

Community & Economic Development 1420 Miner Street, Des Plaines, IL 60016 P: 847.391.5392 | W: desplainesil.gov

### <u>Planning and Zoning Board Agenda</u> October 8, 2024 Room 102 – 7:00 P.M.

Call to Order and Roll Call

Approval of Minutes: September 24, 2024 Planning and Zoning Board Meeting

Public Comment: For matters that are not on the agenda

**General Communications:** 

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

• Case #24-045-V: 1242 White Street – To allow stucco as an exterior building material on the ground story of a detached single family residence; Approved with Conditions on 09/27/2024.

### **Pending Applications:**

1. Address: 1345 E. Prairie Avenue

Case Number: 24-044-CU-V

The petitioner is requesting the following items: (i) a conditional use for a residentially zoned assembly use and (ii) a major variation for off-street parking requirements in the R-4 Central Core Residential district. Continued from September 10, 2024 and September 24, 2024.

PIN: 09-17-423-011-0000

- Petitioner: St. Vakhtang Gorgasali Orthodox Church (Representative: Arsen Mskhvilidze, 400 E. Illinois Road, Lake Forest, IL 60045)
- Owner: Victor J. Grandinetti, 333 W. Kathleen Drive, Park Ridge, IL 60068

### Adjournment

Next Agenda: Next meeting is on Tuesday, October 22, 2024.

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



### DES PLAINES PLANNING AND ZONING BOARD MEETING September 24, 2024 MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, September 24, 2024, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Acting Chairman Saletnik called the meeting to order at 7:00 p.m. and roll call was established.

PRESENT:	Bronakowski, Catalano, Fowler, Saletnik
ABSENT:	Veremis, Weaver, Szabo
ALSO PRESENT:	Jeff Rogers, Director of Community & Economic Development
	Jonathan Mendel, Assistant Director of Community & Economic
	Development
	Jonathan Stytz, Senior Planner

A quorum was present.

### APPROVAL OF MINUTES

A motion was made by Board Member Fowler, seconded by Board Member Catalano to approve the meeting minutes of September 10, 2024 as presented.

AYES:	Bronakowski, Catalano, Fowler, Saletnik
NAYS:	None
ABSTAIN:	None

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

### **General Communications – Administrative Decisions:**

Acting Chairman Saletnik noted two minor variations were approved administratively by City staff. These included:

- Case #24-045-V: 542 Webford Ave A variation to allow vinyl siding on the ground story of a single-family residence approved with conditions.
- Case #24-048-V: 125 E Oakton Street, Suite 103 Variations to allow (i) a 12-foot tall fence enclosure for an open storage area; and )i) an open storage height of 12 feet.

### **Pending Applications:**

Acting Chairman Saletnik introduced the case on the agenda.

Address: 1345 E Prairie Avenue Case Number: 24-044-CU-V

The petitioner is requesting the following items: (i) a conditional use for a residentially zoned assembly use and (ii) a major variation for off-street parking requirements in the R-4 Central Code Residential District. The petitioner is requesting a continuance to the October 8, 2024 meeting.

PIN: 09-17-423-011-0000

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

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

Acting Chairman Saletnik invited the applicant to come forward to summarize their request.

The applicant's representative, Ms. Katie Ingorokua noted that the request is for a continuance to the October 8, 2024 meeting. She summarized recent attempts to negotiate with owners of adjacent properties for permission or a lease agreement for use of off-street parking during planned services. The applicant is requesting more time to try to secure a parking agreement in support of their petition and expects to be ready to proceed in time for the next meeting.

Acting Chairman Saletnik requested any questions or comments from the Planning & Zoning Board members. Hearing no questions, he entertained a motion regarding the case.

A motion was made by Member Fowler and seconded by Member Catalano to approve a continuance of the case to the October 8, 2024 meeting.

AYES:Bronakowski, Catalano, Fowler, SaletnikNAYES:NoneABSTAIN:None

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

### PUBLIC COMMENT ON NON-AGENDA ITEM

Acting Chairman Saletnik welcomed public comment for any items not on the agenda. There was no public comment.

### ADJOURNMENT

Acting Chairman Saletnik adjourned the meeting by affirmative voice vote at 7:04 p.m.

Sincerely, Jeff Rogers/Recording Secretary cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners



## COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

1420 Miner Street Des Plaines, IL 60016 P: 847.391.5380 Desplainesil.gov

### MEMORANDUM

Date: October 4, 2024

То:	Planning and Zoning Board (PZB)
From:	Jonathan Stytz, AICP, Senior Planner JS & Jonathan Mendel, Asst. Director
Cc:	Jeff Rogers, Director of Community and Economic Development
Subject:	Consideration of Conditional Use and Variation at 1345 Prairie Avenue

**Issue:** The petitioner is requesting the following items: (i) a Conditional Use to allow a residentially zoned assembly use in the R-4 zoning district; and (ii) a Variation for off-street parking at 1345 Prairie Avenue.

Petitioner:	St. Vakhtang Gorgasali Orthodox Church (Representative: Arsen Mskhvilidze, 400 E. Illinois Road, Lake Forest, IL 60045)
Owner:	Victor J. Grandinetti, 333 W. Kathleen Drive, Park Ridge, IL 60068
Case Number:	24-044-CU-V
PIN:	09-17-423-011-0000
Ward:	#3, Alderman Sean Oskerka
Existing Zoning:	R-4, Central Core Residential
Existing Land Use:	Vacant building (former church)
Surrounding Zoning:	North: R-4, Central Core Residential District South: R-4, Central Core Residential District East: C-5, Central Business District West: R-4, Central Core Residential District
Surrounding Land Use:	North: Assembly Use (institutional) South: Multi-family Residences (residential) East: Parking Lot West: Multi-family Residences (residential)
Street Classification:	Graceland Avenue is a principal arterial road under Illinois Department of Transportation (IDOT) jurisdiction and Prairie Avenue is a local road under the City of Des Plaines jurisdiction.

**Comprehensive Plan:** Institutional is the recommended future land use. **Zoning/Property History:** Based on aerial imagery, the subject property was developed as early as 1938. The subject property was occupied by the Masonic Temple Lodge for use as for assembly from 2015 to 2017 as a nonconforming use. In 2018, the Zoning Ordinance was amended to establish regulations surrounding assembly uses in the City. A conditional use is required for assembly uses in this zoning district; however, this use was established prior to the 2018 amendments and no conditional use for a residentially zoned assembly use is on file. The existing building has been vacant since 2017 and thus the subject property must come into conformity with the regulations of the R-4 district and any new assembly use must obtain a conditional use prior to operating on the subject property. Earlier this year, staff conducted an inspection of the existing building on the subject property noting various items that would need to be addressed prior to issuance of a building permit. The petitioner has worked with staff and provided the attached Floor Plans to address these items. However, revisions to the Floor Plans and submittal of additional information may be required prior to issuance of a building permit to ensure compliance with the City's Municipal Ordinance.

### **Project Description:** *Overview*

Petitioner St. Vakhtang Gorgasali Orthodox Church, represented by Arsen Mskhvilidze, has requested a Conditional Use Permit to allow the operation of a residentially zoned assembly use and major variation for off-street parking at 1345 Prairie Avenue. The 12,000-square-foot property contains a single-story building comprised of approximately 3,850 square feet with a frame shed, patio, paved pedestrian entry area, and no off-street parking area as shown in the attached Boundary Survey. The subject property is a corner lot with the front property line adjacent to Graceland Avenue on the east and the corner-side property line adjacent to Prairie Avenue to the north.

### **Proposed Operations**

The St. Vakhtang Gorgasali Orthodox Church primarily operates on the weekends providing services from 9 a.m. to 12 p.m. on both days. However, they will also be open for special Christian holidays listed in the attached Project Narrative, some of which falling on weekdays. The PZB may wish to confirm the hours of operation for the entire week as well as anticipated hours for special events held throughout the week for holidays to ascertain the anticipated intensity of this use.

The staff includes the priest, two assistants, two singers, and a board of three church members. A typical weekend service is anticipated to include no more than 30 individuals. However, major holidays as noted in the attached Project Narrative, can generate up to 80 individuals for a service or event.

The proposed use intends to utilize both on-street parking and off-street parking on nearby properties to fulfill its parking obligation given the non-existent parking area on the subject property and limited space to install a new parking area. The attached petitioner's Project Narrative (dated 10/01/2024) outlines their proposed use of off-site parking to satisfy their parking needs and justify their proposed 100% parking provision variation. The plan to do this using remote\_off-street parking and on-street parking options. Please see the attached Petitioner's Project Narrative and the major variation section below for more

### CONDITIONAL USE

### **Request Description:**

The proposed religious institution is categorized as a residentially zoned assembly use as defined below, which requires a conditional use in the R-4, Central Core Residential district:

RESIDENTIALLY ZONED ASSEMBLY USES: A use that is primarily for the purpose of the assembly of people for a non-commercial purpose, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: community center, membership organizations, <u>church, synagogue, temple,</u> <u>meeting house, mosque, or other place of worship</u>. (Section 12-13-3 of the Zoning Ordinance).

As noted above, there was a previous assembly use operating on the subject property as a nonconforming use given that no conditional use is on file authorizing the assembly use. After the termination of this use in 2017, any future assembly use would require the approval of a conditional use permit prior to its operation. As such, the petitioner has submitted a conditional use request to operate a residentially zoned assembly use (i.e., church) on the property.

### Floor Plan and Elevations

Overview

The existing two-story building includes a first floor and a basement area as illustrated in the attached Petitioner's Project Narrative and summarized in the following table.

	Floor Plan Summary	
Floor	Space	Square Feet (SF)
Lower	Kitchen Area	465 SF
Lower	One Mechanical Room	99 SF
Lower	Three Storage Rooms	1,750 SF
First	Sacristy	140 SF
First	Narthex	318 SF
First	Sanctuary	1,441 SF
First	Two single-stall restrooms	65 SF
First	Coat Room	137 SF
First	Three Storage Rooms	108 SF
Second	Storage Area	193 SF

The proposal includes minor alterations to the interior of the building consisting of: (i) removal of the existing kitchen and gas fired appliances from the lower level and (ii) removal of the existing raised platform in the sanctuary to make the floor level consistent throughout that space. There are no plans to alter the existing exterior of the building, including the building material of face brick.

### Building Code Occupancy Requirements

Occupying this building may require ADA accessibility improvements within the building and site under the City's building code. The petitioner must be aware of this which will be addressed during building permit/certificate of occupancy review as this is not directly germane to the Conditional Use process.

### Excessive Noise/Sound Generation

Activities and operations of the proposed assembly use generated excessive or noise/sound that escapes the subject property must comply with Sections 12-12-8 and 6-2-7 of the City's code. This could include, but not limited to, amplified bell ringing, calls to pray, processions, worship services' music and activities, etc.

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

Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, the minimum off-street parking requirement is based upon the specific type of assembly use. For assembly uses comprised of places of worship and commercial theaters, the following parking regulations apply:

Seating Type	Parking Requirement
Fixed Seating	<b><u>1 space for every 5 seats</u></b> in the main auditorium, sanctuary, nave or similar place of assembly and other rooms (gymnasiums, classrooms, offices) which are to be occupied simultaneously
No Affixed Seating	<b><u>1</u> space for every 60 square feet of floor area</b> in the main auditorium, sanctuary, nave or similar place of assembly and other rooms (gymnasiums, classrooms, offices) which are to be occupied simultaneously

The attached Petitioner's Project Narrative indicate that there is fixed seating in the narthex space but not in the sacristy or sanctuary spaces. Based on this and the required off-street parking requirements above, a total of 29 off-street spaces—including at least two accessible spaces—are required for the proposed residentially zoned assembly use on the subject property. The subject property currently does not have any established off-street parking spaces, and the attached Site Plan does not propose any new parking spaces. Consequently, the lack of off-street parking accommodations does not meet Zoning Ordinance requirements and requires a major variation.

### **MAJOR VARIATION**

### **Request Description:** *Overview*

Given the lack of off-street parking on the subject property and the limited space to install new off-street parking spaces with the current property configuration and development, the petitioner has applied for a major variation to reduce the required off-street parking requirement on the subject property to zero with a plan to utilize existing off-street parking on one nearby property as well as onstreet parking on surrounding streets.

### Petitioner's Proposed Alternative Parking Solutions

While staff recognize the physical constraints for on-site off-street parking on the subject property, an additional parking option has been provided by the petitioner in support of their major variation request.

The petitioner's attached Petitioner's Project Narrative outlines their plan to accommodate their required parking supply in three ways:

a. Use the public parking spaces in the Welkin parking garage across Graceland Ave;

- b. Use the existing public on-street parking in the immediate surrounding neighborhood; and
- c. Enter into a shared parking agreement with the responsible party at 780 Lee St. to use 31 off-street parking spaces on this private property.

Method **a.** and **b.** are publicly available and regulated parking for use by anyone but cannot be solely dedicated to the petitioner's use as these parking spaces are specifically intended to be generally available to the community on a firstcome-first-served basis. Further, both on-street parking and public stalls in the Welkin parking garage are likely to be at least partially occupied by other vehicles during these specific time frames.

Method **c.** could be a reliable location for a dedicated supply of parking spaces, but 780 Lee St. is approximately 936 feet away from the subject property along the pedestrian sidewalks on Prairie Ave. and Lee St. and may not be ideal proximity to the subject property. Additionally, there appears to be only 34 spaces currently at the rear and sides of 780 Lee St. These existing parking spaces currently serve an existing multi-tenant office building that is approximately 13,400 square feet in size. Under the City's parking regulations, this existing office building could require up to 44 parking spaces based on the building size. However, the definition of "floor area" in Section 12-13-3 allows spaces such as restrooms, mechanical rooms, hallways, and storage areas to be excluded. City staff will review any shared parking agreements to determine if the required parking requirements would be met for all uses on this property, if the PZB includes the associated staff recommended condition of approval

The PZB can review the applicant's 100% parking variation argument and proposed solutions for off-street parking to determine satisfaction of the Conditional Use and Major Variation review standards as outlined later in this memo.

### Public Comment

There have been inquiries from the public related to this proposed use but no written comments have been provided yet.

**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:

<u>Comment</u>: The proposed religious institution is classified as an assembly use. Since the subject property is located in the residential district, the proposed use is a residentially zoned assembly use, which requires a conditional use as specified in Section 12-7-2. I of the Zoning Ordinance for properties in the R-4 Central Core Residential district.

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

<u>Comment</u>: The Comprehensive Plan designates this property as institutional, a land use that strives to foster growth and retention of institutions that provide services to the Des Plaines residents and the surrounding area including schools, libraries, community organizations, <u>places of worship</u>, and public facilities. This property is positioned on the edge of the downtown area at the corner of Graceland Avenue

and Prairie Avenue and is surrounded by residential development on all sides except the east side, which is zoned C-5 Central Business district. The establishment of a residentially zoned assembly use—especially given the properties former use as an assembly use—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:

<u>Comment</u>: The proposed assembly use utilizes the existing site improvements, which have been established for many decades, arguably harmonious and appropriate in appearance to the surrounding multifamily residential uses. It also serves as an effective buffer between the high-density commercial uses permitted in the C-5 Central Business district to the east from the single-family residential developments in the R-1 Single Family Residential district.

The petitioner proposes minor interior work to the building, but nothing that would alter the exterior or overall appearance of the building. Dependent on cooperation from surrounding property owners and potential approval from IDOT, the petitioner could alternately design and construct an on-site parking lot however this would be expected to accommodate only a small portion of the minimum quantity of required off-street parking.

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

<u>Comment</u>: The proposed assembly use operations are performed within the confines of the existing building and mostly limited to weekends, though holidays throughout the year may result in more intensive use of the property during the week. This could reduce hazardous and disturbing effects on neighboring properties.

However, since there is no on-site parking availability and only the petitioner's proposed off-site parking solutions, there could be significant actual or perceived concerns that the petitioner's parking could create disturbing or hazardous effects on surrounding properties when using the surrounding public on-street parking. The applicant should identify the manner by which congregants with mobility impairments would access the property from their vehicles. The PZB should consider whether the proposed operations may be hazardous or disturbing to existing neighboring uses, especially during peak periods of arrivals and departures associated with peak occupancies.

# 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:

<u>Comment</u>: The subject property is adequately served by essential public facilities and services, although there is no current off-street parking. Staff do not have concerns that the proposed assembly use will be adequately served by other essential public facilities and services. However, the lack of off-street parking could be a concern, especially for mobility impaired individuals who do not have nearby spaces to park and may have to travel greater distances to reach 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:

<u>Comment</u>: The subject property is currently vacant. However, staff is not aware of any burdens on public facilities created by the previous assembly use on this site or detriments to the economic well-being of the community. Aside from concerns related to parking location and availability, there are no other especially evident potential concerns for the community.

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

<u>Comment</u>: All activities will take place inside the building to reduce any noise, smoke fumes, glare, or odors. As for traffic, the petitioner has indicated that the congregation on a majority of weekends will be up to 30 persons, which may result in a little—but potentially not excessive—production of traffic. However, on holidays the congregation can reach numbers of up to 80, which could result in a traffic and parking impact. As such, staff propose a condition that the petitioner obtain at least one shared parking agreement to fully satisfy the off-street parking requirement for the proposed assembly use.

## 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:

<u>Comment</u>: There is currently no on-site parking and none proposed as part of this request. While there is not direct interference with surrounding public thoroughfares at the subject property itself, the use of onstreet parking by patrons of the proposed assembly use could interfere with public throughfares. Nonetheless, the PZB should consider whether the evidence presented indicates the proposed use would comply with this requirement.

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

<u>*Comment*</u>: The proposal would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance. The building and site have already been developed.

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

<u>Comment</u>: Aside from the variation request for off-street parking, the proposal will meet all other requirements of the Zoning Ordinance for the R-4 Central Core Residential 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.

<u>Comment</u>: The subject property does not include an established off-street parking area and limits the space available for the addition of an off-street parking area. Staff have provided the petitioner with advice to help address the parking deficiencies and solutions have been pursued by the petitioner to address the code required on-site parking. See the petitioner's attached Petitioner's Project Narrative for their specific proposed off-site parking solutions.

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.

<u>Comment</u>: The current physical conditions of the subject property are arguably not unique, especially in relation to shape and size. This corner lot does provide options for site access from either Graceland

Avenue or Prairie Avenue. However, the existing building position, location, and size on the property substantially limit the available space for new off-street parking area improvements.

# 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.

<u>*Comment:*</u> The area constraints associated with the existing improvements are a long-standing existing condition not created by the petitioner or the owner but instead were the subject site's existing condition at the time of application.

## 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.

<u>Comment</u>: The site configuration is a long-established existing condition known to the current owner and the petitioner. There are many other uses available to the owner under the current R-4 zoning that may not result in a substantial deprivation of rights.

# 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.

<u>Comment</u>: Granting this variation may not provide the petitioner with special privilege not available to other owners. In fact, it could 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.

# 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.

<u>Comment</u>: The proposal, except for off-street parking, is consistent with the general purpose and intent of the comprehensive plan related to retention and growth of institutional uses. It is in line with the intended Institutional land use in the Future Land Use map and the property has been used for an assembly use in the past. Despite this, the absence of off-street parking could generate perceived or actual disharmony with the surrounding neighborhood, especially during peak periods.

## 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.

<u>*Comment:*</u> In this case, there are limited alternatives available. These alternatives involve either an additional curb cut onto Graceland Avenue, subject to IDOT approval, or using publicly available parking nearby and a shared off-street parking agreement with a nearby private property.

## 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.

<u>*Comment:*</u> Combined with the conditional use request, the variation requested may be the minimum relief necessary to alleviate the hardships described above.

**PZB Procedure and Recommended Conditions:** Under Sections 12-3-4.D (Procedure for Review and Decision for Conditional Uses) and 12-3-6.G.2.b (Procedure for Review and Decision for Major Variations), the PZB has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned requests at 1345 Prairie Avenue.

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.

### **Conditions of Approval:**

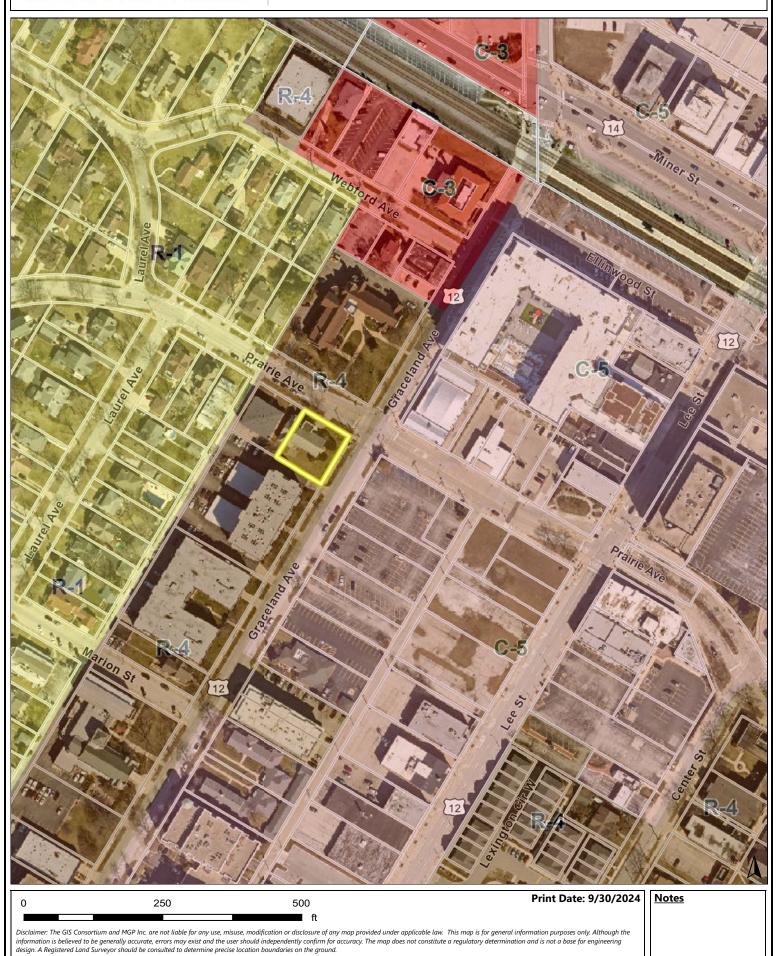
- 1. Prior to the issuance of a certificate of occupancy, the petitioner shall provide confirmation that all required off-street parking for the assembly use is satisfied through an executed shared parking agreement, the construction of on-site parking area installation, or a combination of the two in conformance with Section 12-9-7 of the Zoning Ordinance. The on-site parking area shall meet the requirements of Section 12-9-6 and Site Plan Review standards pursuant to Section 12-3-2.B.
- 2. Any installation of noise generating equipment on the site (bells, speakers, etc.) and all activities on this site must be in compliance with Section 12-12-8 of the Zoning Ordinance and Section 6-2-7 of the Police Regulations.
- 3. Prior to installation of any additional seating or expansion of operations related to the proposed use, contact City Staff to determine compliance with this conditional use ordinance and all other applicable regulations.

### Attachments:

- Attachment 1: Location Map
- Attachment 2: Site and Context Photos
- Attachment 3: Photos of Existing Conditions
- Attachment 4: Petitioner's Project Narrative
- Attachment 5: Excerpt of Welkin Development Public Parking Spaces<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> Full copies are available upon request to the Community and Economic Development department.

## GISConsortium 1345 Prairie Avenue



Attachment 1

1345 Prairie Ave – Front of Building at corner of Prairie & Graceland









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1345 Prairie Ave – View of from Across Prairie & Graceland





1345 Prairie Ave – Facing NW at Existing Stair and Patio Area



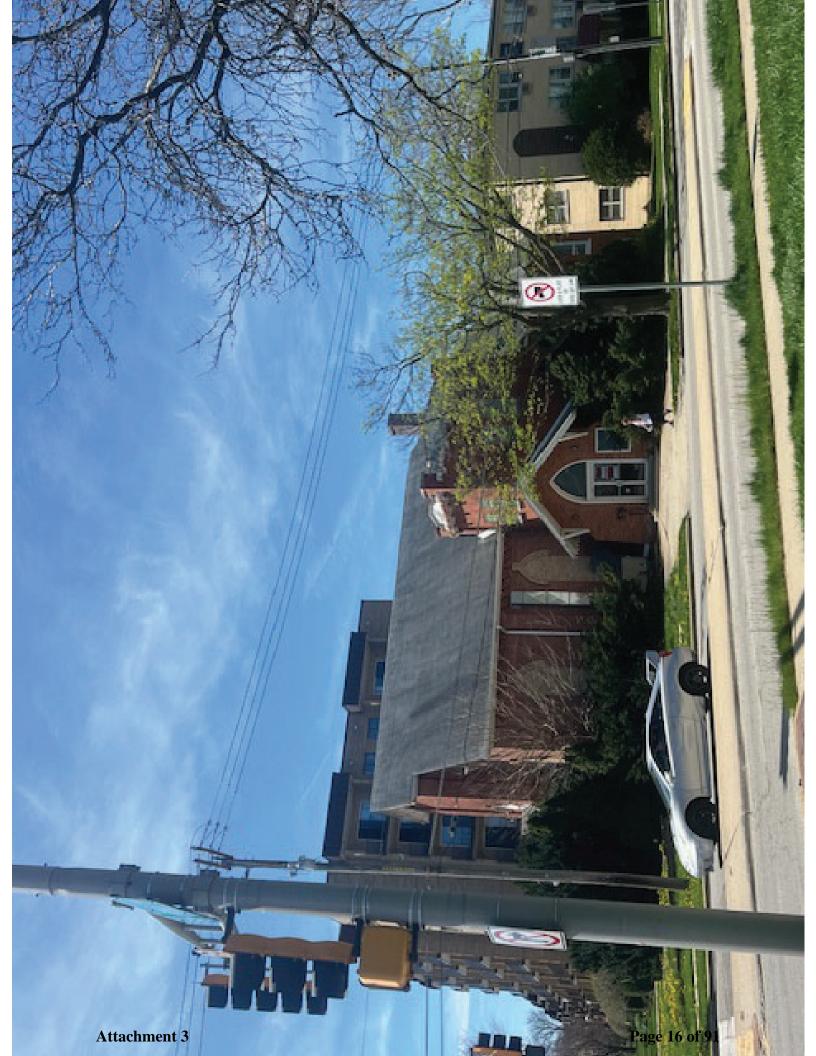
Attachment 2

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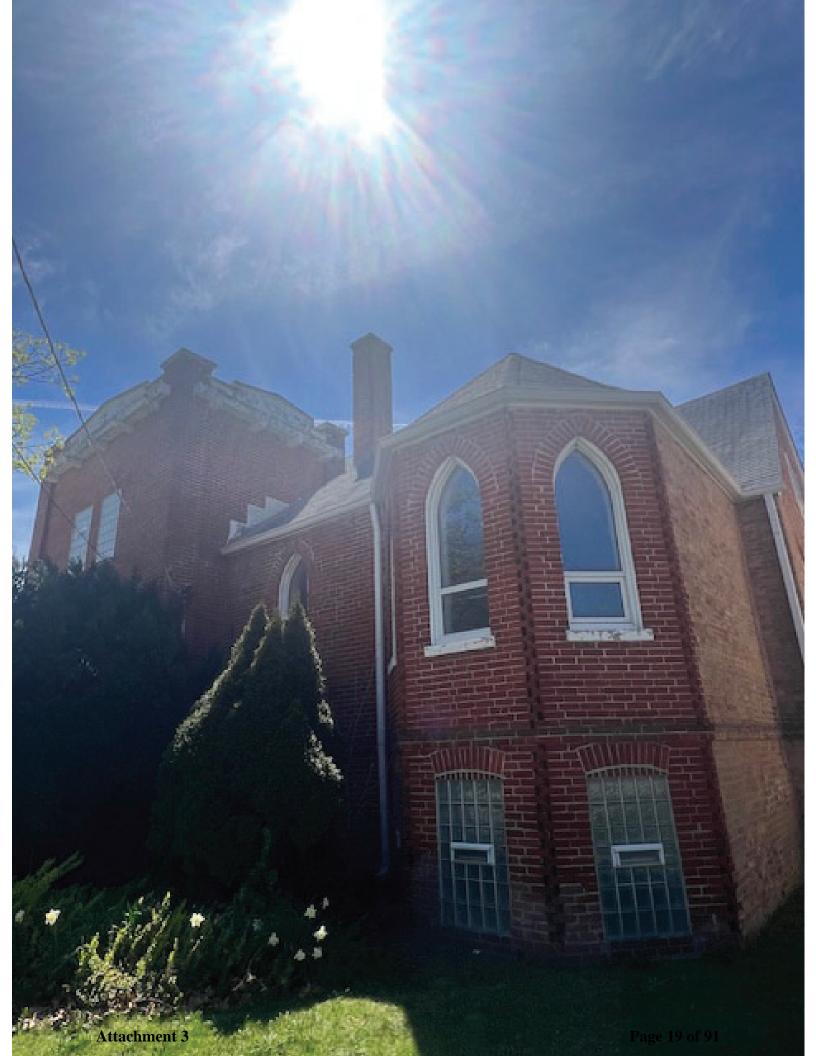




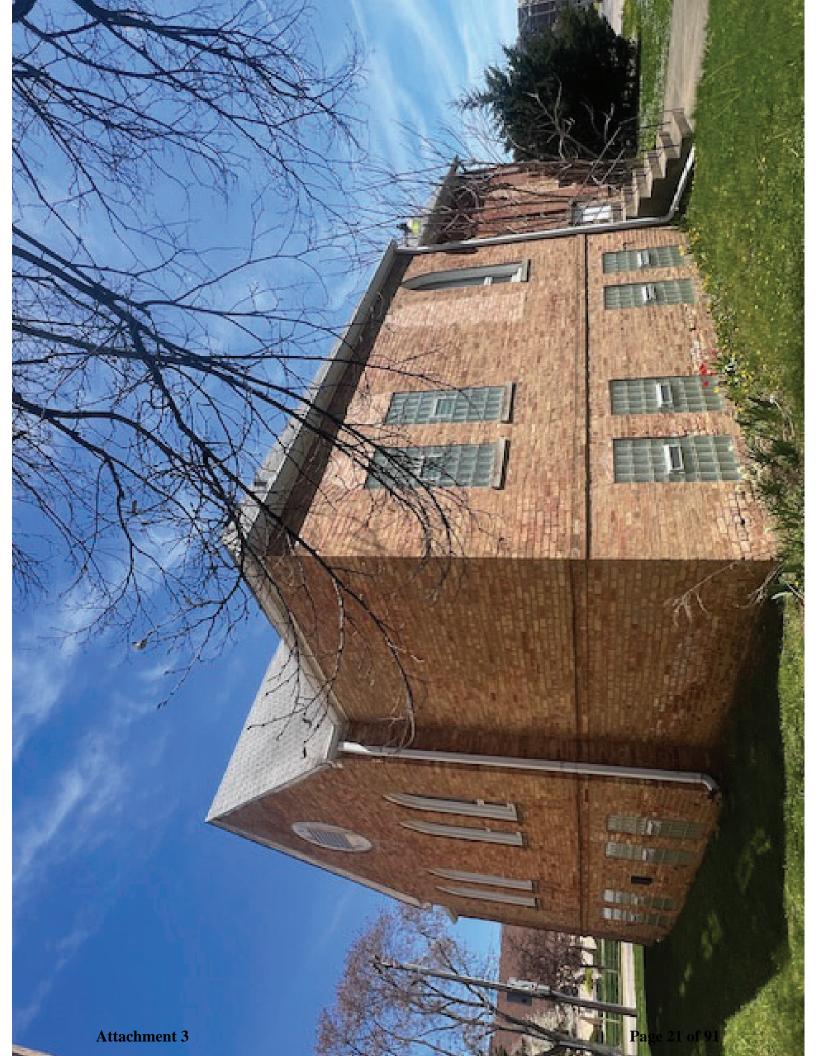














### St. Vakhtang Gorgasali Orthodox Church

Property located at 1345 Prairie Ave, Des Plaines, IL 60016

Utilizing Public Parking for Church Operations located at 1425 Ellinwood St, Des Plaines, IL

60016 -revised application based on August 30, 2024 review letter.

Please see:

- 1. Development Application Escrow Agreement Originals with checks have been delivered to the City of Des Plains on 8-8-2024
- 2. Proof of Ownership/Property Interest
- 3. Names and Addresses of all Professional Consultants
- 4. Project Narrative
- 5. Standards
- 6. Current Plat of Survey
- 7. Architectural Plans
- 8. Landscape Plan NA
- 9. Other Requirements: Photos of Existing Conditions

### 1. DEVELOPMENT APPLICATION



### COMMUNITY AND ECONOMIC DEVELOPMENT

1420 Miner Street Des Plaines, IL 60016 P: 847.391.5306 desplaines.org

### **DEVELOPMENT APPLICATION (3 pages)**

Case Number:	C	Date Filed:
Type of Request:		
Fee Paid Amount:	Receipt Number:	Date:
		y in: 🗆 Floodway 🗆 Floodplain 🗆 Neithe
		pard/City Council:
roperty Address:	Des Plaines, IL, aka 1336 East Prairie Ave, Des	Plaines, IL Date:
roperty Address:	Des Plaines, IL, aka 1336 East Prairie Ave, Des	Plaines, IL Date:
*	Des Plaines, IL, aka 1336 East Prairie Ave, Des	
Requested Action:	Des Plaines, IL, aka 1336 East Prairie Ave, Des	Plat of Subdivision
Requested Action:	Des Plaines, IL, aka 1336 East Prairie Ave, Des	<ul> <li>Plat of Subdivision</li> <li>Tentative</li> </ul>
Requested Action: Variation Minor Standard Major	Des Plaines, IL, aka 1336 East Prairie Ave, Des	<ul> <li>Plat of Subdivision</li> <li>Tentative</li> <li>Final</li> </ul>
Requested Action: Variation Minor Standard Major Sign	Des Plaines, IL, aka 1336 East Prairie Ave, Des	<ul> <li>Plat of Subdivision</li> <li>Tentative</li> <li>Final</li> <li>Map Amendment</li> </ul>
Requested Action: Variation Minor Standard Major Sign Conditional Use		<ul> <li>Plat of Subdivision</li> <li>Tentative</li> <li>Final</li> <li>Map Amendment</li> <li>Text Amendment</li> </ul>
Requested Action: Variation Minor Standard Major Sign Conditional Use Planned Unit Developme		<ul> <li>Plat of Subdivision</li> <li>Tentative</li> <li>Final</li> <li>Map Amendment</li> <li>Text Amendment</li> <li>License Agreement</li> </ul>
Requested Action: Variation Minor Standard Major Sign Conditional Use		<ul> <li>Plat of Subdivision</li> <li>Tentative</li> <li>Final</li> <li>Map Amendment</li> <li>Text Amendment</li> </ul>

### Description of the request:

'er the City of Des Plaines zoning regulations for R-4 Residential areas, buildings used for assembly, such as churches, must provide off-street parking.
lowever, the church faces significant operational challenges due to the lack of on-site parking facilities. This project proposes a practical
olution to this issue by seeking permission for the church to utilize public parking facilities at 1425 Ellinwood St, Des Plaines, IL 60016
IN(s): 09-17-423-011-0000

Legal Description	(please attach	and submit electronically	in Word document)
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Zoning Classification of Property: R-4

Proposed Zoning Classification of Property (if applicable):  $\frac{R-4}{R-4}$ 

Current Use of Property: Vacant - previously used as place of worship.

Proposed Use of Property: Church

Applicant Name (printed): St. Vakhtang Gorgasali Orthodox Church

Applicant Signature:

Applicant's Interest in Property: □ Owner □ Lessee ☑ Contract Purchaser □ Authorized Agent □ Other (explain)

Applicant's Address: 400 E Illinois Rd, Lake Forest IL 60045

Phone Number: 312-404-9046 Email Address: kingorokva@gmail.com

Property Owner Name (printed): Victor J. Grandinetti

Property Owner Signature\*:

\*Or submit an original letter of authorization from the property owner of record

Property Owner's Address: 333 W. Katleen Dr. Park Ridge IL 60068

Phone Number: 312-217-3333 Email Address: victorgrandinetti6@icloud.com

Contact Person: 🛛 Applicant 🗆 Owner 🗆 Other:

TRUST INFORMATION (required if property is in a trust)

Name(s) of Trust Beneficiary(ies)\* NA

Address(es) of Trust Beneficiary(ies)\* NA

\*All applications involving property held by a land trust must be signed by the trust officer of the institution holding the trust as the owner of the property. Additionally, the trust beneficiary and his/her current address must be disclosed on this form. The application must also be accompanied by the following:

1) A certified copy of the trust agreement.

2) A letter from the trustee certifying that the beneficiary as shown on this application is correct and disclosing any beneficiary changes or lack thereof during the 12 months preceding the filing of this application.

I hereby certify that all of the above statements and those contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. Furthermore, I consent to the entry in or upon the premises described in the application, by any authorized official of the City of Des Plaines, for the purpose of posting, maintaining, and removing public hearing notices as may be required, as well as conducting a site analysis.

Applicant Name (Printed): Arsen Mskhvilidze	Date:	08/08/2024
Owner's Signature: Owner Name (Printed): Victor J. Grandinetti		

See authorization letter signed by owner

6/2 Date:

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

To Whom It May Concern,

I, Victor J. Grandinetti, the current owner of the property located at 1345 Prairie Ave, Des Plaines, IL 60016, hereby authorize St. Vakhtang Gorgasali Orthodox Church to file an application (the "Application") for conditional use and variation for the aforementioned property.

The church is currently in negotiations with me to purchase the property and intends to utilize public parking facilities at 1425 Ellinwood St, Des Plaines, IL 60016, as part of its operations. This Application is necessary due to the lack of on-site parking at the church's property.

Please note that this authorization is granted under the following terms and conditions: I do not object to St. Vakhtang's Application for the Variation/Conditional Use as stated in its Application, so long as the Variation/Conditional Use and any other variations, conditional uses, or any other changes requested by St. Vakhtang do not take effect until the sale of the Property to St. Vakhtang is completed. In further regard to the Application, the Variation/Conditional Use, and any other variations, conditional uses, or other changes requested by St. Vakhtang, I disclaim any responsibility to the City, St. Vakhtang, or to any other interested party, for any fees, costs, Application requirements, liabilities, potential liabilities, or any other adverse consequences arising from or related to the Application (including without limitation any misstatements in the Application), the Variation/Conditional Use, and any other variations, conditional uses, or any other changes requested by St. Vakhtang.

Should you have any questions or require further information, please do not hesitate to contact me at 312-217-3333 or <u>victorgrandinetti6@icloud.com</u>.

Kitachiment 4

Page 28 of 91

### **ESCROW AGREEMENT**

**THIS AGREEMENT** (*"Agreement"*) is made and entered into as of August 12 2024, by and between **THE CITY OF DES PLAINES** (*"City"*), and St. Vakhtang Gorgansali Orthodox Church (*"Petitioner"*).

**IN CONSIDERATION OF** the recitals and mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby mutually acknowledged, the parties hereto agree as follows:

### SECTION 1. RECITALS.

**A.** The Petitioner has submitted to the City for its review and consideration of a petition for Conditional Use and Major Variation (*"Petition"*), which development will require the City to conduct various public meetings and hearings and to grant zoning relief and other related approvals (*"Development"*).

**B.** Pursuant to Section 12-3-1 of the Des Plaines Zoning Ordinance of 1998, as amended ("**Zoning Ordinance**"), petitions for zoning approvals under the Zoning Ordinance must be accompanied by the applicable application fee (*"Application Fee"*).

**C.** Pursuant to Section 12-3-10 of the Zoning Ordinance, the Petitioner is responsible for payment of the costs and fees incurred by the City processing the Petition, including consultant costs and attorneys' fees (*"Recoverable Costs"*) (collectively, the Application Fee and the Recoverable Costs are the *"Reimbursement Costs"*).

#### SECTION 2. CASH DEPOSIT.

In connection with the Petition for approval of the Development, the Petitioner agrees to provide a cash escrow deposit to the City in the amount of \$1000 ("*Escrow*") to be used towards the payment of the Reimbursement Costs.

### SECTION 3. REPLENISHMENT.

The City Manager will periodically review the Escrow to ensure that adequate funds are available to satisfy the Reimbursement Costs relating to the Development. In the event that the City Manager determines that sufficient funds are not available to cover the anticipated Reimbursement Costs, the City Manager will notify the Petitioner and request a further amount to be deposited into the Escrow sufficient to defray the anticipated additional costs. The City Manager will determine the further amount due based on the nature of the Petition and the Development, its complexity, the relative need for additional legal and other consultant services, and the amount of time remaining before the completion of the Development. The Petitioner must deposit the additional funds to the Escrow within 14 days after the notice to do so from the City. In the event that the funds are not deposited, the City has the right, at its sole discretion, to take no further action on the Development and shall so advise the Petitioner.

### SECTION 4. FINAL DISBURSEMENT.

After (i) final decisions are made on all forms of requested relief from the Planning and Zoning Board and the City Council related to the Development, (ii) the completion of all review activities by the City for permits applicable to the Development, and (iii) all outstanding

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Attachment 4

Reimbursement Costs incurred by the City related to the Petitioner for approval of the Development have been satisfied in full, the City Manager shall remit the balance of the Escrow, if any, to the Petitioner.

#### SECTION 5. DESIGNATED CONTACTS.

The designated contact persons for the Petitioner and the City concerning this Agreement are as follows:

For the City: Jeff Rogers Director of CED City of Des Plaines 1420 Miner Street Des Plaines, IL 60016 847-391-5545 Telephone jrogers@desplainesil.gov

#### For the Petitioner:

St. Vakhtang Gorgasali Orthodox Church 400 E. Illinois Road Lake Forest, IL 60045 gorgasalichurch@gmail.com

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives as of the date first above written.

ATTEST

By\_Ketevan Ingorokva\_K. Angorokva

Its Secretary

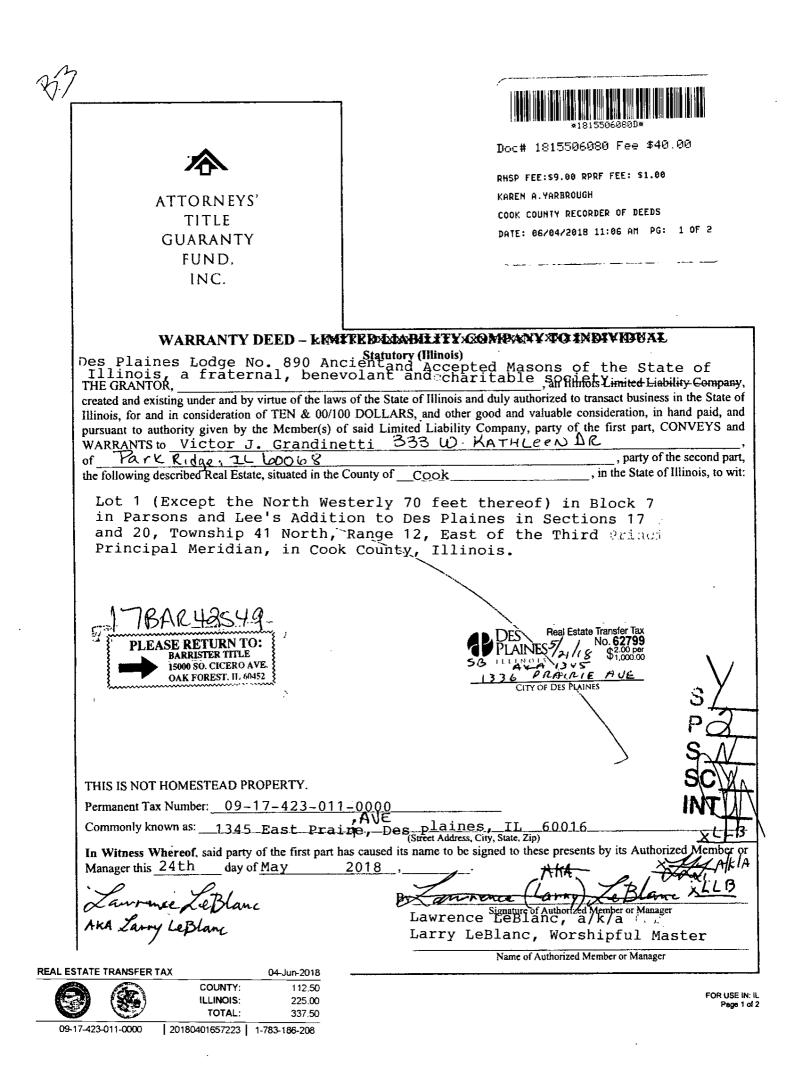
ATTEST: By Kell GWOOM Its EVEC Admin Assistant ST. VAKHATANG GORGANSALI ORTHODOX CHURCH

By \_Arsen Mskhvilidze Arsen (Aug 12, 2024 14:43 CDT)

Its \_\_President\_\_\_\_\_

CITY OF DES PLAINES By CEO PINEGTON Its

### 2. PROOF OF OWNERSHIP/PROPERTY INTEREST



STATE OF ILLINOIS ) COUNTY OF COUNTY OF	
I, the undersigned, a Notary Public in and for the Co Lawrence LeBlanc a/k/a Larry LeBlanc or Manager of <u>Des Plaines Lodge No. 890</u> and personally known to me to be the same person whose name day in person and acknowledged that as such Authorized Meml pursuant to authority given by the Members of said Limited Lia	unty and State aforesaid, DO HEREBY CERTIFY that nc, personally known to me to be the Authorized Member ;an Hinnis Limited Liability Company, is subscribed to the forgoing instrument, appeared before me this ber or Manager, he/she signed and delivered the said instrument ability Company, as the free and voluntary act of the Authorized d of said Limited Liability Company, for the uses and purposes
Given under my hand	and Notarial Seal this <u>24th</u> day of <u>May 2018</u> .
	Olec ' J Notary Public
CHERI A NORWAY OFFICIAL SEAL Notary Public, State of Illinois My Commission Expires November 08, 2018	
Mail this recorded instrument to:	This instrument prepared by:
EMIL CALIENDO, ESQ. 70 WEST MADISON ST. SUITE 2222 CHICAGO, IL 60602	Marshall Peters Attorney at Law 4115 S. Scoville Ave. Stickney, IL 60402
Mail Gutura tay killa ta	
Mail future tax bills to: Victor GRANDINETTI 333 West Kathleen Drive Park Ridge IL 60068	ATTORNEYS' TITLE GUARANTY FUND, INC.

i.

ATG FORM 4131 © ATG (3/07) FOR USE IN: IL Page 2 of 2

## 3. NAMES AND ADDRESSES OF ALL PROFESSIONAL

### CONSULTANTS

Names and Addresses of all Professional Consultants

#### ST. VAKHTANG GORGASALI ORTHODOX CHURCH

- PRIEST ANDRIA GURAM MARUASHVILI 430 SUSSEX CT, BUFFALO GROVE IL 60089 andriamaruashvili5@gmail.com (929) 616-9404
- PRESIDENT ARSEN MSKHVILIDZE 430 SUSSEX CT, BUFFALO GROVE IL 60089 arsen.mskhvilidze@yahoo.com (773) 999-1856
- SECRETARY- KETEVAN INGOROKVA 1400 KINGSPORT CT, NORTHBROOK IL 60062 kingorokva@gmail.com (312) 404-9046
- BOARD MEMBER -LALI KATAMADZE 625 PHEASANT LN, DEERFIELD IL 60015 katamadze2012@gmail.com (224) 633-8334

#### DIRECTORS

- NINO GIORGOBIANI 2330 RIVERWOODS RD, RIVERWOODS IL 60015 ninagi2010@gmail.com (224) 795-1832
- ARCHIL SHARASHIDZE 1024 SHERIDAN RD HIGHLAND PARK IL 60035 achi\_cago@hotmail.com (312) 953-7929
- EKATERINE MCHEDLISHVILI 150 LAKE BLVD #129, BUFFALO GROVE Ekamch22@gmail.com (312) 799-0684

## 4. PROJECT NARRATIVE



773-999-1856

#### Project Narrative: Utilizing Public Parking for Church Operations

Project Title: Enhancing Church Accessibility: Public Parking Solution

Project Location: 1345 Prairie Ave, Des Plaines, IL

The church, located at the corner of Graceland and Prairie Avenues, holds a deep historical significance as one of the oldest structures in the city of Des Plaines. Its story began in 1872 when the building was initially dedicated to the First Congregational Church of Des Plaines, a fine example of Gothic Revival architecture. The church's construction was made possible through generous contributions from residents. By 1878, the First Congregational Church merged its services with a similarly small Methodist congregation. By 1927, the congregation had grown too large for the space. They held their final service in the building in 1929 and moved to a larger church nearby.

In the 1940s, the building became home to Trinity Lutheran Church, which occupied the space until 1956, when they, too, moved to a larger location. That same year, Des Plaines Masonic Lodge purchased the building and remained there for nearly seven decades until 2018, when it was sold to a local dentist. The Lodge contributed significantly to the Des Plaines community, hosting events such as pancake breakfasts and pasta dinners and providing charitable assistance to families and widows.

Hopefully, the building's 118-year legacy will continue under St. Vakhtang Gorgasali Orthodox Church, as we are dedicated to preserving its historical significance while contributing to the community's cultural and spiritual life. To proceed with our plans, we request permission for a major variation and conditional use to ensure that the necessary adjustments can be made while maintaining the integrity of this historic site.

The subject property, located at 1345 Prairie Av, has a long history as a designated church building. It consistently serves the community in this capacity and has never been utilized for any other purpose. We fully recognize and respect the City of Des Plaines zoning regulations for R-4 Residential areas, which stipulate that assembly buildings, including churches, must provide sufficient off-street parking. A total of 29 parking spaces are required, including two accessible spaces. However, given the site's limitations, the church cannot meet these requirements with its current facilities. On August 29, 2024, we contacted the neighboring condo association to inquire about using their driveway and installing parking spots on-site, but we received a denial. (See Exhibit A) As such, we are proposing a practical and community-focused solution to address this challenge by requesting permission to utilize the nearby public parking facilities at 1425 Ellinwood St, Des Plaines, IL 60016. Please note that one off-street accessible parking is available at the premises. (See attached Group Exhibit B)

In alignment with this proposal, we are seeking a change in conditional use from the City of Des Plaines to formally permit the church's congregation and visitors to make use of the public parking at 1425 Ellinwood St. This location is not only conveniently close to the church, but it also provides an ideal solution to accommodate our parking needs without imposing additional burdens on the surrounding residential area. We also have authorization from First-Class Smile Dental Clinic, located at 780 Lee St, Des Plaines, IL 60016, to utilize their parking facilities on Sundays when the clinic is closed. This arrangement provides access to an additional 31 parking spaces, which will further alleviate the parking challenges for our congregation. The clinic's proximity to the church makes this an ideal solution, ensuring that we can meet the needs of our members while maintaining minimal disruption to the surrounding area. This cooperation

### St. Vakhtang Gorgasali Orthodox Church



gorgasalichurch@gmail.com 773-999-1856

complements our request for conditional use of public parking and strengthens our commitment to providing adequate parking resources for the church's operations.

Please note that there are street parking options available in the surrounding area. (Please see Group Exhibit C)

St. Vakhtang Gorgasali Orthodox Church primarily operates on Sundays, providing services from 9:00 am to 12:00 pm. Additionally, the church will be open for special Christian holidays, ensuring that members of our community can come together in worship and celebration. The scheduled Christian holidays for the church are as follows:

7 January - Epiphany - The Baptism of Our Lord God and Savior Jesus Christ

14 January - Circumcision of Our Lord God and Savior Jesus Christ and the Naming of St. Basil the Great

- 19 January Announcement The Nativity of Jesus Christ
- 27 January Commemoration of St. Nina, Enlightener of the Georgians
- 15 February Presentation The Presentation of Jesus Christ
- 7 April Annunciation
- 24 June Pentecost Monday
- 7 July Birth of St. John the Baptist
- 12 July Veneration of the Holy Apostles Peter and Paul
- 13 July Svetitskhovloba (Festival of the Living Pillar)
- 19 August Transfiguration The Transfiguration of Our Lord Jesus Christ
- 28 August The Dormition of the Most Holy Mother of God
- 11 September Commemoration of St. John the Theologian
- 21 September The Birth of the Most Holy Mother of God
- 27 September The Universal Exaltation of the Precious and Life-Giving Cross of the Lord
- 14 October Mtskhetoba
- 4 December The Entrance of the Most Holy Mother of God into the Temple

#### Attachment 4

### St. Vakhtang Gorgasali Orthodox Church



gorgasalichurch@gmail.com

773-999-1856

Easter: Celebrated on a Sunday between March 22nd and May 5th

Palm Sunday - Entry into Jerusalem - The glorious entry of Jesus Christ into Jerusalem. Week before Easter

Ascension of Jesus Christ – 39 days after Easter

Pentecost- The descent of the Holy Spirit - 7 weeks after Easter Sunday

Our church community operates with minimal staff: our priest, two dedicated helpers, two singers, and a board of three devoted members. With our modest congregation, weekend services typically draw no more than 30 individuals, and on major holidays such as Easter or Christmas, attendance reaches a maximum of 80 people.

The building has been vacant since 2018, and we are excited and eager to move in and restore and maintain its historical and architectural significance. As a vital part of Des Plaines' rich heritage, we believe our congregation's presence will breathe new life into this iconic structure while respecting its past. Our plans to utilize this space align with our commitment to preserving the building's legacy and ensuring it continues to serve the community for generations to come.

This project, along with our plans to utilize public parking at 1425 Ellinwood St and the additional spaces at First-Class Smile Dental Clinic, ensures that we can meet the church's operational needs and contribute to the vitality of downtown Des Plaines. We are enthusiastic about moving forward and deeply appreciate your support as we work together to realize this vision.

Respectfully,

Members of St. Vakhtang Gorgasali Church

## Exhibit A



August 29, 2024

Dear Officers and Directors of the 700 Graceland Condominium Association,

I am writing to inform you that St. Vakhtang Gorgasali Orthodox Church is in the process of purchasing the property at 1345 E Prairie Ave Des Plaines, IL 60016, which is adjacent to your condominium building. As part of our planning, we are exploring options to enhance parking availability and would like to discuss the possibility of using a portion of the condominium's driveway entrance to accommodate a small parking area (5 to 10 spaces) within the churchyard.

We are currently working with the City of Des Plaines to obtain conditional use approval for public parking. However, we would like to explore potential collaboration with the association regarding this parking matter.

I have previously attempted to reach out to Mr. Wendy Kramer and Mr. Robert Wissmann at the phone numbers (847) 257-7543 and (847) 298-1591, respectively, and left messages, but I have not yet received a response. We would greatly appreciate the opportunity to speak with a representative from the association to discuss this matter further.

Please feel free to contact me directly at 312-404-9046 at your earliest convenience. We value your input and look forward to the opportunity to work together to find a mutually beneficial solution.

Thank you for your time and consideration. I look forward to hearing from you soon.

Best regards,

Ketevan Ingorokva Secretary St. Vakhtang Gorgasali Orthodox Church

Contact: 312-404-9046 Kingorokva@gmail.com



Rick J. Erickson Mark J. T. Erickson Attorneys At Law

716 Lee Street Des Plaines, Illinois 60016 (847)390-0100 Fax (847)390-1149 attorney@ericksonltd.com

Cindi Salamone Diane Kledzinski Legal Assistants

September 5, 2024

#### VIA EMAIL kingorokya@gmail.com; gorgasalichurch@gmail.com

St. Vakhtang Gorgasali Orthodox Church c/o Ketevan Ingorokva

#### Re: 700 Graceland Condominium Association

Dear Mr. Ingorokva:

The undersigned represents the Board of Directors for 700 Graceland Condominium Association (the "Board" or "Association"). My office, and the Board members, are in receipt and review of your August 29, 2024 letter.

This communication will confirm the Board's decision to NOT allow access to Association's north driveway or to any part of the lot to the north of the property at 1345 E Prairie Ave. Respectfully, my client will not be willing to collaborate on the Church's proposed parking enhancements.

Thank you.

Very truly yours.

Mark J.T. Erickson

Cc: Board of Directors

## Exhibit B

## PUBLIC ACCESS

Attachment 4

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Attachment 4

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parking

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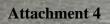






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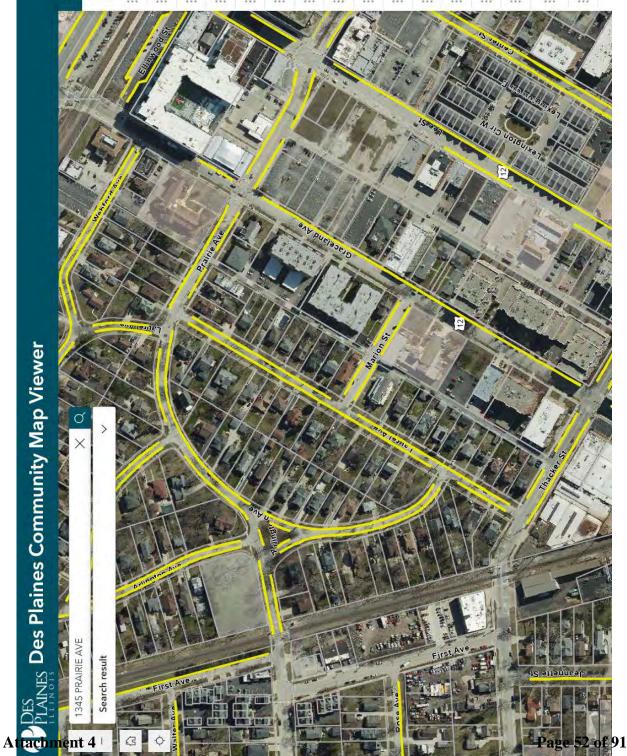
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## Exhibit C



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		Middle School Attendance Boundaries		









Attachment 4

TO DEPENDENT OF STREET, STREET

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Attachment 4

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## 5. STANDARDS FOR CONDITIONAL USES

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

#### **RESPONSE:**

The proposed conditional use, operation as a church, is a permitted condition use or the properties R-4 zoning classification pursuant to section 12-7-2 Residential District Regulations of the City of Des Plaines. The existing zoning regulations in the R-4 Residential zoning district require buildings used for assembly, such as churches, to provide off-street parking for assembly attendees.

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

#### **RESPONSE:**

The proposed use of public parking at 1425 Ellinwood St, Des Plaines, IL 60016, not only enhances the church's accessibility for congregation members, visitors, and participants in community programs but also contributes to the city's objective of an overall plan for diversity and inclusion. This innovative solution benefits the church and the local community, offering cultural diversity to the Des Plaines community.

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

#### **RESPONSE:**

The proposed conditional use of utilizing public parking at 1425 Ellinwood St, Des Plaines, IL 60016, for the church is designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. We are committed to ensuring that the use of public parking will be conducted in a manner that minimizes any negative visual impact on the surrounding area.

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

#### **RESPONSE:**

The proposed conditional use for allowing the church to use public parking at 1425 Ellinwood St, Des Plaines, IL 60016 in Des Plaines is not hazardous or disturbing to neighboring uses. The use of public parking does not result in any significant environmental hazards or disturbances to the natural surroundings. The church's use of public parking facilities allows for a harmonious coexistence with neighboring residential properties. The parking area is utilized primarily during church activities and events, ensuring minimal impact on the day-to-day activities of nearby residents. The parking facilities are designed to manage stormwater runoff effectively and prevent any negative effects on the local ecosystem.

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

#### **RESPONSE:**

The proposed conditional use will not have a major impact on existing public facilities and services. It will utilize services that are currently in place.

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

#### **RESPONSE:**

The proposed use will not result in any new needs arising at the public's expense. In addition, the church will make a beneficial contribution to the surrounding community by forming partnerships with local businesses and participating in community development activities.

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

RESPONSE: The proposed use will not produce any smoke, fumes, glare, or odors. Due to our congregation's small size, the volume of traffic resulting from its use will be minimal and will not significantly affect the intersections and roads in the vicinity. Additionally, while there is currently no defined vehicle access to the property, parking will primarily occur off-site.

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

#### **RESPONSE:**

Currently, there is no defined vehicular access to the subject property. However, as a predominantly weekend-operating church, the traffic generated will be minimal. Most, if not all, parking will occur off-site in designated areas. To ensure that this arrangement does not interfere with traffic on surrounding public thoroughfares, we will establish clear guidelines for off-site parking locations and provide detailed directions for attendees. These measures will mitigate any potential impact on traffic flow in the vicinity. Additionally, staggered service times will further reduce traffic concentration at peak hours.

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

#### **RESPONSE:**

The proposed use will impact no natural scenic or historic feature. The Church is fully committed to being a responsible custodian of Des Plaines' natural, scenic, and historic treasures. We are confident that our proposed conditional use will not compromise the integrity or significance of these features but rather contribute positively to their appreciation and enjoyment by present and future generations.

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

#### **RESPONSE:**

For the church, the proposed conditional use of public parking at 1425 Ellinwood St, Des Plaines, IL 60016, complies with all additional regulations in the city's zoning title specific to the conditional use requested. All additional regulations will be met.

## 6. STANDARDS FOR VARIATIONS

#### **Responses to Standards for Variations October 1st, 2024**

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.

#### **RESPONSE:**

The subject property is designated R4 residential, which requires off-street parking and creates considerable challenges for our church congregation. The lack of off-street parking directly affects the church's ability to operate. Allowing our church to function without off-street parking and instead using neighboring public parking would support our small congregation and foster a positive relationship with the neighborhood.

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.

#### **RESPONSE:**

The subject property was built as a church, and its intended use is a place of worship. This current use is challenging to change, contributing significantly to the lot's unique physical condition. It is not merely an inconvenience. This natural state of the lot, coupled with the structure of the building, complicates achieving off-street parking regulations.

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.

#### **RESPONSE:**

The unique physical conditions of the subject property, including its existing use as a church, were not created by any action or inaction of the current owner or its predecessors in the title. The building was already being used as a church before the zoning rules that require off-street parking were put in place. The property in question has only ever been used as a church and has never been used for any other purpose.

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.

#### **RESPONSE:**

Requiring off-street parking would severely limit our church congregation's capacity to function correctly and provide community services such as religious gatherings and events. It would create operational restrictions not generally placed on other residential properties in the same zoning district. This would significantly limit the privileges currently enjoyed by property owners in the same zoning category.

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.

#### **RESPONSE:**

The approval of this variation would not provide the petitioner with any special privileges or additional rights not available to owners or occupants of surrounding lots under the same provision. The petitioner asks to use public parking at 1425 Ellinwood St, Des Plaines, IL 60016. Any other owners and occupants of the same provision can use the above-mentioned public parking.

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.

#### **RESPONSE:**

Approval of the requested variation to allow the church to use public parking at 1425 Ellinwood St, Des Plaines, IL 60016, would not result in a use or development that is not in harmony with the general and specific purposes for which the zoning provisions were enacted, nor would it conflict with the general purpose and intent of the comprehensive plan.

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.

#### **RESPONSE:**

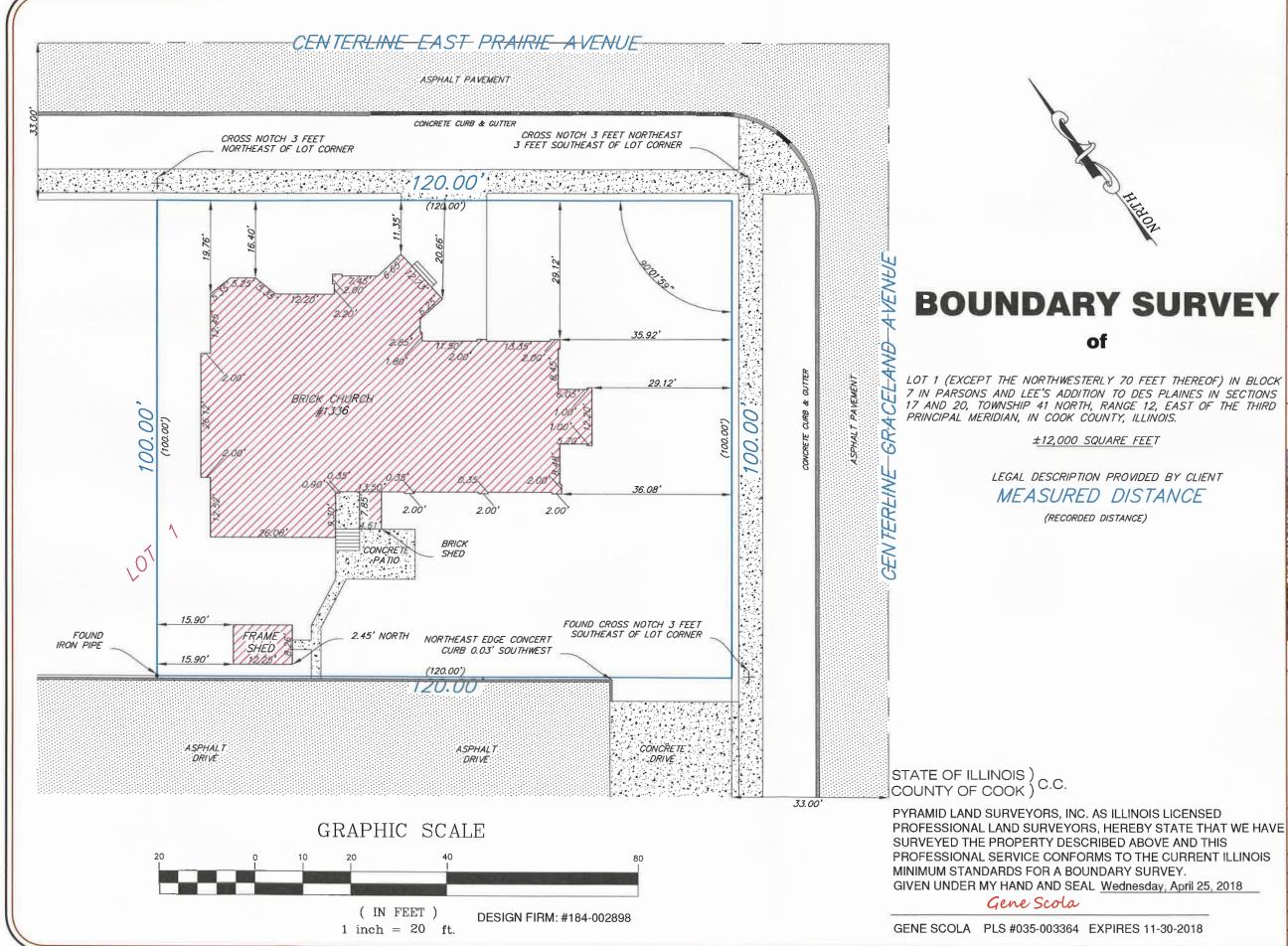
While it is true that there may not be an alternative to satisfy the off-street parking requirement thoroughly, we have explored several options to reduce the requested variation. One such option was when we contacted the neighboring condo association to inquire about using their driveway and installing parking spots on-site, but we received a denial. However, we did secure approval from the owner of 780 Lee St, Des Plaines, IL 60016, to use their parking lot on weekends, which helps alleviate some of the parking demand. Therefore, utilizing public parking, combined with the approved weekend use of the 780 Lee St lot, remains the most practical solution.

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.

#### **RESPONSE:**

The requested variation for the church to utilize public parking at 1425 Ellinwood St, Des Plaines, IL 60016 represents the minimum measure of relief necessary to alleviate the hardship presented by the strict application of the off-street parking requirement.

### 7. CURRENT PLAT OF SURVEY



# **ORDERED BY**

MARSHALL F. PETERS 4115 SOUTH SCOVILLE AVENUE STICKNEY, ILLINOIS 60402

#### VICINITY MAP



1336 EAST PRAIRIE AVENUE



PIN# 09-17-423-011-0000



16 SOUTH LIBERTY DRIVE SOUTH BARRINGTON ILLINOIS, 60010 PHONE 630–497–1832 FAX 847–428–6413

FIELD WORK COMPLETED: APRIL 20, 2018 DRAWN BY: G.V.S. SCALE : 1"=20'

> BOOK NUMBER: 1804-50 DRAWING NUMBER: 117-180505

pyramidpls@yahoo.com

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#### LINE WORK BOUNDARY LINE STRUCTURE LINE CENTER LINE BUILDING LINE EASEMENT ALL OTHER LINES MONUMENTS IRON PIPE . (LOCATED AT LOT CORNERS) IRON ROD 0 (LOCATED AT LOT CORNERS) CROSS NOTCH +(CUT IN CONCRETE PAVEMENT) NOTCH (CUT IN CONCRETE PAVEMENT) \_\_\_\_ PK NAILS •••• (REPRESENTS # OF PK NAILS) PK NAIL IN POWER POLE

LEGEND

#### FENCES

CHAIN LINK WOOD IRON PLASTIC



PLEASE REFER TO DEED, TITLE POLICY AND / OR LOCAL ORDINANCES FOR BUILDING LINE RESTRICTIONS AND / OR EASEMENTS NOT SHOWN.

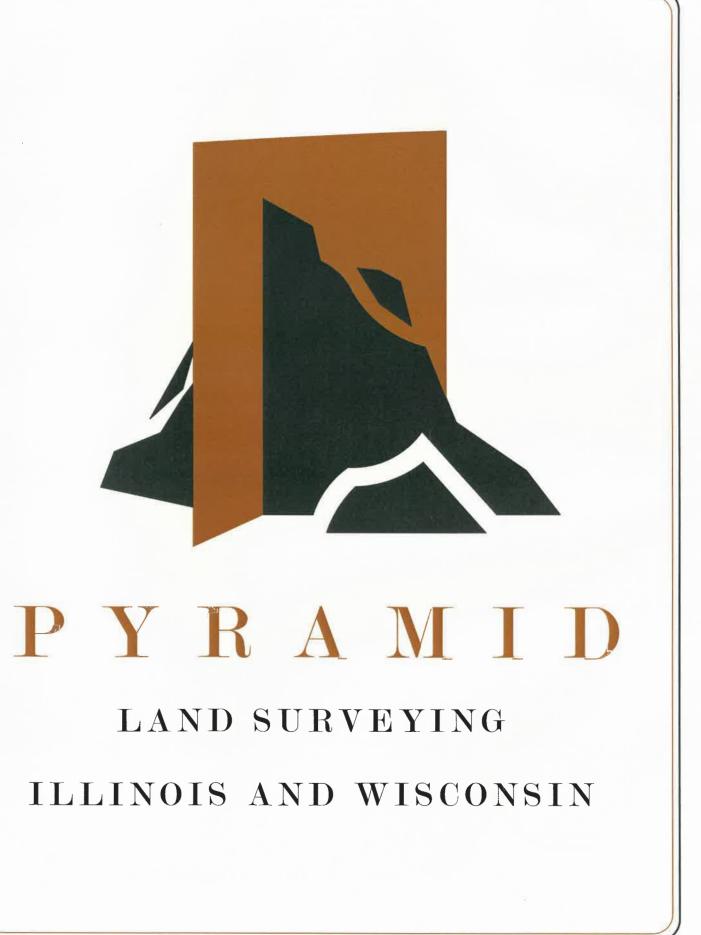
PLEASE CHECK LEGAL DESCRIPTION WITH DEED AND IMMEDIATELY REPORT ANY DISCREPANCY TO THE SURVEYOR FOR EXPLANATION AND/OR CORRECTIONS.

ALL DIMENSIONS AND MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF, AND ARE CORRECTED TO A TEMPERATURE OF 62 DEGREES FAILRENHEIT.

THIS BOUNDARY SURVEY ARE NULL AND VOID IF SURVEYORS EMBOSSED SEAL IS NOT AFFIXED HEREON.

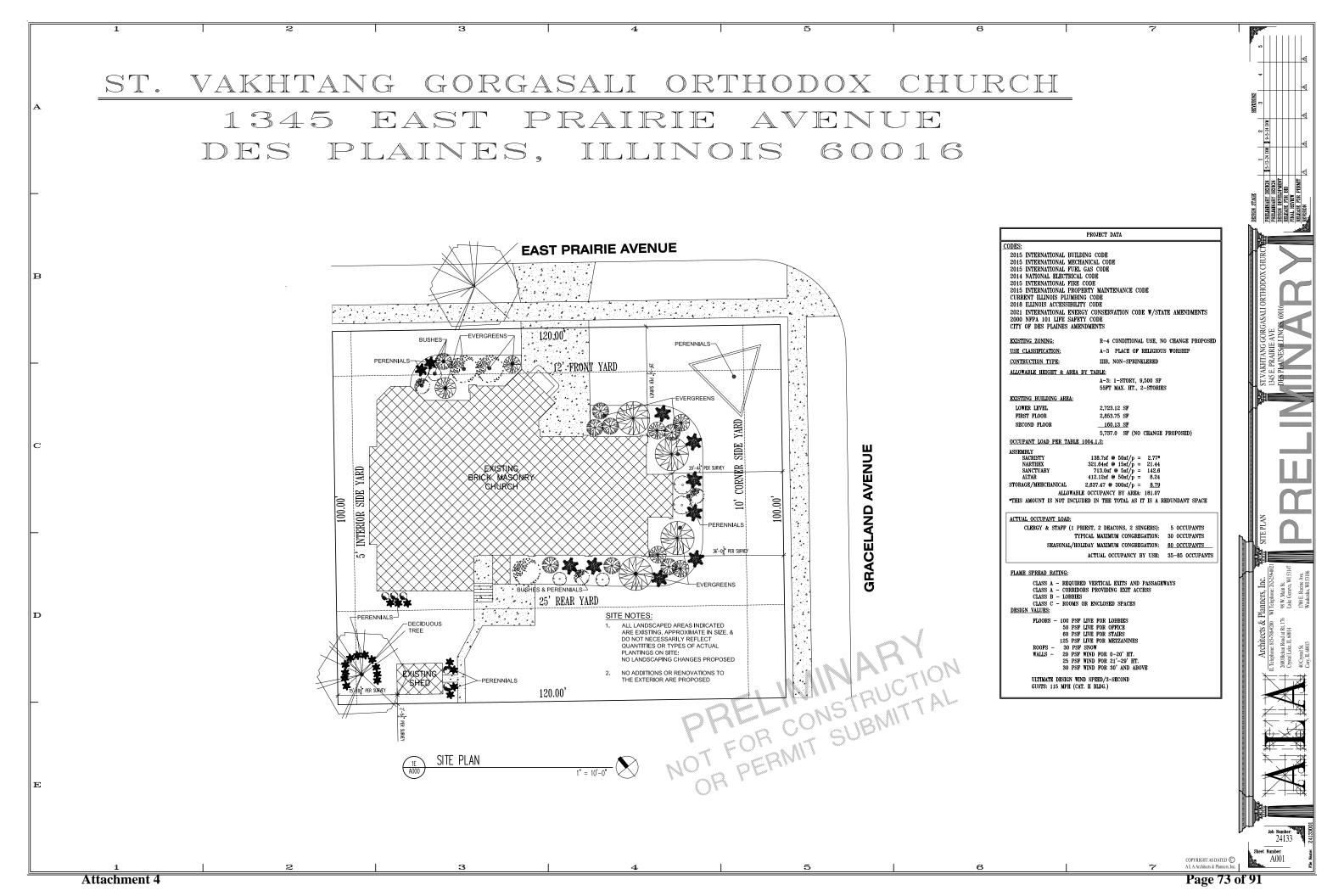
COMPARE ALL POINTS BEFORE BUILDING

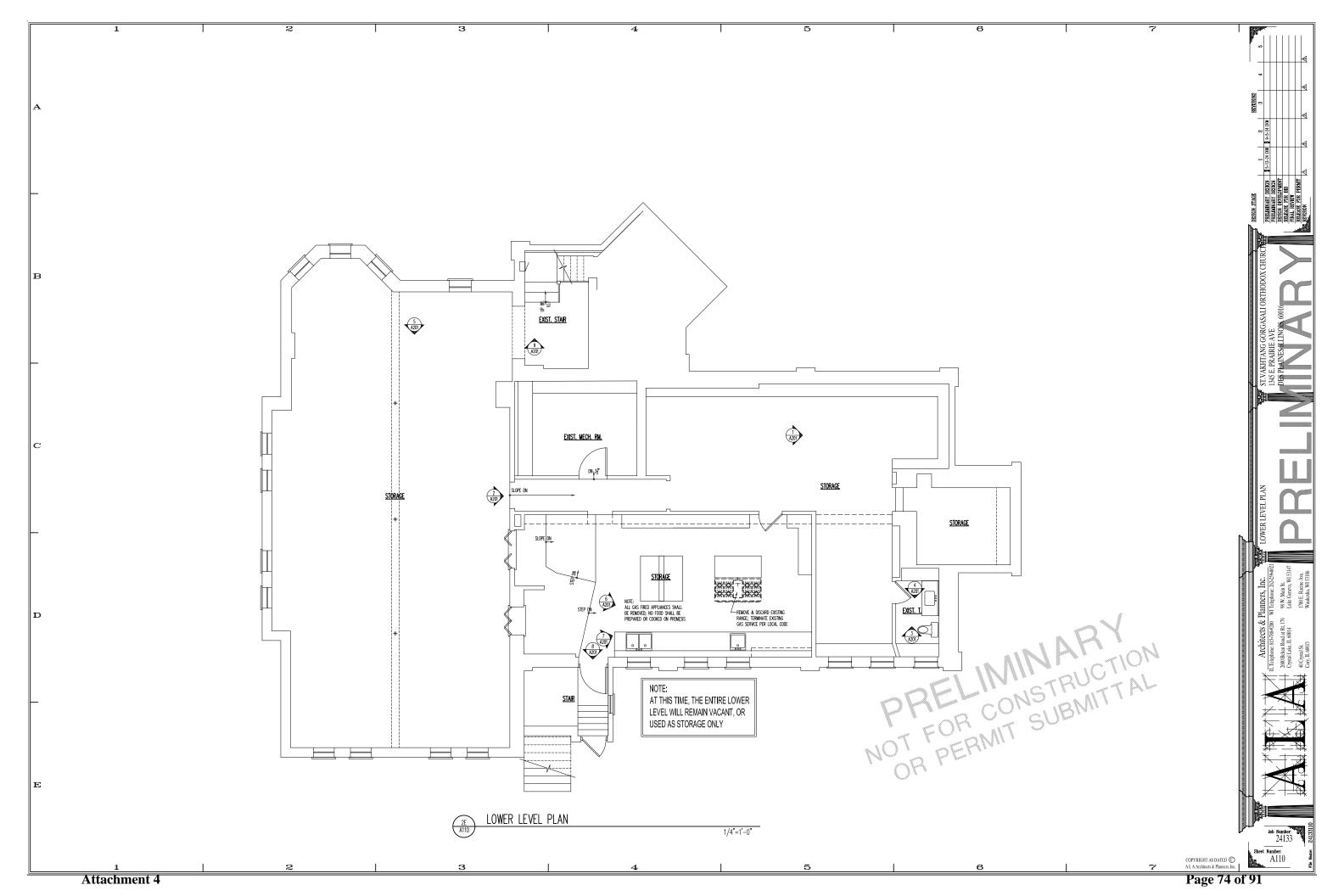
NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING

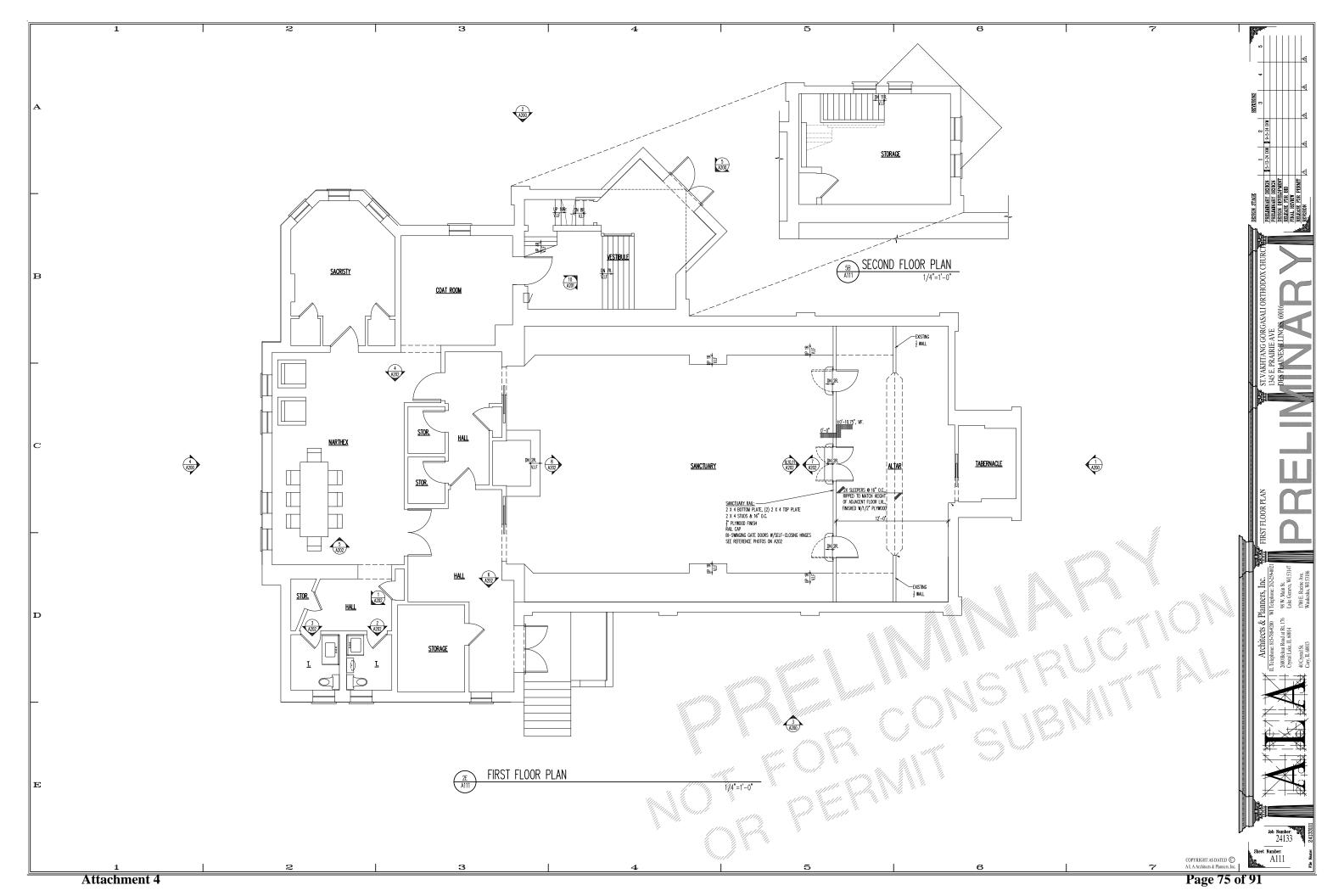


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## 8. ARCHITECTURAL PLANS









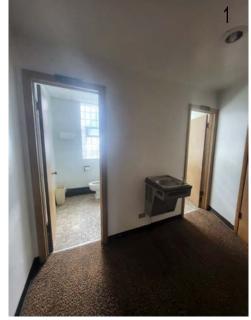




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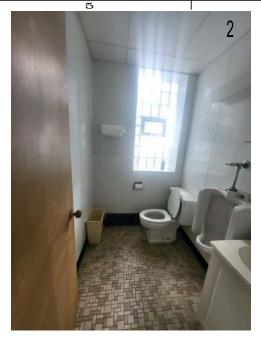






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6





Attachment 4

1

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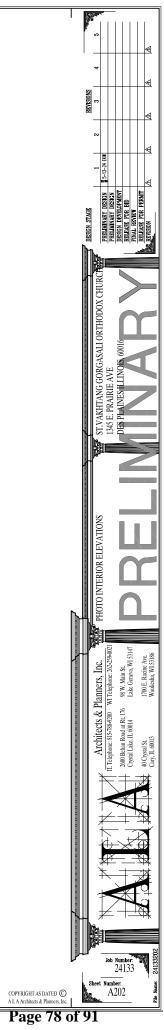
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D

 $\mathbf{E}$ 







## 9.LANDSCAPE PLAN – NA

# **10.OTHER REQUIREMENTS: PHOTOS OF EXISTING**

#### CONDITIONS











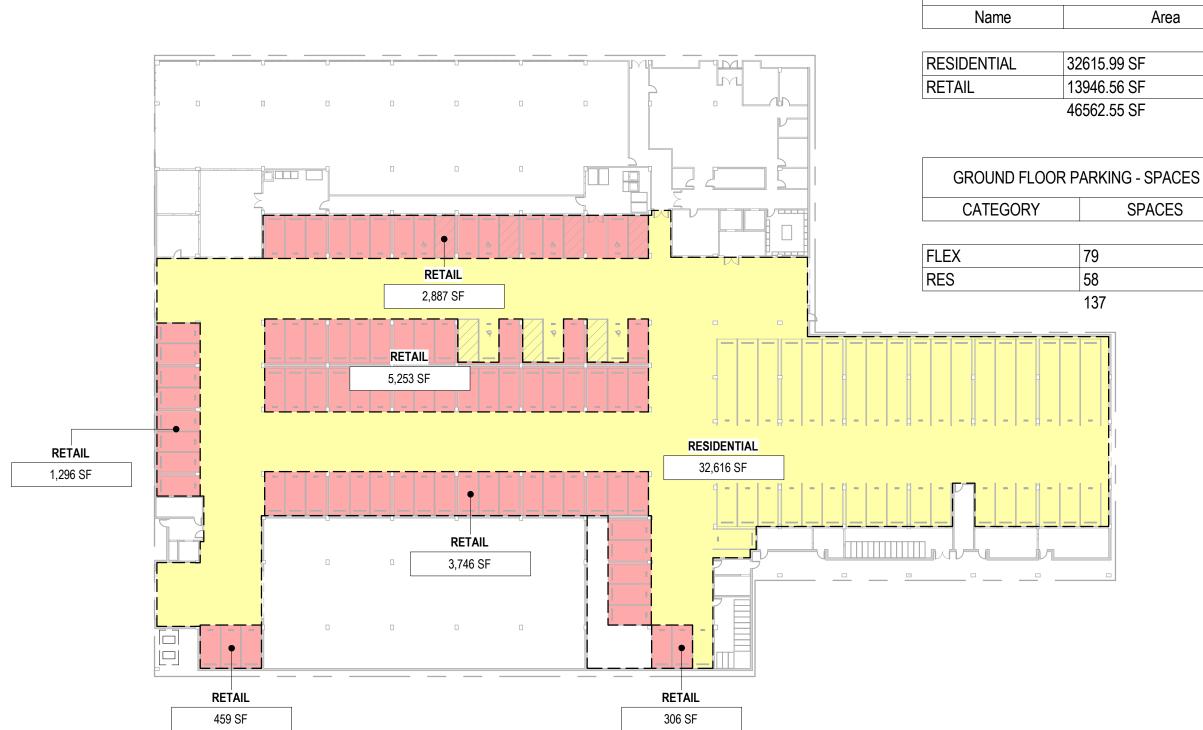














Architecture + Planning 343 W. Erie St., Suite 220 Chicago, IL 60654 (312) 549-4900 ktgy.com

Bayview - Compasspoint Venture Partners, LLC. 548 Summit St., Barrington, IL

#### ELLINWOOD APARTMENTS

1425 Ellinwood St. Des Plaines, IL

#### Attachment 5

#### **GROUND FLOOR PARKING - AREA**

Area

SPACES

#### PARKING RATIO BY AREA 70% RESIDENTIAL 30% RETAIL

PARKING RATIO BY SPACES 58% RESIDENTIAL 42% RETAIL

04/24/2018

# **PARKING-1**

RETAIL / RES. PARKING

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