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DES PLAINES PLANNING AND ZONING BOARD MEETING
May 11, 2021
MINUTES

As the City of Des Plaines continues to follow social distancing requirements and Governor Pritzker's Restore Illinois Order, the Planning and Zoning Board Meeting on Tuesday, May 11, 2021 was held virtually, via Zoom, and in person in Room 101 of the Des Plaines Civic Center beginning at 7:00 p.m.

ZONING BOARD

Chairman Szabo called the meeting to order at 7:02 p.m. and read this evening's cases. Roll call was established.

PRESENT: Fowler, Hofherr, Saletnik, Veremis, Szabo

ABSENT: Bader, Catalano

ALSO PRESENT: Michael McMahon/Director/Community & Economic Development
Jonathan Stytz, Planner/Community & Economic Development
Wendy Bednarz/Recording Secretary

A quorum was present.

PUBLIC COMMENT

There was no Public Comment.

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik, to approve the minutes of March 23, 2021, as presented.

AYES: Hofherr, Saletnik, Fowler, Veremis, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

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OLD BUSINESS

NEW BUSINESS

1. **Address:** 1011 E Touhy Ave

Case Number: 21-007-CU
Public Hearing

The petitioner is requesting a Conditional Use Amendment under Section 12-8-5(G) of the 1998 Des Plaines Zoning Ordinance, as amended, to expand the existing commercial mobile radio service facility at the subject property in the C-2 zoning district, and approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-32-101-022-0000
Petitioner: Sheronica Chase, 10700 W. Higgins Road, Suite 240, Rosemont, IL 60018
Owner: Larry Goodman, ADM2, LLC, 999 E. Touhy Avenue, Suite 510, Des Plaines, IL 60018

Chairman Szabo swore in Sheronica Chase, petitioner for the case, via Zoom. Ms. Chase provided an overview of the request and explained that T-Mobile has existing equipment on the property, and the request is for a conditional use amendment to upgrade the current equipment. Ms. Chase stated that the new antennas are shorter than the current ones, and will not be visible from the street by the current screening.

Chairman Szabo asked if the Board had any questions.

Member Saletnik clarified that the antennas will be on the roof of the building at 1011 E Touhy, and not adding any additional height. Ms. Chase responded that the new equipment is in the same range, and there will be no change to visibility.

Chairman Szabo asked if there were any questions or comments from the audience. There were no comments or questions.

Chairman Szabo asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting a Conditional Use under Section 12-7-3(F)(3) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow for an expansion of an existing Commercial Mobile Radio Service Facility Use in the C-2 zoning district.

Analysis:
Address: 1011 E. Touhy Avenue

Owners: Larry Goodman, ADM, LLC, 999 E. Touhy Avenue, Suite 510, Des Plaines, IL 60018

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Petitioner: Sheronica Chase, T-Mobile, 10700 W. Higgins Road, Des Plaines, IL 60018

Case Number: 21-007-CU

Real Estate Index Number: 09-32-101-022-0000; -023

Ward: #5, Alderman Carla Brookman

Existing Zoning: C-2, Limited Office Commercial District

Existing Land Use: Multi-Tenant Commercial Building

Surrounding Zoning:
North: C-2, Limited Office Commercial District
South: M1, Limited Manufacturing/Business Park District (City of Chicago)
East: C-2, Limited Office Commercial District
West: M1, Limited Manufacturing/Business Park District (City of Chicago)

Surrounding Land Use:
North: Multi-tenant Office Building (Commercial)
South: Business Park (Industrial)
East: Hotel (Commercial)
West: Business Park (Industrial)

Street Classification: East Touhy Avenue is classified as a Principal Arterial and Lee Street is classified as a Minor Arterial.

Comprehensive Plan: The Comprehensive Plan designates this site as Commercial.

Project Description: __ The petitioner, Sheronica Chase on behalf of T-Mobile, has requested a Conditional Use Permit to expand an existing Commercial Mobile Radio Service Facility located on the roof of a multi-tenant office building at 1011 E. Touhy Avenue. The subject property is located within the C-2, Limited Office Commercial district and a roof-mounted Commercial Mobile Radio Service Facility is a conditional use with the C-2 zoning district. The subject property consists of two lots with a multi-tenant office building and a surface parking area as shown in the Plat of Survey. The subject property is located along East Touhy Avenue and Lee Street just north of the I-90 tollway. It is currently accessed by a service road off Lee Street with six curb cuts.

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The existing Commercial Mobile Radio Service Facility was originally approved through Ordinance Z-9-99 for AT&T Wireless Services, Inc. to install three sectors, one on the northeast, southeast, and southwest corners of the roof, totaling twelve antennas on the roof of the existing office building. On December 6, 2000, a Conditional Use Amendment was approved through Ordinance Z-26-00 for Sprint PCS to allow for the installation of three sectors, one on the southeast corner and two on the northwest corners of the roof, totaling twelve new antennas. The current Commercial Mobile Radio Service Facilities are identified on the Site Plan (Attachment 5). The petitioner wishes to modify the existing Commercial Mobile Radio Service Facility by upgrading existing antennas and adding new equipment on the northwest and southeast antenna sectors roof of the office building based on the Antenna Details. Please see the Project Narrative for more details. The modification of the existing Commercial Mobile Radio Service Facility requires an amendment to the current Conditional Use for the property located in the C-2 zoning district pursuant to Section 12-8-5(G) of the Des Plaines Zoning Ordinance.

Compliance with the Comprehensive Plan

The proposed project, including the proposed the site improvements, address various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

- **Future Land Use Plan:**
 - This property is designated as Commercial on the Future Land Use Plan. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial uses. While the current use is commercial and the existing building contains multiple tenant spaces, the petitioner will work to enhance the coverage of the existing Commercial Mobile Radio Service Facility for the region and provide adequate screening of all antennas and related equipment to reduce any negative impacts.
 - The subject property is located along the defined Touhy Avenue commercial corridor with a multi-tenant office building to the north, commercial hotel to the east, and industrial business park and O'Hare Airport to the south. The subject property contains a multi-tenant building with a variety of different commercial uses and is located in between large, established commercial and industrial developments along Touhy Avenue and Lee Street. The request would assist in the improvement of existing communication facilities on site to improve coverage for users in the area.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on improving existing utility and communication facilities throughout Des Plaines.

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Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended. In reviewing these standards, staff has the following comments:

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

Comment: A roof-mounted Commercial Mobile Radio Service Facility is a Conditional Use in the C-2, Limited Office Commercial District. Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: The Comprehensive Plan strives to support the installation and improvement of communication, transportation, and utility facilities throughout the region. The proposal would provide necessary improvements to the existing Commercial Mobile Radio Service Facility to enhance coverage in the area and services to residents in the area. Please see the petitioner's responses to Standards for Conditional Uses.

C. 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 existing Commercial Mobile Radio Service Facilities on the roof of the office building have been designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with buildings on neighboring properties, as these types of facilities are located on buildings of similar size and appearance in Des Plaines. Additionally, these facilities have been screened to reduce the negative impact of the antennas and related equipment pursuant to design regulations in Section 12-8-5 of the Des Plaines Zoning Ordinance. Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: The existing Commercial Mobile Radio Service Facility is not hazardous and does not currently disturb neighboring properties since the facilities are located on top of the building, are screened from view from the street, and are operated without personnel. Since these facilities are typically accessed only for regular maintenance, repairs, and upgrades of equipment, the operation of the facilities do not have adverse effects on neighboring uses. Please see the petitioner's responses to Standards for Conditional Uses.

E. 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 Commercial Mobile Radio Service Facility is currently served by adequate public facilities and services as there are currently six entrances to the subject property off Lee Street. The proposal would not change the existing public facilities and services. Please see the petitioner's responses

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to Standards for Conditional Uses.

F. 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 Commercial Mobile Radio Service Facility does not create excessive additional requirements at the public's expense, as it is installed on the existing building on the subject property and utilizes the same utilities and services already present on site. Please see the petitioner's responses to Standards for Conditional Uses.

G. 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 existing Commercial Mobile Radio Service Facility is located on the roof of the existing multi-tenant office building and self-contained to minimize any excessive production of noise, smoke fumes, glare, and odors. These existing facilities do not have any impact on traffic of the existing site. Please see the petitioner's responses to Standards for Conditional Uses.

H. 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 existing Commercial Mobile Radio Service Facility does not have any impact of vehicular access to the subject property since the facilities are installed on the roof of the building. The proposal will not affect any existing vehicular access to the site. Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: The subject property is already developed with a multi-tenant office building and the existing Commercial Mobile Radio Service Facilities. Thus, the proposal will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance. Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: The existing Commercial Mobile Radio Service Facility complies with all additional regulations of the Zoning Ordinance. The proposal will also meet all other regulations in the Zoning Ordinance. Please see the petitioner's responses to Standards for Conditional Uses.

Recommendation: Staff recommends approval of the Conditional Use Permit for the modification of an existing Commercial Mobile Radio Service Facility at 1011 E. Touhy Avenue based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4(E)

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(Standards for Conditional Uses) of the City of Des Plaines Zoning Ordinance with the condition that drawings may have to be amended to comply with all applicable codes and regulations.

Planning and Zoning Board Procedure: Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use amendment for the modification of an existing Commercial Mobile Radio Service Facility at 1011 E. Touhy Avenue. The City Council has final authority on the proposal.

A motion was made by Board Member Hofherr, seconded by Board Member Saletnik, to recommend approval of the a Conditional Use Amendment under Section 12-8-5(G) of the 1998 Des Plaines Zoning Ordinance, as amended, to expand the existing commercial mobile radio service facility at the subject property in the C-2 zoning district, with the one condition, as presented:

AYES: Hofherr, Saletnik, Fowler, Vermis, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

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2. **Address:** 1628 Rand Rd

Case Number: 21-008-CU

Public Hearing

T The petitioner is requesting a Conditional Use under Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a trade contractor use in the C-3 zoning district, and approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-16-104-022-0000

Petitioner: Art Investment, 2020 Berry Lane, Des Plaines, IL 60018

Owner: Elliott Kratz, 2401 North Janssen Avenue, Unit 301, Chicago, IL 60614

Chairman Szabo swore in Urszula Topolewick of 2020 Berry Lane, Des Plaines, IL 60018, representing the Petitioner.

Ms. Topolewick provided an overview of the request; she stated the request is for a granite sales establishment, with a showroom, a warehouse, and a shop, which includes a space for cutting and polishing the granite. Ms. Topolewick stated that all of these actions would take place inside, on site.

Chairman Szabo asked if there were any questions or concerns from neighbors. The Petitioner did not have any questions from neighbors and staff did not receive and comments from the Public Notice.

Chairman Szabo asked if the Board had any questions.

Member Veremis stated the location seems ideal for her type of business, Ms. Veremis asked about the status of the current parking lot. The Petitioner stated that the parking lot would be repaired, once the conditional use was approved. The Petitioner has a question regarding a fence that will be addressed at the building permit level.

Chairman Szabo went over the conditions of the request. The conditions are as follows:

1. The petitioner shall revise the Site Plan/Floor Plan to include landscape details in conformance with Section 12-10 of the Zoning Ordinance within 60 days of City Council approval.
2. That an eight foot tall wood privacy fence is installed along the north property line in conformance with Section 12-8-2 of the Zoning Ordinance within 60 days of City Council approval.
3. No vehicles or materials shall be stored within the required drive aisles or customer parking spaces at any time.
4. No outside storage of raw materials or fabricated goods permitted on site.

Chairman Szabo asked if were any questions or concerns form the public. There were no questions.

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Chairman Szabo asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting a Conditional Use under Section 12-7-3(K)(3) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a Trade Contractor use in the C-3 zoning district at 1628 Rand Road.

Analysis:

Address: 1628 Rand Road

Owners: Elliott Katz, 2401 N. Janssen Avenue, Unit 301, Chicago, IL 60018

Petitioner: Peter Topolewick, 2020 Berry Lane, Des Plaines, IL 60018

Case Number: 21-008-CU

Real Estate Index

Number: 09-16-104-022-0000

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-3, General Commercial District

Existing Land Use: Vacant Building

Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial District
East: C-1, Neighborhood Shopping District
West: C-3, General Commercial District

Surrounding Land Use: North: Single Family Residences
South: Columbus Foods & Liquors (Commercial)
East: Apartment Building (Residential)
West: Our Lady of Fatima Center (Commercial)

Street Classification: Rand Road is classified as a Minor Arterial road and Grove Avenue is classified as a Local street.

Comprehensive Plan: The Comprehensive Plan designates this site as Commercial.

Project Description: The petitioner, Peter Topolewick, owner and operator of House of Granite and Marble Co., has requested a Conditional Use Permit to for a Trade Contractor use, at 1628 Rand Road. The subject property is located within the C-3, General Commercial district and a Trade

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Contractor is a conditional use in the C-3 zoning district. The subject property contains a single-tenant building with an off-street surface parking area on the west side of the property and on-street parking area along Grove Avenue on the east side of the property as shown in the Plat of Survey. The subject property is located along Rand Road at the northwest corner of the Rand Road/Grove Lane intersection. The subject property is currently accessed by three curb cuts, two off Rand Road and one off Grove Lane.

The existing one-story, 14,604-square foot building consists with a front customer entrance in the front and a separate shop area in the rear. The petitioner wishes to utilize the front portion of the building as an office/showroom area and the rear portions of the building as a material warehouse and fabrication room based on the Site Plan/Floor Plan. The petitioner's proposal does not include any changes to the building. However, the petitioner does plan to add landscaping in front of the building and along Rand Road. Staff has added a condition that the Landscape Plan will be updated to provide landscape details proposed for the subject property. The dumpster for this suite will be stored in the northwest corner of the site in compliance with Section 12-10-11 of the Des Plaines Zoning Ordinance.

The proposed Floor Plan includes a 2,000-square foot office/showroom space and 12,604-square foot warehouse space. The following parking regulations apply to this request pursuant to Section 12-9-7 of the Des Plaines zoning Ordinance:

- One parking space for every 250 square feet of gross floor area for office spaces; and
- One parking space for every 1,500 square feet of gross floor area for warehouse space.

Thus, a total of 17 off-street parking spaces are required including one handicap accessible parking space (2,000-square feet of office space / 2500-square feet; and 12,604-square feet / 1,500-square feet = 17 parking spaces). The Site Plan/floor Plan proposes 17 total parking spaces on the property, including a handicap accessible space, which meets this requirement.

House of Granite and Marble Co will be open on Monday through Saturday from 8:30 pm to 6:00 pm. The warehouse portion of the building will be open Monday through Saturday from 7:15 am to 6 pm. Their services will include the sale, fabrication, and installation of stone, granite, quartz, kitchen cabinets, sinks, faucets, counter tops, vanities, and shower glass. A maximum of twelve employees will be on site at a given time. Please see the Project Narrative (Attachment 1) for more details.

Compliance with the Comprehensive Plan

The proposed project, including the proposed the site improvements, address various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

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Future Land Use Plan:

- This property is designated as Commercial on the Future Land Use Plan. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial uses. While the current use is commercial, the petitioner will work to enhance the subject property by renovating the existing building and installing landscaping along Rand Road and the front of the building. All activities and items stored will be inside to reduce any negative impacts.
- The subject property is located along the defined Rand Road commercial corridor with single-family residences to the north, multi-family residences to the east, and commercial development to the south and the west. The subject property contains a single-tenant building located in between established commercial developments along Rand Road. The request would assist in the retention of a new commercial business at this location and provide additional retail goods and services for the residents of Des Plaines.

- **Landscaping and Screening:**

- The Comprehensive Plan seeks to encourage and actively pursue beautification opportunities and efforts, including the installation of landscaping, street furniture, lighting, and other amenities, to establish a more attractive shopping environment and achieve stronger corridor identity in Des Plaines.
- The existing site does not contain landscaping. However, the proposal seeks to add perimeter parking lot landscaping along Rand Road and foundation landscaping along the building where applicable to improve the aesthetics of the site.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on improving existing commercial developments and enhancing commercial corridors throughout Des Plaines.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended. In reviewing these standards, staff has the following comments:

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

Comment: The proposed use is classified as a Trade Contractor use. A Trade Contractor is a Conditional Use in the C-3 zoning district. Please see the petitioner’s responses to Standards for Conditional Uses.

B. The proposed Conditional Use is in accordance with the objectives of the City’s Comprehensive Plan:

Comment: The proposed Trade Contractor use assists in providing a service-oriented use that primarily serve day-to-day needs of local residents by increasing commercial opportunities for residents in Des Plaines. Additionally, the subject property is located near the Mannheim Road commercial corridor,

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which is identified as a major corridor in Des Plaines. Please see the petitioner's responses to Standards for Conditional Uses.

C. 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 proposed Trade Contractor use is designed, constructed, operated, and maintained to be harmonious and appropriate in appearance to surrounding commercial uses as the new business will transform the existing vacant building into a new commercial use. The proposal includes enhancements to the site as a whole including an interior building remodel, the addition of landscaping, and improvements to the parking area. Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: The proposed Trade Contractor use will be not hazardous or distributing to neighboring uses as all activities, including the fabrication of materials, will take place inside the building. The proposal will include landscaping and screening to minimize the impact of the proposed use on neighboring residences to the north and east. Please see the petitioner's responses to Standards for Conditional Uses.

E. 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 subject property is served adequately by essential public facilities and services since it is currently accessible by two streets and three total curb cuts as well as necessary public utilities. The proposed Trade Contractor use will not affect the existing public facilities and services for this property. Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: The proposed Trade Contractor use will not create excessive additional requirements at the public expense and will not be detrimental to economic well-being of the community as it will transform a vacant building into a new asset for the City of Des Plaines and can help improve the local economy. Please see the petitioner's responses to Standards for Conditional Uses.

I. 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:

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Comment: The proposed Trade Contractor use will include the fabrication of materials on site. However, all activities will take place inside the building and appropriate screening will be provided to minimize any excessive production of noise, smoke fumes, glare, or odors. The site will be enhanced to avoid any negative impacts to traffic in the area and ingress/egress of the site. Please see the petitioner’s responses to Standards for Conditional Uses.

H. 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 subject property does not create interference with traffic in the area with the existing access points and configuration. The proposed Trade Contractor use does not intend to alter these access points or the overall configuration of the site. Please see the petitioner’s responses to Standards for Conditional Uses.

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

Comment: The subject property is currently developed and improved with a building and surface parking area. The proposed Trade Contractor use will not lead to the loss or damage of natural, scenic, or historic features of major importance on this property. Please see the petitioner’s responses to Standards for Conditional Uses.

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

Comment: The proposed Trade Contractor use will comply with all additional regulations of the zoning Ordinance. Please see the petitioner’s responses to Standards for Conditional Uses.

Recommendation: Staff recommends approval of the Conditional Use Permit for a Trade Contractor use at 1628 Rand Road based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4(E) (Standards for Conditional Uses) of the City of Des Plaines Zoning Ordinance with the following conditions:

1. The petitioner shall revise the Site Plan/Floor Plan to include landscape details in conformance with Section 12-10 of the Zoning Ordinance within 60 days of City Council approval.
2. That an eight foot tall wood privacy fence is installed along the north property line in conformance with Section 12-8-2 of the Zoning Ordinance within 60 days of City Council approval.
3. No vehicles or materials shall be stored within the required drive aisles or customer parking spaces at any time.
4. No outside storage of raw materials or fabricated goods permitted on site.

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Planning and Zoning Board Procedure: Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use for a Trade Contractor use at 1628 Rand Road. The City Council has final authority on the proposal.

A motion was made by Board Member Fowler, seconded by Board Member Hofherr, to recommend approval of a Conditional Use under Section 12-7-3(K)(3) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a Trade Contractor use in the C-3 zoning district at 1628 Rand Road, with the four conditions, as presented:

AYES: Fowler, Hofherr, Saletnik, Veremis, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

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3. **Address:** 510 & 518 Metropolitan Way, 1440-1472 Market Street, and 1506-1524 Market Street

Case Number: 21-012-FPLAT-PUD-A
Public Hearing

The petitioner is requesting the following items: (i) a Final Plat of Subdivision under Section 13-2-5 of the Subdivision Regulations to resubdivide a portion of the existing Metropolitan Square Planned Unit Development (PUD) into three lots; and (ii) an amendment to an existing PUD pursuant to Section 12-3-5 of the Des Plaines Zoning Ordinance, as amended, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-17-411-015-0000; 09-17-411-016-0000; 09-17-414-021-0000
Petitioner: T Metro Square IL, LLC, 16600 Dallas Parkway, Suite 300, Dallas, TX 75248
Owner: T Metro Square IL, LLC, 16600 Dallas Parkway, Suite 300, Dallas, TX 75248

Chairman Szabo swore in the following individuals via Zoom: Steve Bauer, attorney for applicant of 300 S. Wacker Dr. Suite 3500, Chicago, IL and Dan Joyce, property manager for Metropolitan Square, via Zoom.

Mr. Bauer stated this item is a housekeeping matter for the final plat of subdivision and final plat. Mr. Bauer went over the plat and the plan to subdivide the property into three lots. Mr. Bauer stated that the shopping center will act and maintain the same; nothing changes to the property besides creating lots. Mr. Bauer stated that he reviewed the staff report with the one condition that revisions may be required based on additional review, Mr. McMahon stated that any changes needed to the plat typically happen when the plat is to be recorded, the ordinance will a provision for any adjustments to the plat needed for technical matters.

Chairman Szabo asked if there were any questions from the Board.

Member Fowler inquired about 636 River and if it was included in the subdivision. Mr. Bauer stated that the building is not owner by T Metro Square IL LLC and not part of the property.

Member Veremis asked if the subdivision would help to populate the empty storefronts, Mr. Bauer stated that this change is net neutral and would not harm or help the property.

Chairman Szabo asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting a Planned Unit Development Amendment under Section 12-3-5(G) of the Des Plaines Zoning Ordinance, and a Final Plat of Subdivision under Section 13-2 of Subdivision Regulations of the City of Des Plaines Municipal Code, to re-subdivide the Metropolitan Square Planned Unit Development.

Case 21-007-CU	1011 E Touhy Ave	Conditional Use
Case 21-008-CU	1628 Rand Rd	Conditional Use
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Analysis:

Address: 510 & 518 Metropolitan Way, 1440-1472 Market Street, and 1506-1524 Market Street

Owners: T Metro Square IL, LLC, 16600 Dallas Parkway, Suite 300, Dallas, TX 75248

Petitioner: T Metro Square IL, LLC, 16600 Dallas Parkway, Suite 300, Dallas, TX 75248

Case Number: 21-012-FPLAT-PUD-A

Real Estate Index Numbers: 09-17-411-015-0000; 09-17-411-016-0000; 09-17-414-021-0000

Ward: #1, Alderman Mark Lysakowski

Existing Zoning: C-5, Central Business District

Existing Land Use: Commercial

Surrounding Zoning: North: C-3, General Commercial District
South: C-5, Central Business District
East: R-4, Central Core Residential District/C-5, Central Business District
West: R-4, Central Core Residential District/C-3 General Commercial District

Surrounding Land Use: North: Commercial
South: Commercial
East: Commercial; Multi-Family Residential
West: Commercial; Multi-Family Residential

Street Classification: Lee Street is classified as an Other Principal Arterial, River Road is classified as a Minor Arterial, and Perry Street is classified as a Local Street.

Comprehensive Plan: The Comprehensive Plan designates the site as Higher Density Urban Mix with Residential.

Final Planned Unit Development

Project Description:

The petitioner, T-Metro Square IL, LLC, has requested the following items: (i) a Final Plat of Subdivision to consolidate Lot A in Metropolitan Square Phase 1 with a portion of Lot E in Metropolitan Square Phase 1A, resubdivide Lot A into Lots 1 and 3, and designate a portion of said Lot E as Lot 2; and (ii) amend the existing Planned Unit Development (PUD) for Metropolitan Square to depict the new lot lines. The addresses included in this request are 510 and 518 Metropolitan Way, 1440-1472 Market Street, and 1506-1524 Market Street, which are all located within the C-5, Central Business district.

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The Metropolitan Square development began on July 21, 2003 through the approval of Resolution R-89-03, which authorized the execution of the “Redevelopment Agreement” between TDC & JFA Des Plaines, LLC and the City of Des Plaines for the Downtown Redevelopment Project. On April 21, 2004, Ordinances Z-14-04 and Z-15-04 were passed allowing a map amendment from C-3 to C-5 and final approval for a Planned Unit Development for the Downtown Redevelopment Project—referred to as the Metropolitan Square Downtown Redevelopment—respectively (Case #03-42-PUD-A). On July 12, 2004, Ordinance Z-30-04 was passed granting a conditional use for a Localized Alternative Sign Regulation (LASR) within a C-3 and C-5 zoning district at 551 Lee Street (Case #04-10-CU-LASR). The Jefferson Street right-of-way, Park Place right-of-way, and certain portions of alleys were vacated through the approval of Ordinance M-21-05 on May 2, 2005. Resolution R-13-06 was approved on February 6, 2006 authorizing the execution of the first amendment to the “Redevelopment Agreement” and granting the map amendment request from C-3 to C-5 zoning.

The proposed requests constitute a major change to the existing PUD pursuant to Section 12-3-5(G) requiring a PUD amendment. The subject properties included in this request consist of 3.46 acres in size, which are currently improved with a grocery store, two multi-unit shopping center buildings, a bank, and a multiple surface parking areas as shown in the Plat of Survey (Attachment 4). The subject properties abut Lee Street, Perry Street, River Road, and Market Street and are currently accessed by multiple curb-cuts on Perry Street and River Road. The proposal intends to provide a separate lot for the bank property and designate a portion of Lot E, which includes the existing Metropolitan Square multi-tenant pole sign, as Lot A. However, the petitioner does not propose to change the size of the existing PUD.

Final Plat of Subdivision

Project Description

The petitioner has submitted a revised Final Plat of Subdivision in order to re-subdivide the existing lots into three lots to reflect the change in scope for the redevelopment of this property. The proposed new lot configuration is below:

Final Plat of Subdivision - Lot Matrix

Proposed Lot Number	Proposed/Existing Use	Proposed Land Area	Proposed Acreage
Lot 1	Existing Shopping Center & Grocery Store	140,239 SF	3.219
Lot 2	Multi-tenant Pole Sign	177 SF	0.004
Lot 3	Existing Bank	13,115 SF	0.301

A description of each proposed lot is as follows:

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Lot 1 – The existing Lot A including the existing shopping center buildings and grocery store will be extended into include a portion of Lot E, which contains an existing multi-tenant pole sign.

Lot 2 – This lot encompasses the existing multi-tenant pole sign.

Lot 3 – This lot encompasses the existing bank building.

Compliance with the Comprehensive Plan

There are several parts of the newly adopted Comprehensive Plan that align with the proposed project. Those portions are as follows:

- Under Future Land Use Map:
 - The property is marked for Higher Density Urban Mix with Residential land uses. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial and residential uses in the Downtown area. The current use is commercial and the petitioner proposes to retain the existing high density commercial development located on the subject properties. The proposed resubdivision will help clean-up the existing PUD by creating specific lots for the bank building and multi-tenant pole sign.
 - The subject property is located in downtown Des Plaines along the defined Lee Street and River Road commercial corridors with high density commercial and residential development. The request would assist in better defining different uses within the existing PUD and retention of existing commercial businesses and residences at this location.

While the aforementioned bullet points are only a small portion of the Comprehensive Plan, there is a large emphasis on developing and enhancing our commercial corridors and mixed use developments. The applicant is proposing to resubdivide the existing PUD to improve the design and function of the existing uses in downtown Des Plaines.

Planned Unit Development (PUD) Findings

As required, the proposed development is reviewed in terms of the findings contained in Section 3-5-5 of the Zoning Ordinance. In reviewing these standards, staff has the following comments:

A. The extent to which the Proposed Plan is or is not consistent with the stated purpose of the PUD regulations in Section 12-3-5-1 and is a stated Conditional Use in the subject zoning district:

Comment: A PUD is a listed conditional use in the C-5 zoning district. The existing PUD meets the stated purpose of the PUD. Additionally, the proposed resubdivision of the subject parcels will enhance the neighboring area, but also be cognizant of nearby land uses. Please also see the responses from the applicant.

B. The extent to which the proposed plan meets the prerequisites and standards of the planned unit development regulations:

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Comment: The existing PUD will be in-keeping with the City’s prerequisites and standards regarding planned unit development regulations. Please also see the responses from the applicant.

C. The extent to which the proposed plan departs from the applicable zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to the density, dimension, area, bulk, and use and the reasons why such departures are or are not deemed to be in the public interest:

Comment: The existing PUD is in-line with the intent of a PUD as it contains higher density development and a Localized Alternative Sign Regulation for multiple building and freestanding signage. Aside from this, all other aspects of the revised development proposal comply with the Zoning Ordinance. Please also see the responses from the applicant.

D. The extent to which the physical design of the proposed development does or does not make adequate provision for public services, provide adequate control of vehicular traffic, provide for, protect open space, and further the amenities of light and air, recreation and visual enjoyment:

Comment: All provisions for public services, adequate traffic control and the protection of open space are being accommodated in the development. The petitioner is not proposing any changes to existing access points or circulation of the subject properties. Please also see the responses from the applicant.

E. The extent to which the relationship and compatibility of the proposed development is beneficial or adverse to adjacent properties and neighborhood:

Comment: The existing PUD complements existing development to the east, west and south as all surrounding properties, are built up with higher density commercial and residential development. Additionally, the existing PUD includes aspects that reduce any impact on the nearby properties as all elements will have to comply with the Des Plaines Subdivision and Zoning Ordinances, which will not change with the proposed resubdivision and PUD amendment request.

F. The extent to which the proposed plan is not desirable to physical development, tax base and economic well-being of the entire community:

Comment: The existing PUD contributes to an improved physical appearance within the City by providing several commercial services and residential uses for residents in Des Plaines, which contributes positively to the tax base and economic well-being of the community. The proposed resubdivision and PUD amendment request will not change the impact that the Metropolitan Square PUD has on the Downtown area and the City of Des Plaines as a whole. Please also see the responses from the applicant.

G. The extent to which the proposed plan is in conformity with the recommendations of the 2019 Comprehensive Plan:

Comment: The proposed development meets the goals, objectives and recommendations of the 2019 Comprehensive Plan. Please also see the responses from the applicant.

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Recommendation: I recommend approval of Final Plat of Subdivision pursuant to 13-2 of the Des Plaines Subdivision Ordinance to resubdivide the existing PUD into three lots of record and amend the existing PUD in the C-5 zoning district at 510 & 518 Metropolitan Way, 1440-1472 Market Street, and 1506-1524 Market Street with the condition that drawings may have to be amended to comply with all applicable codes and regulations.

Planning and Zoning Board Procedure: Under Section 13-2-7 (Approval of Final Plat By Planning and Zoning Board) of the Subdivision Ordinance and Section 12-3-5(D)(5) (Approval of Final Plat for Planned Unit Developments), the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned Final Plat of Subdivision and PUD amendment requests for the Metropolitan Square PUD. The City Council has final authority over the proposal.

A motion was made by Board Member Saletnik, seconded by Board Member Veremis to approve the (i) a Final Plat of Subdivision under Section 13-2-5 of the Subdivision Regulations to resubdivide a portion of the existing Metropolitan Square Planned Unit Development (PUD) into three lots; and (ii) an amendment to an existing PUD pursuant to Section 12-3-5 of the Des Plaines Zoning Ordinance, with the one condition, as presented.

AYES: Saletnik, Veremis, Fowler, Hofherr, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIES *****

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4. **Addresses:** 1470-1476 Miner Street

Case Number: 21-013-CU

Public Hearing

The petitioner is requesting a Conditional Use under Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a commercially-zoned assembly use for a theatre in the C-5 zoning district, and approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-415-010-0000

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

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

Chairman Szabo swore in Director Michael McMahon, City of Des Plaines, who provided an overview of the request and staff report. Mr. McMahon stated that the request was for an assembly use (theater) in a commercially zone property.

Mr. McMahon stated that the theater has been dark for approximately ten years and the City has been working throughout the past few years to get the theater up and running. City work on the theater should be completed in June, the property will then be turned over to Mr. Ron Onesti for additional buildout. Optimistically, the theater should receive occupancy in August along with the state of Illinois entering Phase 5 of the Restoration Plan.

Mr. McMahon stated that the theater would meet the parking requirements with a mix of off-street parking, the Metropolitan Square parking garage and the new Municipal parking garage.

Member Hofherr inquired about the number of employees, Mr. McMahon stated that Mr. Onesti expects as many as 50 employees, including kitchen staff, front of house, valet, theater employees, etc.

Member Hofherr inquired about the showing of movies, Mr. McMahon stated that the original plan was to install a roll down screen to view films, however, he was unsure if that was still part of the current construction plans.

Member Fowler asked about elevators. Mr. McMahon stated that elevators were installed from the kitchen (basement) to the second floor, an additional dumbwaiter was also installed for the ease of food transport.

Chairman Szabo inquired about the Municipal parking garage, Mr. McMahon stated the garage will have public parking after a certain time of day (5:00 pm or 6:00 pm). Police vehicles will have secured access and underground parking.

Member Veremis asked if booking for the theater has started. Mr. McMahon stated that booking for the theater has not begun and will be handled by Mr. Onesti. Mr. Onesti was originally a consultant for the City, but will also be managing the theater and booking through his contacts.

Member Saletnik wanted to congratulate the City on a job well done.

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Issue: The petitioner is requesting a Conditional Use under Section 12-7-3(K)(3) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a Commercially Zoned Assembly use in the C-5 zoning district at 1470-1476 Miner Street.

Analysis:

Address: 1470-1476 Miner Street

Owners: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60018

Petitioner: City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60018

Case Number: 21-013-CU

Real Estate Index Number: 09-17-415-010-0000

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-5, Central Business District

Existing Land Use: Des Plaines Theater

Surrounding Zoning:
North: C-5, Central Business District
South: C-5, Central Business District
East: C-5, Central Business District
West: C-5, Central Business District

Surrounding Land Use:
North: Metropolitan Square (Commercial)
South: Retail Store/Cleaners/Physical Therapy Office (Commercial)
East: Law Office (Commercial)
West: Bakery/Insurance Agency/Salon (Commercial)

Street Classification: Miner Street is classified as a Minor Arterial and Lee Street is classified as an Other Principal Arterial.

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

Project Description: ___ The petitioner, City of Des Plaines, has requested a Conditional Use Permit to operate a Commercially Zoned Assembly use, Des Plaines Theater, at 1470-1476 Miner Street. The subject property is located within the C-5, Central Business district and a Commercially Zoned Assembly use is a conditional use in the C-5 zoning district. The subject

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property contains a two-story building with on-street parking in the front, accessory parking area at the rear, and access to additional off-street covered parking in the Metropolitan Square garage located north of the subject property as shown in the Plat of Survey. The subject property is located along Miner Street at the northeast corner of the Miner Street/Lee Street intersection. The subject property is located in Downtown Des Plaines and is currently accessed via on-street parking along Miner Street and via the alley located behind the subject property.

The existing two-story, 14,214-square foot building consists of a front entry area, multi-level theater seating area, and multiple restrooms. The petitioner has completely remodeled the interior of the existing building to renovate the multi-level theater area, add a restaurant, and add a bar area on the second story based on the Floor Plan. The petitioner's proposal does not include any changes to the outside of the building with the exception of tuck-pointing and the refurbishment of the existing marquee sign. The dumpster for this suite will be stored inside the building except trash collection days. The Des Plaines Theater will be open on Monday through Sunday from 11 am to 2 am. A maximum of 50 employees will be on site at a given time. Please see the Project Narrative for more details.

The proposed Floor Plan for the two-story building is as follows:

- First Floor includes the 712-seat main theater area, an 814-square foot, 62-seat dining area with bar, a 560-square foot lobby area, 488-square foot lounge/waiting area, and restrooms; and
- Second floor includes a 1,682-square foot, 112-seat dining area with bar, upper level theater seating area, and restrooms.

The following parking regulations apply to this request pursuant to Section 12-9-7 of the Des Plaines zoning Ordinance:

- One parking space for every five seats in the main auditorium, sanctuary, nave, or similar place of assembly and other rooms which are to be occupied simultaneously; and
- One parking space for every 100-square feet of net floor area, or one space for every four seats, whichever is greater, plus space for every three employees for restaurants.

Thus, a total of 199 off-street parking spaces are required including six handicap accessible parking spaces. The existing building will utilize the available public parking in the Metropolitan Square Garage to meet all parking requirements.

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Compliance with the Comprehensive Plan

The proposed project, including the proposed the site improvements, address various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

- **Future Land Use Plan:**
 - This property is designated as Higher Density Urban Mix with Residential on the Future Land Use Plan. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial and residential uses. While the current use is commercial, the petitioner has enhanced the subject property by renovating the existing building to make it an asset in the Downtown Area and City of Des Plaines as a whole.
 - The subject property is located along the defined Miner Street corridor in downtown Des Plaines surrounded by higher density commercial and residential development. The request would transform the existing Des Plaines Theater into a prime destination and assist in promoting a vibrant entertainment and restaurant district in the Downtown area.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on improving existing commercial developments and enhancing commercial corridors throughout Des Plaines.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the 1998 City of Des Plaines Zoning Ordinance, as amended. In reviewing these standards, staff has the following comments:

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

Comment: Please see the petitioner’s responses to Standards for Conditional Uses.

B. The proposed Conditional Use is in accordance with the objectives of the City’s Comprehensive Plan:

Comment: Please see the petitioner’s responses to Standards for Conditional Uses.

C. 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: Please see the petitioner’s responses to Standards for Conditional Uses.

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

Comment: Please see the petitioner’s responses to Standards for Conditional Uses.

E. 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

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adequately any such services:

Comment: Please see the petitioner's responses to Standards for Conditional Uses.

L. 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: Please see the petitioner's responses to Standards for Conditional Uses.

M. 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: Please see the petitioner's responses to Standards for Conditional Uses.

H. 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: Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: Please see the petitioner's responses to Standards for Conditional Uses.

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

Comment: Please see the petitioner's responses to Standards for Conditional Uses.

Recommendation: Staff recommends approval of the Conditional Use Permit for a Commercially Zoned Assembly use at 1470-1476 Miner Street based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4(E) (Standards for Conditional Uses) of the City of Des Plaines Zoning Ordinance.

Planning and Zoning Board Procedure: Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use for a Commercially Zoned Assembly use at 1470-1476 Miner Street. The City Council has final authority on the proposal.

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A motion was made by Board Member Veremis, seconded by Board Member Fowler, to approve a Conditional Use under Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a commercially-zoned assembly use for a theatre in the C-5 zoning district, as presented.

AYES: Veremis, Fowler, Hofherr, Saletnik, Szabo

NAYES: None

ABSTAIN: None

*****MOTION CARRIES *****

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, May 25, 2021.

Chairman Szabo adjourned the meeting by voice vote at 7:51 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

cc: City Officials, Aldermen, Zoning Board of Appeals, Petitioners