



# Planning and Zoning Board Agenda September 10, 2024 Room 102 – 7:00 P.M.

## Call to Order and Roll Call

**Approval of Minutes:** August 27, 2024 Planning and Zoning Board Meeting

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

## General Communications:

**Administrative Decisions** – Administrative determinations by staff were made for the following property:

- Case #24-027-V: 1319 Campbell Avenue – Variation to allow a six-foot-tall fence in the front yard; Approved with Conditions on 08/29/2024

## Pending Applications:

**1. Address:** 1345 E. Prairie Avenue

**Case Number:** 24-044-CU-V

The petitioner is requesting the following items: (i) a conditional use for a residentially zoned assembly use and (ii) a major variation for off-street parking requirements in the R-4 Central Core Residential district. **The petitioner is requesting a continuance to the September 24, 2024 meeting.**

**PIN:** 09-17-423-011-0000

**Petitioner:** St. Vakhtang Gorgasali Orthodox Church (Representative: Arsen Mskhvilidze, 400 E. Illinois Road, Lake Forest, IL 60045)

**Owner:** Victor J. Grandinetti, 333 W. Kathleen Drive, Park Ridge, IL 60068

**2. Address:** 1545-1547 Lee Street

**Case Number:** 24-035-CU

The petitioner is requesting a conditional use to operate a food processing establishment in the C-4, Regional Shopping District on the subject property, and any variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-20-400-051-0000 and 09-20-400-052-0000

**Petitioner:** Pepi Company of Illinois, LLC d/b/a Alonti Catering Kitchen, 3512 Lake Street, Houston, TX 77098

**Owner:** PJR Properties, LLC 1153 Lee St Suite 109, Des Plaines, IL 60016

## **Adjournment**

**Next Agenda:** Next meeting is on Tuesday, September 24, 2024.

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  
August 27, 2024  
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, August 27, 2024, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chairman Szabo called the meeting to order at 7:02 p.m. and roll call was established.

PRESENT: Weaver, Fowler, Bronakowski, Saletnik, Veremis, Szabo

ABSENT: Catalano

ALSO PRESENT: Samantha Redman, Senior Planner  
Ryan Johnson, Assistant Director of Community & Economic Development

A quorum was present.

**APPROVAL OF MINUTES**

A motion was made by Board Member Weaver, seconded by Board Member Veremis to approve the meeting minutes of August 13, 2024, with corrections provided to staff.

AYES: Weaver, Saletnik, Veremis, Bronakowski, Szabo

NAYS: None

ABSTAIN: Fowler

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

**PUBLIC COMMENT ON NON-AGENDA ITEM**

There was no public comment.

**General Communications:**

Chairman Szabo stated the list of administrative decisions is now located on the agenda for each meeting for approvals or denials of minor variations.

Chairman Szabo asked about the cases where siding is allowed instead of brick. Senior Planner Redman clarified it was frequently for alterations to buildings with existing siding or for additions to a rear of a property.

Member Veremis and Chairman Szabo asked about the appeal process. Ms. Redman stated they would apply for an appeal within 30 days and present the case at a public hearing with the Planning and Zoning Board, appealing the determination or interpretation of the zoning administrator. Ms. Redman stated that they have received appeal requests before, but often an alternative design or other measure is coordinated by staff not requiring this zoning relief.

### **Pending Applications:**

Chairman Szabo introduced the case on the agenda.

**1. Address:** Citywide

**Case Number:** 24-043-TA

Consider Zoning Ordinance amendment to amend Footnote 17 in Section 12-7-3.K. to exempt medical clinics and laboratories from size and proximity restrictions for office uses.

**PIN:** Citywide

**Petitioner:** Greater Family Health, Inc. 3150 W. Higgins Rd. Ste 130, Hoffman Estates, IL 60169

**Case Number:** #24-043-TA

Senior Planner Samantha introduced the item and went through the presentation of the staff report.

**Issue:** Consider Zoning Ordinance amendment to amend Footnote 17 in Section 12-7-3.K. to exempt medical clinics and laboratories from size and proximity restrictions for office uses.

**PIN:** Citywide

**Petitioner:** Greater Family Health, Inc. 3150 W. Higgins Rd. Ste 130, Hoffman Estates, IL 60169

**Case Number:** #24-043-TA

### **Background**

Greater Family Health, Inc is seeking to open a community health center in a combined tenant space in The Oaks Shopping Center at 1515 Lee Street. This property is zoned C-4, Regional Shopping District. The proposed type of use has historically been classified as an “office”. In the C-4 Zoning District, this use is permitted if the floor area is below 5,000 square feet and is not contiguous to another office use. The definition for office is below:

“A use or structure where business or professional activities are conducted and/or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, medical clinics and laboratories, dental laboratories, psychological counseling, real estate and securities brokering, and professional consulting services, but not including drive- through service windows, the cutting and styling of hair, or recreational facilities or amusements.” (Section 12-13-3).

In 2018, an amendment was added to the C-4, Regional Shopping District permitting by right a limited amount of office space (2,500 square feet) and specified it could not be contiguous to another office use.<sup>1</sup> The stated reason by staff for limiting office uses to this amount is to encourage uses more in line with the retail/shopping uses of this zoning district, versus allowing shopping centers to be consumed by office uses with little retail activity. In 2021, the footnote was modified to allow up to 5,000 square feet of office in this zoning district.<sup>2</sup>

As the petitioner discusses in their narrative and response to standards, the intent with the text amendments is to provide a path to allow for this business in this specific location. However, any text amendment is broadly applicable to the entire city and must be assessed for its potential impacts.

### **Examples from Other Municipalities**

The zoning ordinances of six surrounding municipalities were referenced to understand how medical offices are generally regulated by other communities. The definition of this type of use slightly varies, although most include a separate use for medical offices versus other office uses. Generally, the use is permitted within business, commercial and office districts, including shopping districts, without the limitations the Des Plaines zoning ordinance presents for the C-4 Zoning District. Refer to Surrounding Community Regulations (Attachment 4). Des Plaines was the only municipality with a limitation on size of office spaces and inability to locate office spaces contiguously.

### **Shopping Center Medical Uses<sup>3</sup>**

Increasing rates of vacancy in shopping centers have led to property owners seeking creative solutions for filling empty retail spaces. Many spaces are being filled with businesses focused on the sale of experiences versus physical goods. Shopping centers, including locations within Des Plaines (such as the shopping center at Golf Rd and Elmhurst Ave), are increasingly the location of recreational facilities such as trampoline parks, pickleball courts, and fitness clubs.

Simultaneous to the decline in shopping malls, medical care has had an increasing focus on out-patient care and improving convenience for patients. Locating medical uses within existing malls, including strip malls, has been guided by the increasing availability of vacant spaces, an interest in improving proximity of access to patients, and ample parking and often public transportation available to shopping centers. Frequently these facilities provide shorter wait times, walk-in appointments, and convenient hours. In addition, the location allows for “one-stop” shopping for patients. For example, the proposed location of Greater Family Health at 1515 Lee St (within The Oaks shopping center), a patient could leave an appointment and shop at any of the retail shops, including the grocery store, eat at the various restaurants and visit the bank. Unlike a hospital or

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<sup>1</sup> Ordinance Z-28-18

<sup>2</sup> Ordinance Z-28-21

<sup>3</sup> Uscher-Pines, L., Mehrotra, A. & Chari, R. On call at the mall: a mixed methods study of U.S. medical malls. *BMC Health Serv Res* 13, 471 (2013). <https://doi.org/10.1186/1472-6963-13-471>

office park, there are additional activities available for patients after an appointment and employees during breaks or before/after the workday, promoting commercial activity.

For property owners of shopping centers, medical offices are an appealing tenant, as most are interested in longer term leases and frequently invest in improvements for the space. Currently the demand for medical office space exceeds vacancies in the United States, and investment into standalone medical office buildings has decreased in recent years.<sup>4</sup> Shopping centers fill a void in available space for medical centers to meet the demand of the industry.

### **Impact on C-4 Zoning District**

To exemplify the effect of allowing larger medical offices in this zoning district, Attachment 4 provides a map noting the locations of existing medical offices within Des Plaines and the locations of the C-4 Zoning District. Overall, there are 62 registered medical uses within the City. Within Des Plaines, there is one hospital, seven primary or family practice physicians, five medical laboratories, and a variety of specialty medical disciplines such as dentistry, rheumatology, optometry, occupational or physical therapy, podiatry, or mental health practitioners.

The four areas of the city within the C-4 zoning district are generally devoid of medical facilities offering comprehensive medical care. Note the existing regulations in this zoning district allow this use by right, but limit the overall size of the office space; this amendment would make medical uses exempt, and allow for filling of larger tenant spaces with medical offices. Most existing medical offices in this zoning district are specialists, such as dentists or optometrist that do not require the same amount of space as a larger facility offering more comprehensive medical care. For example, The Oaks shopping center includes a dentist but no immediate care or other primary care physicians within a ¼ mile.

In considering this text amendment more comprehensively, it is important to note that each property currently zoned C-4 is situated near transit options, with some located adjacent to multiple transit services and complemented by substantial parking facilities, facilitating convenient access for clients arriving by bus or personal vehicles. This amendment may create opportunities for filling vacant storefronts in shopping centers and to expand potential locations for medical care in accessible areas that are enhanced by the commercial amenities and increased activity that medical uses can bring.

### **Proposed Amendments by Petitioner**

The petitioner proposes the follow amendment to the Commercial Use Matrix in Section 12-7-3.K:

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Offices	C	P	P	P <sup>17</sup>	P		P

<sup>4</sup> Janus, Selbiger, and Seward, *Colliers Healthcare Marketplace Report*, Feb 26, 2024.  
<https://www.colliers.com/en/research/nrep-healthcare-marketplace-2024>

<sup>17</sup> Office uses in the C-4 Regional Shopping District, except for medical clinics and laboratories, shall be limited to 5,000 square feet of area and shall not be contiguous to another office use.

Refer to the Petitioner's Standards for Amendment for justification of this request.

**Standards for Text Amendment:**

The following is a discussion of standards for zoning amendments from Section 12-3-7.E. of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided. The PZB may use the statements below as its rationale or adopt its own.

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

The proposed text amendments would foster additional commercial options for existing, vacant properties within shopping centers of the city, promoting the economic development initiatives of the Comprehensive Plan.

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

The proposed amendments provide an avenue to promote the purpose of the C-4 Zoning District. It is important to note that this type of use is permitted by right in this district, but the size is restricted. This amendment makes medical uses exempt from the requirement, allowing for larger tenant spaces to be developed and utilized with generally long-term leases.

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

Staff does not see any indications that the amendments will affect public facilities and services.

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

The proposed amendments are intended to benefit the value of surrounding properties and overall economic stability of the shopping centers within the city by expanding the range of commercial uses that could fill vacant storefronts.

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

The proposed amendments encourage a range of uses within commercial districts. The amendment also would expand the location of medical care uses within certain areas of the city, keeping up with trends for these types of facilities.

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

Chairman Szabo swore in Bernard Citron, of Thompson Coburn LLP and Jason Cary, CFO of Greater Family Health

Mr. Citron said that he's representing Jason at Greater Family Health, as well as the property owner of The Oaks shopping center, however the representative from The Oaks was not able to make it to the meeting this evening. As staff mentioned, medical uses are filling spaces in shopping centers that are not being filled. These uses fill storefronts, but also bring in traffic. For example, people go to the doctor and then they go to the grocery store. This is the way that we used to live. People visiting the medical clinic also see the other uses in the shopping center and this bring further traffic to the center.

Mr. Citron stated he believed staff was willing to bring this case forward because there is a recognition that this can be a positive use. Mr. Citron and the petitioner understand that City wants the sales tax, but right now, that sales tax is not being generated with these vacant spaces. Shopping centers are being torn down in local communities like Old Orchard, Golf Mill and Vernon Hills. In their place, these communities are putting in housing. In addition, there are studies that medical uses are actually needed in these shopping center locations, as Jason will present.

Jason Cary – CFO of Greater Family Health described the history of the organization, founded in 2009. They have 11 health centers and he's opened 10 of those. These are federally supported/qualified health centers, and they receive this support in areas where there is a need. They ran a market analysis and this Des Plaines has the greatest need in any location surveyed in the study.

Out of the 11 health centers that they operate, 4 of them are in retail settings.

There is a center operating in Palatine that is 5,300 sq ft which is expanding into the space next door in April with an additional 2,300 sq ft.

Another center operates in Franklin Park with over 10,000 sq ft of floor area. In Wheeling, 8200 sq ft combined of space is used. The Streamwood facility has recently been expanded to 8800 sq ft.

The other seven centers are located in traditional, stand-alone buildings, in Dekalb, Sycamore, Elgin, McHenry, and Hanover Park.

He described the size and space of this proposed build out. There is currently a signed lease contingent on City entitlements. The proposal for the building includes 12 exam rooms, with over 7,000 sq ft to be built out. The lease is for 11 years so they will be a long-term tenant.

He described the layout, with exam rooms and reception areas. It will include 12 exam rooms, 2 offices, shared charting area, an outside lab run by LabCorp for patients only being seen that day, a reception area, a Breakroom and storage areas



They shared the staffing plan including 1 FT Family Practice Physician, 2 FT Advanced Practice Professional (PA, Nurse Practitioner), 1 PT Licensed Clinical Social Worker, Online Psychiatry Provider (Tele-Psychiatry), 6 receptionists, 2 managers, and 5 medical assistants. Many of these workers would be hired from the local area in Des Plaines.

Greater Family Health is the largest provider of primary health care in the US. They are the largest community health care center in IL. Of all care, they are the 5<sup>th</sup> largest.

A report completed shows that two zip codes in Des Plaines have over 8000 people in poverty, and many of these people travel to their other Greater Family Health centers, such as the one in Palatine.

If approved, they will put \$1.6 million into the property to make it function like a health center. The last use of this space was a gym, so there will be a large expense to add plumbing and update HVAC equipment as well. They are applying to the federal government for operating support/expenses. They believe there is a need in the community.

Bernard Citron stated there is a need for this facility today. He asked what other tenant would put over \$1M into any of these vacant properties. The center will bring traffic in, but also improve properties. This will bring people into the shopping center, people that will shop.

Member Fowler asked about the need for the 6 receptionists. Jason Cary stated some are needed for check in/patient registration and some to check out people, it's all part of their process.

Member Fowler asked about expansion in this space, are there other better locations?

Jason Cary stated that over 50% speak a language other than English as their primary language. This location is ideal because it's visible from the road and easy to see from the street. They can also expand – with the 12 exam rooms, they will be set for quite some time.

Chairman Szabo requested clarification. This was Cardinal Fitness, not Planet Fitness. Any spaces between this center and the stores to the north? Jason Cary stated the space goes all the way to the Goodwill. However the space is not demisable into 2 locations that are less than 5,000 sq ft, due to the way it was originally constructed.

Member Veremis asked if they are non-profit and tax exempt. Jason Cary states that yes they are a 5013c non-profit. If they owned the space, they'd be tax exempt, but they don't own it, so they must pay taxes.

Member Veremis asked if they believe that people in the area are going to ERs or going without services without this center. Jason Cary: Advocate Lutheran General have done some needs assessments. Study is that there is approximately a 16-17% unmet healthcare need. The ER is the only place that they get service sometimes.

Member Veremis stated there's a lot of open space and the parking lot is huge, so to see something fill that would be nice.

Jason Cary stated they've engaged an architect to draw plans. Then they intend to get permit at end of year, then build out and begin to operate in August 2025.

Chairman Szabo complimented staff on the report.

Member Weaver stated he believes the project is commendable, but we're not asked to approve this business as a Conditional Use but to consider a Text Amendment that will allow that with three options: allow any office facility over 5,000 sq ft in the C-4 District, allow the medical exemption that is being requested or "do nothing" alternative. It seems that the intent was that we were concerned with foot traffic – retail would fill with more foot traffic and there'd be synergy. Retail is dying and people are now working from home. His recommendation is that we move forward and recommend this medical to City Council, but then also consider the others that are in the Office definition. He believes Des Plaines is out of sync with other communities because of the 5,000 sq ft limit. Weaver states he is in favor of this proposal.

Chairman Szabo states that he hopes there are more cases like this. There are no more dressmakers or other small shops to go into a shopping center like this. The times have changed.

Member Veremis says places like Hallmark were once there but are no longer.

Member Bronakowski asks staff if they are aware of other recent inquiries for uses in this shopping center that are currently classified within the office definition.

Senior Planner Redman : states she knows the dentist came forward looking for a location but they were able to choose a space less than 5,000 sq ft that was not contiguous with any other Office uses, and thereby were permitted.

Member Bronakowski asked if staff have seen any certain types of businesses going into similar shopping centers in other towns. Senior Planner Redman stated that staff would have to do more research to know what businesses are commonly moving into these centers, but we know that medical office uses are.

Chairman Szabo states these modernizations to the code are needed.

Member Weaver: Moves motion that we recommend City Council Approval of the Zoning Ordinance as drafted by staff. Motion seconded by Member Fowler.

A motion was made by Member Weaver and seconded by Member Fowler to recommend approval to the City Council.

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

NAYES: None

ABSTAIN: None

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

Szabo initially adjourned with voice vote at 7:35 PM, but resumed meeting at 7:38 PM. Member Fowler asked a question about the Masonic Temple at Prairie and Graceland and the zoning sign in this location. Senior Planner Redman responded that it is a request for a conditional use and parking variation for a proposed church.

Chairman Szabo asked where parishioners would park. Senior Planner Redman states it's not her case, but believes it would be all street parking for the proposed church.

Member Fowler asked about if anything is going across the street, where the open parking lot currently is. Senior Planner Redman stated that yes, staff recently received application materials for the Prairie and Lee development, which includes that parking lot. This follows the workshop that took place earlier this year.

Chairman Szabo asked staff if it will be the same developer as at the Workshop? Senior Planner Redman stated yes.

Member Fowler asked about Journal and Topics demolition. Assistant Director Johnson stated they are working on a few final items, such as temporary lighting, but they are making progress towards the demolition.

Member Weaver asked about any activity at the former Olivetti's. Senior Planner Redman stated they are reviewing plans, but no specific user of the space is known.

Member Fowler stated the former Leonas' had the cannabis proposal in the past, and she wishes that could have gone forward. Chairman Szabo responded that cannabis retail seems to go into the large shopping spaces, like the space at the former Little Villa restaurant. Member Fowler speculated that larger properties may possibly needed for security.

### **ADJOURNMENT**

Chairman Szabo adjourned the meeting by affirmative voice vote at 7:43 p.m.

Sincerely,  
Ryan Johnson/Recording Secretary  
cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners



**COMMUNITY AND ECONOMIC  
DEVELOPMENT DEPARTMENT**

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

**MEMORANDUM**

Date: September 6, 2024

To: Planning and Zoning Board (PZB)

From: Jonathan Stytz, Senior Planner

CC: Jeff Rogers, Director of Community and Economic Development

Subject: Request to Continue 24-044-CU-V: Conditional Use for Residentially Zoned Assembly Use and Variation for Off-Street Parking at 1345 Prairie Avenue

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The petitioner has requested to continue the hearing to the Board's regular meeting on Tuesday, September 24, 2024 as they are in the progress of assessing options and revising plan as necessary for their request. I recommend the Board grant this request, which is attached.

**From:** [Katie Ingorokva](#)  
**To:** [Jonathan Stytz](#)  
**Cc:** [Samantha Redman](#); [Suzy Aguilar](#); [Arsen Mskhvilidze](#); [St.Vakhtang Gorgasali Church](#); [Jeffrey Rogers](#)  
**Subject:** Re: Official Review Letter for 1345 Prairie Avenue - ACTION NEEDED  
**Date:** Friday, September 6, 2024 2:50:29 PM

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I am writing to formally request a continuation of our initial request for the upcoming PZB meeting.

Based on the options provided and the time needed to resolve the parking concerns, I would like to formally ask that our request be continued to the PZB meeting scheduled for 9/24/24.

Please confirm the continuation to the specified date at your earliest convenience.

Thank you Katie

On Fri, Sep 6, 2024 at 2:40 PM Jonathan Stytz <[jstytz@desplainesil.gov](mailto:jstytz@desplainesil.gov)> wrote:

Good afternoon Katie,

Per our conversation today, please send me an email with your request to continue your case to the September 24, 2024 Planning and Zoning Board (PZB) meeting as soon as you can since I will need to finalize this request by 3:30 pm today. Thank you in advance.

Sincerely,

Jonathan Stytz, AICP

Senior Planner

City of Des Plaines

1420 Miner Street, Des Plaines, IL 60016

P: 847.391.5392 W: [desplainesil.gov](http://desplainesil.gov)

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Note: My email has changed to [jstytz@desplainesil.gov](mailto:jstytz@desplainesil.gov).



MEMORANDUM

Date: September 6, 2024  
To: Planning and Zoning Board (PZB)  
From: Samantha Redman, Senior Planner *SR*  
Cc: Jeff Rogers, AICP, Director of Community and Economic Development *JWR*  
Subject: Conditional Use for Food Processing Establishment (Catering) at 1545-1547 Lee Street

**Issue:** The petitioner is requesting a conditional use to allow a food processing establishment in the C-4, Regional Shopping District.

**PINs:** 09-20-400-051-0000 & 09-20-400-052-0000

**Petitioner/Owner:** Pepi Company of Illinois, LLC, d/b/a Alonti Catering Kitchen, 3512 Lake Street, Houston, TX 77098

**Case Number:** #24-035-CU

**Ward Number:** #5, Alderman Carla Brookman

**Existing Zoning:** C-4, Regional Shopping District

**Surrounding Zoning:** North: C-3, General Commercial District and M-1, Limited Manufacturing  
South: R-1, Single Family Residential  
East: Railroad  
West: C-4, Regional Shopping District

**Surrounding Land Uses:** North: Restaurant building and manufacturing building  
South: Single Family Residences  
East: Railroad  
West: Shopping center

**Street Classification:** Lee Street is classified as a principal arterial road under Illinois Department of Transportation (IDOT) jurisdiction. The portion of Oakton Street adjacent to the property is classified as a secondary road under the City of Des Plaines jurisdiction.

**Comprehensive Plan:** The Comprehensive Plan illustrates this site as commercial.

**Property/Zoning History:** The Oaks Shopping Center was constructed in the mid-1980s. The specific units for this conditional use most recently included a flooring company and a nail salon. The nail salon was relocated to a different unit in the shopping center and the unit with the flooring company has been vacant since 2020.

The Planning and Zoning Board and City Council reviewed and approved first reading of an ordinance for a text amendment to allow a food processing establishment (the use that catering falls under) in the C-4, Regional Shopping District, if a public facing component was added to the business and the total number of commercial vehicles parked overnight restricted to one per 1,000 square feet of floor area. The text amendment was approved unanimously by the City Council on first reading at the September 3<sup>rd</sup> City Council meeting and second reading for the final decision will be on September 16<sup>th</sup>. This conditional use is dependent on the approval of the text amendment.

**Project Description:** Pepi Company of Illinois, LLC, operating at Alonti Catering Kitchen, are seeking to open a food processing establishment (also called a catering kitchen) in a combined tenant space in The Oaks Shopping Center at 1545-1547 Lee Street. This property is zoned C-4, Regional Shopping District. The definition of a food processing establishment is below:

“Establishments producing or processing foods and certain related products. Includes: a) bakery products, sugar and confectionery products (except facilities that produce goods only for on site sales with no wider distribution); b) dairy products processing; c) fat and oil products (not including rendering plants); d) fruit and vegetable canning, preserving, and related processing; e) grain mill products and byproducts; f) meat, poultry, and seafood canning, curing, and byproduct processing (not including facilities that also slaughter animals); and g) miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants” (Section 12-13-3).

Refer to the Petitioner’s Narrative for business operation information. The petitioner describes their business as a catering kitchen without on-site dining and food consumption; instead, the operations are focused on delivery and carryout orders. All food is made on site and delivered by employees.

The petitioner’s application materials state that approximately twelve employees, two managers, and ten crew members are anticipated to be employed by this business. The space to be used for this business would require a building permit to add all kitchen, ventilation and other necessary facilities. Business hours, as stated in the Petitioner’s Narrative, are from 7 a.m. to 4:30 p.m. However, employees arrive at 5 AM and some deliveries may occur overnight or in the early morning.

To fulfill the requirement in Footnote 26 of the C-4 zoning district for food processing establishments, a carryout option is available for customers to purchase food ahead of time and pick up from the store front. A condition of approval states this option should be available during business hours a minimum of five days per week.

### *Off-Street Parking*

Shopping centers require 3 spaces for every 1,000 square feet of gross floor area (pursuant to Section 12-9-7). Although the precise quantity of required parking stalls will be confirmed at time of building permit for the interior buildout of the unit, it is anticipated sufficient parking is available for this use in this location. The approximate total floor area of the building is 113,400 square feet, requiring 341 parking spaces for all uses. Excluding the Wendy's parking lot, 595 parking spaces are available in this shopping center.

The zoning ordinance also permits the exclusion of certain areas of a building from the parking calculation such as restrooms, storage areas, and mechanical rooms; if this reduction is calculated, the total required parking count would be an even more substantial surplus of parking.

No vehicles are anticipated to be parked overnight; however, the C-4 zoning district allows for 1 commercial vehicle per 1,000 square feet to be parked on the property. Although none are currently proposed, given the size of the combined tenant space of 2400 square feet, up to 2 vehicles could be parked onsite overnight, by right. A condition of approval states that any overnight parking of vehicles with advertising for the company may not be parked on the property in such a way that they would serve as an extra sign for the business.

### *Traffic and Loading*

No changes to access on this property are proposed. Loading and unloading generated by this use would include vehicle trips associated with employees, customers and deliveries. Loading and unloading will occur in the existing rear loading dock of the building (refer to Loading Space attachment). There are anticipated to be biweekly deliveries from Sysco and daily produce deliveries are completed in the early morning or night hours. This loading area is in the rear of the tenant space, east of the building adjacent to the railroad. Delivery trucks of approximately 50 feet in length will use this loading area.

Individual deliveries of prepared meals to customers will be within the personal vehicles of employees, which are typical sedan sized vehicles. 12-18 deliveries are projected per day, occurring between 6:00 a.m. and 7:00 a.m. for breakfast and 10:00 a.m. and 11:00 a.m. for lunch. Delivery drivers are anticipated to return at approximately 2:00 p.m. Loading and unloading of these deliveries may occur either in the loading dock to the rear or carried from the storefront to the parking lot.

A condition of approval states that any loading/unloading should be completed expeditiously and no overnight parking of vehicles is permitted in the loading dock or in the drive aisle in front of the proposed catering facility unit.

### **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 use would satisfy the standards is provided below and in the petitioner's response to standards. The PZB may use this rationale toward its recommendation, or the Board may make up its own.



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

*Comment:* Food processing establishments are a conditional use in the C-4 zoning district.

**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 create a partially commercial use in this shopping center. Food processing establishments can be classified as a manufacturing use in certain circumstances, but the inclusion of the carryout option with the business provides some commercial activity.

**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:* This use will be within an existing building and not physically alter the existing character of the shopping center or neighborhood. The carryout option is intended to provide a more active commercial use that fits within the character of this shopping center.

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

*Comment:* As discussed in the Petitioner's Narrative, the business hours will operate daily from 7:00 a.m. to 4:30 p.m., with employees arriving around 5 a.m. and some deliveries occurring overnight or in the early hours. This property abuts a railroad, with residential properties on the opposite side. It is not anticipated this use will create any disturbance out of character with the remainder of the current or previous shopping center uses.

**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 have no concerns that the proposed use will not be adequately served with essential public facilities and services.

**6. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and 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 or services. This business would be located within an existing building and it is not anticipated that this use would generate additional need for public facilities or services compared to any other unit within this shopping center.

**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 this use will include trips generated for employees, deliveries, and carry out customers. Refer to Traffic and Loading section of this report for details on deliveries and hours. No extraordinary glare, smoke fumes, or odors are anticipated to occur with the operation of this business; however, any business within Des Plaines must meet Chapter 12 – Environmental Performance Standards of the Zoning Ordinance regulating noise, odor, glare, and any other specified

nuisances, otherwise enforcement action can be taken.

**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 be provided through the existing entrances to the shopping center and loading area behind the unit. No additional curb cuts are proposed for this property.

**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 would not result in the damage of natural, scenic, or historic features.

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

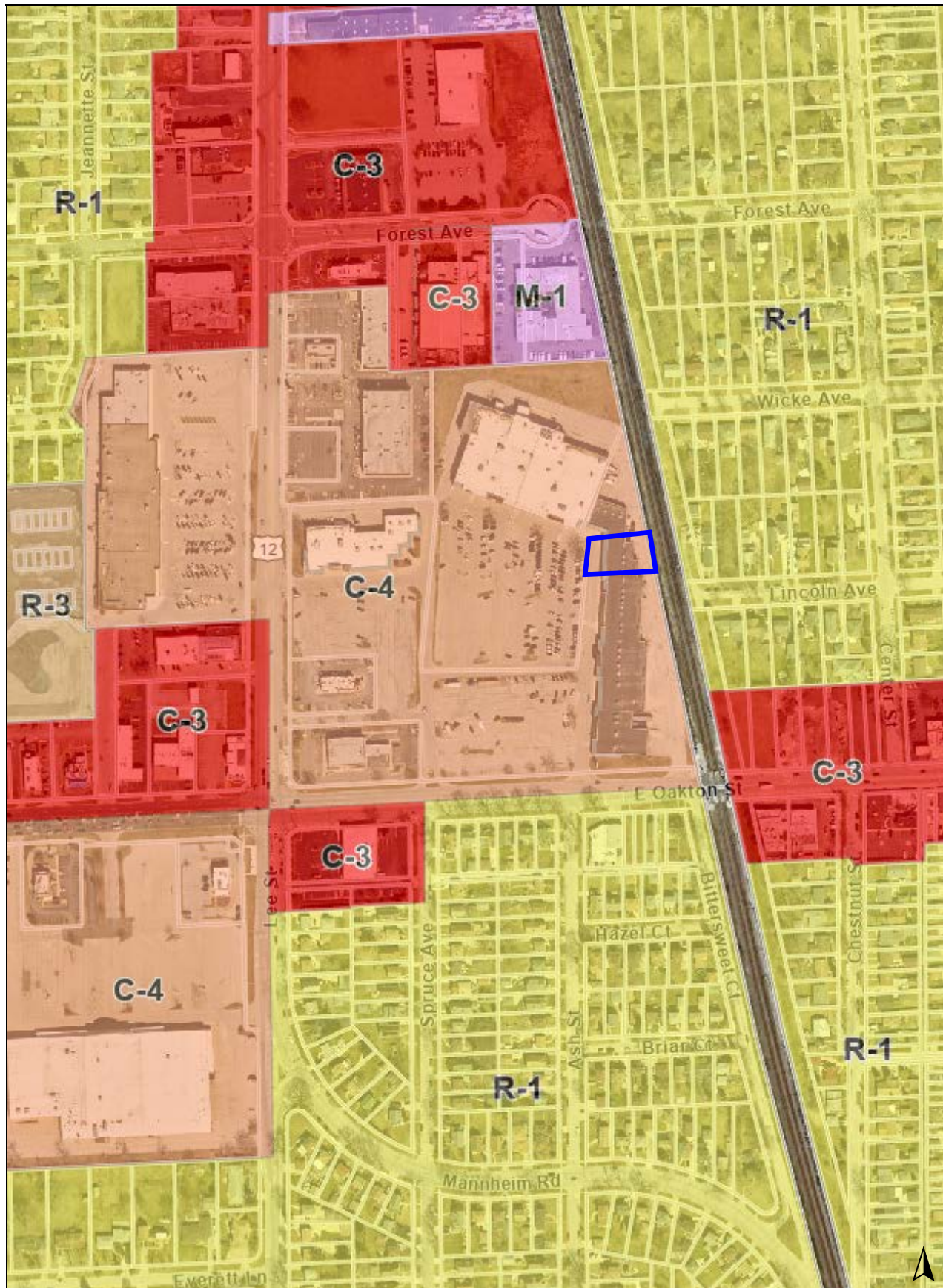
*Comment:* The proposed use complies with all applicable requirements as stated in the Zoning Ordinance.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-7.D (Procedure for Review and Decision for Amendments) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve or deny the above-mentioned conditional use. 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 Use). If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions.

1. Loading and unloading within any drive aisle directly in front of the unit or within the rear loading dock shall be completed promptly and no delivery vehicles shall be left unattended.
2. Regular use of refrigerated trucks or other temporary storage units for the storage of inventory upon the property is prohibited. Temporary storage associated with unique circumstances can be considered on a case-by-case basis subject to the review and approval by the Director of Community & Economic Development or their designee after submittal of a request in writing outlining the proposed timeframe, location on the site, and other details relating to the temporary use.
3. An commercial vehicles for this property shall only be parked overnight in accordance with Footnote 26 of Section 12-7-3.K and shall not be parked in such a way that any advertising located on the vehicle is readily visible from any public way so as to serve as a sign for the business.
4. When the business is operating, carryout options open to the public must be available during regular business hours a minimum of five days a week.
5. The vinyl curtain strips located across the exterior loading door must be either replaced or removed prior to issuance of business registration.

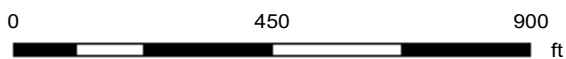
**Attachments:**

- Attachment 1: Location Map
- Attachment 2: Staff Site and Context Photos
- Attachment 3: Petitioner's Narrative
- Attachment 4: Petitioner's Response to Standards
- Attachment 5: Loading Space Exhibit
- Attachment 6: Plat of Survey
- Attachment 7: Site Plan



**Legend**

- Subject Site
- C-3: General Comm
- C-4: Regional Shopp
- M-1: Limited Manufacturing
- R-1: Single Family Residential
- R-3: Townhouse Residential



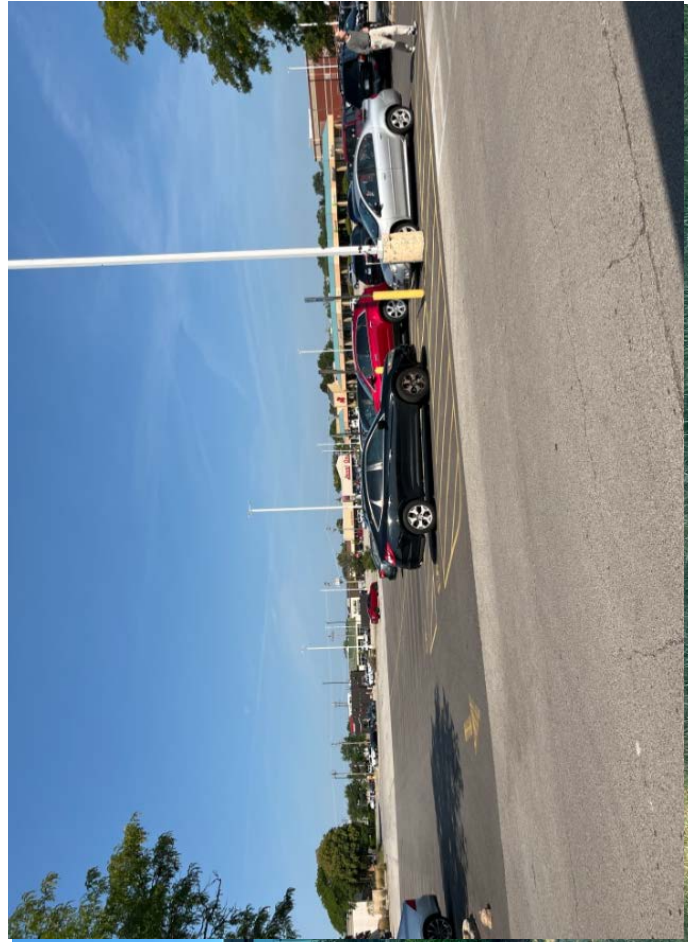
**Print Date: 9/6/2024**

**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.



View of proposed unit spaces



View of portion of parking lot



Public Notice Sign



View of loading area

## Project Narrative

Pepi Company of Illinois, LLC, an Illinois limited liability company (“**Applicant**”), seeks approval for (i) Zoning Text Amendment, and (ii) Conditional Use, in order to establish a catering kitchen for off-site consumption at the property commonly known as 1545-1547 Lee Street in Des Plaines, IL (the “**Property**”) and is located within the C-4 zoning district. If approved, the business intends to operate within a portion of the existing building at the Property consisting of 2,400 square feet.

Alonti Catering Kitchen provides on-demand catering for people at work, Monday through Friday, breakfast and lunch. Our clients include K-12 schools, universities, government organizations, hospitals, and corporations. Alonti started in Houston in 1974, and now serves Chicago, Los Angeles, Orange County, Austin, San Antonio, Dallas, and Fort Worth. We are a 3<sup>rd</sup> generation family managed business.

In Des Plaines, Alonti would like to build a catering only kitchen, also known as a ghost kitchen. A ghost kitchen is a restaurant that does not have a dining room for on-site dining and food consumption, but focuses exclusively on delivery. What makes Alonti different than other ghost kitchens is we employ our own delivery drivers, we do not contract out to 3<sup>rd</sup> party companies.

Alonti employees will make and deliver all food. On average, locations have between 12 and 18 deliveries per day, with the average order for 20 to 30 people each. Deliveries are made in employees’ personal vehicles. Deliveries for breakfast generally occur between 6:00 am and 7:00 am and between 10:00 am and 11:00 am for lunch. Delivery vehicles are regular sedans, SUV’s and compact cars, owned by employees. Alonti reimburses drivers for their mileage and use of the car. Delivery drivers will arrive on site between 5:00 and 5:30 am before morning deliveries will make deliveries, and will return at approximately 1:00 pm and 2:00 pm.

Each Alonti catering-only kitchen employs on average twelve (12) people, one (1) general manager, one (1) catering sales manager, and ten (10) crew members.

Alonti crew members prepare the food and deliver the food. We do not own or operate any company vehicles.

Alonti’s business hours are 7 AM till 4:30 PM. Our operations team arrives at 5 AM.

Alonti locations in Chicagoland average net sales of \$1.25 million. In Des Plaines, if we construct an Alonti Catering Kitchen, we are projected to collect **\$106,250** in sales and other taxes. All sales are recognized at the catering kitchen.

- \$78,125 State Sales Tax
- \$6,250 Non-Home Rule Sales Tax
- \$9,375 Regional Transportation Authority Tax
- \$12,500 Food and Beverage Tax

Alonti receives bi-weekly deliveries from Sysco Food. The deliveries are typically delivered early morning, ideally overnight. Alonti also receives daily produce deliveries, which are also early. Delivery trucks will be small trailers of approximately fifty feet.

## RESPONSES TO STANDARDS – CONDITIONAL USES

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

“Catering Kitchen” is permitted in the C-4 zoning district upon approval of Conditional Use.

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

Applicant seeks a text amendment to the Zoning Code (the “**Code**”) for the City of Des Plaines by amending Section 12-7-3(K) to add “Catering Kitchens” to Table 3 as an allowable use in the C zoning districts as a Conditional Use. The requested relief is consistent and in keeping with the goals, objectives and policies of the 2019 Comprehensive Plan (the “**Comprehensive Plan**”). Expanding Mixed-Use Developments is the first stated Overarching Principle provided in the Comprehensive Plan. The requested text amendment would encourage additional use types to be permitted in mixed-use developments in the C-4 district. The proposed conditional use approval will also help spur economic development throughout the City.

If the requested text amendment and subsequent conditional use are approved, Applicant intends to operate a Catering Kitchen business in the existing building located at 1545-47 Lee Street, which is located in the Oakton Street Corridor. The Comprehensive Plan specifically states that a goal of the City is to expand the mixed-use developments in this area.

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

If approved, Applicant intends to operate its Catering Kitchen business in a manner that is designed, constructed, operated and maintained so as to be harmonious and appropriate with the existing character of the general vicinity. There will not be any changes to the exterior of the existing building except for minor cosmetic changes and additional signage.

The Property is located within an existing mixed-use development commonly known as The Oaks located at 1515-1591 Lee Street. Current uses at The Oaks include commercial, retail and residential. The Property is also surrounded by properties within the C-3 zoning district which also allows for commercial, retail and residential uses. Accordingly, permitting “Catering Kitchen” upon approval of a Conditional Use in the C-4 district is compatible with the surrounding area. Per the proposed text amendment, Catering Kitchens would be permitted as a conditional use in the C-3 zoned properties that surround the subject property as well. This will prevent proliferation of such uses in the area, but will allow the subject vacant property to be put to productive use.

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

Applicant’s proposed Catering Kitchen business will not be hazardous or disturbing to existing neighboring uses. The Property is surrounded by other commercial uses such that approving the proposed text amendment is unlikely to be disturbing to surrounding properties. The use of the property and the hours of operation will be harmonious with surrounding commercial uses.

- 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.**

If the requested relief is approved, it is not expected that the Applicant's intended use would have any impact on the adequacy of public facilities and services available to the Property or the surrounding properties. The proposed use will not require any utility infrastructure or public facilities above and beyond those that currently serve the site.

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

The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services. It will not be detrimental to the economic welfare of the community. Alternatively, the Applicant's intended business will likely have a positive effect on surrounding properties and businesses in that it will occupy a currently vacant storefront with an appropriate use.

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

The proposed conditional use will not involve any activity or materials that will be detrimental to any surrounding persons or property. The proposed special use will occupy an existing storefront whose hours and usage will be compatible with those of the surrounding uses. The nature of the use is low intensity from a traffic standpoint. The Applicant will adhere to all applicable fire and building code standards to ensure the safety of its staff, the subject and surrounding property and the community.

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

The existing vehicular access to the property is adequate and will not need to be changed to accommodate Applicant's intended use. While there will be scheduled deliveries to the Property, they will not have an adverse effect on surrounding properties and the volume of automobile visits to the site will not exceed those generated by a commercial use that would not require a special use at this location.

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

The subject site is located within an existing shopping center, which does not have any natural, scenic or historic features. Accordingly, Applicant's proposed conditional use does not result in the destruction, loss, or damage of a natural, scenic or historic feature of major importance.

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

The proposed conditional use complies with all other regulations within the Zoning Code.



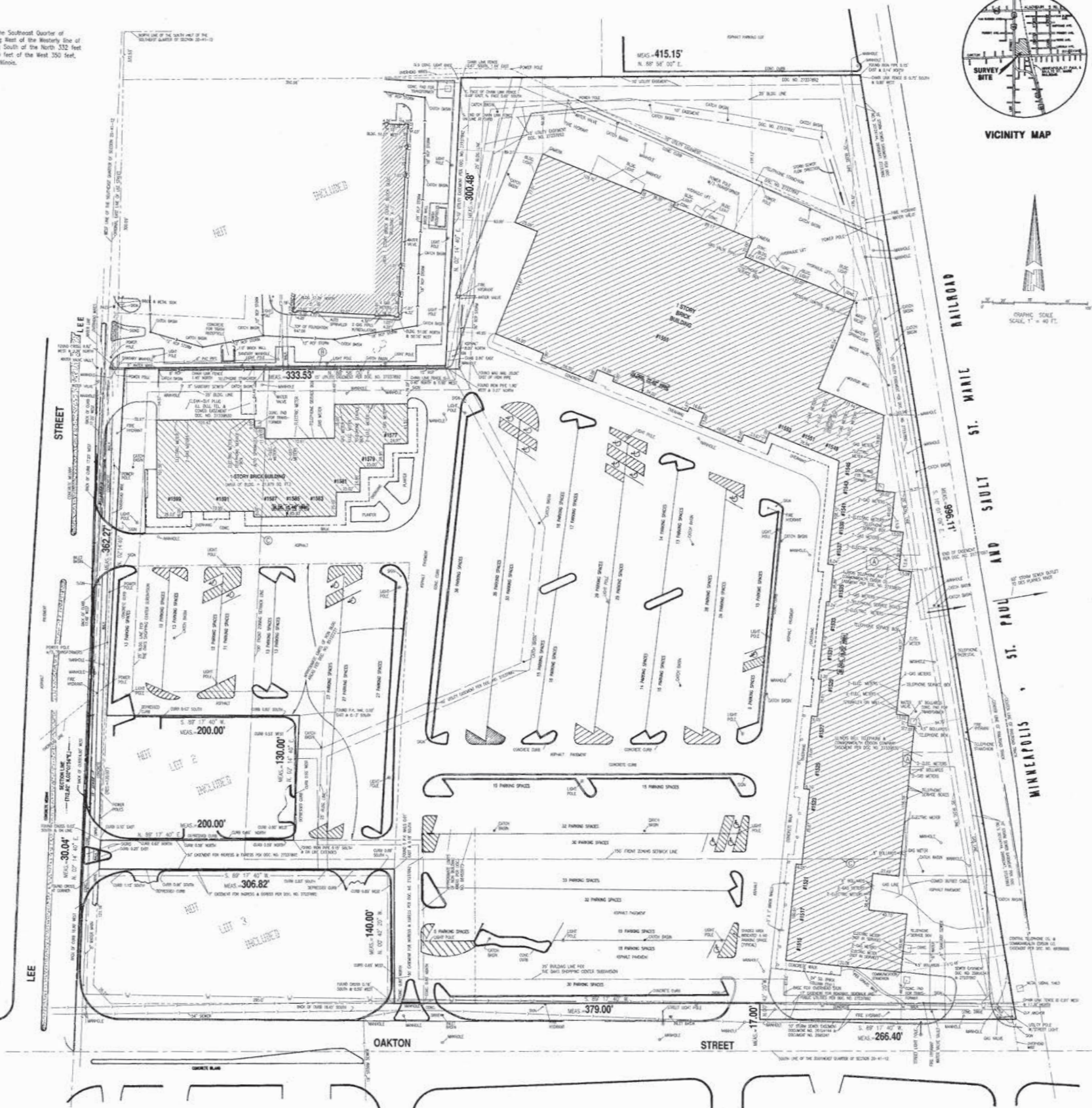


# ALTA/ACSM LAND TITLE SURVEY

## "THE OAKS SHOPPING CENTER"

Legal Description:  
 Lot 3 in The Oaks Shopping Center Subdivision of that part of the South Half of the Southeast Quarter of Section 20, Township 41 North, Range 12 East of the Third Principal Meridian, 1/4th East of the Westerly Line of the right of way of the Mississippi St. Pkwy and South St. Marie Railroad, and lying South of the Westerly Line of the South Half of the Southeast Quarter thereof, (except from the Northern 300 feet of the West 350 feet, and except that part taken and used for Oakton and Lee Street), in Cook County, Illinois.

Commonly known as: Lee and Oakton Street; Des Plaines, Illinois.



**SITE NOTES**  
 Area = 606,947 sq. ft.  
 Legend:  
 T.S.B. = Telephone Service Box  
 Bearings are assumed, based on the North line of Oakton Street being South 89°17'40" West.  
 Flood Zone Designation:  
 The Flood Insurance Rate Map No. 17021C0219 A, Effective date August 18, 2018.  
 Area determined to be outside of the 0.2% annual chance floodplain.  
 Reference:  
 The records of this survey have been filed with the Cook County Clerk's Office, Cook County, Illinois, in accordance with the provisions of the Illinois Land Survey Act, Chapter 120, Illinois Compiled Statutes (605 CS), for all recorded documents affecting the described parcels.  
 All Easements noted as Document No. 27237892 are from the Plat of Subdivision.  
 Document No. 85122221 and Document No. 27237039 (amended by Document No. 84459873) are provided for ingress and egress and below ground utilities over all common areas, and are not part of this survey.  
 Storm sewer easements recorded in Documents 22124144 and 27172097 are included within equal or larger easements recorded in Subdivision Plat Document No. 27237892.  
 For City of Des Plaines Department of Community Development Planning and Zoning District: Property in Zoned C-4 Regional Shopping District. (Zoning Ordinance of 1986)  
 -Maximum building height 45 feet  
 -25 foot side and rear yard building lines shown on the plat of the Oaks Shopping Center Subdivision are consistent with the applicable zoning requirements for side and rear setbacks.  
 -Front setback, 150.00 feet. For zoning requirements.  
 Encroachments:  
 (1) Building over utility easements along Oak side of property.  
 (2) Asphalt pavement on property to North extends to survey using property line.  
 (3) Building encroachment of 150 feet Zoning Setback along Lee Street and Oakton Street.  
 The City of Des Plaines Zoning Department, this is a legal non-conforming use.  
**Parking:**  
 176 Regular Spaces  
 177 Handicap Spaces  
 762 Total Parking Spaces  
**GENERAL NOTES**  
 All information provided to the surveyor is shown or acted thereon.  
 Location of underground utilities shown not substantiated by physical evidence are taken from records and/or field markings commonly considered reliable. No responsibility for their accuracy is assumed by the surveyor.  
 Prior to excavation call first the JULIET 1-800-892-0123 (for suburban).  
 The description on this plat was provided to us by the client, and does not guarantee ownership, and should be compared to your Deed, Abstract or Certificate of Title.  
 All building restrictions, building lines and easements may or may not be shown, check your Deed, Abstract, Title Report, and local ordinances, no responsibility is assumed by Surveyor.  
 Compare all points before building by name and report any discrepancy at once.  
 Dimensions are shown in feet and decimal parts thereof, no dimension is to be assumed by building.

STATE OF ILLINOIS  
 COUNTY OF COOK

DEVELOPED BY: -Oaks SC Partners, LLC  
 -Fairfax Partners, LLC  
 -Lafayette Bank, N.A., as Trustee for the Holders of Bear Stearns Commercial Mortgage Securities, Inc. Commercial Mortgage Pass-Through Certificates, Series 2003-12 Top  
 -North Shore Community Bank & Trust  
 -Fidelity National Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2002, and include items 1, 2, 3, 4, 4.1, 7(a), 7(b)(1), 7(b), 8, 9, 10, and 11(a) of Table A thereof.

I, the undersigned, being a duly licensed and sworn Surveyor in the State of Illinois, do hereby certify that this survey was made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2002, and include items 1, 2, 3, 4, 4.1, 7(a), 7(b)(1), 7(b), 8, 9, 10, and 11(a) of Table A thereof.

Dated at Evanston, Ill., this 10th day of October, 2023.

*Michael A. Alesha*  
 Michael A. Alesha  
 Surveyor  
 License No. 001-000000000

**B.H. SUHR & COMPANY, INC.**  
 B. H. SUHR  
 548 CENTER STREET, EVANSTON, ILLINOIS 60120  
 TEL: (847) 864-4315 • FAX: (847) 864-4341  
 E-MAIL: BHSUR@BHSUR.COM

PROJECT: THE OAKS SHOPPING CENTER  
 DATE: OCTOBER 29, 2023  
 SHEET NO.: 10-311  
 DRAWN BY: MICHAEL A. ALESHA & ASSOC.

**EXHIBIT B**

**SITE PLAN INCLUDING PREMISES**

*This Exhibit is intended for general and illustrative purposes only and is not for reliance. Actual existing tenancies and improvements, including the size, quantity, locations, and other aspects thereof, may and will vary.*

