

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS, DES PLAINES CIVIC CENTER, MONDAY, JUNE 17, 2024**

**CALL TO ORDER**

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Goczkowski at 6:33 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, June 17, 2024.

**ROLL CALL**

Roll call indicated the following Aldermen present: Lysakowski, Moylan, Oskerka, Sayad, Walsten, Smith, Charewicz. Absent: Alderman Brookman. A quorum was present.

**CLOSED SESSION**

Moved by Walsten, seconded by Oskerka, to convene into Closed Session under the following sections of the Open Meetings Act – Pending Litigation. Upon roll call, the vote was:

AYES: 7 - Lysakowski, Moylan, Oskerka, Sayad,  
Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Brookman

Motion declared unanimously carried.

The City Council recessed at 6:34 p.m.

The City Council reconvened at 7:14 p.m.

Roll call indicated the following Alderman present: Lysakowski, Moylan, Oskerka, Sayad, Brookman, Walsten, Smith, Charewicz. A quorum was present.

Also present were: City Manager Wisniewski, Acting Director of Finance Podbial, Director of Public Works and Engineering Oakley, Director of Community and Economic Development Rogers, Fire Chief Matzl, Police Chief Anderson, and General Counsel Friedman.

**PRAYER AND PLEDGE**

The prayer and the Pledge of Allegiance to the Flag of the United States of America were offered by Alderman Mayor Goczkowski.

**PROCLAMATION**

Deputy Clerk Fast read a proclamation by Mayor Goczkowski declaring June 19<sup>th</sup> as Juneteenth Day.

**ALDERMAN ANNOUNCEMENTS**

Alderman Brookman expressed her condolences to the family of Maxine Hubbard. Mrs. Hubbard was a past principal of Plainfield Elementary School.

Alderman Walsten announced there will be a 6<sup>th</sup> ward meeting on June 20, 2024 at the Leisure Center. 7:00 p.m. Clean-Up, Give-Back was a successful event at Izaak Walton.

Alderman Smith expressed her appreciation to the 7<sup>th</sup> ward residents and staff for their attendance at the recent ward meeting.

Alderman Charewicz announced the next 8<sup>th</sup> Ward meeting will be on August 6, 2024. On Tuesday, June 25, 2024 the Planning and Zoning Board (PZB) will host a special meeting and workshop surrounding the properties located at 10 W. Algonquin Rd. Vetter Pharma, the property owner, will provide an overview of their preliminary concepts, answer questions, and collect feedback about the proposed building for manufacturing and office space.

Alderman Sayad suggested additional special events for the future.

**MAYORAL  
ANNOUNCEMENTS**

Mayor Goczkowski thanked Planning and Zoning Board member Richard Hofherr for his service on the board and welcomed the Clinical Government students that are present at tonight’s meeting.

Mayor Goczkowski and Aldermen expressed their appreciation to staff and volunteers who participated in the Taste of Des Plaines. The event was very successful.

Speak Des Plaines and the City have partnered to create a survey. The survey can be found at [desplaines.org/survey](https://desplaines.org/survey).

**MANAGER’S  
REPORT**

City Manager Wisniewski thanked all of the individuals involved in the Taste of Des Plaines.

A list of cooling centers can be found at [cookcountil.gov/service/cooking-centers](https://cookcountil.gov/service/cooking-centers). Several cooling centers are located within Des Plaines; Prairie Lakes Community Center, Des Plaines Library and the Frisbie Center.

**CONSENT AGENDA**

Moved by Smith, seconded by Brookman, to establish the Consent Agenda. Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Moved by Brookman, seconded by Smith, to approve the Consent Agenda. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Minutes were approved; Ordinance Z-10-24 was approved; Resolutions R-84-24, R-85-24, R-107-24, R-113-24, R-115-84, R-116-24, R-117-24, R-120-24 were adopted.

**APPROVE  
PURCHASE/  
RAILROAD  
EQUIPMENT:**

**Consent Agenda**

Moved by Brookman, seconded by Smith, to Approve Resolution R-84-24, APPROVING THE PURCHASE OF TRAINFO RAILROAD SENDING EQUIPMENT AND SERVICES FROM TRAFFIC CONTROL CORPORATION. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-84-24**

**APPROVE  
PURCHASE/ TRAFFIC  
CONTROL  
EQUIPMENT:**

**Consent Agenda**

Moved by Brookman, seconded by Smith, to Approve Resolution R-85-24, APPROVING THE PURCHASE OF TRAINFO/TRAFFIC CONTROL CORPORATION EQUIPMENT INSTALLATION SERVICES FROM LYONS & PINNER. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-85-24**

**APPROVE AGMTS  
REGARDING CRAIG  
MANOR  
STORMWATER  
PROJECT:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to Approve Resolution R-107-24, A RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENTS WITH THE DES PLAINES PARK DISTRICT AND METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO FOR CERTAIN STORMWATER IMPROVEMENTS AT CRAIG MANOR SUBDIVISION. Motion declared carried as approved. unanimously under Consent Agenda.

Resolution  
R-107-24

**APPROVE  
CONTRACT WITH  
SENTINEL  
TECHNOLOGIES  
CONSULTING:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to approve Resolution R-113-24, A RESOLUTION APPROVING A MASTER CONTRACT AND TASK ORDER NO. 1 WITH SENTINEL TECHNOLOGIES, INC FOR PROFESSIONAL TECHNOLOGICAL CONSULTING SERVICES. Motion declared carried as approved. unanimously under Consent Agenda.

Resolution  
R-113-24

**APPROVE AMGT/ IL  
STATE DCEO/  
SIDEWALK  
INSTALLATION:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to approve Resolution R-115-24, A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT BUDGET AND AGREEMENT WITH THE STATE OF ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY. Motion declared carried as approved unanimously under Consent Agenda.

Resolution  
R-115-24

**APPROVE AMGT/  
DCEO FOR  
STORMWATER  
DRAINAGE  
IMPROVEMENTS:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to approve Resolution R-116-24, A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT BUDGET AND AGREEMENT WITH THE STATE OF ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY. Motion declared carried as approved unanimously under Consent Agenda.

Resolution  
R-116-24

**APPROVE AMGT/  
TYLER  
TECHNOLOGIES/  
ERP SYSTEM TO A  
CLOUD BASED  
SOFTWARE:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to approve Resolution R-117-24, A RESOLUTION APPROVING AN AGREEMENT WITH TYLER TECHNOLOGIES, INC FOR THE CLOUD MIGRATION AND IMPLEMENTATION OF ENTERPRISE PLANNING RESOURCES SYSTEM. Motion declared carried as approved unanimously under Consent Agenda.

Resolution  
R-117-24

**SECOND READING/  
AMEND CU/  
1628 RAND ROAD:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to approve Second Reading Ordinance Z-10-24, AN ORDINANCE GRANTING AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW MOTOR VEHICLE SALES AND A TRADE CONTRACTOR USE LOCATED AT 1628 RAND ROAD, DES PLAINES, IL. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance  
Z-10-24**

**AUTHORIZE FILING  
PROPERTY TAX  
APPEAL/THEATRE  
AND ASSOC. LEASED  
PREMISES:**  
Consent Agenda

Moved by Brookman, seconded by Smith, to approve Resolution R-120-24, A RESOLUTION CONSENTING TO AND AUTHORIZING FILING OF PROPERTY TAX APPEAL FOR DES PLAINES THEATRE AND ASSOCIATED LEASED PREMISES. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-120-24**

**APPROVE  
MINUTES**  
Consent Agenda

Moved by Brookman, seconded by Smith, to Approve the Minutes of the City Council meeting of June 3, 2024, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE  
MINUTES**  
Consent Agenda

Moved by Brookman, seconded by Smith, to Approve the Closed Minutes of the City Council meeting of June 3, 2024, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPOINTMENTS/RE-  
APPOINTMENTS:**

Mayor Goczkowski received a small number of applicants for consideration to fill the Planning and Zoning Board vacancy. Dominik Bronakowski was vetted by staff and by the Chairman of PZB and was found to be qualified.

Mr. Bronakowski introduced himself and expressed his appreciation to the City Council for their consideration.

Resident Tom Lovestrand expressed that he felt someone with more knowledge would be better suited to fill the vacancy.

**NEW BUSINESS**

**FINANCE & ADMINISTRATION** – Alderman Sayad, Chair

**WARRANT  
REGISTER**

Alderman Sayad presented the Warrant Register.

**Resolution  
R-118-24**

Moved by Sayad, seconded by Walsten, to Approve the Warrant Register of June 17, 2024, in the Amount of \$3,108,111.96 and Approve Resolution R-118-24. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**COMMUNITY DEVELOPMENT** – Alderman Moylan, Chair

**CONSIDER  
AMENDING THE  
PURCHASING  
POLICY:**

Interim Director of Finance Podbial explained staff completed a comprehensive Purchasing Policy analysis December 5, 2022, evaluating the increase of the City's purchasing threshold from \$20,000 to \$25,000. The analysis revealed that the state statutory threshold for bids with City Council approval stands at \$25,000, with 75 percent of surveyed municipalities having thresholds at \$24,999 or higher.

**Resolution  
R-119-24**

An expenditure analysis highlighted that increasing the threshold to \$25,000 would streamline processes, reducing the need for City Council approval for a small percentage of lower-value contracts. This change enhanced efficiency by reallocating staff time towards projects generating higher value for the City while ensuring compliance with state law and City code requirements.

Increasing Department Head purchasing authority from \$2,500 to \$5,000 would parallel the benefits of increasing the purchasing threshold from \$20,000 to \$25,000 in terms of efficiency and streamlining procurement processes.

Increasing Department Head and City Manager change order authority from 5% or \$5,000 to 10% or \$10,000, whichever amount is less, provides greater flexibility and autonomy to Department Heads and the City Manager in managing projects effectively.

Moved by Sayd, seconded by Smith, to approve Resolution R-119-24, A RESOLUTION AMENDING THE CITY PURCHASING POLICY REGARDING THE DEPARTMENT HEAD PURCHASING AUTHORITY AND DEPARTMENT HEAD AND CITY MANAGER CHANGE ORDER AUTHORITY. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad, Brookman, Walsten, Smith, Charewicz;

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSIDER TEXT**  
**AMENDMENT/**  
**EQUIPMENT**  
**RENTAL AND**  
**LEASING:**

Director of Community & Economic Development Rogers reviewed a memorandum dated June 6, 2024.

The City of Des Plaines is proposing amending the Zoning Ordinance to alter/expand the allowance for equipment rental and leasing, distinguish between small and large equipment, alter/rename existing Leasing/Rental Agents, Equipment term to define small equipment for rental and lease, and create a new term to define large equipment for rental and lease.

Chapter 13 of the Zoning Ordinance, "Definitions," currently contains the following term related to the rental and leasing of equipment, a use which is allowed only via a conditional use permit in the C-3 General Commercial and C-4 Regional Shopping districts:

LEASING/RENTAL AGENTS, EQUIPMENT: An establishment, the principal use or purpose of which is the rental of equipment which includes the following general items: personal hand and power tools, small-scale air compressors, trailers with one thousand nine hundred (1,900) pound capacity or less, lawn and garden equipment residential generators, floor and carpet cleaners, heaters, fans, ladders, painting, and wallpaper equipment. "Leasing/rental agents, equipment" shall not include any use otherwise listed specifically in a zoning district as a permitted or conditional use. The display of motor vehicles for lease shall be allowed in all required yards but may not be in conflict with other provisions of this title. This use shall follow the off- street parking regulations for motor vehicle sales and vehicle leasing/rental agent establishments to accommodate employee, guest, and related vehicle parking (Section 12-13-3 of the Zoning Ordinance).

While this term and definition provide some allowance for the rental or leasing of equipment, it is limited in scope and variety of the types of equipment that can be offered for rent. In addition, staff has received a request for a proposed equipment rental and leasing use at 125 E. Oakton Street (M-2 General Manufacturing zoning), which would offer an inventory of both small equipment items and larger equipment items especially related to construction and facilities maintenance.

**ORDINANCE**  
**Z-11-24**

Proposed Amendments

Section 12-7-3, Commercial Districts Regulations: Amend subsection K., “Commercial Use Matrix,” of this section to rename the existing Leasing/Rental Agents, Equipment term to “Leasing/Rental Agents, Small Equipment” and retain the current conditional use (“C”) designation within only the C-3 and C-4 districts.

Section 12-7-4, Manufacturing Districts Regulations: Amend subsection G., “Manufacturing Use Matrix,” of this section to:

- Add new “Leasing/Rental Agents, Small Equipment” use and designate it as a permitted use by right (“P”) in the M-1 Limited Manufacturing district and the M-2 General Manufacturing district.
- Add new “Leasing/Rental Agents, Large Equipment” use term and designate it as a conditional use (“C”) in the M-1 Limited Manufacturing district and the M-2 General Manufacturing district.

Section 12-13-3, Definition of Terms:

- Rename the existing Leasing/Rental Agents, Equipment term to “Leasing/Rental Agents, Small Equipment” and revise/expand the list of equipment types denoted as small equipment.
- Add new “Leasing/Rental Agents, Large Equipment” term and description with a list of equipment types denoted as large equipment.

The Planning and Zoning Board held a public hearing on May 28, 2024, to consider the requests. The PZB voted 5-0 to recommend that City Council approve the Text Amendment request.

Moved by Brookman, seconded by Sayad, to approve First Reading of Ordinance Z-11-24, AN ORDINANCE AMENDING THE TEXT OF THE DES PLAINES ZONING ORDINANCE REGARDING EQUIPMENT RENTAL AND LEASING. Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
Brookman, Walsten, Smith, Charewicz;

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Moved by Brookman to advance to Second Reading, seconded by Walsten, to Adopt Ordinance Z-11-24, AN ORDINANCE AMENDING THE TEXT OF THE DES PLAINES ZONING ORDINANCE REGARDING EQUIPMENT RENTAL AND LEASING. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
Brookman, Walsten, Smith, Charewicz;

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSIDER TEXT  
AMENDMENTS/  
I-1 INSTITUTIONAL  
ZONING DISTRICT:**

**ORDINANCE  
Z-12-24**

Director of Community & Economic Development Rogers reviewed a memorandum dated May 30, 2024.

The City of Des Plaines is proposing Zoning Ordinance amendments to: (i) define “Institutionally Zoned Assembly Uses” in Section 12-13-3; (ii) amend the use matrix in Section 12-7-5.A.6 to allow “institutionally zoned assembly uses”; (iii) amend footnote 2 in Section 12-7-5.A.6 to allow restaurants on the same zoning lot as assembly uses; and (iv) amend off-street parking requirements in Section 12-9-7 for assembly uses.

The purpose of the amendments surrounds how assembly uses including commercial theaters, banquet halls, nightclubs, community centers, membership organizations, churches, synagogues, temples, meeting houses, mosques, or other places of worship are treated within the I-1 Institutional District. The proposed amendments aim to broaden the range of assembly uses permitted in the I-1 district, clarify entitlements and parking requirements, and introduce restaurants as a possible land use associated with additional land use types.

Permitted uses in the I-1 district have remained largely consistent since the 1960 Zoning Ordinance, with the exception of massage establishments added as a conditional use in 2013 and restaurants permitted in select situations in 2022.

This text amendment seeks to clarify assembly uses within the I-1 District. In 2018, the Zoning Ordinance was amended to establish regulations surrounding assembly uses within residentially and commercially zoned properties. “Place of worship” was removed from the use matrix of commercial and residential zoning and reclassified with other similar uses under “residentially zoned assembly use” and “commercially zoned assembly use”. The I-1 district was unchanged.

In 2018, definitions were added for residentially zoned and commercially zoned assembly uses. Staff proposes the following definition for uses operating in the institutional district:

**INSTITUTIONALLY 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 theaters, banquet halls, event spaces, churches, synagogues, temples, meeting houses, mosques, or other places of worship. Such uses shall adhere to the off street parking requirements under "assembly uses".

The definition is similar to the commercially zoned assembly use definition but excludes the term “nightclub”. All other example uses align with the types of uses that may be expected within the Institutional District Use Matrix, such as a park, house of worship, or college/university. Adding this definition will consolidate the existing “house of worship” use into the new “assembly use” definition and also expand the range of uses available in the institutional district to match the types of activities that may be present in this zoning district.

An additional amendment proposes to expand the parking requirements in Section 12-9-7 – Off-Street Parking to apply to the new definition of “institutionally zoned assembly uses”. Presently, there are parking requirements for places of worship established prior to the adoption of the 2018 text amendments that established commercially and residentially zoned assembly uses. The places of worship parking requirement is dependent on the number of seats within the place of assembly. The proposed amendments remove this section and apply the same parking requirement to all assembly uses, regardless of zoning. This amendment treats all assembly uses equally in terms of required parking and ensures facilities without affixed seating are providing adequate parking for their use.

The proposed amendment to Section 12-7-5 removes “places of worship” and replaces it with the broader range of options of “assembly use”. Upon review of the variety of uses permitted within the I-1 district, there are many that may incorporate an “assembly use”, including event spaces at park district properties, places of worship, or other community centers.

Within the R-1 and R-2 zoning districts, assembly uses are permitted as a conditional use if they are over 1 acre and have frontage along a collector or arterial street. This footnote, added with the 2017 amendment, is intended to prevent smaller assembly uses with insufficient area and access to be located within neighborhoods. Assembly uses are also a conditional use within two commercial districts – C-3, General Commercial and C-5, Central Business

District – without any restrictions associated with size or adjacency to roadway. Currently, Places of Worship are permitted by right in the I-1 zoning district. However, as proposed a conditional use would be required in certain circumstances.

Section 12-7-5: SPECIAL DISTRICTS REGULATIONS

***	***
Places of worship <u>Institutionally Zoned Assembly Uses (located along an arterial roadway)</u>	P
<u>Institutionally Zoned Assembly Uses (not located along an arterial roadway)</u>	C
***	***

Restaurant Uses in I-1 Zoning History and Overview

In 2022, an amendment to the Institutional Zoning district was approved to allow restaurants in connection with recreational or educational uses. This amendment provided the zoning route necessary for the adaptive reuse of a church at Lake Park to be transformed into Foxtail at the Lake. Interest has been expressed from Shrine of Our Lady of Guadalupe to provide a cafeteria facility. The cafeteria and tortilleria use is proposed to be open to attendees and the public. This type of cafeteria use is common with many assembly uses, including catholic shrines.

The restaurant definition does note that in certain circumstances, a cafeteria or lunchroom may be considered incidental to the principal use and is not considered a “restaurant”. However, if the cafeteria is open to the public and does not require interaction with the principal use (assembly use) on the property, it is interpreted this would not be “incidental” to the principal use and would need to be classified as a permitted use for a restaurant in this zoning district.

RESTAURANT: An establishment whose principal business is the sale of edible, prepared foodstuffs and/or beverages for consumption on or off the premises.... Lunchrooms, cafeterias, and coffee shops providing service intended for employees, students, and guests within an educational, office, medical, or industrial building, are not, only for purposes of this definition, considered to be restaurants, but rather uses incidental to the permitted uses (Section 12-13-3).

Proposed Amendment to Allow Restaurant Uses Associated with the Assembly Use

The proposed amendment builds from the 2022 amendment, expanding the ability for assembly uses to contain restaurants. See below for proposed language for Section 12-7-5.

Restaurants	P <sup>2</sup>
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2. When located on the same zoning lot as lawfully established commercial indoor or outdoor recreation, college/university, or park, **or assembly** uses.

The PZB held a public hearing on May 28, 2024, to consider the requests. The PZB voted 5-0 to recommend that City Council approve the Text Amendment request.

Moved by Moylan, seconded by Lysakowski, to Approve First Reading of Ordinance Z-12-24, AN ORDINANCE AMENDING THE TEXT OF THE DES PLAINES ZONING ORDINANCE REGARDING ASSEMBLY USES IN THE I-1, INSTITUTIONAL ZONING DISTRICT. Upon voice vote, the vote was:



AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
 Brookman, Walsten, Smith, Charewicz;  
 NAYS: 0 - None  
 ABSENT: 0 - None  
 Motion declared carried.

Moved by Moylan to advance to Second Reading, seconded by Brookman, to Adopt Ordinance Z-12-24, AN ORDINANCE AMENDING THE TEXT OF THE DES PLAINES ZONING ORDINANCE REGARDING ASSEMBLY USES IN THE I-1, INSTITUTIONAL ZONING DISTRICT. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
 Brookman, Walsten, Smith, Charewicz;  
 NAYS: 0 - None  
 ABSENT: 0 - None  
 Motion declared carried.

**CONSIDER AGMT  
 AND COVENANT  
 LOT 2/BONK  
 SUBDIVISION/  
 2289 WEBSTER LN:**

Director of Community & Economic Development Rogers reviewed a memorandum dated June 10, 2024.

The applicant is requesting approval of an agreement and covenant deferring the remittance to the City of the required subdivision improvement bond and maintenance warranty for required infrastructure improvements associated with the future development of Lot 2 in the Bonk Subdivision until such time that a permit is submitted for the development of said Lot 2.

**RESOLUTION  
 R-121-24**

On February 1, 2024 via R-55-24, the City Council approved a final plat of subdivision for the Bonk Subdivision to be comprised of two lots of record including one lot for an existing single-family detached residence at 2285 Webster Lane and a second lot for an existing vacant lot at 2289 Webster Lane. Prior to the approval of the final subdivision, a zoning variation was approved to reduce the required lot width for both of the proposed Lots 1 & 2 from 55 feet to 50 feet.

The applicant’s Final Plat shows the subdivision of the existing lot into two 9,341 square-foot, 50-foot-wide lots with a 25-foot building line. The property currently includes no easements, and the final plat does not propose any additional easements, but the plat notes utility lines including gas, water, and overhead electrical lines. The petitioner provided correspondence from ComEd and Nicor that no easements exist on the property for these utilities. Per correspondence between the petitioner and ComEd, easements may be required in the future for ComEd when a new residence is planned, but this location and size will be determined prior to approval of a building permit.

A 3,303-square-foot area along the frontage of the existing property is proposed to be dedicated to the city for public right-of-way comprising Webster Lane. The current property line extends into the area that is typically used for parkways and sidewalks along Webster Lane, creating a burden for the property owner in terms of maintenance and taxes, and reduces the ability for the city to easily maintain the street and the proposed parkway and public sidewalk.

Presently, there is no sidewalk or parkway in front of the property. The Preliminary Site Improvement Plan includes a 5-foot-wide sidewalk, parkway, and various other improvements including a driveway apron, storm sewer catch basins, water service, Buffalo box, PVC drain pipe, and appurtenances thereto. The required improvements were approved by the Director of Public Works and Engineering.

The applicant’s civil engineer has provided an Engineer’s Estimate of Probably Cost itemizing projected costs for these infrastructure improvements associated with a.) Lot 1, for which a financial security in the amount of 125% and a maintenance warranty in the amount of 10% would be provided in advance of the recording of the Final Plat of Subdivision and subsequent construction thereof; and b.) Lot 2, for which the applicant requests approval of an agreement and covenant to defer remittance of the financial security in the amount of 125% and a maintenance warranty in the amount of 10% until such time that a permit for a new single-family residence upon Lot 2 has been submitted.

If approved by the City Council, the agreement would be executed by the parties, the security and warranty for improvements upon Lot 1 would be collected, the subdivision plat would be recorded with the Cook County Clerk’s Office, and subsequently the agreement deferring improvements and remittance of a financial security and maintenance warranty for required improvements associated only with Lot 2 would be recorded against Lot 2.

The applicant, Jean Bonk, 2285 Webster Ln, Des Plaines, IL 60018, requests approval of an agreement and covenant to defer remittance of the required subdivision improvement bond and maintenance warranty for required infrastructure improvements associated with the future development of Lot 2 in the Bonk Subdivision until such time that a permit is submitted for the development of said Lot 2. A record of the future obligations and required infrastructure improvements would be maintained in the Community & Economic Development Department for Lot 2 at 2289 Webster Lane to ensure the required infrastructure and associated subdivision improvement bond and maintenance warranty are collected prior to the issuance of a permit for any future new single-family residence upon Lot 2.

Each respective bond and/or warranty would be returned upon satisfaction of the terms and in accordance with the procedures and timelines stipulated in Sec. 13-2-8 of the City Code regarding the completion and acceptance of public improvements.

Moved by Brookman, seconded by Moylan, to Approve, as amended, Resolution R-121-24, A RESOLUTION APPROVING A SUBDIVISION PREFORMANCE SECURITY AND PUBLIC IMPROVEMENT AGREEMENT AND COVENANT FOR LOT 2 IN THE BONK SUBDIVISION 2289 WEBSTER LANE. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,  
Brookman, Walsten, Smith, Charewicz;

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSIDER**  
**EXTENSION AND**  
**AMENDMENT/COMM**  
**ERCIAL PARKING/**  
**3001 MANNHEIM RD:**

**RESOLUTION**  
**R-122-24**

Director of Community & Economic Development Rogers reviewed a memorandum dated June 10, 2024.

The Holiday Inn Express and Suites hotel at 3001 Mannheim Road in the Orchards at O’Hare development has been operating a commercial parking lot use, as defined in Section 12-13-3 of the Zoning Ordinance, since approximately mid-July 2021. This activity is not allowed at the C-3-zoned property without a conditional use permit and is also not permitted by the ordinance approving the Orchards at O’Hare planned unit development (PUD). However, from 2021 through 2024, the City Council passed five separate resolutions (R-189-21, November 15, 2021; R-110-22, June 20, 2022; R-208-22, December 5, 2022, R-110-23, June 5, 2023; and R-74-24, March 18, 2024) to enter into and maintain a compliance and temporary abeyance of enforcement agreement with the property owner to allow the activity to occur. The current agreement will expired on June 15, 2024.

The property owner/hotel management (Prominence) has submitted the attached request to the Council to extend the temporary allowance via an amended agreement, with termination upon July 17, 2024.

The commercial parking activity is driven by visitors (typically O'Hare Airport travelers) reserving a parking space through third-party apps and websites such as Way.com. The commercial parking is providing an ancillary revenue stream to the hotel. The hotel representative also reports that construction and development activity are imminent, as construction activity relating to the Cilantro Taco/Ostra's restaurants within the hotel is nearing completion. Proposed Tesla charging stations on Lot 5 have been indefinitely postponed by the applicant, and permit plans for the Popeye's restaurant with drive-through are presently in the plan review process between the developer and the City.

The property lies within the O'Hare Corridor Privilege Area and is subject to a \$1 per car daily parking tax, which has been remitted monthly to the City since December 2021.

The amended and extended agreement stipulates the following requirements for property ownership:

- Remit as required by the Finance Department the \$1-per-car, per-day O'Hare Privilege Corridor Parking Tax;
- Maintain a Parking Lot Permit from the City as required by Section 7-7-2 of the City Code in goodstanding at all times when conducting the Commercial Parking;
- Confine the commercial parking activity to the hotel parcel, Lot 3, and the freestanding restaurant parcel, Lot 5, in the development;
  
- Prevent commercial parking from interfering with the parking needs of the hotel or any other development and business activity within the Planned Development Property, avoiding a parking shortage for any existing use within the development;
  
- Conduct commercial parking only on a hard, all-weather, dustless surface in permanently striped parking spaces, with drive aisle widths and parking space dimensions that comply with Section 12-9-6 of the Zoning Ordinance; and
  
- Maintain all portions of the Orchards at O'Hare development free of nuisances and undue service demand from the City of Des Plaines, including but not limited to property maintenance code enforcement and public safety (Police and Fire)
  
- Related: To activate the agreement, all property maintenance issues must be inspected and resolved, and any owed fees or fines must be paid.

Representative Justina Pikor answered questions from the Aldermen.

Moved by Walsten, seconded by Brookman, to Approve, as amended, Resolution R-122-24, A RESOLUTION APPROVING A FOURTH AMENDED TEMPORARY ABEYANCE OF ENFORCEMENT AGREEMENT BETWEEN THE CITY OF DES PLAINES, POMINENCE HOPITALITY GROUP, AND O'HARE REAL ESTATE LLC. Upon roll call, the vote was:

AYES: 2 - Brookman, Walsten  
 NAYS: 6 - Lysakowski, Moylan, Oskerka, Sayad  
 Smith, Charewicz  
 ABSENT: 0 - None  
 Motion failed.

**LEGAL & LICENSING** – Alderman Brookman, Chair

**DISCUSSION**  
**REGARDING**  
**BEEKEEPING:**

In advance of the tonight’s meeting of the City Council, several aldermen filed a legislative order to request a summary for consideration and discussion of the City’s prohibition of keeping or harboring bees, bee hives, and apiaries except where used only for educational purposes versus the requirements enforced in other local municipalities.

Staff has prepared a summary of both the City’s requirements as well as current requirements in our adjacent communities relating to beekeeping, bee hives, and apiaries.

The City last amended its regulations regarding beekeeping in 2018. Until that time, the keeping of bees was allowed only in areas more than one-quarter (1/4) mile from any residence, school, church, or other place of public gathering. The Code amendment approved in 2018 modified the Code to prohibit the purposeful keeping of bees by residents in any artificial apiary except where used for educational purposes. Provisions were introduced at that time to establish new buffer distances, quantities, and licensing requirements.

The current requirements of the City Code can be found within Title 5: Public Health and Safety, Chapter 3: Nuisances, Sec. 5-3-1: Nuisances Declared, Subsection H which states:

H. Apiaries: It shall be unlawful to keep, harbor or maintain any bees or to operate any apiaries for housing the same, except that bees may be kept and used only for educational purposes under the following conditions:

1. Beehives are located no closer than two hundred fifty feet (250') from a residence;
2. No more than four (4) beehives are kept and maintained; and
3. Beekeepers must register their beehive(s) with the Illinois Department of Agriculture and provide proof of registration to the City.

Annually, the City’s Animal Control Officer receives approximately 2-3 complaints regarding bee hives. Each complaint is inspected, reviewed for compliance with the City Code, and enforced in accordance with the circumstances associated with each instance.

Staff prepared the following summary of generally relevant information relating to beekeeping and statistics relating to bees throughout the U.S.:

- a. Of all insect species, honey bees are commonly considered among the most beneficial.
- b. The honey bee makes its greatest contribution by pollinating plants. More than one half of all fruit and vegetable crops are pollinated by honey bees.
- c. Approximately 200 million pounds of honey is produced commercially each year.
- d. A typical beehive is approximately 22 inches square by 16 inches high.
- e. There are two (2) main types of beehive structures. These include:
  1. Langstroth hive: The most common hive, the Langstroth is a series of stackable boxes, each with square frames within which bees will build their combs.
  2. Top bar hive: This is a more primitive design featuring bars that lay horizontally across the top of a long wooden box allowing bees to build their combs downward from the bars.
- f. Experts suggest that the entrance to a beehive ideally should face toward the south or to the east, be unobstructed by fencing or other structures for a distance of at least 25 feet at the entrance, and spacing among apiaries should be at least 4-8 feet.

g. Although apiaries may be spaces more closely together, generally approximately one-half acre of land should be provided for each bee hive.

h. Landscape maintenance near beehives can agitate bees. Experts recommend mowing and edging in the late evening right before dark when the bees are much less likely to leave their shelter.

i. Honey bees need a source of water and can be found in residential areas near natural water sources, bird baths, and swimming pools.

j. Approximately one-percent (1%) of the population is allergic to bee and wasp venom.

k. There are no specific statistics regarding death or injuries relating to honey bees in the U.S. Instead, the Centers for Disease Control (CDC) combines data related to deaths from all hornet, wasp, and bee stings. According to the CDC’s National Vital Statistics System, in the 11 years from 2011–2021, a total of 788 deaths occurred (an average of 72 deaths per year, or approximately 1 per every 4.77 million people). The annual total deaths ranged from 59 (2012) to 89 (2017).

Following the discussion the consensus was to direct staff to prepare, for consideration, a draft ordinance to allow beekeeping.

**ADJOURNMENT**

The meeting adjourned at 8:45 p.m.

/s/ Laura Fast  
Laura Fast – DEPUTY CITY CLERK

APPROVED BY ME THIS 15<sup>th</sup>  
DAY OF July, 2024

/s/ Andrew Goczkowski  
Andrew Goczkowski, MAYOR