

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

Comment: The hub for services that private schools may need (e.g., Police, Fire) are concentrated in the Central Business District already. The 700 block is directly adjacent to the 800 block, where a conditional use for private schools is already possible.

PZB Modifications (if any): _____
_____.

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

Comment: The proposed amendments are not likely to bring a wave of private schools, and they reflect existing conditions, so there is not expected to be an effect on property values.

PZB Modifications (if any): _____
_____.

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

Comment: Expanding the conditional use possibility for private schools in the C-5 District merely provides another option for development but does not automatically entitle their development or operation. The City would have the opportunity to review and authority to approve or deny specific requests.

PZB Modifications (if any): _____
_____.

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 may or may not satisfy the standards is provided below and in the petitioner’s response to standards. For certain standards, comments are split between the consideration of the private school (“school”) and the commercially zoned assembly (“assembly”). 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 (school): This is pending the outcome of the proposed text amendment. However, the conditional use via Ordinance Z-024-10 dates to a time when private schools were an established conditional use at this subject property.

Comment (assembly): Yes, the requested use is a conditional use in the C-5 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 (school and assembly): The 2019 Comprehensive Plan illustrates this site to be used for high-density urban mix with residential. However, the Plan also dedicates a chapter to strategies to enhancing downtown Des Plaines and inspiring visitation and commercial activity. A daily use such as a school brings people downtown every day and builds downtown visitation into their routine, which makes it possible they will also patronize businesses downtown, such as a grocery store, retail store, restaurant, dry cleaner, doctor’s office, or services establishment.

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 (school and assembly): Any exterior alterations proposed with this application would, if anything, enhance the property and character of the area.

PZB Additions or Modifications (if necessary): _____

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

Comment (school): The petitioner has provided a thorough pick-up and drop-off plan, which utilizes their parking lot, to address the proposed increase in enrollment. Staff has not received any complaints about the current ICCDA's operation since September 2022, albeit with a notably smaller enrollment than what is proposed.

Comment (assembly): The Board may consider whether having a potential spike of additional traffic and activity during essentially one month of the year for a few hours at a time and on occasional Fridays rises to the level of being "hazardous" or "disturbing."

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 (school and assembly): 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 (school and assembly): While the petitioner is offering to collaborate with City staff and departments, such as Police, Fire, and Building/CED, staff does not interpret these as being obligatory activities. On the contrary, staff expects that approved conditional uses would set reasonable conditions and expectations and set the stage for long-term compliant occupancy and operation.

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 (school and assembly): All activities are proposed to occur inside buildings, aside from those driving, walking, or otherwise getting to and from the doors of the building. All uses must be in compliance with the Environmental Performance Standards in Chapter 12 of the Zoning Ordinance.

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 (school): While the increased enrollment will inherently bring more vehicles to the area, the spikes will be short and should be managed to prevent stacking into Center Street (i.e., a queue that blocks or impedes traffic). Observations reported by the petitioner in their submittal, as well as anecdotal observations by staff, indicate that there is additional capacity on adjacent streets during daytime school hours.

Comment (assembly): The Board may consider asking the petitioner to commit to methods to encouraging carpooling, using non-motorized transportation (walking and parking), or, if driving, utilizing nearby public parking garages (i.e., Library Garage, immediately north on Prairie, or 1425 Ellinwood/Welkin garage approximately ½ block to the north on Lee).

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 (school and assembly): The subject property is within an already development building and thus would not result in the loss or damage of natural, scenic, or historic features.

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 (school and assembly): The proposed uses would comply with all applicable requirements as stated in the Zoning Ordinance.

PZB Additions or Modifications (if necessary): _____

_____.

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 proposal addresses the standards is provided in the attached petitioner responses to standards, with some comments from staff below. The Board may use the provided responses 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: See petitioner’s responses to standards.

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 an irregular shape, having a lot line fronting on three different streets while also being a corner lot. In staff’s view, this is truly unique. See petitioner’s responses to standards for more.

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: The petitioners did not create the unique shape and dimensions of the lot. See petitioner’s responses to standards for more.

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: See petitioner's responses to standards.

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: See petitioner's responses to standards.

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: See petitioner's responses to standards.

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: See petitioner's responses to standards.

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: See petitioner's responses to standards.

PZB Additions or Modifications (if necessary): _____

_____.

PZB Procedure and Recommended Conditions: Because of the multiple requests, staff recommends the Board take multiple motions: (i) recommendation on the proposed text amendment; (ii) recommendation on the proposed conditional use for private school/amended conditional use through Z-024-10; (iii) recommendation on the proposed commercially zoned assembly; (iv) a final vote on the standard variation regarding the required side yard; and (v) a recommendation on all other requested variations, which the Board could consider with one motion or individually.

TEXT AMENDMENT

Pursuant to Section 12-3-7(E) of the Zoning Ordinance, the PZB may vote to *recommend* approval, approval with modifications, or denial of the proposed text amendment. The City Council has final authority over the request.

CONDITIONAL USE / AMENDED CONDITIONAL USE FOR PRIVATE SCHOOL

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

The petitioner suggested conditions in their attached Cover Application Statements. The Board may review them, but staff does not recommend their verbatim use, with particular concerns about (i) the reference to 36 parking spaces, when the minimum requirement (with both uses active) is 39, and (ii) a temporary occupancy allowance through 2028 pending hallway-width changes. Instead, should the PZB recommend approval of the conditional use, staff suggests the following conditions:

Recommended Conditions of Approval

1. Notwithstanding the desired maximum number of users, the occupancy load for the building and all rooms utilized by the use shall not exceed the maximum set by the Fire Department and Chief Building Official. This maximum may be increased only through permitted construction and alterations; provided, however, the total attendees shall not exceed the numerical limit set

through this conditional use approval. Every room or space that is an assembly occupancy shall have the occupant load of that room or space posted in a conspicuous location, near an exit.

2. The petitioner shall complete the parking lot restriping and landscape project shown on the site plan within 12 months of approval.
3. No on-site food service shall occur unless a code-compliant commercial-grade kitchen were to be installed.
4. Any building or use expansion shall require the Petitioner to obtain a conditional use amendment.

CONDITIONAL USE FOR COMMERCIALLY ZONED ASSEMBLY

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

Recommended Conditions of Approval

1. Notwithstanding the desired maximum number of users, the occupancy load for the building and all rooms utilized by the use shall not exceed the maximum set by the Fire Department and Chief Building Official. This maximum may be increased only through permitted construction and alterations; provided, however, the total attendees shall not exceed the numerical limit set through this conditional use approval.
2. Commercially zoned assembly activities, or those worship activities not accessory to the private school, shall occur at different times.
3. The petitioner shall complete the parking lot restriping and landscape project shown on the site plan within 12 months of approval.
4. No on-site food service shall occur unless a code-compliant commercial-grade kitchen were to be installed.
5. Any building or use expansion shall require the Petitioner to obtain a conditional use amendment.
6. The petitioner will publicize on its website and actively distribute to its audience a map of nearby public parking garages, with summary instructions and directions on how to access and any hourly or time restrictions.

VARIATIONS

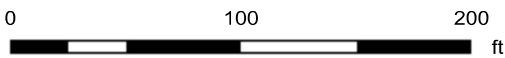
The petitioner is requesting one standard variation and multiple major variations. Pursuant to Section 12-3-6.F of the Zoning Ordinance, the PZB may vote to approve, approve with modifications, or deny the Standard Variation to reduce the required side yard.

Then the Board may consider pursuant to Section 12-3-6.G a vote to *recommend* approval, approval with modifications, or denial of the Major Variations. The City Council has final authority over the request. Staff does not recommend conditions for the variations.

Attachments:

- Attachment 1: Location and Aerial Map
- Attachment 2: Site and Context Photos
- Attachment 3: Plat of Survey
- Attachment 4: Ordinance Z-024-10²
- Attachment 5: Responses to Standards for Text Amendment
- Attachment 6: Responses to Standards for Conditional Use
- Attachment 7: Responses to Standards for Variation
- Attachment 8: Application Cover Statements, Operational Plan (collectively the Project Narrative)
- Attachment 9: Stacking, Circulation, and Pick-Up/Drop-Off Plan (with projections and data)
- Attachment 10: Site Plan
- Attachment 11: Floor Plans

² 2022 compliance agreement between City and owner/petitioner available upon request to City staff.



Print Date: 7/5/2023

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.

Site and Context Photos



Looking east from Prairie at Lee



Center Street parking lot entrance, looking north



On-site parking area, rear entrance



Neighboring property parking lot (749 Lee), looking northeast



UNITED SURVEY SERVICE, LLC
 CONSTRUCTION AND LAND SURVEYORS
 7710 CENTRAL AVENUE, RIVER FOREST, IL 60305
 TEL.: (847) 299-1010 FAX: (847) 299-5887
 E-MAIL: USURVEY@USANDCS.COM

ALTA / NSPS LAND TITLE SURVEY

LOT 12 (EXCEPT PART TAKEN FOR STREET) IN BLOCK 8 AND LOT 1 IN BLOCK 9 TAKEN AS A TRACT AND EXCEPTING THEREFROM THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS:
 COMMENCING AT A POINT IN THE NORTHWESTERLY LINE OF LOT 12, 22 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER OF SAID LOT; THENCE SOUTHWESTERLY ALONG NORTHWESTERLY LINE OF LOT 12, 18 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE NORTHWESTERLY LINE OF LOT 12 AND SAID NORTHEASTERLY LINE EXTENDED TO AN INTERSECTION WITH THE PRESENT SOUTHWESTERLY LINE OF PRAIRIE AVENUE; THENCE NORTHERLY ALONG SAID SOUTHWESTERLY LINE OF PRAIRIE AVENUE TO AN INTERSECTION WITH A LINE 22 FEET SOUTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SAID LOT 12; THENCE NORTHERLY ALONG SAID PARALLEL LINE TO POINT OF BEGINNING, AND EXCEPT THAT PART THEREOF LYING SOUTHERLY OF THE NORTHERLY LINE OF LOT 2 IN BLOCK 9 PRODUCED EASTERLY IN A STRAIGHT LINE AND EXCEPT THAT PART THEREOF LYING SOUTHEASTERLY OF A LINE 173 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOTS AND LYING WESTERLY OF PRESENT WESTERLY LINE OF PRAIRIE AVENUE.



- NOTES:**
- THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREETS KNOWN AS LEE STREET AND PRAIRIE AVENUE AND CENTER STREET
 - THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT;
 - THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME;
 - THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS;
 - ELECTRIC, GAS, TELEPHONE AND WATER UTILITY AND STORM AND SANITARY SEWER SYSTEMS ACCESS THE PROPERTY IN LEGALLY DEDICATED RIGHTS OF WAY THAT BENEFIT THE PROPERTY.
 - THERE ARE NO VISIBLE EVIDENCE OF CEMETERIES, GRAVE SITES OR BURIAL GROUNDS LOCATED ON THE PROPERTY.
 - ITEM # 8 FROM TABLE A ALL SUBSTANTIAL FEATURES OBSERVED ON THE PROPERTY HAVE BEEN PLOTTED.
 - ITEM # 9 FROM TABLE A THERE ARE 38 STRIPED PARKING SPACES ON THE PROPERTY.
 - ITEM # 10 FROM TABLE A THERE ARE NO PARTY WALLS (ALL WALLS ARE INDEPENDENT).
 - ITEM # 11 FROM TABLE A ALL VISIBLE UTILITIES ARE PLOTTED.
 - ITEM # 16 FROM TABLE A AT THE TIME OF THIS SURVEY, NO VISIBLE RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS WERE NOTED.
 - ITEM # 17 FROM TABLE A AT THE TIME OF THIS SURVEY, THERE IS NO EVIDENCE OF CHANGES IN RIGHT OF WAY EITHER COMPLETED OR PROPOSED AND RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
 - ITEM # 18 OF TABLE A NO OFFSITE BENEFICIAL EASEMENTS WERE REFLECTED IN TITLE
 - ITEM # 19 FROM TABLE A RELATING TO PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$ 1,000,000 TO BE IN EFFECT THROUGHOUT THE CONTRACT TERM. CERTIFICATE OF INSURANCE TO BE FURNISHED UPON REQUEST.

LOT 2 EXCEPT THE NORTHWESTERLY 138 FEET 5 INCHES THEREOF, IN BLOCK 9.
 LOT 3 EXCEPT THE NORTHWESTERLY 138 FEET 5 INCHES THEREOF, IN BLOCK 9. ALL THAT PART OF LOT 12 IN BLOCK 9 WHICH LIES SOUTHERLY OF THE NORTHERLY LINE OF LOT 2 IN BLOCK 9 (PRODUCED EASTERLY IN A STRAIGHT LINE)

THE SOUTHWESTERLY 1/2 OF LOT 17 IN BLOCK 9 ALL IN PARSON AND LEE'S ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOTS 72, 73, 74, 139, 141, 142, 143, 144, 145, 174, 175, 178, 177 IN THE TOWN OF DES PLAINES (FORMERLY TOWN OF RAND) AND PARTS OF SECTIONS 17 AND 20, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 30, 1873 AS DOCUMENT NO. 98703 IN COOK COUNTY, ILLINOIS.

KNOWN AS: 733 LEE STREET, DES PLAINES, ILLINOIS

PERMANENT INDEX NUMBERS:
 09-20-200-042-0000
 09-20-200-008-0000

AREA = 33,177 SQ. FT. OR 0.762 ACRES

NOTE:
 THIS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT AND ANY EXCEPTIONS HAVE BEEN NOTED HEREIN

PARKING SPACE TABLE	
TYPE OF SPACE	EXISTING
REGULAR	36
HANDICAP	2
TOTAL	38

SATURN TITLE LLC
 ORDER NO.: 2233070
 EFFECTIVE DATE: MAY 26, 2022
 ITEMS CORRESPONDING TO SCHEDULE B, PART E:
 ITEMS 1 - 26
 NOT SURVEY RELATED.

DES PLAINES
 1420 MINER STREET
 DES PLAINES, IL 60016
 847-381-5300
 ZONING REQUIREMENTS:
 C-5 CENTRAL BUSINESS

STATE OF ILLINOIS)
 COUNTY OF COOK) SS

I, ROY G. LAWNCZAK, A REGISTERED LAND SURVEYOR, LICENSE NO. 38-2290, IN AND FOR THE STATE OF ILLINOIS AND LEGALLY DOING BUSINESS IN COOK COUNTY, DO HEREBY CERTIFY TO:

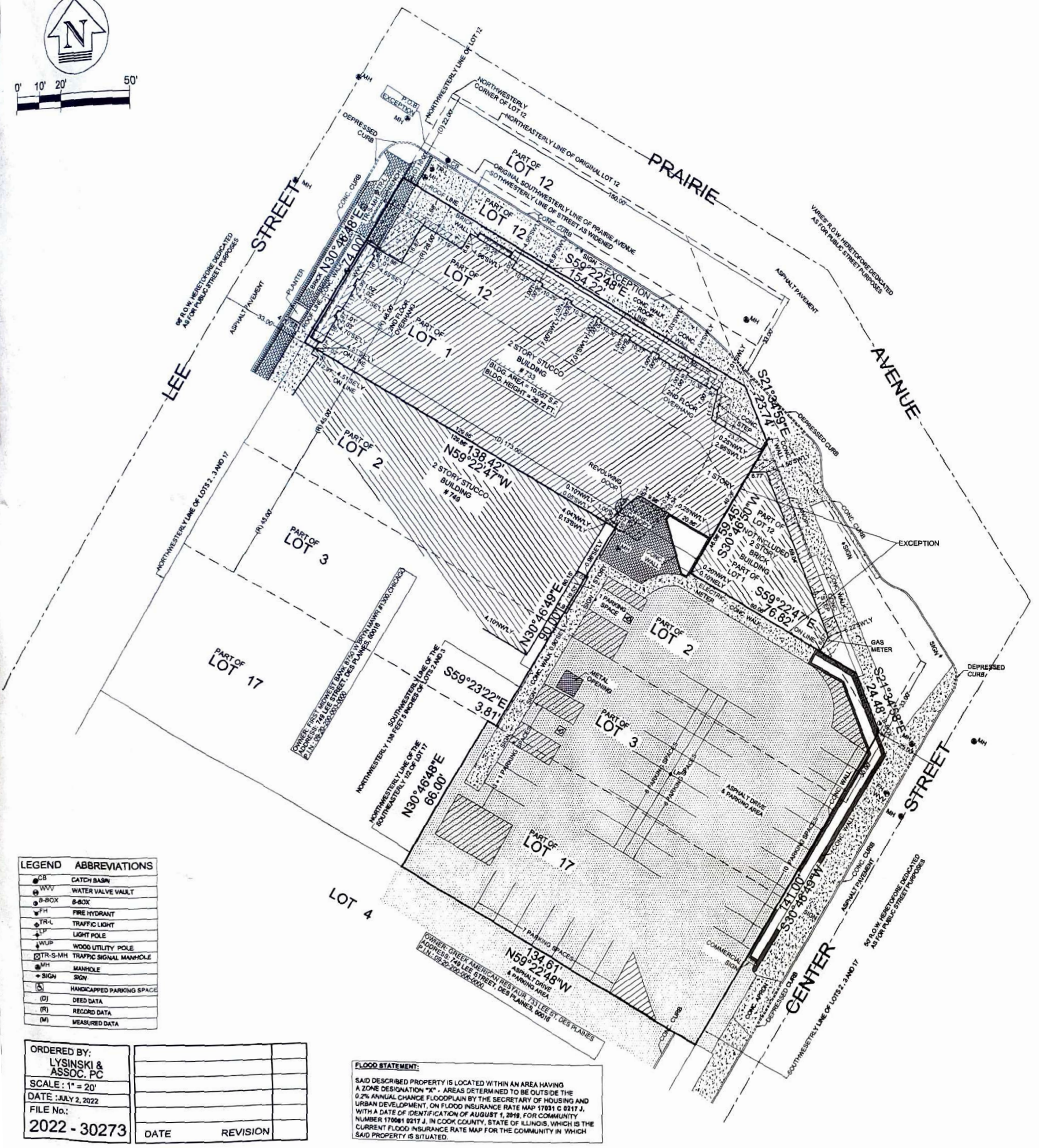
- GREEK-AMERICAN RESTAURANT ASSOCIATION
- ICCD ACADEMY, NFP, AN ILLINOIS NOT-FOR-PROFIT
- SATURN TITLE LLC

AND TO THEIR SUCCESSORS AND ASSIGNS, THAT:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(b), 13, 14, 16, 17, 18 AND 20 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON JULY 2, 2022
 DATE OF PLAT: JULY 6, 2022

By: *Roy G. Lawnczak*
 ROY G. LAWNCZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 38-2290
 LICENSE EXPIRES: NOVEMBER 30, 2022
 PROFESSIONAL DESIGN FIRM LICENSE NO. 154-054578
 LICENSE EXPIRES: APRIL 30, 2023



LEGEND ABBREVIATIONS

CB	CATCH BASIN
WV	WATER VALVE VAULT
B-BOX	B-BOX
FH	FIRE HYDRANT
TR-L	TRAFFIC LIGHT
LP	LIGHT POLE
WUP	WOOD UTILITY POLE
TR-S-MH	TRAFFIC SIGNAL MANHOLE
MH	MANHOLE
SGN	SIGN
(H)	HANDICAPPED PARKING SPACE
(D)	DEED DATA
(R)	RECORD DATA
(M)	MEASURED DATA

ORDERED BY: LYSINSKI & ASSOC. PC	
SCALE: 1" = 20'	
DATE: JULY 2, 2022	
FILE NO.: 2022 - 30273	
DATE	REVISION

FLOOD STATEMENT:
 SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP 17031 C 0217 J, WITH A DATE OF IDENTIFICATION OF AUGUST 1, 2019. FOR COMMUNITY NUMBER 170061 0217 J, IN COOK COUNTY, STATE OF ILLINOIS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

CITY OF DES PLAINES

ORDINANCE Z - 24 - 10

AN ORDINANCE ALLOWING FOR A CONDITIONAL USE PERMIT TO PERMIT A COMMERCIAL SCHOOL AT 733 LEE STREET, DES PLAINES, ILLINOIS. (CASE #10-054-CU).

WHEREAS, application was made by Plato Academy to the City of Des Plaines Department of Community Development for authorization by the City Council of a Conditional Use Permit to permit a private school (commercial school) under Section 7.3-8 C. of the Zoning Ordinance at 733 Lee Street in Des Plaines, Illinois; and

WHEREAS, the existing zoning is C-5, Central Business District; and

WHEREAS, within fifteen (15) days of the receipt thereof, said application was referred by the Department of Community Development to the Zoning Board of Appeals of the City of Des Plaines; and

WHEREAS, within ninety (90) days from the date of said application a public hearing was held by the Zoning Board of Appeals on September 28, 2010 pursuant to publication in the Des Plaines Journal on September 10, 2010 and notice was mailed to all property owners within 300 feet of the subject property of the consideration of the Conditional Use so proposed by the Petitioner; and

WHEREAS, said hearing of the Zoning Board of Appeals was held September 28, 2010 pursuant to notice published as required by law, wherein competent testimony and evidence was given with respect to how said Petitioner intended to meet the provisions of the Zoning Ordinance. On September 28, 2010, said Zoning Board of Appeals filed written reports to the Mayor and City Council of such testimony and evidence and their recommendations approving, by a vote of 6-0, a private school (commercial school) under Section 7.3-8 C. of the Zoning Ordinance, in a C-5, Central Business District, at 733 Lee Street, Des Plaines, Illinois; and

WHEREAS, said petitioner made certain commitments to the Zoning Board of Appeals with respect to the requested Conditional Use Permit, which representations are hereby found by the City Council to be material and upon which the City Council relies in granting this request for a Conditional Use Permit subject to certain terms and conditions; and

WHEREAS, the City Council has studied the respective written reports of the Zoning Board of Appeals, together with the applicable standards set forth in the Zoning Ordinance, the Staff Report dated September 30, 2010, including the Conditional Use Application completed by the Petitioner, together with the exhibits to the Staff Report, which include a Location Map, Site and Context Photos, a Plan of Operation, the draft Zoning Board of Appeals Board minutes of September 28, 2010, and the Letter from the Zoning Board of Appeals to the Mayor and City Council, which form part of the basis for this ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County Illinois, in the exercise of its Home Rule powers, as follows:

SECTION 1: That the recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting the factual basis for this Ordinance. The Conditional Use granted herein is consistent with and the same as a “special use” within the meaning of Public Act 94-1027.

SECTION 2: That based upon the written reports of the Zoning Board of Appeals, the applicable standards set forth in the Zoning Ordinance, the representations to the Zoning Board of Appeals made by the Petitioner, the Plat of Survey for 733 Lee Street, prepared by John M. Henriksen, dated September 11, 2004, a copy of which is attached hereto and made a part hereof as Exhibit “A,” and the Floor Plan and Site Plan submitted by Venus Campanelli, dated September 7, 2010, copies of which are attached hereto and made a part hereof as Group Exhibit “B,” the City Council hereby grants a Conditional Use Permit to permit a private school (commercial school), under Section 7.3-8 C. of the Zoning Ordinance, in a C-5, Central Business District, at 733 Lee Street in Des Plaines, Illinois.

SECTION 3: That the following Limitations on Conditional Uses shall apply in accordance with the City of Des Plaines Zoning Code, Sections 3.4-8 “Limitations on Conditional Uses” and 3.4-9 “Effect of Approval”.

3.4-8: A. No conditional use permit shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion. However, the City Council may extend the one-year period to a mutually agreed upon time.

B. The approval of a proposed conditional use permit by the City Council shall be deemed to authorize only that particular use at that particular location for which the conditional use was issued.

C. Except when otherwise provided for, this Ordinance, a conditional use shall be deemed to relate to, and be for the benefit of, the use and lot in question, rather than the owner or operator of such use or lot.

3.4-9: The approval of a conditional use permit application by the City Council shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for such permits or approvals as may be required by the regulations of the City, including but not limited to a Zoning Certificate and a building permit.

SECTION 4: The Zoning Board of Appeals recommendations, findings and conditions found in the September 28, 2010 memorandum from Arnie Seegers, Chairman of the Zoning Board of Appeals, are incorporated herein by reference as if fully set forth herein.

SECTION 5: That the property at 733 Lee Street, which is the subject of this Ordinance, is legally described in Exhibit "1," a copy of which is attached hereto and made a part hereof.

PINs: 09-20-200-042

SECTION 6: That granting of the Conditional Use Permit for the address of 733 Lee Street is granted upon the conditions set forth below. Upon failure of the petitioner to act upon this authorization within twelve (12) months of the date of this Ordinance, the granting of the Conditional Use Permit for the subject property shall be automatically revoked; provided, however, that upon request in writing of the petitioner prior to the expiration of the twelve (12) month period, the City Council may at any time, or from time to time by ordinance duly adopted at any meeting of the City Council, extend said period of time. In addition to the foregoing, the Petitioner must meet the following condition:

1. The exterior glass windows shall remain unobstructed, other than uniform, non-permanent window treatments.
2. The Petitioner shall remain willing to work with the City if traffic issues arise in the future.

SECTION 7: That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this

Ordinance shall be fined not less than Seventy-five Dollars (\$75.00) or more than Seven Hundred and Fifty Dollars (\$750.00) for each offense. Each and every day that a violation of the Ordinance is allowed to remain in effect shall constitute a complete and separate offense. In addition, the appropriate authorities of the City may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. That any person, firm or corporation violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees.

SECTION 8: That within 60 days of the passage of said Ordinance, the executed, original Ordinance shall be returned to the City Clerk's office.


SECTION 9: If any paragraph, section, clause or provision of this ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the contract.

SECTION 10: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.


PASSED this 1ST day of November, 2010.

APPROVED this 1ST day of November, 2010.

VOTE: AYES 5 NAYS 3 ABSENT 0


MAYOR

ATTEST:


CITY CLERK

Published in pamphlet form this
1st day of November, 2010.

Approved as to form:

Maria J. Ludwig
CITY CLERK

David R. Wiltse
David R. Wiltse, City Attorney

I, VENUS COMPANY being the owner or other party in interest of
the property legally described within this Ordinance, having read a copy of the Ordinance, do
hereby accept, concur and agree to develop and use the subject property in accordance with the
terms of this Ordinance.

Dated: 11-3-10

Venus Company
(Signature)

Legal\Ord\Special\CU\733 Lee St Commercial School

LEGAL DESCRIPTION

733 LEE STREET
DES PLAINES, ILLINOIS

LOT 12 (EXCEPT THAT PART TAKEN FOR STREET) IN BLOCK 8 AND LOT 1 IN BLOCK 9 TAKEN AS A TRACT AND EXCEPTING THEREFROM THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTHWESTERLY LINE OF LOT 12, 22 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER OF SAID LOT; THENCE SOUTHWESTERLY ALONG NORTHWESTERLY LINE OF LOT 12, 16 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE NORTHEASTERLY LINE OF LOT 12 AND SAID NORTHEASTERLY LINE EXTENDED TO AN INTERSECTION WITH THE PRESENT SOUTHWESTERLY LINE OF PRAIRIE AVENUE; THENCE NORTHERLY ALONG SAID SOUTHWESTERLY LINE OF PRAIRIE AVENUE TO AN INTERSECTION WITH A LINE 22 FEET SOUTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SAID LOT 12; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE TO THE PLACE OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART THEREOF LYING SOUTHERLY OF THE NORTHERLY LINE OF LOT 2 IN BLOCK 9 PRODUCED EASTERLY IN A STRAIGHT LINE AND EXCEPTING THEREFROM THAT PART THERE OF LYING SOUTHEASTERLY OF A LINE 173 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOTS AND LYING WESTERLY OF THE PRESENT WESTERLY LINE OF PRAIRIE AVENUE).....

LOT 2 EXCEPT THE NORTHWESTERLY 138 FEET 5 INCHES THEREOF, IN BLOCK 9.....

LOT 3 EXCEPT THE NORTHWESTERLY 138 FEET 5 INCHES THEREOF, IN BLOCK 9.....

ALL THAT PART OF LOT 12 IN BLOCK 8 WHICH LIES SOUTHERLY OF THE NORTHERLY LINE OF LOT 2 IN BLOCK 9 (PRODUCED EASTERLY IN A STRAIGHT LINE).....

THE SOUTHEASTERLY HALF OF LOT 17 IN BLOCK 9.....

ALL IN PARSON AND LEE'S ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOTS 72, 73, 74, 139, 140, 141, 142, 143, 144, 145, 174, 175, 176 AND 177 IN THE TOWN OF DES PLAINES (FORMERLY TOWN OF RAND) AND PARTS OF SECTIONS 17 AND 20, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 30, 1873 AS DOCUMENT NO. 98703 IN COOK COUNTY, ILLINOIS.

AREA:
33,158.71 sq. ft.
0.76 acres

Exhibit "1"

PLAT OF SURVEY

BY
JOHN M. HENRIKSEN
38 BROADWAY DES PLAINES, ILLINOIS 60016
OF

LOT 12 EXCEPT THAT PART TAKEN FOR STREET, IN BLOCK 8 AND LOT 1 IN BLOCK 9 TAKEN AS A TRACT AND EXCEPT THEREFROM THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WESTERLY CORNER OF THE INTERSECTION OF THE NORTHWESTERLY LINE OF LOT 12, 16 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE NORTHEASTERLY LINE OF LOT 12, 16 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE NORTHWESTERLY LINE OF LOT 12, 16 FEET; THENCE SOUTHEASTERLY ON AN INTERSECTION WITH THE PRESENT SOUTHWESTERLY LINE OF PRAIRIE AVENUE, THENCE NORTHERLY ALONG SAID SOUTHWESTERLY LINE OF PRAIRIE AVENUE TO AN INTERSECTION WITH A LINE 23 FEET SOUTHWESTERLY PARALLEL TO THE PLACE OF ASSIGNMENT; AND ALSO EXCEPT THEREFROM THAT PART TAKEN ALONG SAID SOUTHWESTERLY LINE OF PRAIRIE AVENUE TO AN INTERSECTION WITH A LINE 173 FEET SOUTHEASTERLY SOUTHERLY OF THE NORTHERLY LINE OF LOT 2, IN BLOCK 9 PRODUCED EASTERN BY A STRAIGHT LINE AND EXCEPT THEREFROM THAT PART THERE OF LYING SOUTHEASTERLY OF A LINE 173 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 8 AND LYING WESTERLY OF THE PRESENT WESTERLY LINE OF PRAIRIE AVENUE.

LOT 3 EXCEPT THE NORTHWESTERLY 138 FEET 3 INCHES THEREOF, IN BLOCK 9.

LOT 3 EXCEPT THE NORTHWESTERLY 138 FEET 3 INCHES THEREOF, IN BLOCK 9
ALL THAT PART OF LOT 12 IN BLOCK 8 WHICH LIES SOUTHERLY OF THE NORTHERLY LINE OF LOT 3 IN BLOCK 9
(PRODUCED EASTERLY BY A STRAIGHT LINE).

THE SOUTHEASTERLY HALF OF LOT 17 IN BLOCK 9.

ALL IN PARSON AND LEYS ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOTS 73, 74, 75, 136, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

AREA:
11,158.71 sq. ft.
0.76 acres

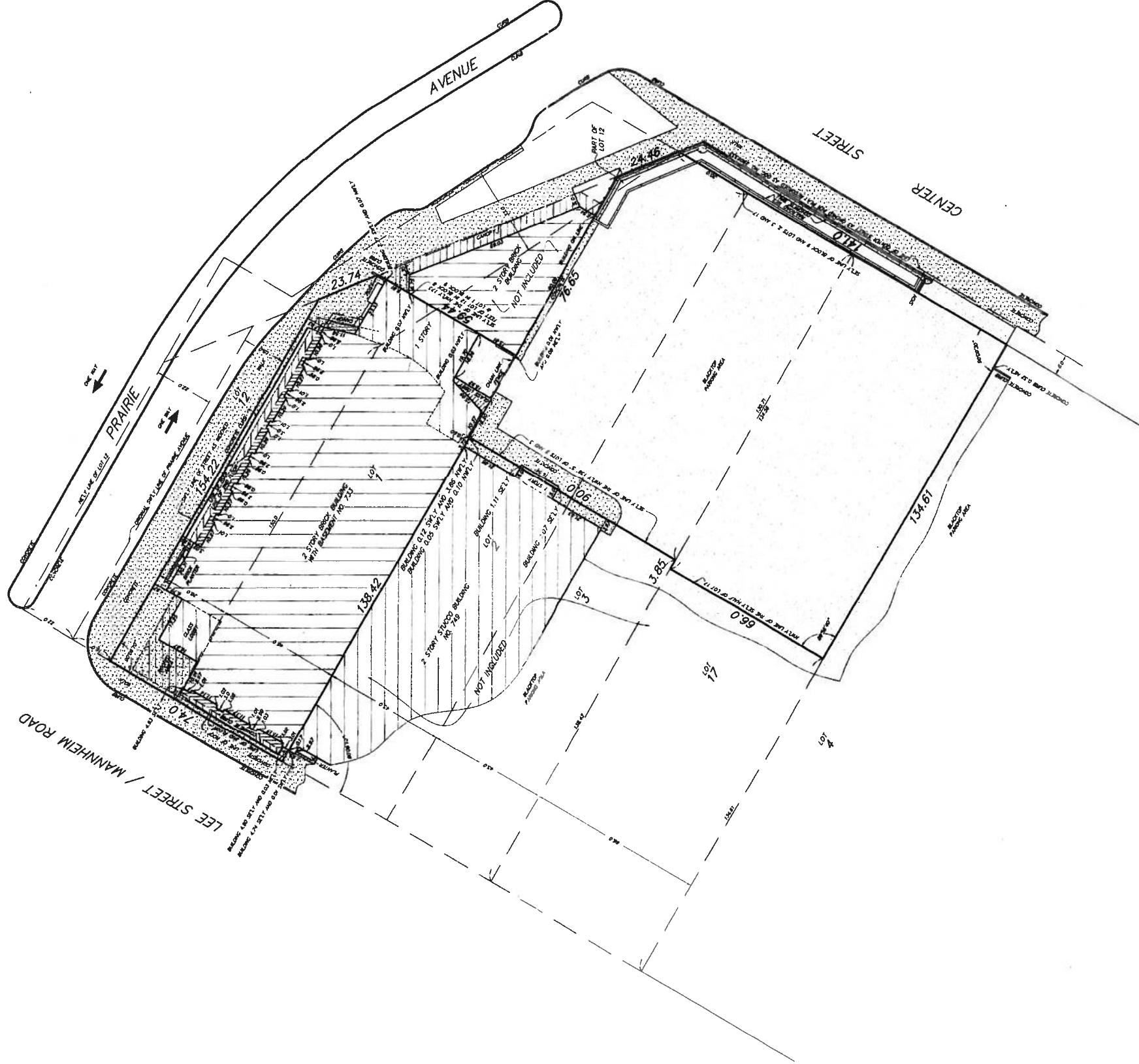


EXHIBIT A

ORDER NUMBER: **040440**
SCALE: 1 INCH = 30 FEET
ORDERED BY: **LITTLE, FERRELL & COLLINS, P.C.**
BUILDING LINES, IF ANY, SHOWN HEREON ARE BUILDING LINES SHOWN ON THE RECORD SURVEY PLAT FIRST RELEASED BY LOCAL JURISDICTION. PLEASE CHECK LOCAL JURISDICTION WITH USER. CONSULT WITH USER BUILDING AND REPORT ANY DISCREPANCY IMMEDIATELY. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

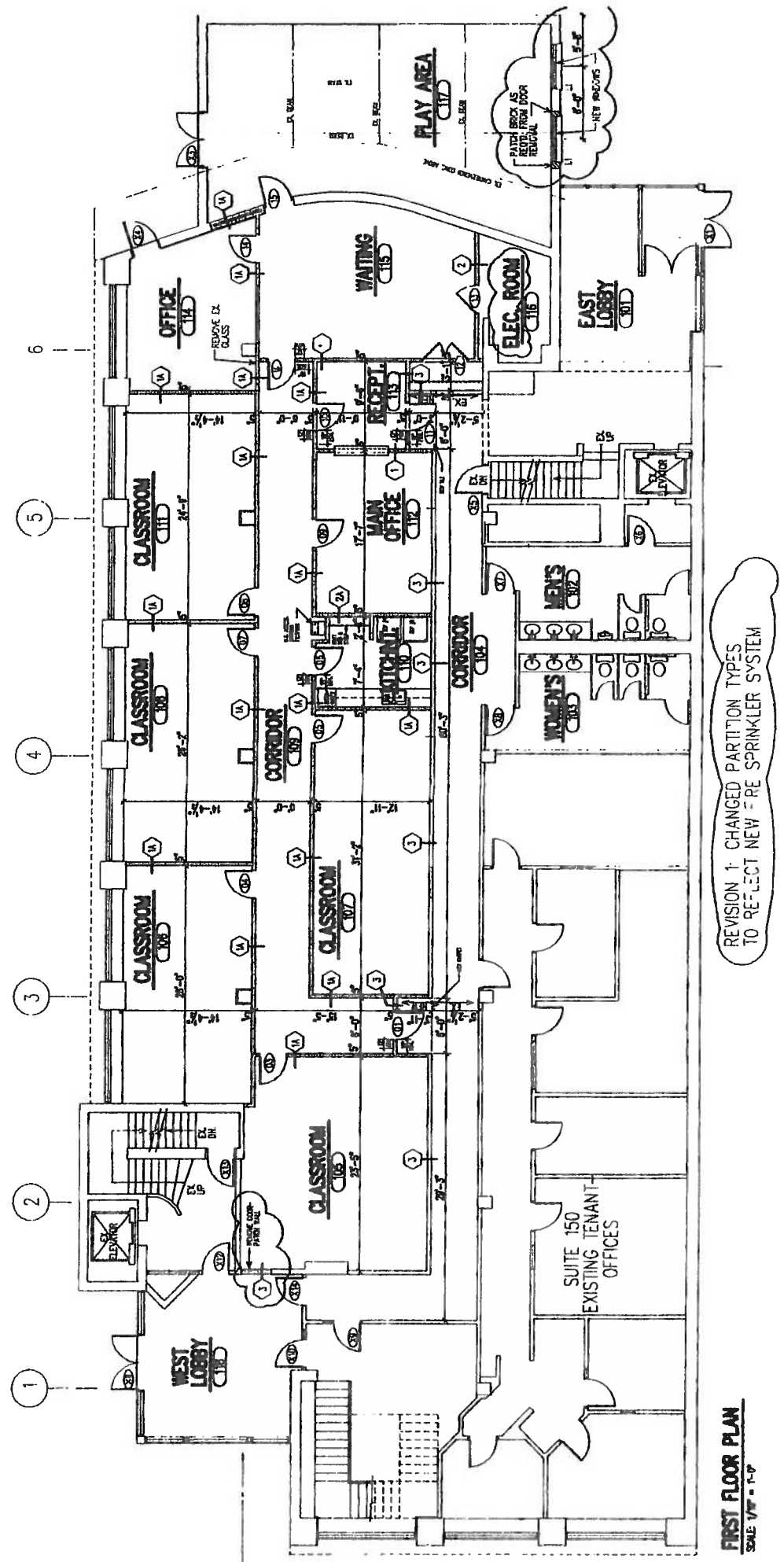
PERMANENT SURVEY PLOTS

688	42'	21.0'
689	42'	21.0'
690	42'	21.0'
691	42'	21.0'
692	42'	21.0'
693	42'	21.0'
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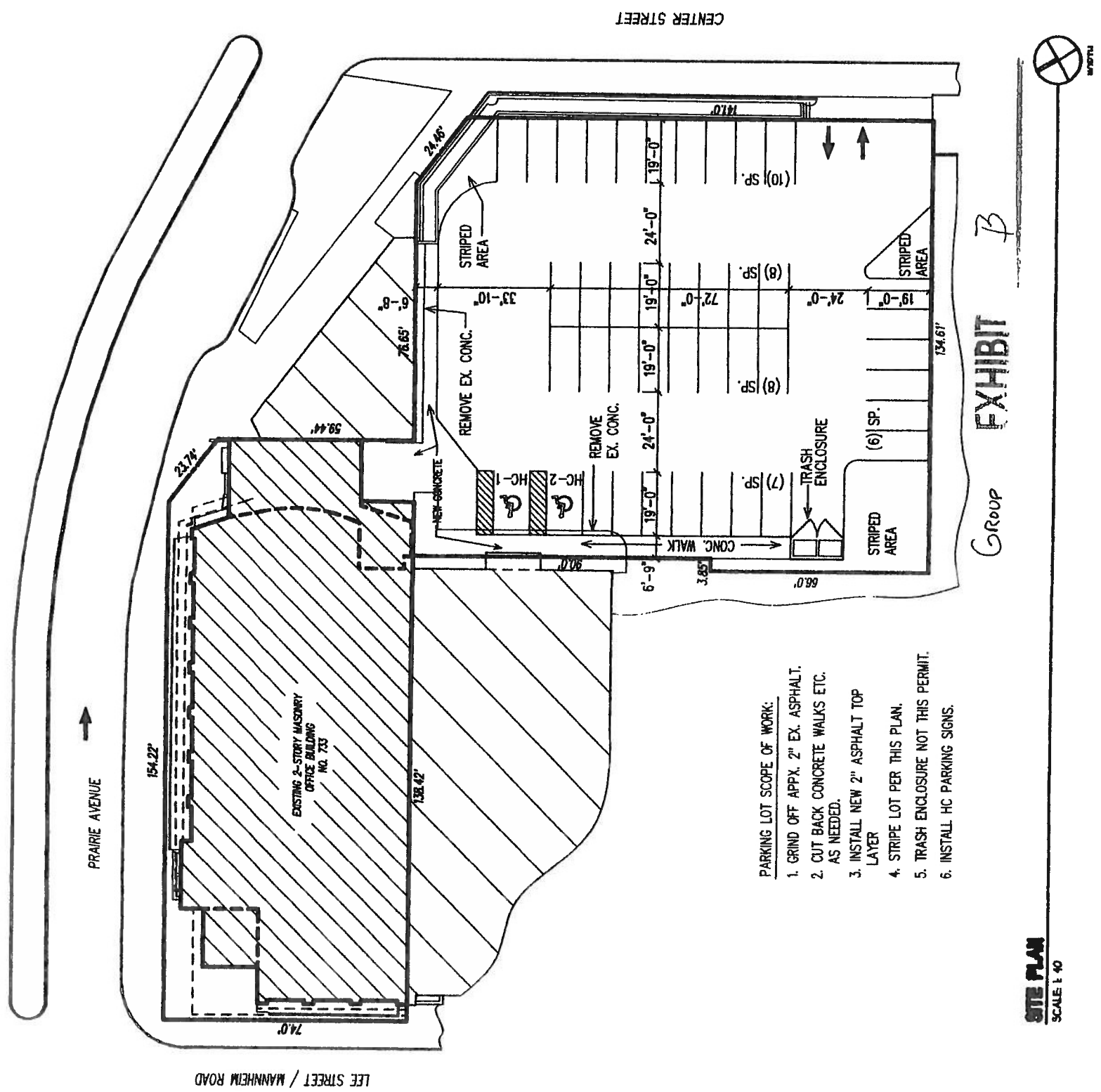


JOHN M. HENRIKSEN
SURVEYOR
NO. 1716
STATE OF ILLINOIS
COMMISSION EXPIRES 09/30/2024

DATE OF SURVEY: 09/11/2024
DATE OF THIS PLAT: 09/11/2024
DATE OF PREVIOUS PLAT: NONE



Group EXHIBIT B



LEE STREET / MANNHEIM ROAD

PRAIRIE AVENUE

CENTER STREET

EXISTING 2-STORY MASONRY OFFICE BUILDING NO. 733

- PARKING LOT SCOPE OF WORK:**
1. GRIND OFF APPX. 2" EX. ASPHALT.
 2. CUT BACK CONCRETE WALKS ETC. AS NEEDED.
 3. INSTALL NEW 2" ASPHALT TOP LAYER
 4. STRIPE LOT PER THIS PLAN.
 5. TRASH ENCLOSURE NOT THIS PERMIT.
 6. INSTALL HC PARKING SIGNS.

SITE PLAN
SCALE 1/40

Group EXHIBIT B

STANDARDS FOR TEXT AMENDMENTS

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Text Amendment in terms of the following standards. Keep in mind that in responding to the questions below, you are demonstrating that the proposed text change is appropriate for the entire jurisdiction, not just a particular site. Please answer each question completely and thoroughly.

1. Is the proposed amendment consistent with the goals, objectives, and policies of the Comprehensive Plan? *Applicant submits that the Comprehensive Plan encourages a higher density urban mix with residential for the property and for the vicinity. The allowance of one additional block to allow for a private elementary and high school is consistent with the higher density urban mix. It will allow for a service that proves valuable to those moving into the planning area, whether into the C-5 or the R-4 district. The school will also serve the broader Des Plaines community. The school will draw residents and visitors to an area of downtown that is a preferred growth area and which has seen substantial growth on its perimeter. Additionally, most private schools have programs for pre-kindergarten through kindergarten even though the law is sometimes inconsistent with general perception of kindergarten, is deemed elementary. The amendment is intended to clarify that pre-kindergarten programs are allowed as a use that is accessory to an elementary school or a high school. The Comprehensive Plan encourages the generation of traffic in the planning area, but it also suggests at least one bikeway on the perimeter of the property. Schools along bikeways are common, and many bikeways are often planned for school areas. Additionally, Lee Street is an IDOT roadway and an arterial roadway. Schools are often planned for convenient locations where their impact will not cause detrimental effects when compared to the use at other locations in the same or a similar zoning district. An elementary school has operated at the property since at least 2010, but this amendment attends an application to convert the entire building to use by students up to eighth grade.*

2. Is the proposed amendment compatible with current conditions and the overall character of existing development? *The text amendment will align conditions that have existed at the property since 2010 when Plato Academy opened under a conditional use permit. The text amendment will align with the use since ICCD Academy acquired the property in 2022 and operated the property for the 2022-23 school year. Allowing a private school is consistent with the planning area southwest of the METRA rail line inasmuch as private schools and institutional use as well as one public school exist in this area of the City. Plato Academy is situated a five minute walk west-southwest of the property and a longstanding religious institutional use lies across Center Street. Another school is situated in the 700 block. The property and the other school have co-existed without conflict between their Lee Street uses and without causing external harm or concern.*

3. Is the proposed amendment appropriate considering the adequacy of public facilities and services available to the subject property? *The property benefits from meaningful frontage on three public streets, public transportation access, access to the public library and driveway access onto Center Street. Utilities and services are adequately available to the property for the uses that are the subject of the text amendment.*

4. Will the proposed amendment have an adverse effect on the value of properties throughout Des Plaines? *The text amendment will not have any adverse effect on land values in the area. The 800 block of Lee Street is primarily vacant, with one of the larger landholders being a financial institution. Due to the expense and local planning preferences for development, it is highly unlikely that the amendment will cause*

a disruption to planning in this block of Lee Street. The proposed amendment to extend the locations available for a private school will not alter the fact that an applicant will be required to obtain a conditional use, during which process the City will take each case on its facts and determine the particular elements of the proposal that may or may not cause undue impact given its location in the block or, possibly, frontage and off-street operational concerns and make a decision on the merits independent of the other prior decisions. In general, institutional use near residential use assists in sustaining and supporting area land values. The allowance of private schools in an additional block, in this instance, will allow placement of a private religious institution at the same intersection with the public library access and Roman Catholic religious institutional use and one or two blocks from two other schools (one private and one public). The additional traffic generated should contribute to adding value in this area of downtown and prove to be a benefit to locating a business or other development in the area.

5. Does the proposed amendment reflect responsible standards for development and growth? *With substantial vacant land in the vicinity, allowing a private school by conditional use is the most responsible path. It is important that the City retain the ability to engage a private school operator in a conditional use setting so that any school can be properly planned so as not to interfere with the performance of Lee Street, Prairie Avenue and the public parking facilities in the area. As demonstrated since 2010, a private school has operated in the 800 block of Lee Street and found success in doing so. The relocation of Plato related to business decisions and growth (success). The amendment will allow ICCD to apply the entire building to school use, rather than continue to operate under Ordinance No. Z-024-10 which governs first floor use and accessory basement use. This is a more responsible approach to use of the building for public safety and planning and for school safety. The amendment will also contribute to a reduction in vehicle trips made during the day by residents that live in the downtown corridor by allowing an alternative properly planned private school that their children may attend.*

CONDITIONAL USE STANDARDS

- 1. The proposed conditional use is in fact a conditional use established within the specific zoning district involved;** *Under Ordinance No. Z-024-10, Applicant is already the beneficiary of a conditional use for a private school. Applicant submits this application with a request for a text amendment, but the City could approve an ordinance amending the conditional use authorized under Ordinance No. Z-024-10 as it stands, or the text amendment will list a private school as a conditional use in the C-5 district within the 800 block of Lee Street. The commercial district assembly use is a listed conditional use in the C-5 district.*
- 2. The proposed conditional use is in accordance with the objectives of the city's comprehensive plan and this title;** *In 2010, the private school at this location was previously deemed to be consistent with the Comprehensive Plan, and the high density mix of uses preferred under the 2019 Comprehensive Plan continues to include a private school inasmuch as it will become part of a diverse downtown core and offer a valuable service to those who live and work or commute downtown and desire that their children attend Applicant's program. The proposed use avoids impacts on Lee Street by planning transportation of kids to and from two distinct areas historically used for dropping off and picking up kids (the Applicant's parking lot and Prairie Avenue). Use of these areas for stacking for student transportation during limited periods of the day will not lead to closure of a street or interference with circulation, particularly on Lee Street which is a key arterial under IDOT jurisdiction. The commercial district assembly use for non-school purposes will also serve as a draw to the area. In all instances, it is expected that the school and the assembly use will draw individuals and families into the area who will become more familiar with downtown and stay and enjoy downtown longer. Locating a private school near the public library is also consistent with the Comprehensive Plan. The assembly use is best situated on a property with a field of off-street parking available even though downtown is an area that offers structured and street parking.*
- 3. The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity;** *There will be no change in appearance except as noted in the site plan remarks within the application. The waste enclosure, eventual replacement of a pole sign with a monument sign as far from the sign to the south as reasonably possible and the restriping to better plan parking will benefit the area. Even though Applicant will not use the Lee Street entrance, it will avoid the appearance of the entryway and foyer as a back door and it will not use this area for storage.*
- 4. The proposed conditional use is not hazardous or disturbing to existing neighboring uses;** *The peak external impacts will typically occur during times when the neighboring bank is closed and times when most businesses have not opened. The*

afternoon period is not as intense due to after school programs, but this peak hour of use will not conflict with other schools discharging students in the afternoons since there is no plan to use Lee Street and no other school has a conflicting traffic flow on Center Street. Since 2010, there has been no harm noted to neighboring uses. The Greek American Restaurant Association chose to sell the building to Applicant for reasons unrelated to the impact of school use on the first floor while it occupied the second floor. The possible Prairie Avenue transportation point and stacking is subject to police and safety review, and it will not interfere with movements from Lee Street or through the intersection with Center Street. The taper to the student loading area is 85 feet from Lee Street and only older students will be assigned Prairie Avenue loading (they are more efficient in departing vehicles). The parking area offers a continuous 22-foot drive aisle with a stacking area for 2-3 cars, with two unloading at a time. Sufficient planning has been made for intake and discharge of students since 2010, and by Applicant in 2022-23. The assembly use is not a continuous use, but will apply at times when no school-related function is going on. During Ramadan, the school hosted several Iftar dinners at which student families gathers with and without staff to break their fast, and Applicant has no problem with traffic, site operations or neighbors. Applicant has a good relationship with the neighbor to the southeast and southwest, and it has allowed off-site parking for Applicant in the past. This will continue, but without a recorded easement or permanent authorization.

5. **The proposed conditional use is to be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or the persons or agencies responsible for the establishment of the proposed conditional use shall provide adequately any such services;** *The property has adequate utilities and public services sufficient to support the private school and the commercial district assembly use.*

6. **The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community;** *The school use will not create excessive public burdens. From a traffic safety perspective, the requirement that Applicant work with the Des Plaines Police Department already exists under Ordinance No. Z-024-10. The private school at this location may lead to more children and families using the public library, but this is desired. These same students and families are also potential library volunteers. Although there has been some concern for the City's position with respect to enrollment and the need for an amended conditional use permit, none of the discussions with City staff have been beyond the discussions that would normally be held with school operators. Applicant has worked cooperatively with the City despite financial pressure arising from enrollment limitations. The downtown area should benefit from having families of 233 students gain a personal stake in the well-being of downtown Des Plaines.*

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;** *Applicant has addressed traffic above. It is in the process of reviewing traffic planning with professionals and it will address loading and stacking for student transportation. Applicant is avoiding any possible impact on Lee Street and offers efficient off-street stacking while having one or more opportunities for limited use of off-site areas for student loading and stacking. There have been and will be no concerns for noise, smoke, fumes, glare or odors.*

8. **The proposed conditional use provides vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares;** *Please see above. The use offers 43 parking spaces, a full driveway on a street removed from Prairie Avenue and Lee Street. The use will rely on Prairie Avenue, if allowed, only for the one hour in the morning and afternoon during which one lane may be a controlled lane or closed. Applicant has multiple other options that include (a) an alternative student loading area, (b) staging the intake and discharge of students by age group, (c) planning for tandem loading lanes, (d) staffing student loading areas, and (e) planning for controlled exiting from the parking lot during student loading periods. Applicant does not depend on buses or delivery trucks.*

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** *Applicant submits that the building is an attractive building that offers a distinct style of architecture in this part of Des Plaines. Allowing its re-use for school and commercial assembly purposes will allow the building to continue as it appears to the public today. Otherwise, there is no impacted feature of Des Plaines that is of major importance that will be impacted.*

10. **The proposed conditional use complies with all additional regulations in this title specific to the conditional use requested.** (Ord. Z-8-98, 9-21-1998) *Applicant respectfully submits that the conditional use for private school and assembly purposes meets the regulations of the Zoning Ordinance. Notably, however, the existing building and site planning requires variations for existing conditions. These are addressed elsewhere, but the new or amended conditional uses can be approved without the variations. The disadvantage to this approach would be to make financing and insurance more difficult for the Applicant—a not for profit—when it is not changing site conditions that increase the existing deviations and possible deviations from the Zoning Ordinance.*

STANDARDS FOR VARIATIONS

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

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty. *Applicant encounters practical difficulty and particular hardship in this instance. The planning for the north end of this block is substantially affected by the preference for a street wall on Lee Street and the location of Prairie Avenue. The building has existed for several decades, and portions of the building interrupt the required clear yard space. Applicant is not changing existing conditions, but it is providing for an improvement where it can do so without sacrificing security, access, or parking.*

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot. *The zoning lot is irregular and does not fit well within Des Plaines' Zoning Ordinance definitions when it comes to yards and lot lines (particularly the front, corner lot, through lot and other related definitions). Some noted variations may not be required depending on staff interpretation. The causes of the variations relate to matters that existed long before Applicant acquired in 2022 and, due to the circumstances of this application, it is not known whether or not the City has previously granted relief. However, in the interests of completeness, Applicant seeks approval of those variations necessary for continuation of existing conditions on a site that has been planned in conjunction with the City's streetscape for Center Street, Prairie Avenue and Lee Street.*

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. *Applicant had no involvement in the creation of the conditions, some of which were in place at the time of adoption of the current or a prior form of the Zoning Ordinance and some of which were caused by governmental planning.*

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. *Applicant respectfully submits that the Zoning Ordinance cannot be written for every single zoning lot. For example, the arrangement of the property does not leave it with two opposing front lot lines, but rather front lot lines abutting a street.*

Additionally, Applicant notes that the west side of Center Street, at and south of its wide and curved intersection with Prairie Avenue, features landscaping that screens the parking lot from the driveway to the north. This screening serves the purpose of having a screen, and to require a screen would eliminate an access walk and, possibly, a row of parking that has existed for decades.

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. Other owners, including the owner of the lot at the corner of Center Street and Prairie Avenue benefit from relief similar to that which Applicant seeks, whether as a nonconforming lot or structure or by way of variation. Applicant does not seek a land use privilege in asking the City to authorize variations that preserve existing conditions.*

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. No lot development is occurring. The variations seek to preserve existing conditions for a project through which Applicant will improve exterior appearances. The variations are consistent with planning for the area on a historic basis and they are consistent with streetscape planning. The Comprehensive Plan recognizes that there are zoning lots that will require relief for purposes ranging from density to shape of the lot. In this instance, the shape of the lot and its relationship with adjacent streets, lots and buildings are factors the plan and code recognize as grounds for variation relief.*

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. Applicant has no remedy under which it can plan for conformity with the Zoning Ordinance. The nonconforming use and structure regulations will allow continuation, but at the peril of not being able to insure for loss or plan for rebuilding in the event of casualty.*

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. Applicant is not increasing the extent of the existing deviations from the Zoning Ordinance and only desires to preserve existing conditions.*

APPLICATION FOR TEXT AMENDMENT, AMENDED AND NEW CONDITIONAL USE PERMITS, VARIATIONS AND SITE PLAN APPROVAL

PROJECT: ICCD Academy CASE NO. _____ Filed: June 5, 2023

ADDRESS: 733 LEE STREET, DES PLAINES, COOK COUNTY, ILLINOIS 60016

FEE PAID: \$1,250.00 DEPOSIT: \$6,500.00 DATE: June 5, 2023

PROJECT MANAGER(S): _____ NOTICE DATE: _____

HEARING DATE: _____ AT ____ P.M., ROOM 102, CITY HALL, 1420 MINER ST.

(ABOVE FOR OFFICE USE ONLY)

PROPERTY INFORMATION:

PINs: 09-20-200-006, '042 LEGAL DESCR.: Attached LOT AREA: 33,177 SF/0.762 AC

LAST DEED: Doc. No. 2222422000, recorded August 12, 2022 GIS AREA: 24,333 SF

ZONING: C-5 NOTES: Existing Conditional Use Permit Z-024-10, Nonconforming

APPLICANT INFORMATION:

ICCD Academy, NFP, c/o Nayeem Syed and Irfan Mohammed, 733 480 Potter Road, Des Plaines, IL 60016 E-mail: irfan.mohammed@iccdacademy.org Phone: (773) 587-3786

PLEASE CONTACT ATTORNEY OR, FOR DESIGN MATTERS, ARCHITECT.

OWNER INFORMATION: ICCD is the beneficial owner under a trust agreement. Due to financing for the acquisition and operation of the building, the legal titleholder is Parkway Bank and Trust Company, 4800 North Harlem Avenue, Harwood Heights, Illinois 60706, an Illinois banking corporation, as Trustee under the provisions of a trust agreement dated July 18, 2022 and known as Trust No. 16506 (see Doc. No. 2222422000, recorded August 12, 2022, provided). If the City requires further information, please notify Applicant and it will be provided.

TEAM CONTACT INFORMATION:

ARCHITECT: Jose R. Pareja, AIA, JP Architects, Ltd., 7250 W. College Drive, Suite 2NE, Palos Heights, IL 60463 P: (708) 907-3651 C: (708) 309-5125 Email: jpareja@jparchitectsltd.com

ATTORNEY: Mark W. Daniel, DANIEL LAW OFFICE, P.C., 17W733 Butterfield Road, Unit F, Oakbrook Terrace, Illinois 60181 P: (630) 833-3311 C: (312) 927-0177 F: (630) 833-3511 E-mail: mark@thedaniellawoffice.com

Please note that other team members will be identified as necessary.

STATEMENT OF PROPOSED TEXT AMENDMENT

Additions are **bold, double-underlined**. Deletions are ~~struck through~~.

12-7-3: COMMERCIAL DISTRICTS REGULATIONS:

K. Commercial Use Matrix:
TABLE 3
COMMERCIAL DISTRICTS USE MATRIX

P = Permitted use

C = Conditional use permit required

	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Schools, private - elementary and high school					C15		

Notes:

15. For properties with frontage located on the 700 block and 800 block of Lee Street only. **Provided that there is an elementary or high school, the school may also operate pre-kindergarten and kindergarten programs accessory to the school.**

STATEMENT OF PROPOSED AMENDED (OR NEW) CONDITIONAL USE

Pursuant to Section 12-3-4, Section 12-7-3(H)(3) and Section 12-7-3(K) to allow a *private school serving elementary school students with accessory kindergarten and pre-kindergarten programs* subject to conditions determined through the hearing process which may include, among others, the following:

1. Applicant shall not reduce hallway or corridor widths below the currently existing widths.
2. The student occupancy of the building will be restricted to 233 students plus faculty and volunteers, provided that, by September 15, 2028, Applicant will increase the hallway/corridor widths to at least six (6) feet and, provided further, Applicant. If Applicant does not widen the hallways/corridors to six (6) feet, the maximum number of students shall be reduced by eliminating Classroom to 152 students until such time as Applicant widens the hallways/corridors to six (6) feet, at which time the student capacity is authorized, upon receipt of an occupancy permit, to return to not more than the number of students allowed under then-existing codes and regulations for the areas that lacked six-foot halls and corridors. If Applicant is able to obtain a deviation from hallway and corridor width standards or applicable regulations allow for hallways of five feet in width or less, the reduction to 152 students will not be applicable.
3. If, by September 15, 2028, Applicant has not increased the width of hallways to six (6) feet, the following use areas shall be converted to office use or other permissible use: Classroom #8 on the first floor; and Classroom #15, Classroom #16, and Classroom #17 on the second floor.
4. The minimum number of parking spaces on site shall be 36, provided that the conditional use need not be amended and shall survive reduction of parking due to governmental taking, off-street interior access planning to a neighboring parking lot

or due to other cooperation arising between Applicant and others which is approved by staff, any board or commission or committee of the City, or by the City Council.

5. Not less than four (4) times during the school year and one (1) time during summer school, Applicant shall communicate the protocols for the use of Stacking Areas 1-2 and reminders concerning the staging of dropping off and retrieval of students by direct communication to one or more parents of each student.
6. No standing of any vehicle for any purpose related to student transportation to school shall occur on Lee Street. The taper to the point of right-lane closure for eastbound traffic on Prairie Avenue shall begin at a point 85 feet west of the south corner of the intersection of Prairie Avenue and Lee Street.
7. Stacking Areas 1-2 shall each be staffed by trained individuals as follows: (a) not fewer than one (1) employee or volunteer at each entry door; (b) not fewer than two (2) employees or volunteers in the unloading and loading areas; (c) one (1) employee or volunteer at the driveway entrance from Center Street; and (d) one (1) teacher or administrator with supervisory authority who shall observe areas and assist in the efficiency of operations along Prairie Avenue, Center Street and within Stacking Areas 1-2.
8. Stacking Area #2 shall be utilized only for grades five (5) and older and only during one hour in the morning and one hour in the afternoon utilizing safety devices and protocols approved by the City of Des Plaines Police Department. Parents shall be instructed not to use Stacking Areas 1-2 for before-school or after-school programs.
9. Applicant shall engage in annual meetings with the City of Des Plaines Police Department to engage in an assessment of ongoing on-street and off-street stacking operations, Center Street turn limitations during morning drop-off and afternoon retrieval of kids, methods and advice for the training of volunteers and planning for safety of stacking on Prairie Avenue, including but not limited to whether the temporary southerly lane closure on Prairie Avenue should be adjusted or replaced with an alternative.
10. Employees of Applicant will first park in spaces along Center Street and in the east row of the central rows of parking. Employees will be encouraged to arrive prior to the first time for entry under the stacking plan. On weekdays, Volunteers will not arrive at any time between 7:30 AM and 8:45 AM or 3:30-4:30 PM, except on Fridays when no volunteers shall arrive between 1:30 PM and 2:30 PM, provided that these time periods may be adjusted in consultation with the City of Des Plaines Police Department without amending the conditional use permit.

Pursuant to Section 12-3-4, Section 12-7-3(H)(3) and Section 12-7-3(K) to allow a **commercially zoned assembly use** subject to conditions determined through the hearing process which may include, among others, the following:

1. At all times when assembly use is in progress, parking on site shall not be less than 42 spaces as shown in the site plan.

2. Assembly use will occur only during those hours that the private school is closed (no instruction, after school programs, parent conferences, school-only open houses).
3. Assembly use area are approved for only Prayer/Library Areas 1-2 in the basement, the Lunchroom and Playground on the first floor, and the Auditorium on the second floor.
4. The total number of persons in the building for assembly use shall not exceed 250 persons and the total number of persons in Prayer/Library Areas 1-2 in the basement shall not exceed the greater of 191 persons;
5. Areas of the school otherwise will only be available for tours with no activity allowing persons to remain for any reason other than observation of facilities or displays therein.
6. At any time when the Playground and Auditorium are in simultaneous use with Prayer/Library Area 1, Applicant shall have secured written permission placed on file in its central office from the owner of adjoining real estate to utilize parking spaces during the commercially zoned assembly.

VARIATIONS (ALL SUBJECT TO STAFF INTAKE REVIEW AND REVISION)

From Section 12-7-3(H)(4), Section 12-7-3(H)(5)(b), Section 12-7-3(L) and Table 4, "Commercial Districts Bulk Matrix," as well as Section 12-9-6(C) in order to allow a zero (0) foot front yard measured from Center Street if the Zoning Administrator declares a front yard opposite residential.

From Section 12-7-3(H)(4), Section 12-7-3(L) and Table 4, "Commercial Districts Bulk Matrix," in order to allow a two (2) foot side yard abutting a street measured from Prairie Avenue.

From Section 12-7-3(H)(5)(b), which prohibits off street parking or loading spaces shall be allowed in any required front yard of the C-5 district.

From Section 12-9-3 in order to allow parking for commercial district assembly use in the parking spaces to the northwest and southeast of the parking lot on the Property, provided that the spaces are within 300 feet of the Property and Applicant has obtained written permission from the owner of these parking areas to use the parking spaces (which permission need not be recorded).

From Section 12-9-6(D), Section 12-9-6(F), Section 12-9-6(G), and 12-10 in order to allow the continuation of the surfacing, curbing, gutters, lighting, signs and landscaping surrounding the parking lot, provided that Applicant will adjust the location, number and alignment of parking spaces and other surface areas as shown in the site plan.

From Section 12-9-7 to allow for the commercial district assembly use based on 43 parking spaces and provided that not all of the assembly space shall be utilized at once (worship use will either occur independently without other areas in use or as a part of all areas being used with worship use by those assembling elsewhere in the building).

From Section 12-10-7 to waive parkway landscaping on Lee Street, Prairie Avenue and Center Street in favor of existing conditions.

MERITS OF SITE PLAN

Please see amendment, conditional use(s) and variations statements. Please note that the site plan preserves existing conditions, but adds: (a) a future monument sign upon obsolescence of pole sign or ten (10) years, whichever is sooner; (b) revised striping and updated accessible parking spaces; (c) one temporary parking space (#43) to be used by crossing guard or supervisor during school and events; (d) a waste enclosure; and (e) path adjusted as necessary to south end of parking area and interior of block. The main entrance will remain on the east side of the building. Student loading into and from the building is planned for the east portion of the building and will not occur on Lee Street.

USE, ZONING AND PLANNING SUMMARY

Surrounding Land Use:	North: Commercial, Institutional East: Institutional South: Commercial West: Commercial (vacant)
Surrounding Zoning:	North: C-5, Central Business East: R-4, Central Core Residential South: C-5, Central Business West: C-5, Central Business
Street Classification:	Lee Street (2 through lanes, IDOT) is an arterial street. Prairie Avenue (4 lanes, south loading curb) is a local street. Center Street (2 lanes, 22-foot driveway) is a local street.
Comprehensive Plan:	Recommends high density urban mix for this site. Bikeways noted on at least two streets. Center Street can accommodate a bikeway.

LEGAL DESCRIPTION (SUBJECT TO VARIFICATION PRIOR TO NOTICE)

LOT 12 (EXCEPT THAT PART TAKEN FOR STREET) IN BLOCK 8 AND LOT 1 IN BLOCK 9 TAKEN AS A TRACT AND EXCEPTING THEREFROM THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHWESTERLY LINE OF LOT 12, 22 FEET SOUTHWESTERLY OF THE MOST NORTHERLY CORNER OF SAID LOT; THENCE SOUTHWESTERLY ALONG NORTHWESTERLY LINE OF LOT 12, 16 FEET; THENCE SOUTHEASTERLY ON A LINE PARALLEL TO THE NORTHEASTERLY LINE OF LOT 12 AND SAID NORTHEASTERLY LINE EXTENDED TO AN INTERSECTION WITH THE PRESENT SOUTHWESTERLY LINE OF PRAIRIE AVENUE; THENCE NORTHERLY ALONG SAID SOUTHWESTERLY LINE OF PRAIRIE AVENUE TO AN INTERSECTION WITH A LINE 22 FEET SOUTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF SAID LOT 12; THENCE NORTHERLY ALONG SAID PARALLEL LINE TO POINT OF BEGINNING, AND EXCEPT THAT PART THEREOF LYING SOUTHERLY OF THE NORTHERLY LINE OF LOT 2 IN BLOCK 9 PRODUCED EASTERLY IN A STRAIGHT LINE AND EXCEPT THAT PART THEREOF LYING SOUTHEASTERLY OF A LINE 173 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOTS AND LYING WESTERLY OF THE PRESENT WESTERLY LINE OF PRAIRIE AVENUE:

LOT 2 EXCEPT THE NORTHWESTERLY 138 FEET 5 INCHES THEREOF, IN BLOCK 9.

LOT 3 EXCEPT THE NORTHWESTERLY 138 FEET 5 INCHES THERE OF, IN BLOCK 9.

ALL THAT PART OF LOT 12 IN BLOCK 8 WHICH LIES SOUTHERLY OF THE
NORTHERLY LINE OF LOT 2 IN BLOCK 9 (PRODUCED EASTERLY IN A STRAIGHT
LINE)

THE SOUTHEASTERLY 1/2 OF LOT 17 IN BLOCK 9.

ALL IN PARSON AND LEE'S ADDITION TO DES PLAINES, BEING A SUBDIVISION OF
LOTS 72, 73, 74, 139, 140, 141, 142, 143, 144, 145, 174, 175, 176, 177, IN THE TOWN OF
DES PLAINES (FORMERLY TOWN OF RAND) AND PARTS OF SECTIONS 17 AND 20,
TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN
ACCORDING TO THE PLAT THEREOF RECORDED APRIL 30, 1873 AS DOCUMENT
NO. 98703 IN COOK COUNTY, ILLINOIS.

ATTACHMENTS TO APPLICATION:

- 01 Last Deed and Signed Authorizations
- 02 Plat of Survey (showing all current structures, etc.)
- 03 Site Plan prepared by Roy G. Lawniczak dated July 22, 2022
- 04 Basement Floor Plan (please note concern for security under FOIA)
- 05 First Floor Plan (please note concern for security under FOIA)
- 06 Second Floor Plan (please note concern for security under FOIA)
- 07 Sign Plan
- 08 Ordinance No. Z-024-10
- 09 Zoning Map Excerpt
- 10 Local Aerial Photograph
- 11 Zoning District Aerial Photograph
- 12 Table of Zoning Compliance
- 13 Table of Parking Compliance
- 14 Operational Plan
- 15 Stacking Plan for Student Transport
- 16 Text Amendment Standards
- 17 Conditional Use Standards
- 18 Variations Standards
- 19 Proposed Notice Recipients (initial draft subject to staff discussion)

PDF versions of all files have been emailed to staff prior to the physical submittal of the application. Applicant provides Word versions of the Application Cover Sheets, legal description, proposed notice recipients, table of compliance and project narrative for convenience. If the Village reconsiders its waiver of hard copies, Applicant will provide them.

OPERATIONAL PLAN
 ICCD ACADEMY
 733 LEE STREET, DES PLAINES, COOK COUNTY, ILLINOIS

ICCD Academy operates an elementary school for students from kindergarten through eighth grade in a context that offers standard core education and school subjects while espousing traditional, cultural, and Islamic values. In its initial phase, the school will be comprised of a prayer area in the basement, several classrooms on the first and second floor, laboratories (science and computer) on the first and second floor and an art room on the second floor. ICCD has an indoor playground area and a lunchroom. In its buildout phase, ICCD Academy will have converted an area on the second floor to an auditorium and assembly area (situated generally west of the restrooms) on the south side of the building. It will also have widened halls. As part of this effort, areas of work will consider upgrades to ADA standards in particular areas according to the balance required under the Americans with Disabilities Act.

At all times when school is in session, the prayer area will be used only for school-related purposes. Students, student families, teachers and staff, and school volunteers who are on site will be typical users of the prayer area, though the school may bring in community leaders, outside speakers as part of its curriculum who may also be present during prayer. The prayer area is used only as a prayer area and religious library. It is not a place for general assembly, food or drink or for anything other than prayer or contemplation and religious reading.

ICCD Academy proposes to widen halls and corridors under a timetable set with the Village. Within five (5) years, ICCD Academy plans to widen halls and corridors so that all of them are six feet wide (currently portions of the halls and corridors are slightly less than six feet wide). During the period before halls and corridors are widened, ICCD Academy will engage in fire drills, training and operational precautions (planned with the Des Plaines Fire Department as the City deems necessary). One operational precaution will be to have a hall and corridor monitor. If all hallways and corridors have not been widened to six feet by the end of five years, ICCD Academy will convert those classrooms adjacent to hallways and corridors narrower than six feet to office use and not use them again for classrooms until they widen the halls and corridors and obtain a certificate of occupancy.

There is no food preparation for food service subject to health department regulations. None will occur absent compliance with all local and Cook County regulations. Food is prepared offsite or catered.

PLANNED SCHOOL HOURS (TIMES SUBJECT TO CHANGE)

ACTIVITY	DAYS	TIME
General School Hours	MONDAY-THURSDAY	8:00 AM-4:00 PM
<i>Half Day Pre-Sch/Pre K</i>	FRIDAY	8:00 AM-2:00 PM
<i>Pickup is 12-12:30 PM</i>	SATURDAY-SUNDAY	9:00 AM-2:00 PM
Gen. Before School Program	WEEKDAYS	7:00 AM-8:00 AM
Gen. After School Program	MONDAY-THURSDAY	4:00 PM-6:30 PM
	FRIDAY	2:00 PM-6:30 PM
Gen Janitorial and Staff Etc. Arrival	WEEKDAYS	5:30 AM-7:30 AM
Planned Drop Off Period	WEEKDAYS	7:30 AM-8:45 AM
	SATURDAY-SUNDAY	8:30 AM-9:30 AM
Planned Pick Up Period	WEEKDAYS	3:30 PM-4:30 PM
	FRIDAY	1:30 PM-2:30 PM
	SATURDAY-SUNDAY	1:30 PM-2:30 PM
Ramadan (Iftar)	ASSEMBLY	6:00 PM-10:30 PM

SCHOOL PRAYER ACTIVITY NOTES

ICCD Academy will operate much as a typical school operates with conferences, evening programs, days off, and other aspects that are very similar but do not fall into the general schedule above. ICCD Academy will not operate as a commercial district assembly use when school is in session or when school activities are in progress at times not set forth in the above table.

Daily prayer occurs at different times during the day between 6 AM and 8 PM based on the time of year. On Friday, the Jumu'ah prayer occurs generally between 12:30 PM and 2:30 PM during the year. Though attended primarily by students, faculty, staff, volunteers and families, the use of the prayer area is limited according to occupancy. If ICCD Academy opens the prayer area to others in the community for a Friday event or during the month of Ramadan, school activities will not be in progress simultaneously. On dates when the prayer area or other commercial district assembly use areas is opened to others in the community, there would be no school program running simultaneously. On these dates, the prayer area would be used for assembly on its own or in conjunction with use commercial district assembly use areas. On dates when the commercial district assembly use areas are occupied for non-school purpose, if prayer occurs, it would only be for those occupying the commercial area assembly use areas. As noted above in relation to the school operations in the prayer area, the prayer area is for worship and religious contemplation only.

During Ramadan, there would be several commercial district assembly use nights for worship and to break the fast (the Iftar). The table above includes this dinner and its timing for convenience. Several of these occurred in relation to school activities during Ramadan in 2023. All were school-related. There will be nights when ICCD Academy operates a commercial district assembly use for the purpose of sharing the Iftar with members of the community and members of other faiths. During these commercial district assembly use events, the end of after school programs and the start of the Iftar would be adjusted so as not to overlap. The timing of worship and the Iftar change each evening with sunset, but the general window of activity is provided in the table.

COMMERCIAL DISTRICT ASSEMBLY USE PLANNING

ICCD Academy will not engage in assembly when school is in session or when school activities are in progress. Worship and other religious activities that are not operated as part of school programming are the commercial district assembly use. ICCD Academy has a relationship with the neighboring property owner to allow for off-site off-street parking. ICCD Academy could host an assembly use in all assembly areas and comply with parking requirements, except when it operates the auditorium, lunchroom and playground area at the same time. In this instance it would rely on the off-site off-street parking. Otherwise, planning for off-site off-street parking should not be required other than for the convenience of those assembling, and ICCD Academy would plan for use of this parking in events that involve larger numbers of attendees compared to most others. The arrangement includes non-peak hours of operation for the neighboring parcel and spaces that have an interior sidewalk connection to the sidewalk leading to ICCD Academy's main entrance on the east side of the building. The arrangement also calls for ICCD Academy to conduct a walk-through after use to remove any trash.

STUDENT LOADING AND STACKING PLAN (REVISION ONE)
 ICCD ACADEMY
 733 LEE STREET, DES PLAINES, COOK COUNTY, ILLINOIS

PLANNED SCHOOL HOURS (TIMES SUBJECT TO CHANGE)

ACTIVITY	DAYS	TIME
General School Hours	MONDAY-THURSDAY	8:00 AM-4:00 PM
	FRIDAY	8:00 AM-2:00 PM
	SATURDAY-SUNDAY	9:00 AM-2:00 PM
Gen. Before School Program	WEEKDAYS	7:00 AM-8:00 AM
Gen. After School Program	MONDAY-THURSDAY	4:00 PM-6:30 PM
	FRIDAY	2:00 PM-6:30 PM
Gen Janitorial and Staff Etc. Arrival	WEEKDAYS	5:30 AM-7:30 AM
Planned Drop Off Period	WEEKDAYS	7:30 AM-8:45 AM
	SATURDAY-SUNDAY	8:30 AM-9:30 AM
Planned Pick Up Period	WEEKDAYS	3:30 PM-4:30 PM
	FRIDAY	1:30 PM-2:30 PM
	SATURDAY-SUNDAY	1:30 PM-2:30 PM
Ramadan (Iftar)	ASSEMBLY	6:00 PM-10:30 PM

BACKGROUND

Applicant currently engages in student loading in its parking lot and at the Des Plaines Public Library. Loading from the parking deck for the Library occurs only when a class is engaged in an end-of-day library enrichment program (and only for that class). Students leaving the school or library are always with a parent or guardian and students to not walk alone. Applicant currently accepts students from parents at the door and delivers students to cars. Utilizing an app, administrators are able to tell parents each day the precise time for dropping off their student(s). This has worked for several years and it worked well at the Property during the 2022-23 school year.

In early and mid-June, KLOA reported observations of 12-16 vehicles on two visits to the Property and a rather minimal operation due to the 60-student cap. Observations occurred on two days. With the cap in place, no observation of conditions under the planned student load was possible. The Property is situated downtown and amid a network of streets (Lee Street and Prairie Avenue) that offer amenities such as bus transportation, parking and structured parking. In April, 2023, Applicant asked the City to consider lane adjustments on Prairie Avenue. KLOA was concerned with the ability to have a loading plan on Center Street in light of the location of the driveway and the width of Center Street. KLOA's first recommendations related to the student loading plan included dividing loading area to allow one where planned and to allow another at Old National Bank.

With its original application, Applicant proposed a divided student loading and stacking plan at two locations: (a) the parking lot; and (b) a lane and parking spaces on Prairie Avenue. KLOA and the Village shared concerns about the lane closure on Prairie Avenue except in exceptional circumstances, each for different reasons. The City indicated that it preferred that Applicant pursue access across the neighboring Old National Bank property for student loading and stacking instead of the location proposed for Prairie Avenue. Applicant and Old National Bank have a good relationship and have cooperated in the past. Applicant will continue to work with Old National Bank. However, for zoning purposes, Applicant

submits a stacking plan relying only on its parking lot. The reasons for this are several, ranging from contingencies that may occur with staff and volunteers or weather events to the circumstance that Old National may not be in a position to allow a permanent right of access for this purpose and, if they were, Applicant's funds are first dedicated to addressing the budget for interior remodeling work that are under discussion with staff.

Applicant planned for 233 students in its original submittal to the City. Various plan modifications that will be provided separately by the architect will reflect a reduction in student enrollment. This stacking plan relies on 230 students in order to be conservative. The occupancy number will be set once staff and Applicant's architect are on the same page with some of the interior modifications.

USE AREAS

Classroom use occurs on the first and second floors. School worship takes place in the lower level. Faculty in areas have radio communication with staff outside. Some assemble their students closer to the main entrance. Applicant uses an app that networks parents so that they have specific times to drop off or pick up their students.

There are two areas within the school that have occupancies that are not considered in the stacking plan. First, the worship areas in the lower level will either be occupied by students and faculty or by individuals worshipping during a school event (fundraiser or Iftar dinners during Ramadan being the most frequent examples) or by individuals attending a non-school function. Second, Auditorium A (second floor) will host assembly-style gatherings for school activities and for activities that may not be school related. Auditorium A is intended to expand into and replace Classrooms 15-17. The lower level worship area is for worship and contemplation only. General assembly will not occur in the lower level. If there is an assembly in the auditorium and worship occurs during that assembly, most of the attendees will worship and leave the auditorium area, but exceptions arise during interfaith activities during which persons not worshipping during the assembly will not worship and they will remain upstairs. Typically, non-school related worship and assembly would involve adults who drive and who walk from areas in and near the immediate residential and business area. The arrivals and departures for these assembly activities do not create the demand for passenger loading that exists for morning and afternoon student loading and they lead to more measured arrivals and departures.

Applicant will pursue a stacking plan for the acceptance and discharge of students during the typical school day throughout the year. Stacking may be planned for an after-school event that occurs after school, but it is not likely.

Applicant will not plan for the beginning or end of any assembly use in a fashion that causes it to overlap with student loading periods.

STUDENT LOADING BACKGROUND

With the current cap of 60 students, observations over the past year are as follows:

1. 50% of the students have a sibling in that also attend. Several of them have two.
2. 25% of the students walk with family or guardians to or from school. Most walk home. Several will go to the Des Plaines Public Library. Others will walk with parents where they parked their car for an engagement before or after loading. The session table used 15% to be conservative.

3. 15% of students remain in after-school programs.
4. A percentage of students carpool, but registration limits did not allow for an evaluation of families sharing rides.
5. Currently, there is no before-school program.
6. Several students will arrive before morning unloading and leave after afternoon loading when their parents are teachers or scheduled volunteers.
7. There are no buses. Students do not bicycle to school.
8. Most days of the week, one class ends its school day at the Des Plaines Public Library after an enrichment program. These students do not return to the school unless for after-school programs.

Applicant believes the figures will extrapolate with to 230 students.

Center Street is a two-way local street with a four way stop control at Prairie Avenue (a four lane street with a median that connects Lee Street and River Road. Assuming that the City does not adopt reasonable Center Street parking restrictions for any school in the area, there is no parking on the west side of the street while an uninterrupted block face allows for street parking and/or loading on the east side of the street. Applicant's driveway is 150 feet south of the closest lane of Prairie Avenue traffic, offering sufficient separation and room for vehicles to turn north towards the Library. Situated on the reverse side of the block, the driveway has no likely connectivity with Lee Street which has a bus stop and also may see limited drop-offs for

PLAN

During unloading and loading, various teachers and volunteers will be assigned as follows: (1) two administrators to assist in general supervision and app; (2) two teachers to the door area to greet students and be available to volunteers; (3) three volunteers (parents and student patrol guards) to assist at the primary curb drop off; and (4) three volunteers (parents and student patrol guards) to assist in escorting students to and from the bypass location.

Applicant will provide rules and a template plan that is adjusted each year and may be changed during the year. Parents will receive this once Applicant has consulted with the City for comment.

This plan is provided to show that Applicant in order to establish that it can handle student loading solely from within the parking lot. The attached plan would accept and release 60 vehicles in less than thirty minutes. From ten minutes before and until ten minutes after student loading periods, the parking lot circulation will be converted to one-way counterclockwise flow. The driveway at Center Street would be a right-in, right-out driveway during student loading operations once Applicant and staff agree that it is necessary. Factors that can determine this are (a) school enrollment, (b) the volume of traffic depending on the division of students for each drop-off period, (c) adjacent and opposing uses, (d) regulation of Center Street, and (e) the portion of Center Street available and whether coordination with law enforcement for traffic control occurs.

Primary student loading will occur in the north curb area adjacent to the main entrance and, when those vehicles are not moving, the bypass loading would be filled. Cars will exit each loading area in a group of three (or four in an exceptional circumstance). The primary loading area would be the sole loading area for Pre-K and K, while first through fourth grade would use either the primary or the bypass.

Staff will arrive before the earliest student loading period and leave at the end of the applicable afternoon loading period (with exceptions for individuals with needs at the time). Staff will be directed to use Space Nos. 1-5, 14-21 and 22-31 before using other spaces subject to accessibility needs. Parents will drop their children off in the primary area or be directed to pass through to the bypass area.

Assigned staff will unload and load students into three vehicles situated at the curb at a time. A four-vehicle plan will be available for inclement weather and other special circumstances. Other assigned staff will walk students along the west sidewalk to and from the bypass area. Parents will follow the instructions on their school app for time and location of unloading and loading. Upon arrival, they shall follow the instruction of on-site staff and volunteers.

On days without rain, snow or ice and no other intervening factors, students above fourth grade may walk from the bypass area, but the path from the bypass area will not be unattended.

At all times, the interior through lane will remain open unless traffic is directed to stop for pedestrians.

The first morning arrival contemplates inin take of 52 vehicles over thirty (30) minutes. Using three curb spaces at an average of two minutes per vehicle while bypassing five (5) vehicles every 4-5 minutes, the volume can be managed quickly. Applicant utilizes radios and an app the connects to parents that allows them to flow into the queue at a specific time in order to avoid congestion on Center Street.

Each morning there will be a shorter window for students in fifth through eighth grades. These students move faster and also manage their own entry, so the operation should be more efficient.

A supervisor would be assigned general responsibility to oversee the entire student loading operation. Applicant is willing to display the app to public safety officials.

On at least an annual basis, Applicant would review plans and effectiveness of planning with the Des Plaines Police Department and engage law enforcement on the best means through which to handle student loading and stacking as well as adjustments that may need to be made for the use or in light of other future uses.

Applicant notes that it has not requested the opportunity to engage in student loading from the neighboring parcel since that parcel may be the subject of a redevelopment request. Applicant is willing to manage student loading from that parcel on any occasion when Prairie Street proves unavailable.

Again, this plan does not reflect anything more than the ability to handle student loading without other property. The number of vehicles has not been reduced for the class that is engaged in library enrichment. Applicant will coordinate with Old National Bank in any event, but it will pursue the recommendations of staff work to coordinate student loading on part of Old National Bank's site where Applicant already has arrangements for other purposes.

STUDENT LOADING DATA
SPLIT ARRIVAL AND DEPARTURE

CLASS	KIDS	AM TIME	% OF TOTAL		% OF TOTAL		CARS IN	AM	MIDDAY	% AFTSCH	PM TIME	PM	5:30 PM
			2+ FAMILIES^	BEF SCH	WALKING*	SHIFT TOT		SHIFT TOT	SHIFT TOT			SHIFT TOT	
PRE-K	35	7:45	0.50	0	0.15	12.25			0			0	0
K	35	7:45	0.50	0	0.15	12.25		24.5	0			0	0
1	20	7:45	0.50	0	0.15	7			0.15	3:15			
2	20	7:45	0.50	0	0.15	7			0.15	3:15			
3	20	7:45	0.50	0	0.15	7			0.15	3:15			
4	20	7:45	0.50	0	0.15	7	52.5	0	0.15	3:15	44.625		
5	20	8:15	0.50	0	0.15	7			0.15	3:40			
6	20	8:15	0.50	0	0.15	7			0.15	3:40			
7	20	8:15	0.50	0	0.15	7			0.15	3:40			
8	20	8:15	0.50	0	0.15	7	28	0	0.15	3:40	23.8	12.075	
TOTAL	230												

^ Several families will have 3 students. 50% is conservative.

* Weghted. 25% walk, but some are accounted for in 2+ Families.

STUDENT LOADING DATA
COMBINED AFTERNOON

CLASS	KIDS	AM TIME	% OF TOTAL		% OF TOTAL		CARS IN	AM	MIDDAY	% AFTSCH	PM TIME	PM	5:30 PM
			2+ FAMILIES^	BEF SCH	WALKING*	SHIFT TOT		SHIFT TOT	SHIFT TOT			SHIFT TOT	
PRE-K	35	7:45	0.50	0	0.15	12.25			0			0	0
K	35	7:45	0.50	0	0.15	12.25		24.5	0			0	0
1	20	7:45	0.50	0	0.15	7			0.15	3:15			
2	20	7:45	0.50	0	0.15	7			0.15	3:15			
3	20	7:45	0.50	0	0.15	7			0.15	3:15			
4	20	7:45	0.50	0	0.15	7	52.5	0	0.15	3:15			
5	20	8:15	0.50	0	0.15	7			0.15	3:15			
6	20	8:15	0.50	0	0.15	7			0.15	3:15			
7	20	8:15	0.50	0	0.15	7			0.15	3:15			
8	20	8:15	0.50	0	0.15	7	28	0	0.15	3:15	68.425	12.075	
TOTAL	230												

^ Several families will have 3 students. 50% is conservative.

* Weghted. 25% walk, but some are accounted for in 2+ Families.

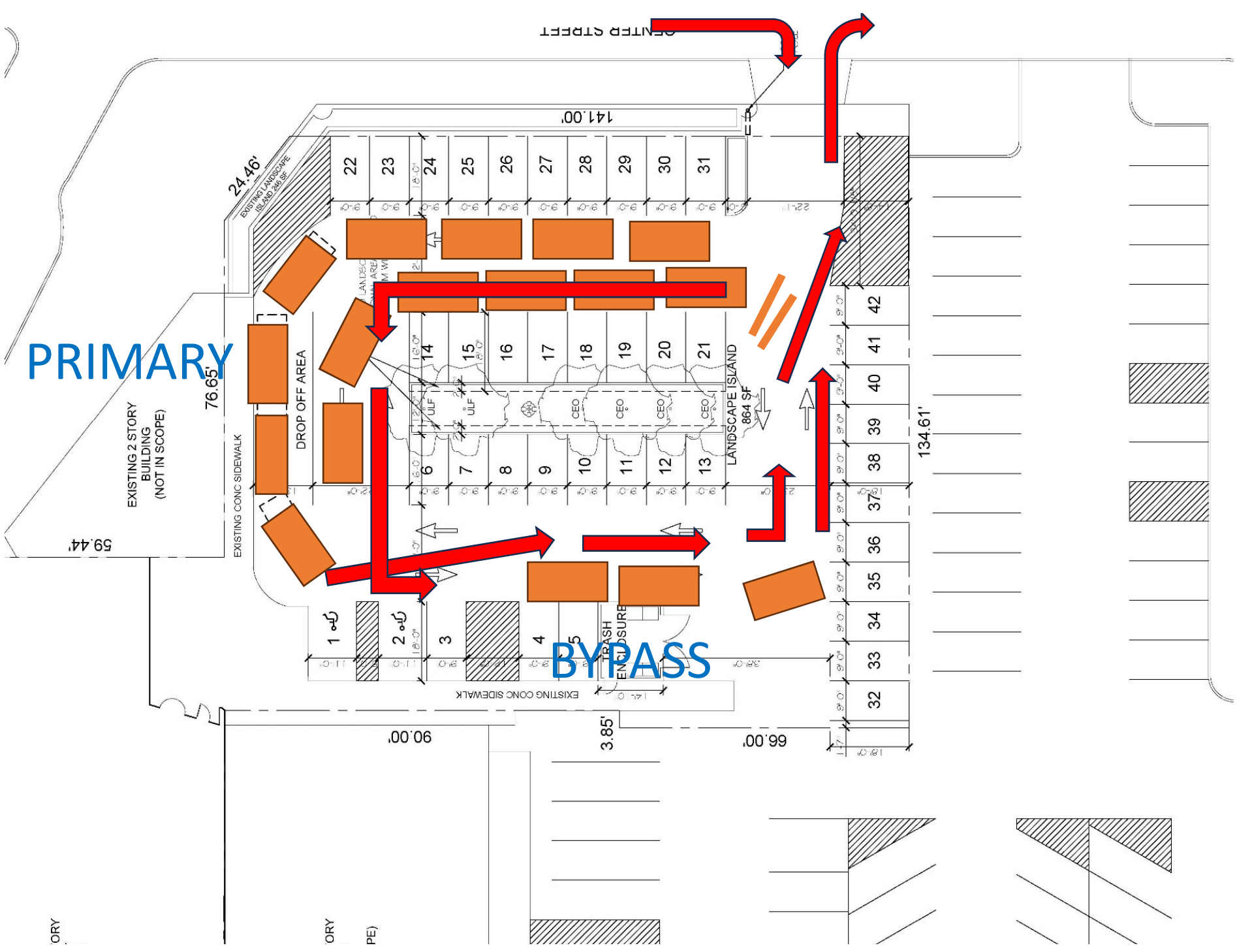
STUDENT LOADING DATA

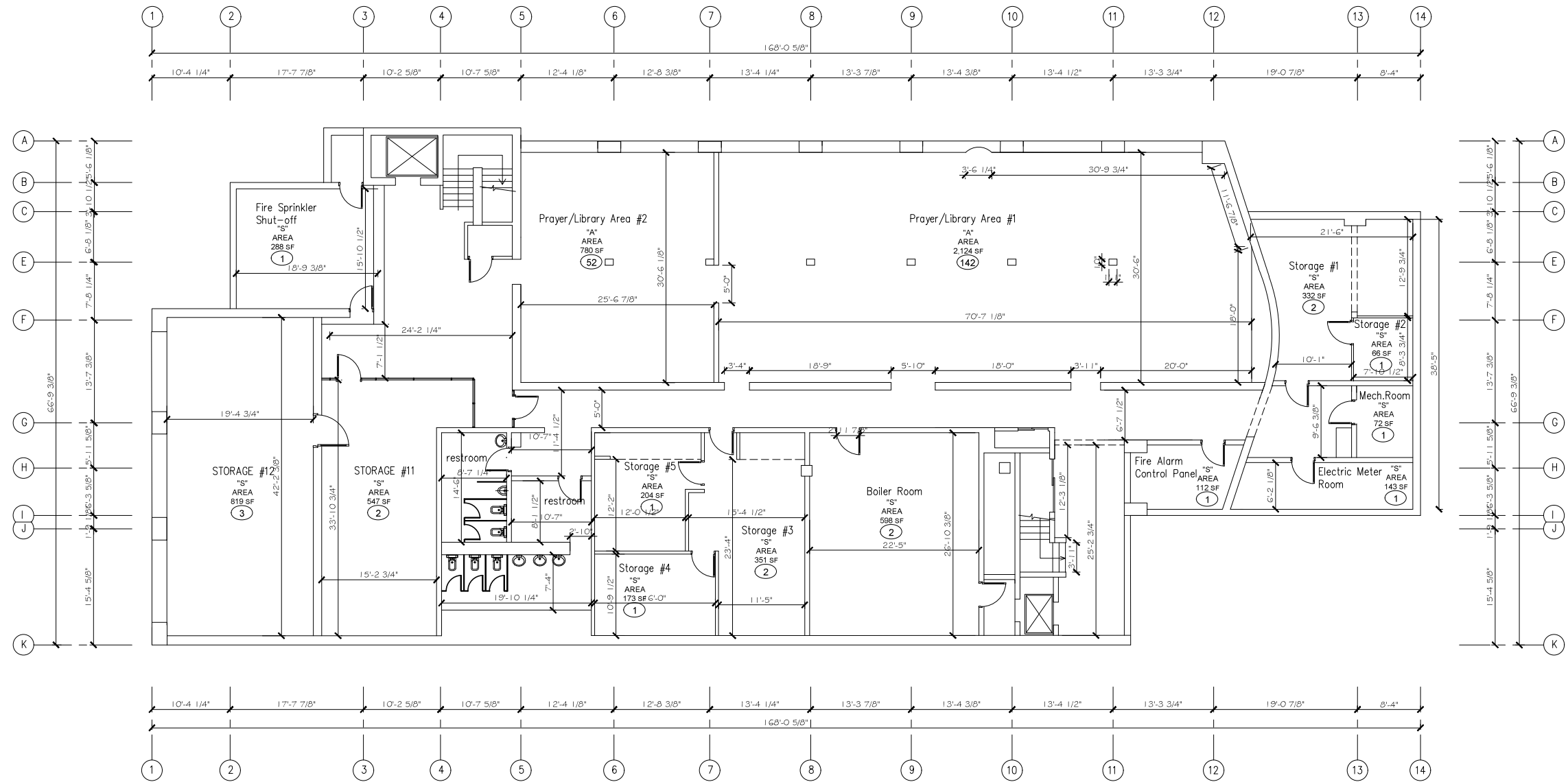
COMBINED BOTH MINUS PRE-K, K

CLASS	KIDS	AM TIME	% OF TOTAL		% OF TOTAL		CARS IN	AM	MIDDAY	% AFTSCH	PM TIME	PM	5:30 PM
			2+ FAMILIES^	BEF SCH	WALKING*	SHIFT TOT		SHIFT TOT	SHIFT TOT			SHIFT TOT	
PRE-K	35	7:45	0.50	0	0.15	12.25				0		0	0
K	35	7:45	0.50	0	0.15	12.25	24.5	24.5	0			0	0
1	20	8:15	0.50	0	0.15	7			0.15	3:15			
2	20	8:15	0.50	0	0.15	7			0.15	3:15			
3	20	8:15	0.50	0	0.15	7			0.15	3:15			
4	20	8:15	0.50	0	0.15	7			0.15	3:15			
5	20	8:15	0.50	0	0.15	7			0.15	3:15			
6	20	8:15	0.50	0	0.15	7			0.15	3:15			
7	20	8:15	0.50	0	0.15	7			0.15	3:15			
8	20	8:15	0.50	0	0.15	7	56	0	0.15	3:15	47.6		8.4
TOTAL	230												

^ Several families will have 3 students. 50% is conservative.

* Weghted. 25% walk, but some are accounted for in 2+ Families.



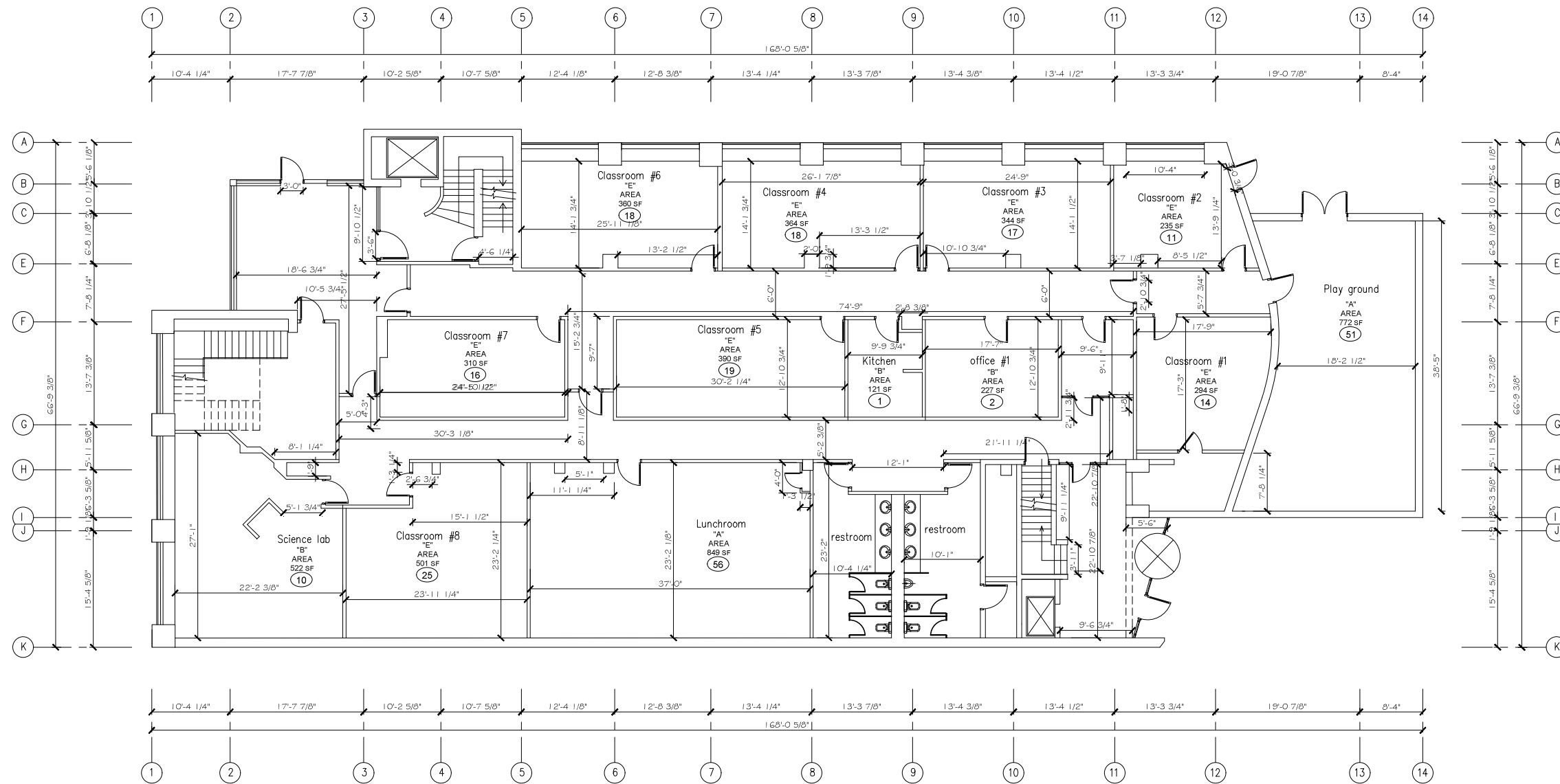


Basement

ROOM OCCUPANCY

2015 INTERNATIONAL BUILDING CODE

NUMBER	ROOM NAME	AREA	OCCUPANCY CLASSIFICATION	LOAD FACTOR	MAXIMUM OCCUPANTS	REMARKS
-	STORAGE #1	332	STORAGE	300	2	
-	STORAGE #2	86	STORAGE	300	1	
-	MECH ROOM	72	STORAGE	300	1	
-	ELECTRIC METER ROOM	143	STORAGE	300	1	
-	FIRE ALARM CONTROL	112	STORAGE	300	1	
-	PRAYER/LIBRARY #1	2,124	ASSEMBLY	15	142	2' x 4' PRAYER MAT WITH 6' CLEARANCE
-	PRAYER/LIBRARY #2	780	ASSEMBLY	15	52	2' x 4' PRAYER MAT WITH 6' CLEARANCE
-	BOILER ROOM	598	STORAGE	300	2	
-	STORAGE #3	351	STORAGE	300	2	
-	STORAGE #4	173	STORAGE	300	1	
-	STORAGE #5	204	STORAGE	300	1	
-	FIRE/SPRINKLER ROOM	288	STORAGE	300	1	
-	STORAGE #11	547	STORAGE	300	2	
-	STORAGE #12	819	STORAGE	300	3	



1st Floor

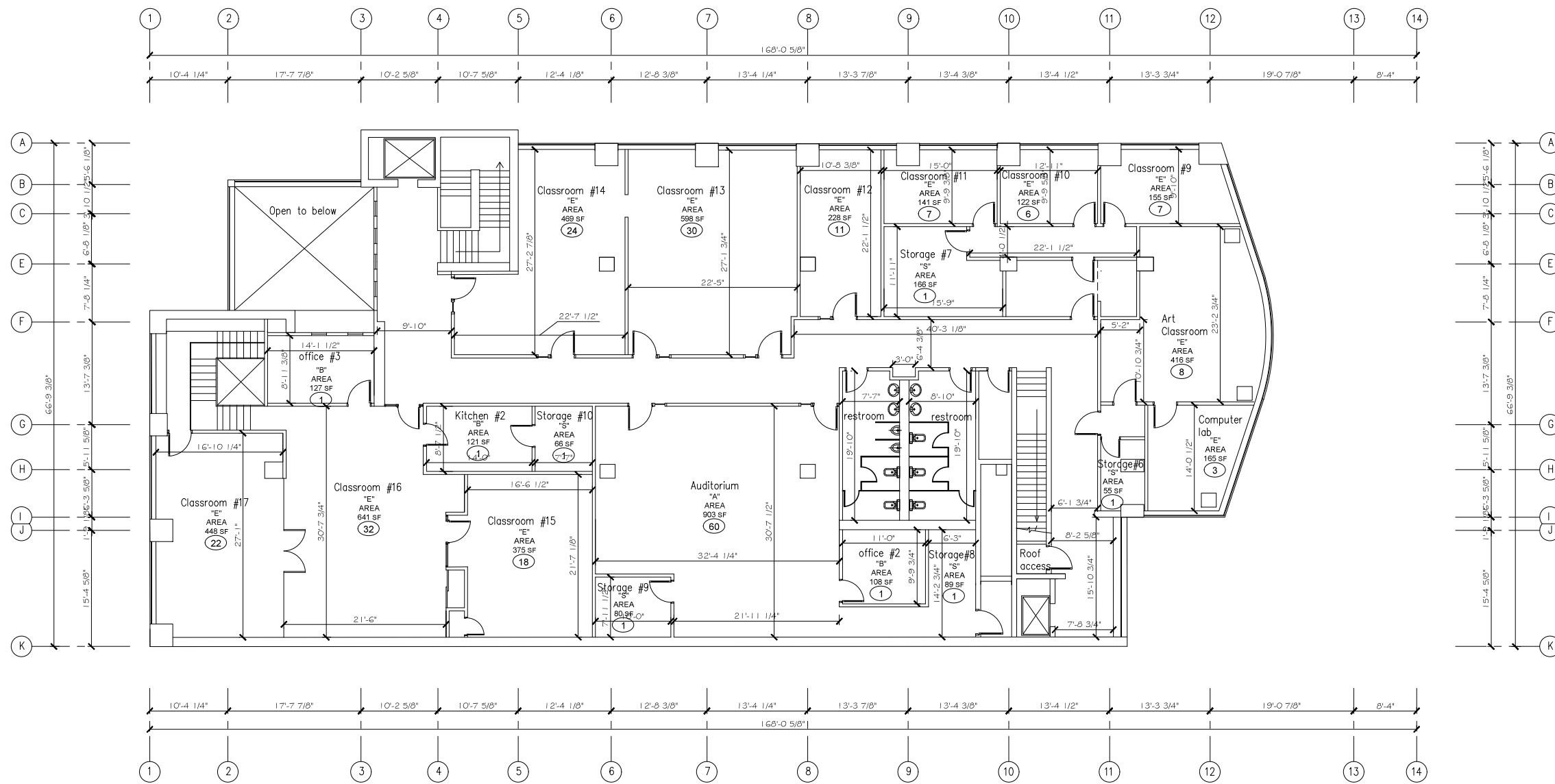
ROOM OCCUPANCY

2.015 INTERNATIONAL BUILDING CODE

NUMBER	ROOM NAME	AREA	OCCUPANCY CLASSIFICATION	LOAD FACTOR	MAXIMUM OCCUPANTS	REMARKS
-	PLAYGROUND	772	ASSEMBLY	15	51	
-	CLASSROOM #1	294	CLASSROOM	2.0	14	
-	CLASSROOM #2	295	CLASSROOM	2.0	14	
-	CLASSROOM #3	344	CLASSROOM	2.0	17	
-	OFFICE #1	227	BUSINESS	100	2	
-	KITCHEN	121	BUSINESS	2.00	1	
-	CLASSROOM #4	364	CLASSROOM	2.0	18	
-	CLASSROOM #5	390	CLASSROOM	2.0	19	
-	CLASSROOM #6	360	CLASSROOM	2.0	18	
-	CLASSROOM #7	310	CLASSROOM	2.0	16	
-	LUNCHROOM	846	ASSEMBLY	15	56	
-	CLASSROOM #8	501	CLASSROOM	2.0	25	
-	SCIENCE LAB	522	VOCATIONAL	50	10	

CLASSROOM OCCUPANCY

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2nd Floor

ROOM OCCUPANCY

2015 INTERNATIONAL BUILDING CODE

NUMBER	ROOM NAME	AREA	OCCUPANCY CLASSIFICATION	LOAD FACTOR	MAXIMUM OCCUPANTS	REMARKS
-	CLASSROOM #9	155	CLASSROOM	20	7	
-	ART CLASSROOM	416	VOCATIONAL	50	8	
-	COMPUTER LAB	165	VOCATIONAL	50	3	
-	STORAGE #6	55	STORAGE	300	1	
-	CLASSROOM #10	122	CLASSROOM	20	6	
-	CLASSROOM #11	141	CLASSROOM	20	7	
-	STORAGE #7	168	STORAGE	300	1	
-	CLASSROOM #12	228	CLASSROOM	20	1	
-	CLASSROOM #13	598	CLASSROOM	20	30	
-	CLASSROOM #14	499	CLASSROOM	20	24	
-	STORAGE #8	89	STORAGE	300	1	
-	OFFICE #2	108	BUSINESS	100	2	
-	AUDITORIUM	903	BUSINESS	15	60	
-	STORAGE #9	89	STORAGE	300	1	
-	STORAGE #10	66	STORAGE	300	1	
-	KITCHEN #2	121	BUSINESS	200	1	
-	OFFICE #3	127	BUSINESS	100	1	
-	CLASSROOM #15	375	CLASSROOM	20	18	
-	CLASSROOM #16	641	CLASSROOM	20	32	
-	CLASSROOM #17	448	CLASSROOM	20	22	

CLASSROOM OCCUPANCY

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