

Case No. 24-019-V  
Case No. 24-021-CU  
Case No. 24-018-CU-V

Variation  
Conditional Use  
Conditional Use

1700 W. Higgins Rd.  
965 and 975 Rand Rd  
480 S Des Plaines River Rd



**DES PLAINES PLANNING AND ZONING BOARD MEETING**  
**June 11, 2024**  
**MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, June 11, 2024, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chairman Szabo called the meeting to order at 7:01 p.m. and roll call was established.

PRESENT: Weaver, Saletnik, Veremis, Szabo  
ABSENT: Catalano, Hofherr, Fowler  
ALSO PRESENT: Jonathan Stytz, Senior Planner  
Samantha Redman, Senior Planner

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 May 28, 2024, with corrections provided to staff.

AYES: Weaver, Saletnik, Veremis, Szabo  
NAYS: None  
ABSTAIN: None

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

**PUBLIC COMMENT ON NON-AGENDA ITEM**

There was no public comment.

**Pending Applications:**

1. **Address:** 1700 W. Higgins Road

**Case Number:** 24-019-V

The petitioner is requesting a major variation to extend the maximum building sign area on an office building, and any other variations, waivers, and zoning relief as may be necessary. **- Request for Continuance**

**PINs:** 09-33-310-004-0000; 09-33-309-007-0000

**Petitioners:** Julie Piszcek, 5 Robert Court, Hawthorn Woods, IL 60047, and Jeremy Lyons, 6250 N. River Road, Suite 11-100, Rosemont, Illinois 60018

**Owner:** Mariner Higgins Center LLC, 6250 N. River Road, Suite 11-100, Rosemont, IL 60018

The petitioner requested to continue this case to the July 9, 2024 Planning and Zoning Board meeting.

Motion by Board Member Saletnik, seconded by Board Member Veremis to approve a continuance to the July 9, 2024 Planning and Zoning Board Meeting.

AYES: Weaver, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

2. **Address:** 965 and 975 Rand Road

**Case Number:** 24-021-CU

The petitioners are proposing conditional uses for two trade contractor uses at the subject properties, and any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-08-301-006-0000; -007

**Petitioners:** Peter Wrzesinski, 975 Rand Road, Des Plaines, IL 60016, and Norma Diamano, 1733 N. 43<sup>rd</sup> Avenue, Stone Park, IL 60165

**Owner:** 965 Rand Road LLC, 965 Rand Road, Des Plaines, IL 60016

**Ward Number:** #7, Alderman Patsy Smith

**Existing Zoning:** C-3, General Commercial

**Existing Land Uses:** *965 Rand Road:* Pet Clinic; *975 Rand Road:* Two Trade Contractors (commercial) and Four Apartments (residential)

**Surrounding Zoning:** North: M-2, General Manufacturing / R-1, Single Family Residential Districts  
South:R-1, Single Family Residential District  
East:R-1, Single Family Residential District  
West:C-3, General Commercial District

**Surrounding Land Uses:** North:Multi-unit Building (commercial); Park (recreation)  
South:Single Family Residences (residential)  
East:Park (recreation)  
West:Auto Body Establishment (commercial)

**Street Classification:** Rand Road is classified as a principal arterial road under Illinois Department of Transportation (IDOT) jurisdiction.

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

**Property/Zoning History:** The property at 965 and 975 Rand Rd was annexed into the City in 1956. This property has had commercial zoning since the 1968, when the property was re-zoned from single family residential to the current zoning of general commercial<sup>1</sup>. All of the buildings currently occupying the site were constructed between the 1950s and the mid-1990s, with several remodeling projects and additions to the buildings during that time frame. The apartment

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<sup>1</sup> Ordinance Z-35-68

building was constructed on this property in the late 1950s<sup>2</sup> and has been continuously occupied by tenants. While residences are not permitted with the current zoning district in this location, it is considered a non-conforming use and allowed to persist as long as all residential units are occupied.

The office building at 965 Rand Rd has included a variety of uses throughout its history per city records, including an electrician, a manufacturing office, an animal hospital and the most current animal rescue use. The 975 Rand parcel has contained a variety of trade contractor uses, including a lawnmower repair service in the 1960s<sup>3</sup>, a plumbing company between the 1970s and 2022, and the current roofing company.

Staff have received multiple complaints regarding violations on the subject properties related to light pollution, illegal storage, odor, the installation of storage containers, storage of equipment on top of storage containers, fence disrepair, and the parking of a large semitruck on the property. While both the owner of the existing Advanced Roofing business and owner of the proposed Landscaping by AD business have diligently worked with staff to address and rectify the issues raised, there are some outstanding items on the subject properties that will need to be addressed through the conditional use process.

### CONDITIONAL USES

**Request Description:**

*Overview*

The subject properties consist of two separate parcels—both located in the C-3 General Commercial district—which are under common ownership and are summarized in more detail below:

Address	PIN	Lot Size	Current Improvements
965 Rand Rd	09-08-301-006-0000	25,590 SF (0.58 acres)	<ul style="list-style-type: none"> <li>• One-story building (vacant)</li> <li>• Surface parking area</li> </ul>
975 Rand Rd	09-08-301-007-0000	34,113 SF (0.78 acres)	<ul style="list-style-type: none"> <li>• Two-story building (Four residential apartments) [front]</li> <li>• Two-story building (Two trade contractor uses) [rear]</li> <li>• Surface parking area</li> </ul>

<sup>2</sup> “3 Rm Apartment Brand New”, *Arlington Heights Herald*, November 5, 1959 pg. 123

<sup>3</sup> “Bruno’s Lawn Mower”, *Arlington Heights Herald*, May 7, 1964, pg. 160

A business classified as a “trade contractor” is defined in Section 12-13-3 of the zoning ordinance as:

“A building or portion thereof where building and construction trade services are provided to the public. "Trade contractor" shall include, but will not be limited to, contractor offices, including landscaper's showrooms, construction supplies and storage including plumbing, heating, air conditioning, and building equipment, materials, sales, and other uses similar in nature and impact.”

Trade contractor uses require a conditional use in the C-3 district. As such, the petitioners, Peter Wrzesinski of Advanced Roofing and Norma Diamano of Landscaping by AD INC, are requesting conditional use requests for two existing trade contractor uses: one for Advanced Roofing and the other for Landscaping by AD INC. Currently, both uses operate out of the southmost building located on 975 Rand Road. However, the Landscaping by AD INC business is interested in utilizing the rear portion of the property at 965 Rand Road for parking and storage of its vehicles. See the attached Project Narrative for more details related to the operations of the proposed landscaping business.

*Floor Plan and Elevations*

The conditional use requests are related to the existing trade contractor businesses operating out of the southmost building at 975 Rand Road. That said, the attached Floor Plan designates the building areas devoted to each of the proposed uses as well as general areas for building operations, which are summarized in the table. While there are no proposed changes to the existing building itself, there are proposed changes to the site, especially in regard to designated parking and storage areas for each trade contractor business. The proposal does not include any changes to the exterior metal building façade of the existing two-story building. See the attached Photos of Existing Conditions for more information related to the existing building design.

Floor Plan Breakdown			
Use	General	Landscaping by AD	Advanced Roofing
First	<ul style="list-style-type: none"> <li>• 3 Restrooms</li> <li>• 160 SF Lobby</li> <li>• 145 SF Mechanical area</li> </ul>	<ul style="list-style-type: none"> <li>• 4 offices totaling 2,070 SF</li> <li>• 194 SF Kitchenette</li> </ul>	<ul style="list-style-type: none"> <li>• Shop Area totaling 3,537 SF</li> <li>• No shop area devoted for Landscaping by AD</li> </ul>

Second	<ul style="list-style-type: none"> <li>• 3 Restrooms</li> <li>• 127 SF Lobby</li> <li>• 127 SF Storage area</li> <li>• 39 SF Mechanical area</li> </ul>	<ul style="list-style-type: none"> <li>• No space devoted for Landscaping by AD</li> </ul>	<ul style="list-style-type: none"> <li>• 5 offices totaling 2,050 SF</li> <li>• 1,204 SF Mezzanine area</li> </ul>
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*Off-Street Parking*

Sections 12-9-7 and 12-9-8 of the Zoning Ordinance govern the number of off-street standard and accessible parking spaces required based on the property uses. There are no minimum parking requirements for trade contractor uses. However, considerations shall be made based on the following:

- The anticipated number of employees and members of the public that would visit the subject properties for the existing trade contractor uses.
- The loss of off-street parking from the conversion of existing parking areas to private parking and storage for the trade contractor uses
- The minimum requirement of two parking spaces for each apartment unit totaling eight, including at least one accessible space.
- The parking requirement for the future user of the vacant building at 965 Rand Road.

Based on the attached Site Plan, 14 parking spaces will be available on 965 Rand Road and 22 parking spaces—including one accessible space—will be available for 975 Rand Road totaling 36 off-street parking spaces between both properties. The table below summarizes the allocation of all available parking spaces shown on the attached Site Plan to confirm compliance with Sections 12-9-7 and 12-9-8 of the Des Plaines Zoning Ordinance.

<b>Required Off-Street Parking</b>				
<b>Use</b>	<b>Required Parking</b>	<b>Designated Spaces</b> (for each use)		<b>Parking Space Surplus / Deficit</b>
		<b>965 Rand Road</b>	<b>975 Rand Road</b>	
<b>Trade Contractor</b> (Advanced Roofing)	<b>0 spaces</b> <i>(No minimum parking standard required)</i>	<b>5 spaces</b> <i>(Advanced Roofing only)</i>	<b>11 spaces</b> <i>(Advanced Roofing only);</i> <b>7 spaces</b> <i>(shared)</i>	<b>16 spaces</b>

<b>Trade Contractor</b> (Landscaping by AD)	<b>0 spaces</b> <i>(No minimum parking standard required)</i>	<b>5 spaces</b> <i>(Landscaping by AD only)</i>	<i>between trade contractor uses)</i> <b>0 spaces</b> <i>(Landscaping by AD only)</i>	<b>5 spaces</b>
<b>Multifamily Residential</b> (Apartment Building)	<b>8 spaces</b> <i>(Two spaces for each residential unit)</i>	<b>0 spaces</b>	<b>4 spaces</b>	<b>4 spaces</b>
<b>Office</b> (Pet Clinic)	<b>7 spaces</b> <i>(One space for 250 SF of floor area)</i>	<b>4 spaces</b>	<b>0 spaces</b>	<b>3 spaces</b>
<b>Total Off-Street Parking Spaces Required</b>		<b>7 spaces</b>	<b>8 spaces</b>	<b>15 spaces (one accessible)</b>
<b>Total Off-Street Parking Spaces Provided</b>		<b>14 (zero accessible)</b>	<b>22 (incl. one accessible)</b>	<b>36 standard*; one accessible</b>

*\*Some of these parking stalls may be removed or modified in accordance with the current proposal to comply with drive aisle and design requirements.*

As noted in the table, there is a sufficient supply of parking spaces between the subject properties. However, the allocation of parking spaces needs to be adjusted in order to ensure that an adequate number of parking spaces are available for each use as required by the Zoning Ordinance. As such, staff have added a condition requiring the petitioner to reallocate the parking spaces on the Site Plan to meet the minimum parking requirements for each use to conform to Sections 12-9-6, 12-9-7, and 12-9-8 of the Zoning Ordinance.

#### *Access and Circulation*

There is currently one two-way travel access point off Rand Road for each of the subject properties, which will both be maintained as part of this proposal without any changes. While both curb cuts are wide at the street, the specific width of these curb cuts is not identified on the ALTA-NSPS Land Title

Survey or the Site Plan. Section 12-9-6 of the Zoning Ordinance requires drive aisles to be a minimum of 22 feet in width for two-way travel and a minimum of 12 feet in width for one-way travel. If this width cannot be obtained, then the direction of travel of the entrances to the subject properties will need to be adjusted as necessary to ensure adequate access to and from both sites.

Depending on the access type for these entrances (i.e., one-way or two-way), existing striped parking spaces may need to be altered or removed to accommodate the appropriate drive aisle width. To this end, staff have added a condition that the parking space dimensions, drive aisle widths, and direction of travel arrows for all drive aisles are added to the Site Plan to ensure the code requirements are met.

#### *Outdoor Display and Storage of Products*

Aerial photos and the attached Site and Context Photos indicate that both uses are currently storing a combination of vehicles, equipment, and products outside on both properties. In addition, shipping containers have been installed on the subject property for additional storage space outside of the existing building, which is not expressly allowed. However, the Zoning Ordinance does provide a specific consideration for trade contractor uses. Since the Advanced Roofing and Landscaping by AD businesses meet the definition of a trade contractor, Section 12-7-3.F.5.d provides both with allowances for outdoor display and storage of finished or prefabricated products (i.e., products ready for sale to an end user) with some restrictions:

- Products may not be stored or displayed outdoors within any required yard (i.e., front, rear, or side yards).
- Products must be fully screened with an eight-foot tall, solid, opaque fence.
- Raw or landscape materials, or materials utilized for the manufacturing, processing or assembly of products, are not permitted to be stored or displayed outdoors.
- Products, either cumulatively or individually, and including the racks or structures used to display the products outdoors, may not exceed eight feet in height.
- Products stored or displayed outdoors must be located on a paved, dust-free hard surface; provided, however, products and associated storage racks may not reduce, block, or otherwise interfere with parking lot drive aisles and off- street parking spaces. With these regulations in mind, staff have added a separate condition requiring compliance with all of the regulations in Section 12-7-3.F.5.d of the Zoning Ordinance and the replacement of the storage containers with an approved accessory structure and removing any stored materials from a portion



of the rear yard in an effort to alleviate concerns and complaints from the neighboring residents to the south.

### *Landscaping and Screening*

The existing site contains some natural vegetation along its south boundary and minimal landscape improvements up near the front of the properties. Given that the subject properties directly abut residential properties to the south a landscape buffer is required in conformance with Section 12-10-9 in the Zoning Ordinance. A C-3-zoned property abutting a residential district or use must provide a minimum five-foot-wide landscape buffer containing shade trees planted every 30 feet, a solid eight-foot-tall fence, and turf or other ground cover along 100 percent of the property boundaries that abuts the residential district. Since these details are not provided, staff have added a condition requiring a diagram illustrating the required improvements in the form of a separate landscape plan or as a detail on the attached Site Plan.

**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:* The proposed services are classified under the trade contractor use, which is a Conditional Use as specified in Section 12-7-3.K of the Zoning Ordinance for properties in the C-3 District.

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

*Comment:* The Comprehensive Plan designates this property as commercial and strives to foster growth and retention of existing commercial businesses in Des Plaines. This property is positioned along the Rand Road corridor and is surrounded by a mixture of residential, commercial, and manufacturing development. The retention of the existing trade contractor use, and addition of a new trade contractor use at the subject property generally falls within the general principles and goals of the Comprehensive Plan.

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

Comment: The rear building on 975 Rand Road has been utilized for a variety of trade contractor uses in the past similar to the existing roofing contractor and proposed landscape contractor. While there are no proposed changes to the structure itself, both trade contractor uses are proposed to make improvements for the property including a reallocation of parking spaces, striping of the rear of the 965 Rand Road parcel for the landscape contractor, and operational adjustments related to storage and parking, so it is consistent with surrounding commercial development and minimizes adverse effects on surrounding properties. However, there are site access, circulation, and parking considerations that have not been fully addressed with the proposal. The PZB may request additional justification and detail from the petitioners as to how all of the uses will coexist and operate on the subject property at the same time.

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

Comment: Both trade contractor uses conduct a majority of their operations off-site at various job sites, with office-related work housed within the existing rear building on the subject property. While this aspect of the uses is not necessarily hazardous or distributing, the delineation and continued maintenance of the different uses throughout the subject property could—if not done properly or consistently—lead to a condition that is hazardous or disturbing to surrounding property owners. As staff have already received complaints from neighboring residents regarding the past conditions on the subject property, operational conditions have been suggested by staff to minimize adverse effects that are often attributed to trade contractor 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 uses on this site are adequately served by essential public facilities and services. While the proposal adds a fourth use to the subject property, staff do not have concerns that this will impact the essential public facilities and services that are currently serving the subject property.

**6. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic well-being of the entire community:**

Comment: The existing uses have not created a burden on public facilities and have not been detrimental to the economic well-being of the community. There is no indication that the addition of the landscape contractor will have negative economic impact on the community or create the need for additional City services provided that it operates according to all requirements in the C-3 district and appropriate screening improvements are installed.

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

*Comment:* The activities for both trade contractor uses that account for a majority of the noise, smoke fumes, glare, and odors will take place off-site at respective job sites. Traffic generated from these uses is minimal overall with peak volume in the morning and evening. However, the parking and storage of vehicles, equipment, and products of both businesses on the subject property can negatively impact surrounding properties by means of noise, smoke, glare, odors, visual effects, and the like. In addition to the staff-added condition for landscaping screening, both businesses will also need to manage the parking and storage of vehicles, equipment, and products to comply with all requirements in the C-3 district and to improve the aesthetics of the property to minimize any potential adverse effects.

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

*Comment:* The proposal utilizes the existing curb cuts on the subject property so as to not increase any interferences with traffic on surrounding public thoroughfares. However, with the addition of a fourth use on the subject property, additional adjustments to the Site Plan will be necessary to clearly define the direction of travel and width of the existing drive aisles throughout the subject property to ensure that sufficient access and circulation are maintained for all uses. The same can also be said for the existing paved area at the rear of 965 Rand Road, which will need to be restriped and maintained for the proposed landscape contractor parking area. Access to and from this area must be kept clear at all times to ensure that the operations of the landscape contractor are not impacting other uses on the subject property.

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

*Comment:* The proposal would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The building and site were already developed for similar uses.

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

*Comment:* This proposal with the aforementioned adjustments will meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve 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) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions.

**Conditions of Approval:**

1. Prior to City Council meeting, the Site Plan shall be revised to: (i) identify the number, dimensions, and designation of all collective parking spaces; and (ii) identify the width and direction of travel of all drive aisles on 965 and 975 Rand Road in conformance with the Zoning Ordinance.

2. The outdoor display and storage of products shall follow all regulations in Section 12-7-3.F.5.d of the Zoning Ordinance at all times. Any products, materials, and items that are not classified as finished or prefabricated products must be stored inside the principal building or in an approved accessory structure, excluding shipping containers which are not allowed and shall be removed from the property.
3. Prior to City Council meeting, the Site Plan shall be revised, or a separate Landscape Plan provided, to illustrate the required landscape buffer improvements in compliance with Section 12-10-9 of the Zoning Ordinance. This plan shall also detail the location, design, and height of the required enclosure for all dumpsters stored outside.
4. Waste, debris, and other garbage accumulated through off-site operations for both trade contractor uses shall be completely discarded prior to returning to the subject properties each day. At no time shall waste, debris, and garbage be left outside on the subject properties, except in designated dumpster containers.
5. The area designated for the Landscaping by AD parking and storage shall be restriped accordingly in conformance with Section 12-9-6 of the Zoning Ordinance prior to issuance of business registration.

Petitioner speaks about their business at the property, Advanced Roofing. They asked before opening if they could open their business in Des Plaines. They have been located at the site in 2 years and are changing the zoning to make sure it meets requirements. It is a roofing business and the petitioner owns two properties. There is a residential, 4 unit building on the property and an animal shelter building in addition to the building for the business. The office hours are from 7-5. Roofing employees are there from 6am to the evening for equipment. Usually they do not meet with customers at the property.

Szabo asks about whether the property was occupied by Bishop Plumbing. He asked if they also owned the animal hospital. The petitioner stated yes they did. Szabo asked if the animal rescue will be part of their roofing business. The petitioner says the animal hospital use will stay the same, the roofing business will occupy the buildings to the south.

Petitioner states there is plenty of space around the buildings for all the businesses. They plan to put a fence on the right side of the building because the village requires a taller fence. Some landscaping improvements have been made already to make sure that equipment is not visible to neighbors and it is more aesthetically pleasing.

Member Weaver asks why the animal rescue is closed, it is noted as permanently closed on Google. The petitioner states that they have received rent payments, but they do not know if the building is currently occupied. Member Weaver asks what they intend to do with the property if it is not used. The petitioner said they may knock down the building, but they do not intend to occupy the building. Member Weaver asked if they plan to reopen if they could stay on as a tenant. The petitioner states they are not sure. Member Veremis asked when the lease is up. The petitioner said it is month to month, but they have noticed some pets in the building. The property was purchased for their business and are not concerned with these tenants.

The residential building has tenants that are relatives from Bishop Plumbing and they have agreed to keep them as tenants. The petitioner would not feel comfortable evicting them, they have a good relationship with these residential tenants.

Member Weaver asked if the landscaping company is available to speak. The petitioner stated yes. Norma Diamano, 1733 N. 43rd Avenue, Stone Park, IL 60165. Member Weaver stated that landscaping companies purchase many plants and mulch. When do they buy it and what happens with material leftover? The landscaping company states they buy material that day and there is not often leftovers, but they are taken to the dump when they need to.

Chairman Szabo asked about how the contractors of the landscaping company work together. The petitioner stated that their three employees meet at the job sites normally.

Chairman Szabo asks for public comment.

Michelle Anderson, 906 N. Golf Cul De Sac, the property adjacent to this property is sworn in. They have lived in the property for 31 years and had a good working relationship with Bishop Plumbing and they did not have substantial issues. Issues have come up recently with the landscaping company. There is odor near the fence because they do not always dump the grass clippings. There was a weekend that it was especially bad. The staff report mentions there will need to be a 5 foot landscape buffer. There is no landscape buffer now. There are vehicles now parking 2-3 feet from the property. They could smell the odor from their yard. The 5-foot minimum is enough of the barrier with the proposed location of those vehicles.

Michelle Anderson has worked with the City code enforcement officer, Tina Mullett, and they talked to the company and moved the trucks to a different location on the property. That has alleviated the odor and sound concerns. She did notice there is mention of 3 employees on the site, but many employees coming and go. She took a picture of the property where they planted those trees along the vet clinic, but there are more people at the site than what has been discussed.

David Anderson, the co-owner of 906 N. Golf Cul De Sac is sworn in. Mr. Anderson says they are not entirely clear of what is being approved. They are comfortable with a landscape buffer and a fence installed. They want all the businesses to succeed and want to know where the vehicles are parked. They do not have an issue with blocking improvements or business needs but want the right solution for everyone.

Chairman Szabo asked where the parking will be on the site. The petitioner discusses the site plan. Equipment parked now is owned by the roofing business. The landscaping business will be located across from them. Petitioner shows photo of the landscaping trucks parked near the animal hospital building. Trees have been planted so that the vehicles are not visible from the street. For the roofing trucks to the south, trees will be planted in the back and a fence installed to ensure the owner will not see the vehicles.

David Anderson asks if this can be a dialogue. He asked about the trees at the back of the property. Will you remove pavement to add the trees? The petitioner says they will go based on the survey. There is limited space.

Chairman Szabo asked about the landscape waste and the precise location where it will be moving from. If you come back with grass clippings, where will they go? Norma states that was a mistake, the dump closes at noon, and they missed the deadline. Early Monday they picked up the clippings and dumped it. The truck is taken to their house if they have grass clippings because there is a closer dump that is open. Norma understands the odor is a problem and that was their fault.

Chairman Szabo asked if they dump waste on the property. Norma states they do not dump anything on the property, it is held in the truck with a cover. The truck is parked in the front.

Michelle Anderson stated that is where the truck was, but there was still an odor from their house. If the materials come back with any regularity, the five-foot buffer would not resolve the odor. She asked if they would locate the trailers near the vet clinic. The petitioner confirms moving the trucks further away would solve the issue. Bishop Plumbing always had vehicles parked there, but the landscaping was posing a new issue with the door. The petitioner stated they will keep the landscaping company on the same property, but the trailers will be moved elsewhere, and they will not be able to have grass stored.

Michelle Anderson stated that she discussed with Tina Mullet that there are four shipping containers on the property. It is their understanding that shipping containers are not allowed and they are located on several visible locations of the property. The containers have been an eyesore. Materials were stored on top of them, including tires and buckets, and they are now being stored outside. The staff report stated that all of these items need to be stored within approved structures and they want to make sure these items are addressed.

Jonathan summarizes the staff report. The conditional uses are for two trade contractor uses at 965 and 975 Rand Rd. The existing uses and background are discussed. Floor plans and site plans are displayed and described. Parking spaces are discussed, including the condition of approval that parking spaces must be re-allocated to ensure all uses have adequate parking. Some parking stalls may need to be modified to meet the requirements of the Zoning Ordinance. Outdoor display requirements for trade contractors, per the Zoning Ordinance, is described. Jonathan provides each condition of approval.

Member Weaver asks about the condition of the approval that says prior to the City Council meeting. Member Weaver is asking who will handle these items. Mr. Stytz says he is the project manager and will ensure the conditions are followed. Member Weaver asked about the handwritten responses for the conditions of approval. Mr. Stytz states that is from the landscaping contractor. Member Weaver states it would be helpful to have this information indicated in the packet.

Member Weaver asked if staff feel confident these issues can be resolved prior to the City Council meeting. Mr. Stytz states they are confident that can be done prior to the meeting because the changes are minor.

Member Weaver moves that the Planning and Zoning Board recommend approval of the conditional uses, with the conditions drafted by staff. Seconded by Saletnik. Unanimous aye.

Member Weaver makes a motion to recommend City Council approval of the conditional use with the five conditions drafted by staff, seconded by Member Veremis.

AYES: Weaver, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

**2. Addresses:** 480 S. Des Plaines River Road      **Case Number:** 24-018-CU-V

The petitioners are requesting the following items: (i) a conditional use for an auto service repair use at the subject property; (ii) a variation for off-street parking; (iii) and any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-17-404-016-0000; -029

**Petitioner:** Chris Brown, 480 S. Des Plaines River Road, Des Plaines, IL 60016

**Owner:** SKH Property, 1813 E. Hopi Lane, Mount Prospect, IL 60056

**Case Number:** 24-018-CU-V

**PINs:** 09-17-404-016-0000; -029

**Ward:** #1, Alderman Mark A. Lysakowski

**Existing Zoning:** C-3, General Commercial District

**Existing Land Use:** Existing Auto Service Repair Uses (two)

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

**Surrounding Land Use:** North:Restaurant (commercial)  
South: Assembly Use (commercial); Office (commercial)  
East: Vacant land  
West:Office (commercial)

**Street Classification:** Lee Street and Elk Boulevard are principal arterial roads, both under Illinois Department of Transportation (IDOT) jurisdiction. Des Plaines River Road is a minor arterial under the City of Des Plaines jurisdiction.

**Comprehensive Plan:** Higher Density Urban Mix with Residential is the recommended use.

**Zoning/Property History:** Based on aerial imagery, the existing building on the subject property was constructed around 1987 for two auto repair uses, Merlin’s Muffler and Brake and Pit Pros. Since 2017, the subject property has been utilized for auto service repair by Des Plaines Auto Clinic and Tire and Family Auto. Auto service repair was not a conditional use in past zoning ordinances, so no zoning entitlements were necessary for the prior repair shop and thus no conditional use permits are on record for this address.

There have been some code enforcement violations on the subject property related to signs being installed without permits, installation of illegal signs, the storage of a dumpster outside without an enclosure, and used tire storage outside of an approved container or enclosure. However, the property owner and respective business owners have worked with staff to resolve these issues.

Around 2020, IDOT widened Lee Street, Elk Boulevard, and Des Plaines River Road as part of a roadwork project, reducing the size of the subject property and available parking and circulation space below minimum standards.

**Project Description:**

*Overview*

Petitioner Chris Brown has requested a Conditional Use Permit to expand the operation of an auto service repair facility, Des Plaines Auto Clinic and Tire, at 480 S. Des Plaines River Road. The subject property contains a single, L-shaped building with a surface parking area as shown in the attached ALTA/NSPS Land Title Survey. The building is split between two auto service repair businesses—Family Auto and Des Plaines Auto Clinic and Tire—with each business having its own office and service bay areas. The subject property is a double-frontage corner lot with an angled north property line fronting Lee Street on the west, Elk Boulevard on the North, and Des Plaines River Road on the east.

*Floor Plan and Elevations*

The existing one-story, 5,278-square foot building is split between the two existing auto service repair businesses with Des Plaines Auto Clinic and Tire business utilizing a majority of the building. The two businesses are separated by a shared utility room that is located at the narrow neck of the building. The attached Existing and Proposed Floor Plan illustrates the use of the building space for each business, which is summarized in the following table.

<b>Floor Plan Summary</b>	
<b>Des Plaines Auto Clinic and Tire</b>	<b>Family Auto</b>
Six service bays	Three service bays
~256 SF Lobby area	~104 SF lobby area
~122 SF Office	No identified office space
~295 SF Storage area	~142 SF Storage area
Two single-stall restrooms	One single-stall restroom



The proposal does not include the interior alteration of the building, its rooms, or its location. There are also no plans to alter the existing exterior building materials, which consist of concrete blocks. However, there are plans to add additional wall signs on the exterior of the building for the Des Plaines Auto Clinic and Tire business, which will be reviewed at the time of building permit to ensure compliance with the City's Zoning Ordinance.

#### *Off-Street Parking and Access*

Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, auto service repair facilities are required to provide two parking spaces per service bay and one space for every 200 square feet of accessory retail. As such, a total of six off-street spaces are required for the Family Auto business and a total of 13 off-street spaces are required for the Des Plaines Auto Clinic and Tire, including a minimum of one accessible space. As described below, a collective parking agreement and a parking variation are necessary for Des Plaines Auto Clinic and Tire.

Family Auto meets parking requirements with six parking spaces available at the southwestern portion of the lot with direct access. Six spaces along the north building elevation and north property line for use by the Des Plaines Auto Clinic and Tire business, which does not comply with the minimum parking requirement. The property is currently accessed by one curb cut off Des Plaines River Road providing direct access to the existing Des Plaines Auto Clinic and Tire and one curb cut off Elk Boulevard providing access to both businesses. The subject property is located within the C-3 General Commercial district and auto service repair requires a conditional use permit in the C-3 zoning district.

#### *Proposed Parking Solutions*

As a result, the petitioner has worked with staff to prepare a new striping plan to add more off-street parking spaces to the subject property for the Des Plaines Auto Clinic and Tire business as shown in the attached Site Plan. Based on the Site Plan, the existing access and circulation for the northern portion of the property for the Des Plaines Auto Clinic business will change to a one-way drive aisle with six 60-degree parking spaces and one 0-degree (parallel) space. Traffic related to Des Plaines Auto Clinic business will access the subject property from the existing curb cut off Des Plaines River Road and exit through the other existing curb cut off Elk Boulevard without any changes to either curb cut. The striping plan provides a total of seven parking spaces for the Des Plaines Auto Clinic and Tire business, leaving a five-space deficit.

To further address the parking deficiency, Des Plaines Auto Clinic has entered into a collective parking agreement with the Elk's Club at 495 Lee Street for a total of eight parking spaces, the location of which are illustrated in the attached Collective Parking Location Exhibit. Section 12-9-3 of the Zoning Ordinance allows the use of collective parking to satisfy up to 33 percent of the off-street parking requirements for a use. For the case of the Des Plaines Auto Clinic and Tire business, a total of four spaces (33 percent of the required 13 spaces) can be located off-site through a collective parking arrangement. This means that a minimum of nine off-street parking spaces are required to be located on the subject property. However, even with the new striping plan only seven off-street parking spaces, including one handicap accessible parking space, are able to fit on the subject property requiring a variation for parking.

#### *Landscaping and Screening*

The existing property is void of any landscaping and the petitioner's proposal does not include the addition of any new landscaping. However, given the orientation and positioning of the off-street parking spaces and the close proximity to motorists and pedestrians along Elk Boulevard, staff have added a condition that a minimum 5'-0" wide landscape area is installed directly in front of the striped spaces that face Elk Boulevard to add screening and limit the light pollution from headlights onto passing motorists and pedestrians. The existing dumpsters and enclosures for both businesses will continue to be utilized as they are now. Staff have added a condition that all garbage, used tires, and any other debris are kept in the dumpster enclosure at all times.

#### *Business Operations*

The Des Plaines Auto Clinic is open 8:00 a.m. to 6:00 p.m. Monday through Friday, 7 a.m. to 3 p.m. on Saturdays, and closed on Sundays. Their services include tune-ups and servicing for the brake system, engine, exhaust system, tires, transmission, and emissions. They will also offer auto parts and accessories for sale and installation on site. A maximum of two employees will be present on site at a given time. Please see the attached Project Narrative for more details.

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

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

*Comment:* The proposed services are classified under the auto service repair use, which is a Conditional Use as specified in Section 12-7-3.K of the Zoning Ordinance for properties in the C-3 General Commercial District.

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

*Comment:* The Comprehensive Plan designates this property as Higher Density Urban Mix with Residential and strives to foster growth and retention of existing commercial businesses in Des Plaines. This property is positioned on the crux of the Lee Street and River Road corridor and is surrounded by commercial development. The retention and expansion of the existing auto service repair use at the subject property falls within the general principles and goals of the Comprehensive Plan.

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

*Comment:* The property and existing building have been designed for an automotive repair use and were previously occupied by automotive service repair shops. The existing auto repair facility will make some additional improvements to the subject property, so it is consistent with surrounding commercial development. The petitioner proposes to rework and restripe the existing parking and drive aisle area and add new landscaping to improve functionality and revitalize the subject property so that it blends better with the surrounding commercial uses and structures. The petitioner proposes to add wall signs to the exterior of the building, but does not propose to change the size, location, or height of the structure.

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

*Comment:* The existing automotive repair uses located within this building conduct their services within the building reducing any hazardous or disturbing effects to existing neighboring uses. The footprint and height of the existing building will remain the same. However, the parking area and drive aisle will be redesigned to improve circulation and operations on site. The auto service repair use is consistent with and complementary to other commercial uses in the area.

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

*Comment:* The existing auto service repair uses on this site are adequately served by essential public facilities and services. The two existing curb cuts will remain as is and are sufficient to provide access to the site. Staff do not have concerns that the auto service repair uses will continue to be adequately served by 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 existing auto service repair uses have not created a burden on public facilities and has not been detrimental to the economic well-being of the community. Thus, there are no anticipated concerns for the community as a result of the Conditional Use Permit for the auto service repair uses at this location.

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

*Comment:* All activities will take place inside the building to reduce any noise, smoke fumes, glare, or odors. The petitioner will store and dispose of all waste within designated trash enclosures and comply with all local, state, and federal regulations regarding the disposal of hazardous chemicals. The Fire Prevention Bureau will require a current waste oil agreement from both uses to ensure waste oil is removed from the site on a regular basis. In addition, the proposed parking area redesign is not anticipated to create traffic and circulation concerns but rather improve access and circulation throughout the site. Staff have added a condition to add landscaping and screening to improve the aesthetics of the property.

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

*Comment:* The proposal utilizes the existing curb cuts on the subject property but adjusts the direction of travel to allow a more seamless one-way circulation through the site near the Des Plaines Auto Clinic and Tire business. This will help reduce any interferences with traffic on surrounding public thoroughfares.

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 proposal would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The building and site were already developed for this use.

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

*Comment:* Aside from the variation request for off-street parking, the proposal will meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

**Standards for Variation:** Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Rationale for how the proposed amendments would or would not satisfy the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided staff comments as its rationale, modify, or adopt its own.

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

*Comment:* The taking of property by IDOT for roadway widening of all streets surrounding the subject property have reduced available space for the petitioner to strip off-street parking spaces and

drive aisles in conformance with the code requirements. Extensive efforts have been pursued by the petitioner to maximize the off-street parking available on the subject property and reduce the parking deficit. However, relief is still necessary.

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

*Comment:* The type, layout, and shape of the subject property is unique in a variety of ways. This double-frontage corner lot fronts three main streets, all of which were widened taking a portion of the subject property for roadway purposes. This along with the existing building limit the available space for parking and circulation on the site as well as limit the improvements the petitioner can make to comply with all code requirements.

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

*Comment:* The property and its layout was developed in the 1980s when surrounding development was sparse. Since then, the expansion and design of the built environment and denser development surrounding the site have led to the unique physical conditions described above which were not the fault of the current or previous owners. In addition, the IDOT taking for roadway widening was out of the current owner's control.

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

*Comment:* The denial of the variation request would require—with the continued effectiveness of the collective parking agreement with the Elk's Club—the addition of another off-street parking space on the subject property, which given the limit space available would either minimize drive aisle widths or create an unsafe parking space that may or may not comply with the code regulations. This would undoubtedly create hardship for the petitioner and likely deny them of substantial rights commonly enjoyed by other owners.

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

*Comment:* Granting this variation would not provide the petitioner with special privilege not available to other business owners. In fact, it would help alleviate the petitioner of the burden

associated with fully redesigning the subject property—and potentially removing a portion of the building—to comply with the off-street parking requirement. Variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body usually determines the applicant has exhausted design options that do not require a variation. The PZB may ask the petitioner to explain whether they have exhausted other alternatives.

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

*Comment:* The subject property is already developed and—with the exception of off-street parking—is generally in line with the general purpose and intent of the comprehensive plan related to retention and growth of existing businesses. While not completely in line with the intended Higher Density Urban Mix with Residential use illustrated in the Future Land Use map, the existing building and auto service use is, and has been, an established use that has been operational for decades on the site.

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

*Comment:* In this case, there are limited alternatives available that would not involve undue hardship on the petitioner. One alternative is to store the existing dumpster inside the building and repurpose the existing trash enclosure area for parking. However, this could limit or impede business operations given the small available open space in the building. Another alternative is to rework or remodel the existing building, potentially including removal of a building portion, to free up space on the site for additional parking. However, this could add undue cost to the petitioner and not provide much added benefit for the Des Plaines Auto Clinic and Tire business or the public it serves. The PZB may wish to ask why certain alternative designs are not feasible for the parking area.

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

*Comment:* Combined with the conditional use request, the variation requested provides the minimum relief necessary to alleviate the hardships described above.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses), the PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use permit for the auto service repair uses at 480 S. Des Plaines River Road.

While Section 12-3-6.F.2.b (Procedure for Review and Decision for Standard Variations) of the Zoning Ordinance gives the PZB final authority on standard variations, the parking variation is tied with the conditional use request. As such, pursuant to Section 12-2-2.C the City Council has final authority on both the conditional use and variation requests.

Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Uses) and 12-3-6.H (Standards for Variations) of the Zoning Ordinance. If the PZB recommends approval of the request, staff recommends the following conditions.

**Suggested Conditions of Approval:**

1. The parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan. A revised parking striping plan may be approved by the Community and Economic Development Department if the plans meet requirements of Section 12-9-6 and Site Plan Review standards pursuant to Section 12-3-2.B.
2. Minimum five-foot wide perimeter landscape areas shall be installed along the front of the parking spaces facing Elk Boulevard in compliance with Section 12-10-8.B.
3. Inoperable vehicles shall not be parked or stored outdoors on the Subject Property. No vehicles shall be stored within the drive aisles at any time.
4. Only six service bays shall be allowed for the life of this conditional use.
5. No auto body related activities are permitted unless this conditional use is amended. Sale and display of motor vehicles is not permitted at any time.
6. Used tires may only be stored inside the building, a dumpster, a fully enclosed fence enclosure, or a permitted accessory structure. A contract with a tire disposal company must be provided to Community and Economic Development staff, or an affidavit must be signed attesting that no used tires will be stored on site.
7. Waste oil and any hazardous chemicals shall be disposed of on a regular basis in conformance with all local, state, and federal regulations. The petitioner shall furnish a current waste oil agreement to staff at time of building permit.

Christopher Brown, 939 Terrace Place in Des Plaines, IL, Nick Oner, 1830 Amarillo Blvd In Elgin, IL, Kilhyun Suk, 1813 E. Hopi Lane in Mount Prospect, IL.

Chris Brown states the request. Initially, there was a complaint for over-parking on the property that caused many necessary changes. A conditional use and variation was necessary to relieve the overparking issue. Aside from that, they spoke with their neighbors and Jonathan. They have a parking agreement with the Elk's Lounge. The parking spaces have also had to be re-striped.

Chairman Szabo states this is a prominent location in the City and there has been an auto use in that location for many years. Chairman asks about the lease with the Elk's Club. The petitioner states it is 6 months. Member Weaver asks about who the petitioners and property owner are. Chris and Nick are the tenants, Mr. Suk owner is the property owner.

Chairman Szabo stated that it used to be Merlin Muffler and asked how long they operated. The Family Auto has operated since 2020 and the other business 2016. Hours of operation are Monday- Friday 8am-5:30pm and Saturday 7am-3pm.

Member Weaver stated there are proposed signs with the package including signs and new signs. Is other signage proposed? Chris states the awnings are already there, they are replacing what is there. No additional signage is proposed.

Chairman Szabo asks for the staff report.

Senior Planner Stytz provides the staff report. The existing conditions are discussed. The existing and proposed floor plan are presented. There is no proposed change to the building. The staff report identifies the six bays for the DP Auto Clinic and the 6 bays for Family Auto. The existing parking areas are shown on the site plan. A collective parking agreement is discussed on the Elk's property allowing up to 8 spaces. Restriping of the property is required, and the proposed striping is displayed and discussed. After IDOT took some of the land on the property, it reduced the amount of space available for parking and access. Senior Planner Stytz discusses the conditions of approval.

Member Weaver asks about Condition 4 states there are only 6 bays. Their understanding is that there are six bays for each business. The six bays are for the Des Plaines Auto Clinic. Senior Planner Stytz states the conditional use is just for the Des Plaines Auto Clinic. Member Weaver asks why a conditional use is not required for the other business. Senior Planner Stytz states that the conditional use is only for one business. The conditional use only applies to the six parking bays. Member Weaver asks about the minimum required parking for each use.

Member Weaver asks for clarification about the waste oil agreement for each business. Senior Planner Stytz says the city will review each of these agreements. A current copy is not available and that is why this is a condition. Nick stated they don't have a waste oil agreement. Discussion of the seventh condition ensues.

The property owner states that they want to partner with the City and ensure there are no issues.

Member Veremis asks about condition 3. Veremis asks about how often inoperable vehicles are stored on the site. The petitioner states vehicles that are inoperable often on the site. They can take several days. Most of the time they are inside, but any freshly towed in are stored on the site. Member Veremis asks if they are storing any inoperable cars at the Elk's. Any finished cars are parked at the Elk's. Member Veremis asks if there is any stipulation about that. Senior Planner Stytz states that is part of the agreement.

Chairman Szabo asked about the classic car parked there. The petitioner states that this is a customer's car. Chairman Szabo said if a new engine is dropping in the car, then condition 3 will need to be tweaked. The zoning board granted this use prior, and parking is tight. They must deal with what is on the site now. Chairman Szabo states condition of approval 3 could be tweaked.

Member Weaver states that there have been cases where we have tweaked the cases. For example, a condition stating that something ends at 5 normally, could end at 6. Member Saletnik states, "Inoperable vehicles may not be parked or stored outdoors unless in the process of being serviced and no more than 3 days" The petitioner states that is would take longer, but no more than a week. Saletnik asks if they need to put a timeframe on it. The intent is for service facilities to not have cars on site for weeks on end. The "vehicles



in service” condition would allow them flexibility. Chairman Szabo states they are unlikely to get away with leaving cars out.

Member Weaver makes a motion to recommend approval with seven conditions, as amended, seconded by Member Saletnik:

1. The parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan. A revised parking striping plan may be approved by the Community and Economic Development Department if the plans meet requirements of Section 12-9-6 and Site Plan Review standards pursuant to Section 12-3-2.B.
2. Minimum five-foot wide perimeter landscape areas shall be installed along the front of the parking spaces facing Elk Boulevard in compliance with Section 12-10-8.B.
3. Inoperable vehicles shall not be parked or stored outdoors on the Subject Property except for vehicles waiting to be serviced. No vehicles shall be stored within the drive aisles at any time.
4. Only nine service bays shall be allowed for the life of this conditional use.
5. No auto body related activities are permitted unless this conditional use is amended. Sale and display of motor vehicles is not permitted at any time.
6. Used tires may only be stored inside the building, a dumpster, a fully enclosed fence enclosure, or a permitted accessory structure. A contract with a tire disposal company must be provided to Community and Economic Development staff, or an affidavit must be signed attesting that no used tires will be stored on site.
7. Prior to the time of building permit, the petitioner shall obtain the Des Plaines Fire Department’s review and written approval all waste oil removal arrangements and practices for the subject property.

AYES: Weaver, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

**Other items:**

Senior Planner Samantha Redman confirmed the date of the Planning and Zoning Board Workshop for June 25, 2024, 6:00 p.m. for the proposed re-development of 10 W. Algonquin Rd.

Chairman Szabo adjourned meeting in error. Staff confirmed the Board were still intending to discuss official business, stated the meeting cannot be adjourned in this circumstance, and Chairman Szabo called the meeting back to order. Discussion ensued about the proposed new Planning and Zoning Board member that would be recommended for appointment by the Mayor soon. Szabo stated his support of the recommended candidate and the board discussed further.

**ADJOURNMENT**

Chairman Szabo adjourned the meeting at 8:15p.m.

Sincerely,

Samantha Redman/Recording Secretary

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