



Planning and Zoning Board Agenda

May 11, 2021

Room 102 – 7:00 P.M.

Call to Order:

Roll Call:

Approval of Minutes: March 23, 2021

Public Comment: For matters that are not on the Agenda

Old Business: None

New Business:

1. Address: 1101 E. Touhy Avenue

Case Number: 21-007-CU

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

2. Address: 1628 Rand Road

Case Number: 21-008-CU

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 N. Janssen Avenue, Unit 301, Chicago, IL 60614

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

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

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

4. Addresses: 1470-1476 Miner Street

Case Number: 21-013-CU

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

Next Agenda – May 25, 2021

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 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.



VIRTUAL PLANNING & ZONING BOARD MEETING

Tuesday, May 11, 2021

Regular Session – 7:00 p.m.

As the City of Des Plaines continues to follow social distancing requirements along with Governor Pritzker's Executive Orders and mandated mitigation restrictions, the Planning and Zoning Board Meeting on Tuesday, May 11, 2021 will be held virtually beginning at 7:00 p.m.

The meeting will be live-streamed via: <http://desplaines.org/accessdesplaines> and played on DPTV Channel 17. The meeting may also be viewed in person at City Hall in the Council Chambers. However, pursuant to the current state-wide executive orders, no more than 10 people (including City staff) can be in the Council Chambers at one time during the meeting. Therefore, the City encourages residents and interested parties to participate in the meeting by watching the live-stream or by submitting written public comments in advance of the meeting. Public comment can be taken during the meeting for those that choose to be physically present, those that follow the instructions below to participate virtually, or by submitting public comments by e-mail to publiccomments@desplaines.org.

Public comments received by 5 p.m., Tuesday, May 11, 2021 will be distributed to Planning and Zoning Board members prior to the Council meeting. Please indicate if you wish to have your comment read at the meeting. Public comments read at the meeting are limited to 200 words or less. Public comments should be e-mailed and contain the following information:

- In the subject line, identify "Planning and Zoning Board Meeting Public Comment"
- Name
- Address (optional)
- City
- Phone (optional)
- Organization, agency representing, if applicable
- Topic or agenda item number of interest

If you would like to provide live public comment during the virtual meeting, please send your request to publiccomments@desplaines.org and you will be sent a link with additional information to join the meeting.

All e-mails received will be acknowledged. Individuals with no access to e-mail may leave a message with the City Clerk's Office at 847-391-5311.

The City of Des Plaines remains united in ensuring the safety and health of our community and our employees. To protect the public and staff, the City will continue to provide only essential functions and services during the Governor's Stay-at-Home Order. The City urges residents and businesses to comply with the Order. If residents must leave their home, it is very important to practice social distancing and keep at least six feet between others. For a list of services and additional information during this time, please visit www.desplaines.org. The City encourages individuals to sign up for its e-news for important information from the City and its government partners, including State and Federal authorities. The City updates its website and posts on social media daily. To sign up for electronic newsletters, please visit <https://www.desplaines.org/mycity/>.

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DES PLAINES PLANNING AND ZONING BOARD MEETING

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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, March 23, 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 7:00 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 Fowler, seconded by Board Member Veremis, to approve the minutes of February 23, 2021, as presented.

AYES: Fowler, Veremis, Hofherr, Saletnik, Szabo

NAYES: None

ABSTAIN: None

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

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OLD BUSINESS

NEW BUSINESS

1. **Address:** 110 S. River Road

Case Number: 21-004-CU
Public Hearing

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 auto service repair use in the C-3 zoning district, and approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-17-200-089-0000

Petitioner: Jason Churak, CC Automotive, LLC, 110 S. River Road, Des Plaines, IL 60016

Owner: Marek Amarex, Amarex Real Properties, 110 S. River Road, Des Plaines, IL 60016

Chairman Szabo swore in Jason Churak, representing the property at 110 S. River Road, Des Plaines, IL 60016.

Mr. Churak provided an overview of his request and stated that the building was previously used for an auto repair shop and that there was ample parking due to the warehouse style building.

Chairman Szabo asked if the Board had any questions.

Member Veremis asked why a business license was not acquired prior to opening. Mr. Churak stated that he was not opened and submitted the business licensing paperwork as soon as possible, he reiterated that he was not open or operating.

Director McMahon stated that some equipment has been installed and that there were cars on site at the location.

Member Fowler inquired about the other extenuating circumstances that prevented the application from obtaining a business license. Mr. Churak stated that he was starting the business from scratch and that work on the property needs to be completed. Mr. Churak stated that when he applied for the business license he was informed of the zoning change.

Chairman Szabo asked about the length of the lease on the property. Mr. Churak stated he has a three year lease on the property, with the option to renew.

Mr. Hofherr asked the Petitioner if he had received the staff report and read the conditions regarding the petition. Mr. Churak stated that he had read the paperwork.

Mr. Hofherr asked Mr. Churak why he began operating in December 2020 without a business license. Mr. Churak stated that he never officially opened his business.

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Chairman Szabo swore in Marek Amarex, 110 S. River Road, Des Plaines, IL 60016, owner of the subject property. Mr. Amarex stated he is preparing and working diligently on welcoming the tenant. Mr. Amarex stated that the other cars on the property are not the Petitioners, but other building tenants.

Mr. Hofherr asked that since the nature of the use of the building is auto repair, does the building have firewalls? Mr. Amarex stated the building does have firewalls.

Member Veremis inquired what the use for the space was previously. Mr. Amarex stated that the space has been vacant for a long time, but previous uses included a warehouse, office space, painting shop and t-shirt printing space.

Mr. Churak stated that the space is a generic warehouse building with bays; there will be no construction of extra doors or change to the structure of the building. Chairman Szabo inquired about the lifts, the Petitioner stated that there would be three above ground electric lifts.

Chairman Szabo asked if there were any other questions from the Board. There were no other questions asked.

Chairman Szabo asked if there were any questions or comments from the audience. The following comments were recorded:

- Denise Green, 485 Florian Dr
 - Ms. Green asked if there was a provision regarding disabled parking, she stated that only 1 of the 5 parking spaces were handicapped accessible. Mr. Amarex responded that additional handicapped spaces are available at the next unit.
 - Ms. Green also asked about waste disposal. Mr. Churak stated that disposal contracts are associated with the business owner. Mr. Churak stated that he also has contracts with an oil hauler, who complies with all EPA rules and a scrap metal hauler.

- Michael Yurkovic, 1330 Rand Rd #124
 - Mr. Yurkovic has been a neighbor of the property for several years, with this property abutting the subject building.
 - Concern over automotive work performed over the summer and the idling of diesel engines and additional noise concerns. Mr. Yurkovic was able to speak to one of the persons working and the issue was rectified. Mr. Yurkovic expressed a concern for noise and pollution problems at that space, especially during the summer.
 - Mr. Yurkovic inquired about the possibility of installing a privacy fence to assist as a noise buffer.
 - A secondary problem is the garbage, garbage continues to pile up at the northwest corner of the lot.

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- Patrick Harrison, 1330 Rand Rd # 119
 - Mr. Harrison voiced the same complaints of the idling engines and noted that the radio is played loudly into the evening. Mr. Harrison inquired about the locations hours of operation.
 - Mr. Harrison also inquired about where vehicles will be worked on (inside or outside the establishment).

Mr. Yurkovic also inquired about the hours of operation.

Planner Stytz provided the hours of operation from the supplied project narrative. Business hours are Monday – Friday, 8:00 a.m. – 6:30 p.m., Saturday, 9:00 a.m. – 2:00 p.m. and closed Sunday.

Member Fowler directed a question to Mr. Stytz/Mr. McMahon about making a condition of approval a taller privacy fence. Mr. McMahon stated that the Board would be able to make that a condition.

Member Fowler asked the Petitioner about the idling of cars and how often that occurs, Mr. Amarex responded that the idling of engines occurred based on a multitude of reasons and that he is aware of the issue. Mr. Amarex continued that if a stable business was able to occupy that space it would help alleviate the randomness.

Mr. Amaraex stated that he is not in control of most of the fence; that the railway and mobile home park are responsible but he is willing to work with the park about the fence. The owner also stated that the majority of the problem is near the dumpsters and stated that the majority of the problem is due to the lack of a stable presence on the property.

Director McMahon interjected that the fence is not on the mobile home property.

Chairman Szabo stated that the owner of the commercial property is responsible for proper screening/fencing and not the residential owner. Director McMahon confirmed.

Member Saletnik asked for clarity about issues from other entities and not the petitioner. Mr. Amarex does not know the degree of problems, but would like to remedy the concerns. Member Saletnik suggested the installation of a fence and security system to the subject property.

Member Fowler inquired about signage, such as “no trespassing”. Mr. Amarex stated that he does have some signage, but was not sure of the type of signage. Staff reminded the petitioner of the sign ordinance.

Mr. Churak stated that he does not allow for work outside the facility and that the work will be performed inside the building. The Petitioner stated that he is not interested in a dirty building and is not in his best interest. The Petitioner also stated that approximately 70% of his business is mobile, and he has appointments off site at dealerships.

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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(F)(3) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow for an auto service repair use in the C-3 zoning district.

Analysis:

Address: 110 S. River Road

Owners: Jason Churak, 10 E. Comfort Lane, Palatine, IL 60067

Petitioner: Ararey Real Properties, 110 S. River Road, Des Plaines, IL 60016

Case Number: 21-004-CU

Real Estate Index Number: 09-17-200-089-0000

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: C-3, General Commercial

Existing Land Use: Multi-Tenant Commercial Building

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

Surrounding Land Use: North: Rand Road Community (Residential)
South: Rand Road Community (Residential) / Pesche's (Commercial)
East: Lions Woods Park (Recreational)
West: Rand Road Mobile Home Park (Residential)

Street Classification: South River Road is classified as a Principal Arterial road.

Comprehensive Plan: The Comprehensive Plan designates this site as Commercial Industrial Urban Mix.

Project Description:

The petitioner, Jason Churak, has requested a Conditional Use Permit to operate an auto service repair facility, CC Automotive, at 110 S. River Road. The subject property is located within the C-3, General Commercial district and auto service repair is a conditional use with the C-3 zoning district. The subject property contains a multi-tenant building with a surface parking area as shown in the Plat of Survey. The subject property is located along South River Road east of the Rand Road Community Mobile Home Park

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and north of Pesche's Flowers. The subject property is currently accessed by two curb cuts off South River Road. The petitioner began operating CC Automotive out of this location in December 2020 without a business license. Code Enforcement contacted the petitioner on December 11, 2020 requesting that business operations on the subject property would cease immediately until a conditional use permit was received for the auto service repair use. Thus, the petitioner is requesting a conditional use permit to bring his auto service repair use into compliance with the Des Plaines Zoning Ordinance.

The existing one-story, 26,320-square foot building is made up of five suites with a front customer entrance and service entrance with garage door at the rear of the unit. The petitioner wishes to operate CC Automotive out of Suite 6, which has its main entrance located on the south side of the building and consists of approximately 3,430-square feet. The existing suite is mostly open with one frame partition separating the main entrance and restroom from the open shop floor. Based on the Floor Plans, the petitioner proposes to utilize the existing frame partition area as an office and waiting area with the restrooms totaling approximately 675-square feet. The remaining area, totaling approximately 2,121-square feet, will be utilized for three service bays and open shop area. The petitioner's proposal does not include any changes to the building. However, the petitioner does plan to add landscaping in front of his suite in addition to the existing landscaping throughout the site as indicated in the Site Plan. The dumpster for this suite will be stored inside the building at all times with the exception of trash pickup days in compliance with Section 12-10-11 of the Des Plaines Zoning Ordinance.

Pursuant to Section 12-9-7 of the Des Plaines zoning Ordinance, auto service repair facilities are required to provide two parking spaces per service bay and one space for every 200 square feet of accessory retail. Thus, a total of 12 off-street parking spaces are required including one handicap accessible parking space (three service bays plus 1,094-square feet / 200-square feet of accessory office space = 12 spaces). The Site Plan proposes 15 total parking spaces on the property, including a handicap accessible space, which meets this requirement.

CC Automotive will be open on Monday through Friday from 8 am to 6:30 pm, Saturday from 9 am to 2 pm, and closed on Sundays. Their services will include general automotive repair and maintenance such as electrical diagnostic, tune-ups, oil changes, brakes, batteries, light exhaust work, and check engine repair. A maximum of two employees and the petitioner will be present on site at a given time. Please see the Project Narrative 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:

- **Future Land Use Plan:**
 - This property is designated as Commercial Industrial Urban Mix 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 industrial uses. While the current use is commercial and the existing building contains multiple tenant spaces, the petitioner will work to enhance the subject tenant space with general maintenance and additional landscaping along the front of the tenant space. All activities and items stored will be inside to reduce any negative impacts.

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- The subject property is located along the defined River Road commercial corridor with a mobile home community to the north and west, commercial development to the south, and park to the east. The subject property contains a multi-tenant building with a variety of different commercial uses and is located in between large, established commercial developments along River Road. The request would assist in the retention of a new commercial business at this location and provide additional automotive 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 contains landscaping around the multi-tenant building. However, the proposal seeks to add evergreen bushes along the front of the subject tenant space where the petitioner plans to locate the auto service repair use. While the front of this tenant space is not directly facing River Road, the addition of the evergreen bushes will improve the aesthetics of this 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: 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 adequately any such services:

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Comment: Please see the petitioner's responses 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: 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: 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 does not recommend approval or disapproval of the Conditional Use Permit for auto service repair use at 110 S. River 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. If a motion to approve is made, staff recommends the following conditions:

1. The parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan.
2. No damaged or inoperable vehicles are allowed outside at any time.
3. No vehicles shall be stored within the required drive aisles or customer parking spaces at any time.
4. Only three service bays shall be allowed for the life of this conditional use.
5. No auto body related activities are permitted at any time.

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 new auto service repair use at 110 S. River Road. The City Council has final authority on the proposal.

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A motion was made by Board Member Saletnik, seconded by Board Member Fowler, to recommend approval of the Conditional Use at 110 S River Road, with the two additional conditions of an appropriate privacy fence between the residential and commercial property be constructed and that a security system be installed.

AYES: Saletnik, Fowler, Hofherr, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

Member Veremis thanked the Petitioner for improving the building landscape and his involvement in the community.

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2. **Address:** 1700 Higgins Road

Case Number: 21-005-PUD-A
Public Hearing

The petitioner is requesting an amendment to an existing Planned Unit Development under Section 12-3-5 of the Des Plaines Zoning Ordinance, as amended, to construct a four-story, 107-room hotel building and 207-space parking garage in lieu of the approved restaurant use at 1700 Higgins Road, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PINs: 09-33-309-007-0000; 09-33-310-004-0000
Petitioner: Mariner Higgins Centre, LLC, 117 Macquarie Street, Sydney, NSW 2000, Australia
Owner: Mariner Higgins Centre, LLC, 117 Macquarie Street, Sydney, NSW 2000, Australia

Chairman Szabo swore in Mark Rogers, Attorney for the Petitioner, Bret Duffy representing SpaceCo and Julie Piszczek, representing Monoceros Corp.

Mr. Rogers provided a thorough overview of the request, including a major amendment to the Final Planned unit Development, a major amendment to the Final Plat of Subdivision, three major variations for off-street parking and subdivision variations to allow for the construction of a new freestanding hotel, new decked parking lots and other improvements, as well as any zoning reliefs that may be necessary.

Amendments to the Planned Unit Development include construction of five story hotel, renovations to the existing office building, and parking garage. The three major variations include a reduction of off street parking in Lot 1 from 541 spaces to 338 spaces, a reduction of the required number of spaces in Lot 2 from 110 to 63, and a reduction of lot depth requirements from 125' to 6' for Lots 3 and 4 for the billboards.

The Final Plat of Subdivision request includes subdividing the property into four new lots.

Chairman Szabo asked if the Board had any questions.

Member Hofherr asked about what is happening to the property on the west side of the creek that was to be connected via bridge. Mr. Rogers stated that the parking garage will be taking the place of that project and that the bridge will not be constructed over the creek.

Member Fowler asked what the plans were for that space. Ms. Piszczek stated that the land on the west side over the creek is not part of the ownership and will remain undeveloped.

Chairman Szabo inquired about the building of the parking deck and a temporary parking provision for the office building. Ms. Piszczek stated phased construction is planned, with the hotel and parking deck constructed at different times.

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Member Hofherr had a comment regarding page four and the proposed restaurant; Lot 2 with existing office building and proposed restaurant. The Petitioner clarified that the restaurant was in the previous plan and there are no plans for a restaurant at this time.

Chairman Szabo asked if there were any questions or concerns from the public. There were no 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: (i) a Major Amendment to the existing Planned Unit Development (PUD) to allow for the construction of a five-story, 64,760-square foot hotel in lieu of the Class A restaurant approved in Ordinance Z-21-19; (ii) a Final Plat of Subdivision to resubdivide the existing property from two lots to four lots; (iii) Major Variations to allow a lot depth of 6-feet for Lots 3 and 4 where a minimum lot depth of 125-feet is required; (iv) Major Variations to allow a reduction in the number of required parking spaces from 541 to 338 spaces for Lot 1 and a reduction in the number of required parking spaces from 110 to 63 spaces on Lot 2; and (v) the approval of any other such variations, waivers, and zoning relief as may be necessary for the property at 1700 W. Higgins Road.

Analysis:

Address: 1700 W. Higgins Road

Owner: Andrew Saunders, Mariner Higgins Centre, LLC, 117 Macquarie Street, Sydney, NSW 2000, Australia

Petitioner: Mark Rogers, Mariner Higgins Centre, LLC, 117 Macquarie Street, Sydney, NSW 2000, Australia

Case Number: 21-005-FPLAT-PUD-A

Real Estate Index

Numbers: 09-33-309-007-0000; 09-33-310-004-0000

Existing Zoning C-3, General Commercial District

Existing Land Uses Multi-tenant Office Building and Surface Parking

Surrounding Zoning

North: I-90 Tollway; R-1, Single Family Residential
 South: G, Government and Institutional (Rosemont)
 East: C-2, Limited Office Commercial District
 West: C-3, General Commercial District

Surrounding Land Use

North: I-90 Tollway; Single Family Residences
 South: Health & Fitness / Village Manor Apartments (Rosemont)
 East: Open Space / Park
 West: Vacant lot

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Street Classification

Higgins Road is classified as a minor arterial street.

Comprehensive Plan

The Comprehensive Plan designates this property as Commercial.

Final Planned Unit Development

Project Description

The applicant, Mark Rogers on behalf of Mariner Higgins Centre, LLC, is requesting a Major Amendment to the PUD to amend Ordinance Z-21-19 to allow for the construction of a five-story, 64,760-square foot hotel in lieu of the Class A restaurant that was a part of the Final PUD approved August 19, 2019. The existing property consists of two parcels containing a six-story office building with 135,000-square feet of leasable office space and a 392 parking spaces, including 358 surface spaces, 28 indoor spaces, and six handicap accessible parking spaces. With all lots combined, the property encompasses 5.744 acres in land area.

This request comes after the approval of Ordinance Z-21-19, which granted a Final PUD with exceptions, major variations for lot depth and parking, and a Final Plat of Subdivision for (i) substantial renovations of the existing office building; (ii) construction of a new 6,000-square foot out lot building for use as a restaurant; (iii) construction of an 88-space parking lot on vacant property located across Willow Creek; and (iv) installing significant infrastructure upgrades to all parcels including the addition of both above-ground and below-ground stormwater detention facilities and new box culvert bridge over Willow Creek connecting the proposed parking lot to the subject property. Since December of 2018, the existing office building has undergone major renovations as identified in the Project Narrative, including, but not limited to, the modernization of elevators, installation of business generator/incubator spaces, rehabilitating suites, remodeling the café, and replacement of the roof. However, the property owner is now desirous to construct a hotel instead of the 6,000-square foot restaurant previously approved with Ordinance Z-21-19. As a result in the change of project scope, the sale and use of the vacant property became unavailable to the petitioner requiring the Plat of Subdivision and Plat of PUD boundaries to be updated.

The major amendment to the existing PUD has been revised to show the proposed hotel positioned in the southeast corner of the property where the original restaurant out lot building was intended and a new 34,658-square foot parking deck (total gross square footage of 68,290 including the ground and top tiers) proposed on the northwest portion of the development. The new hotel development will result in a loss of 82 parking spaces for the site as a whole. However, the proposed parking garage will consist of 207 parking spaces bringing the total number of parking spaces on site to 401 and providing a net increase of nine parking

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spaces. The property owner proposes to conduct the following enhancements to the existing property:

- Construction of an approximately 67,500-square foot hotel on the southeast corner of the lot;
- Construction of a new 207-space off street parking garage on the northwest corner of the lot; and
- Significant infrastructure upgrades to all properties including the addition of stormwater detention facilities to accommodate run-off.

The petitioner successfully obtained Final PUD approvals in 2019 given the multiple uses, the unique lot configurations, the notion of existing office building and proposed restaurant building within the same development, the concept of the proposed parking lot to serve the existing office building and the proposed restaurant, and the proposed level of open space with the new parking lot to accommodate stormwater run-off. While the new request offers a hotel in place of the restaurant and a parking garage in place of a surface parking lot, the proposal still represents a unique mixed use development with multiple structures, unique lot configurations, additional parking availability for use of the entire development, and improvements for storm-water detention. To achieve the intent of PUDs for these types of developments, Section 12-3-5(C) of the Zoning Ordinance allows for permitted exceptions to the bulk regulations of the Zoning Ordinance. Due to the unique property characteristics identified above, the petitioner has requested the following exceptions to the bulk regulations of the Zoning Ordinance:

- A building height exception of 59'-1/8" for the proposed hotel building where the maximum allowed is 45 feet.
 - In the C-3 district, the maximum building height is 45 feet. The property owner received a PUD exception for building height of the existing office building that was legally non-conforming. The new hotel building would not be as tall as the existing office building but would not meet the maximum height requirement. Thus, the petitioner looks to protect this building with the proposed PUD exception (Section 12-7-3.L).
- An exception to the back of curb setback from the southern and eastern edges of the proposed off street parking lot to the south and east property lines, respectively for the new hotel (Section 12-9-6-C) – the required setback is 3.5 feet and the closest back

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of curb setback is 2.07-feet.

- The property owner is proposing to provide ample room for parking, circulation, and fire truck movements on the new hotel site by reducing the proposed back of curb setback.
- An exception to the five-foot perimeter parking lot landscaping area requirement for the proposed hotel parking lot (Section 12-10-8-C).
 - The amount of space available for landscaping is limited behind the southern and eastern parking space rows. However, the petitioner proposes to add a row of landscaping in these areas as well as additional landscaping in the corner of these parking areas and throughout the hotel site.

It is important to note that PUD exceptions were awarded to the subject property in 2019 given that the existing office building was built in 1986 prior to the establishment of modern zoning regulations making elements of the property non-conforming. Note, there is currently a deficit of parking for the existing office building as the office building was built under a different parking requirement. With the addition of the new parking garage to the west, the entire development will have a positive gain on the parking count which reduces the extent of the variance request. The attached traffic study discusses the parking and trip generation in more detail. The parking variance request is explained in the Major Variations section of the staff report below.

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 four new lots to reflect the change in scope for the redevelopment of this property. The proposed new lot

configuration is found below:

Final Plat of Subdivision - Lot Matrix

Proposed Lot Number	Proposed/Existing Use	Proposed Land Area	Proposed Acreage
Lot 1	Existing Office Building & Proposed Parking Garage	197,350 SF	4.531
Lot 2	Proposed Hotel	52,774 SF	1.212
Lot 3	Western Billboard	36 SF	0.001
Lot 4	Eastern Billboard	36 SF	0.001

A description of each proposed lot is as follows:

- Lot 1 – The existing office building is currently situated across both of the existing parcels, but will be reconfigured on the revised Plat of Subdivision so that Lot 1 includes the entire office building and the proposed parking garage. The petitioner has indicated that a portion of the proposed parking garage will be located on property owned by the City of Des Plaines, which will be vacated/sold to the petitioner so it can be incorporated into Lot 1.
- Lot 2 – The proposed hotel and the proposed surface parking area will be located on a separate lot at the southeast corner of the property. Lot 2 will lot for the existing office building will be reduced to accommodate the new proposed restaurant and to create two separate lots for the existing billboards.
- Lot 3 – This lot encompasses the base of the westernmost billboard sign.
- Lot 4 – This lot encompasses the base of the easternmost billboard sign.

Major Variations

Project Description

The petitioner has submitted variance requests for parking and lot depth due to the unique size and shape of the development. The existing office building property contains 392 parking spaces, which is a non-conforming parking count for today's standards. However, this office building was constructed under a different parking regulation. Thus, as part of the development proposal, the petitioner is requesting a major variation to reduce the off street parking requirement for the existing office building on the new Lot 1 from the required 541 spaces to 338 off street parking spaces. Pursuant to Section 12-9-7, the proposed hotel requires a total of 110 parking spaces. Since the hotel site on the new Lot 2 will only contain 63 spaces, the petitioner is also requesting a major variation to reduce the parking from 110 spaces to 63 spaces. The proposed hotel building footprint will remove 82 spaces from the site. However, the petitioner is constructing a brand new 207-space parking garage on the northwest

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corner of the lot directly east of Willow Creek bringing the parking total for the entire development to 401 spaces, which is a net gain of nine off street parking spaces compared to the current parking total. It is important to note that some of the existing office parking spaces will be transitioned to the new hotel as necessary. However, the new parking garage will provide additional parking for the existing office use and effectively reduce the nonconforming status.

Additionally, the petitioner is requesting major variances to reduce the lot depths from 125 feet to six feet for Lots 3 and 4, which entail the base of the billboards. These requests are a deviation from Subdivision Code Section 13-2-5.R. However, staff does not have a concern with the lot depth variance requests as the lot configuration is for tax purposes. All variation requests are summarized in the table below:

Regulation	Required	Proposed
Parking – Office Building (Lot 1)	541 spaces	338 spaces
Parking – Hotel (Lot 2)	110 spaces	63 spaces
Lot Depth (Lot 3)	125-feet	6-feet
Lot Depth (Lot 4)	125-feet	6-feet

Compliance with the Comprehensive Plan

As found in the City of Des Plaines’ 2019 Comprehensive Plan, there are several parts of the Comprehensive Plan that align with the proposed project. Those portions are as follows:

- Under Future Land Use Map:
 - The property is marked for commercial land use. The proposed expanded parking garage will further enhance the existing office building property, reduce the existing parking non-conformity, and allow for mixed use development on the site. This will also allow the subject property to support multiple uses in close proximity to transit and the higher density commercial corridor in its immediate vicinity.
- Under Economic Development:
 - The Comprehensive Plan recognizes the economic vitality of the surrounding area and its importance to the broader region. The proposed enhancements of this site would be in-keeping with prior development efforts from the office building.

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:

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Comment: A PUD is a listed conditional use in the C-3 zoning district. The proposed project meets the stated purpose of the PUD. Additionally, the proposed improvements 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:

Comment: The proposed development 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 proposed project is in-line with the intent of a PUD as exceptions for building height, back of curb setback, and a five-foot landscape setback have been proposed for the new hotel and parking garage plans on the subject property. Aside from variation requests for parking and lot depth, 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 proposing to adjust the main entrance and drive- aisle areas to the site to accommodate the building expansion, improve circulation and access throughout the site, and allow for sufficient emergency vehicle turning radii throughout the site. 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 proposed expansion complements existing development to the east, west and south as all surrounding properties, except for the Rosemont Park District property directly east of the subject property are built up. Additionally, measurements will be made to reduce any impact on the nearby properties as all elements will have to comply with the Des Plaines Subdivision and Zoning Ordinances.

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 proposed project will contribute to an improved physical appearance within the City by adding a new use to the existing office building property with updated landscaping, utility connections, and vehicular access and circulation. This will contribute positively to the tax base and economic well-being of the community. Please also see the responses from the applicant.

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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.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

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

Comment: Carrying out the strict letter of this code would create a practical difficult for the property owner as the existing office building was developed in 1986 prior to the establishment of modern zoning regulations for parking. Thus, the existing office building was developed under a parking regulation that does not meet modern standards. The proposal includes the construction of a 207-space parking garage which will reduce the non-conforming parking count, but will by no means meet the minimum parking standards requiring the petitioner to request a variation. The subject property also contains two active billboards, one on the east side and the other on the west side of the property, which are currently incorporated with the existing office lots. As part of the development, the site will be resubdivided to include an individual lot for each billboard for taxing purposes. The minimum lot depth requirement of 125-feet for the intended use is not practical for the subject property. Please see the Petitioner's responses to Standards for Variations.

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

Comment: The existing access and location of the subject property creates a unique physical condition that limits the available development of this site and prevents full compliance with current zoning standards. The site is landlocked by the I-90 Tollway to the north, the Rosemont Park District to the east, Willow Creek to the west, and Higgins Road to the south, which serves as the site's only access point. The petitioner originally had an opportunity to construct a bridge across Willow Creek to construct additional parking on property owned by the Village of Rosemont. However, this arrangement fell through limiting the development of the site to its current boundaries. Additionally, the petitioner is unable to meet the required lot depth requirements for the two new billboard lots given that the billboards are located in close proximity to the existing office building and that the reallocation of ownership involved with the expansion of each billboard lot to the minimum standards could cause more parking concerns.

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Please see the Petitioner's responses to Standards for Variations.

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

Comment: The physical conditions described above are of no fault to the petitioner as the existing property consists of these characteristics prior to the development proposal for the new hotel. As previously mentioned, the office building was built before the establishment of modern zoning regulations creating several non-conformities. Staff is not aware of any action of the current or previous owner which created the conditions described above. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Carrying out the strict letter of this code could deprive the existing property owner of substantial rights enjoyed by other owners of similarly zoned lots by limiting the redevelopment of the property with uses enjoyed by similar developments in the area. The PUD located west of the subject property and south of the I-90 Tollway includes a mixed use development with a hotel/Class A Restaurant, Fuel Center/Class B restaurant, and car wash contains multiple structures and parking areas similar to the design for the proposed development. Please see the Petitioner's responses to Standards for Variations.

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

Comment: The granting of this variation for density would not provide any special privilege of the property owner or petitioner as similar developments in the C-3 zoning district have the opportunity for this request for development proposals permitted in the C-3 district. This variation would allow for the redevelopment of the existing site and the increase in mixed use developments in Des Plaines. Please see the Petitioner's responses to Standards for Variations.

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

Comment: The proposed multi-family development would be harmonious with the surrounding multi-use developments to the east and west of the subject property. The mixed use development proposal supports the goals and objectives of the Comprehensive Plan, which strives to incorporate multiple uses on single lots. Please see the Petitioner's responses to Standards for Variations.

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

Comment: There are no other reasons that the aforementioned hardships can be avoided or remedied as the property is land-locked and cannot be expanded to meet minimum standards for larger commercial development intended for a C-3 zoned property. Please see the Petitioner's responses to Standards for Variations.

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

Comment: This would be the minimum amount of relief necessary to alleviate the aforementioned hardships and allow the petitioner to redevelop the subject property with a multi-use development. The proposed meets or exceeds all other requirements of the Des Plaines Zoning Ordinance. Please see the Petitioner's responses to Standards for Variations.

Recommendations: Staff supports the following requests for the development at 1700 W. Higgins: (i) a Major Amendment to the existing Planned Unit Development (PUD) to allow for the construction of a five-story, 64,760-square foot hotel in lieu of the Class A restaurant approved in Ordinance Z-21-19; (ii) a Final Plat of Subdivision to resubdivide the existing property from two lots to four lots; (iii) Major Variations to allow a lot depth of 6-feet for Lots 3 and 4 where a minimum lot depth of 125-feet is required; (iv) Major Variations to allow a reduction in the number of required parking spaces from 541 to 338 spaces for Lot 1 and a reduction in the number of required parking spaces from 110 to 63 spaces on Lot 2 with the condition that drawings may have to be amended to comply with all applicable codes and regulations.

Planning and Zoning Board Procedure:

The Planning and Zoning Board may vote to *recommend* approval, approval with modifications, or disapproval over the requested Major Amendment for the Planned Unit Development, Final Plat of Subdivision, and Variation requests for 1700 W. Higgins Road. The City Council has final authority over the proposal.

A motion was made by Board Member Saletnik, seconded by Board Member Hofherr, to recommend approval of an amendment of the Planned Unit Development and the approval of any such other variations, waivers, and zoning relief, as presented.

AYES: Saletnik, Hofherr, Fowler, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

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3. **Address:** 800 Beau Dr

Case Number: 21-006-V
Public Hearing

The petitioner is requesting a Major Variation under Section 12-3-6 of the 1998 Des Plaines Zoning Ordinance, as amended, to allow for increased density at 800 Beau Drive in the R-3 zoning district to construct a 50-unit apartment building where only 29-units are permitted, and approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 08-24-100-022-0000
Petitioner: HTG Illinois Developer, LLC, 3225 Aviation Avenue, 6th Floor, Coconut Grove, FL 33133
Owner: Sae Khwang United Presbyterian Church, 800 Beau Drive, Des Plaines, IL 60016

Chairman Szabo swore in the following individuals via Zoom: Jake Zunamon, representing the Housing Trust Group (HTG) & Turnstone Development, John Clark from Cordogan Clark and Fran Frazio representing Manhard Consulting.

Mr. Zunamon stated the development group has been working with Community Development staff on a multi-family, affordable housing development in Des Plaines. Mr. Zunamon provided an overview of the development, including unit layouts and green spaces.

Chairman Szabo inquired about sound from the elevator shaft. Mr. Clark stated that the elevator shafts will most likely be concrete blocks and meet U.S. Department of Housing and Urban Development (HUD) standards regarding sound mitigation.

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

Member Fowler inquired about the rents of the affordable housing units? Mr. Zunamon stressed that this is not Section 8 housing and that rent was determined by income limits; residents may make no more than 60% of the median income, approximately \$38K for a single person, and \$63K for a three person household. Example rents: \$870 for a one bedroom, \$1050 for a two bedroom and \$1200 for a three bedroom unit.

Member Fowler asked if a market study was conducted to see if this was a need of the community. Mr. Zunamon stated that affordable housing is an underserved need in the area and it is the goal of the development group to have a development they are proud of.

Mr. Zunamon provided an overview of how the development is being financed.

Member Fowler asked about the current owner of the property, Sae Khwang United Presbyterian Church. Mr. Zunamon stated that the church is looking to relocate and has an open ended contract with the development group, which has a flexible schedule to close through March 2022.

Member Fowler asked the Petitioner is he was aware of other three bedroom developments in Des Plaines, and if he was aware that they were not renting as well. Member Fowler also had a concern about the lack of greenspace for children to play. Mr. Zunamon stated that there several walkable areas and the

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development is near large parks. Mr. Zunamon also stated that the units will be built to a very high standard and have sought after amenities, like a washer and dryer in unit.

Member Fowler asked what non-profit the developers are working with. Mr. Zunamon stated that they are working with Turnstone Development.

Member Fowler had questions about subsidizing rent. Mr. Zunamon explained that income limits are put in place by HUD, and HUD establishes annual rents and maximum gross charges. Mr. Zunamon stated that there are screenings of all applicants, and income is the main factor. Mr. Zunamon went on to state that other communities are creating these types of developments. Mr. Clark interjected that he lives in Wilmette, and an affordable housing development is being constructed; there is a strong demand for these types of communities. Mr. Clark also stated that "three bedroom" does not necessarily have to mean three bedrooms, the third bedroom may be used as a home office, den, etc.

Mr. Zunamon provided further explained the applicants need to be income qualified their first year; the goal of the program is to assist the person to save and get on their feet and move upward, this type of housing is not intended to provide long term housing.

Member Hofherr asked about the projected effect on School District 59/214. At the current time, Mr. Zunamon has not had conversations with the school districts about the impact of this development.

Director McMahan stated that the current projection is that the development will only house approximately 10-30% of school age children. Mr. McMahan reminded the Board that this is technically not a family development, but a development based on income restrictions.

Member Hofherr inquired about the dimensions of the bedrooms. Mr. Clark clarified that the size of the bedroom in the one bedroom unit is roughly 10X11, excluding closets. Director McMahan inquired why he wanted to know the bedroom sizes, Member Hofherr stated that the bedroom sizes determine the number of people that can stay there, per code. Mr. Zunamon stated that each bedroom is designed for no more than two people.

Member Hofherr inquired about funding for the development. Mr. Zunamon stated that funding is through low income tax credits, those credits are sold to banks to secure funding. Each state has an agency that allocates those tax credits, developers apply for credits based on proposed projects.

Member Fowler asked how many developments are currently considered affordable housing. Member Fowler interjected that he has a list of four low income developments in Des Plaines, which are primarily apartment complexes.

Member Saletnik remarked that the purpose of this type of affordable housing development is to raise stature in life and move upward to somewhere else. Mr. Zunamon stated that yes, the goal of the development is to save and gather income and move within two-four years. Mr. Zunamon stated that he would ask his property management team for numbers.

Member Veremis asked about the community patio and the garden plots/greenspace, and also commented that the development looks like an office building. Mr. Zunamon stated the development has several nice amenities inside for residents to use.

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Director McMahan stated that the community patio is not included on the site plan. Mr. Clark stated that the extent of the community gardens is based on the City's landscape ordinance.

Member Fowler asked how the development would affect neighboring property values. Mr. Zunamon stated that on the simplest level the development does not affect property values, but often enhances the value of the property.

Director McMahan stated that this is a \$20 million dollar development in Des Plaines. He also mentioned that the property is currently tax exempt (church), but once the development is constructed the City could collect property taxes.

Chairman Szabo asked if there was anyone from the public that would wish to speak on this matter.

Lewis and Denis Pennisi, 710 Beau Ct, had the following concerns: concerns over the number of children waiting for the bus in the morning for school, where the children are going to play as they currently play in the street and the increase of traffic in the area. They stressed the increase of congestion in the area, especially on Beau Ct and Beau Dr. They suggested a smaller building or a location near the other apartments.

Steve Maciejczyk, 711 Beau Dr, (corner of Dempster & Beau), agreed with Mr. Pennisi on his comments and provided the following:

1. The area is a high density population, where is the parking to accommodate spillover or guests.
2. Large percentage of land is being developed for the building and parking, where are the children going to play? The closest park is across Dempster, which can lead to children playing in the parking lot.
3. Concern over police/fire/EMS and social services. There are three railroad tracks that cross throughout Des Plaines, concern about train traffic and police response times.
4. The proposed project is to improve the neighborhood, but the suggested development brings additional congestion and stress.
5. What is the effect on the local economy?

Mr. Maciejczyk also provided additional comments that with everyone that occurred in 2020, the proposed high density development adds additional stress. Residents of the area should be able to live in a peaceful community, and the developers should assert their conscience and look long and hard at the project.

Laura Wolff, 809 Beau Dr, has lived across from the church the past 55 years and has the following concerns over the proposed development: the increase of congestion along Beau Dr, echoed statements regarding police response time, and where children will be playing. Ms. Wolff also commented about the length of construction and if the area could accommodate a 50-unit apartment building, as she stated the area is completely saturated, and residents are parking on grass. Ms. Wolff also stated that she circulated a petition and collected 135 names of individuals opposed to the development. Ms. Wolff also expressed concern over the lack of greenspace, the increase of traffic, and the nearest park. Ms. Wolff also stated she had done some research of other HUD properties and home values around the development decreased. Ms. Wolff stated that she also found additional HUD housing developments, one in Mt. Prospect and two other buildings off Dempster.

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Leonardo Romano, 731 Beau Ct, had the following concerns: there have been several people who have been in accidents due to traffic, he also stated that many of the new developments have been senior housing, not low income, and that the City should explore more senior housing.

Denise Green, 485 Florian Dr, provided the following comments: Ms. Green lauds the City's efforts to provide affordable housing, as she was once a single parent, however, she has safety concerns, especially regarding the berm on Beau Dr, you cannot see children playing in front of or behind the berm. Ms. Green also stated that the drawings do not reflect the limits of green space. She also stated that the street was not wide enough, and was a traffic study performed? She also inquired regarding the reason for double occupancy units.

Anna, 870 Highland Ct (around corner from Beau), echoed concerns of visitor parking, congestion, decrease of property values, and the number of school-age children being filtered into the school districts. Anna estimated that the school districts would be accepting approximately 60 children into the district based on the development size.

Tracey Mahoney, 1013 Perda Ln, provided the following comments; due to the nature of the development, people will be moving out every two-four years, and not become invested in the community or maintain the area. Ms. Mahoney also stated that the increase of moving trucks will also lead to more congestion in the area.

Mr. Zunamon stated that he is not claiming to know the neighborhood better than the residents, and provided the following comments: he believes that people care about their community and he wants to address everyone's concerns and believes a community meeting may be needed to discuss this project further. To answer some concerns, the Development group employed KLOA, a best in class company in the area, to conduct a traffic study. The report stated that there would not be an increase of traffic, and the report was included in the full staff report. Concerns regarding parking, due to the property type it was determined that 100 parking spaces are needed, which exceeds the 1.66 space/per unit (roughly 83 spaces) requirement identified by KOLA. Mr. Zunamon stated the number of children living at the development is potentially quite low, since 20 of the units are 1-bedroom and unlikely to have children. The Petitioner reiterated that the main qualification for housing at the development is income based. Mr. Zunamon explained the development security; there is no type of surveillance, but there are fob systems in place for common areas. Mr. Zunamon also stated that traditionally HUD properties are maintained by HUD and not private companies, this development will continue to be maintained by a private company. Mr. Zunamon stressed that is his open to feedback and is looking for ways to work together in the community to alleviate concerns.

Member Fowler asked if the development would address the number of units in the building; the building would be the largest in the area and would they entertain dropping to 29 units, and what the financial viability of the project would be. Mr. Zunamon stated that the target is 50 units in order for the development to be successful, the development team runs a first rate operation and expenses occurred include utilities, taxes, payroll and other expenses, and rent is capped at a rate determined by HUD.

Member Veremis commented that she heard that one bedroom units are the trend and that the increase of one bedroom units would mean less bodies, less cars, and less children.

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The following public comments were received via email (publiccomments@desplaines.com). Correspondence was received by Community & Economic Development Staff following the Planning & Zoning Board meeting, however; comments were emailed prior to the stated cut-off time (Tuesday, March 23rd at 5:00 p.m.)

From: Stephen Maciejczyk
Sent: Sunday, March 21, 2021 3:52 PM
To: Public Comments <PublicComments@desplaines.org>
Subject: Planning and Zoning Board Meeting Public Comment - 800 Beau Drive Variation

*My Information -
Steve and Susan Maciejczyk
711 Beau Drive Des Plaines
Case Number 21-006-V
800 Beau Drive*

Comments/questions regarding the above proposed project –

- *There is no indication on the site plan regarding a retention pond for flooding issues that already occur on Beau Drive and the surrounding area.*
- *A large percentage of the property is occupied by the building and parking with no usable green space for recreation*
- *High density population and congestion adding to existing problems*
- *Neighbors in the community were not notified regarding this project -Nothing should be decided until complete information on this project can be disseminated to residents.*
- *Who owns the property and what is their reputation with maintaining the property? How will the property look in 5, 10 years?*
- *How does this project improve the neighborhood and quality of life in the area?*
- *What about the impact on police, fire, paramedics, and social services?*
- *How will this project affect the local economy?*
- ***Would you want this project within 300 feet of your front door? Once developed it will be permanent.***

From: Len
Sent: Friday, March 19, 2021 4:02 PM
To: Public Comments <PublicComments@desplaines.org>
Cc: Maciejczyk Stephen
Subject: Planning and Zoning Board Meeting Public Comment

*My information
len romano
731 Beau Dr
Des Plaines
CaseNumber:21-006-V Public Hearing*

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800 Beau Drive

- 1) Our Property values with a building of this type*
- 2) Congestion in already congested area*
- 3) Why is this a good project for our area*
- 4) Size of the building and proximity to street*
- 5) Safety and police presence*
- 6) Why were so many residents uninformed*

From: Stacy Strama
Sent: Thursday, March 18, 2021 2:39 PM
To: Public Comments <PublicComments@desplaines.org>
Subject: Zoning Beau/Dempster

I strongly oppose changing the zoning on Beau/Dempster to add an apartment/condo building. It is already way too congested over there, people can not park or drive down Beau without issues. The bus can barely fit with the cars parked. Accidents already happen because of the traffic with all the people. Adding a residential building is just reckless!

From: Gary C
Sent: Wednesday, March 17, 2021 9:26 PM
To: Public Comments <PublicComments@desplaines.org>
Subject: Dempster and Beau Drive Apartment Building

Please do not change zoning to allow a 50-unit apartment building at the corner of Beau Drive and Dempster.

- 1) The Development would be out-of-scale with the neighborhood, destroying the character of the area*
- 2) The neighborhood is already quite dense given current apt. buildings and townhomes in the immediate vicinity. This would put density over the top.*
- 3) Traffic would be drastically, negatively, impacted. The intersection is already the site of about a half dozen vehicle accidents a year.*
- 4) Deliver a message back to developers that they have to work within the bounds of current zoning and that they can't run amok over city zoning at their pleasure.*
- 5) School capacity could be negatively impacted.*

Thank you for your consideration.

*Gary Carmichael
Ambleside Road
Des Plaines, IL*

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

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Issue: The petitioner is requesting a Major Variation under Section 12-7-2(J) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a 50-unit multi-family development at 800 Beau Drive where the maximum number of units permitted is 29.

Analysis:

Address: 800 Beau Drive

Owner: Sae Khwang United Presbyterian Church, 800 Beau Drive
Des Plaines, IL 60016

Petitioner: HTG Illinois Developer, LLC, 3225 Aviation Avenue, 6th Floor,
Coconut Grove, FL 33133

Case Number: 21-006-V

PIN: 08-24-100-022-0000

Ward: #8, Alderman Andrew Goczkowski

Existing Zoning: R-3, Townhouse Residential District

Existing Land Use: Sae Khwang United Presbyterian Church

Surrounding Zoning: North: R-1, Single Family Residential District
South: R-3, Townhouse Residential District
East: R-3, Townhouse Residential District
West: R-3, Townhouse Residential District

Surrounding Land Use: North: Single Family Residences
South: Townhouse Residences
East: Townhouse Residences
West: Townhouse Residences

Street Classification: Dempster Street is classified as a minor arterial street and Beau Drive is classified as a local street.

Comprehensive Plan: The Comprehensive Plan designates the site as Institutional.

Project Description: The petitioner, Jake Zunamon on behalf of Housing Trust Group, is requesting a major variation to allow for a 50-unit multi-family development in the R-3, Townhouse Residential District at 800 Beau Drive where a maximum of 29-units are permitted. The subject property, located at the southwest corner of the Dempster Street / Beau Drive intersection, is 81,422-square feet (1.87 acres) in size and is currently improved with a one-story building, detached garage, three accessory sheds, surface parking area, and open space as shown on the Plat of Survey (Attachment 4). Pursuant to Section 12-7-2(J), the minimum lot area for corner lots in the R-3 zoning district is 2,800-square feet per dwelling unit. Given the size of the subject property, the total number of units permitted is 29 (81,422-square feet / 2,800-square feet = 29).

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The petitioner is requesting to construct a four-story, 59,000-square foot building with 50-units consisting of 20 one-bedroom / one- bathroom units, 15 two-bedroom / two-bathroom units, and 15 three-bedroom / three-bathroom units. The development is designated to serve low income families with 40 units set aside for families earning 60% of the Area Median Income (AMI) and 10 units set aside for families earning 30% AMI or below. The proposed resident amenities will include a community room, computer café, open lobby area, weather protection covered entries, community patio, residential garden plots, and on-site management personnel. The proposed floor plan will allow for units that are approximately 15% larger in size than the minimum size required by the Illinois Housing Development Authority (IHDA) as shown in the Project Narrative. The proposed building will be located along Dempster Street at the southwest corner of the Dempster Street / Beau Drive intersection with parking and site access in the back from Beau Drive as shown on the Site Plan. This portion of Beau Drive contains a center landscaped median from Dempster Street in the north to Florian Street in the south. However, the proposal includes the use of the existing break in the center landscape median at the intersection of Beau Drive / King Lane for full access in and out of the site.

Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, multiple-family dwellings in all districts approved for such use, except for the R-4, C-5, and C-3 Mixed Use Planned Unit Development lots, require two parking spaces per dwelling unit. Given the 50 proposed units proposed in this development, the total number of parking spaces required is 100, including four handicap accessible parking spaces. As shown on the Site Plan , the proposal includes 96 regular parking spaces and four handicap accessible parking spaces in compliance with Sections 12-9-7 and 12-9-8 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 Institutional on the Future Land Use Plan. The Future Land Use Plan strives to promote institutional uses in order to provide additional services to the community and support diversity and inclusion within the City of Des Plaines such as the existing church currently located on the site. While the proposed use does not specifically fall into the category of an institutional land use, it does offer an opportunity for the inclusion of diverse groups such as low-income individuals who may have limited housing options. The site is also located near denser development areas with direct access to transit and the Elmhurst Road commercial corridor.
 - The subject property is located near the defined Elmhurst Road commercial corridor with townhouse developments to the south, east, and west. The subject property currently contains a place of worship with surface parking and open space. However, the request would increase the amount of low-income housing options available in the City of Des Plaines. The proposal would assist in achieving the goal of the comprehensive plan to increase affordable housing in Des Plaines with on-site amenities for residents.

- **Landscaping and Screening:**
 - The Comprehensive Plan seeks to encourage and actively pursue beautification opportunities and efforts, including the installation of landscaping, street furniture,

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- lighting, and other amenities, to establish a more attractive shopping environment and achieve stronger corridor identity in Des Plaines.
- The proposal includes extensive landscaping around the building, throughout the parking lot, and along the property boundaries to enhance the aesthetics of the site and properly screen it from surrounding properties. The Site Plan indicates a two-foot reduction in depth of the parking stalls along the perimeter of the parking lot, which directly abut curbed landscape areas and permit the overhang of the adjacent vehicle's front bumper. However, the proposed landscaping beds in these areas are still a minimum of 5-feet in width excluding the vehicle overhang area in compliance with Section 12-9-6 of the Des Plaines Zoning Ordinance.

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.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

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

Comment: Carrying out the strict letter of this code would reduce the number of affordable housing units permitted on the property effectively making the proposal impractical and ultimately reducing development opportunities for the subject property zoned for higher density residential development. Please see the Petitioner's responses to Standards for Variations.

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

Comment: The existing access and location of the subject property creates an unique physical condition that limits the available development of this site. The site is currently only accessed by one curb cut off Beau Drive, which is improved with a center landscaped median. Given the property's close proximity to the Dempster Street / Beau Drive intersection, the addition of a full access curb cut on Dempster Street could negatively impact traffic flow and circulation thus limiting viable access to the site. In addition, the subject property is land-locked with multi-family development in the R-3 zoned district to the south, west, and east preventing the size of the lot to be enlarged to meet the minimum lot area standards. Please see the Petitioner's responses to Standards for Variations.

11. 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

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provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title:

Comment: The physical conditions described above are of no fault to the petitioner as the existing property consists of these characteristics prior to the development proposal for 50 multi-family units. Staff is not aware of any action of the current or previous owner which created the conditions described above. Please see the Petitioner's responses to Standards for Variations.

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

Comment: Carrying out the strict letter of this code could deprive the existing property owner of substantial rights enjoyed by other owners of similarly zoned lots by limiting the development or selling of the property to be redeveloped with a use permitted in the R-3 zoning district. The R-3-zoned lot directly west of the subject property is of similar size and contains a development of a similar type and design compared to the proposed development at 800 Beau Drive. Please see the Petitioner's responses to Standards for Variations.

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

Comment: The granting of this variation for density would not provide any special privilege of the property owner or petitioner as similar developments in the R-3 zoning district have the opportunity for this request for development proposals permitted in the R-3 district. This variation would allow for the redevelopment of the existing site and the increase in affordable housing options in Des Plaines. Please see the Petitioner's responses to Standards for Variations.

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

Comment: The proposed multi-family development would be harmonious with the surrounding multi-family development south of Dempster Street. The addition of affordable housing in this area with direct access to transit and the Elmhurst Road commercial corridor support the goals and objectives of the Comprehensive Plan. Please see the Petitioner's responses to Standards for Variations.

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

Comment: There are no other reasons that the aforementioned hardships can be avoided or remedied as the property is land-locked and cannot be expanded to meet minimum standards for larger residential development intended for a R-3 zoned property. Please see the Petitioner's responses to Standards for Variations.

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

Comment: This would be the minimum amount of relief necessary to alleviate the aforementioned hardships and allow the petitioner to redevelop the subject property with a multi-family development. The proposed meets or exceeds all other requirements of the Des Plaines Zoning Ordinance. Please see the Petitioner's responses to Standards for Variations.

Recommendation: Staff recommends approval of the requested increase in density from 29 to 50-units in the R-3, Townhouse Residential District at 800 Beau Drive based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined within the City of Des Plaines Zoning Ordinance, as amended.

Planning and Zoning Board Procedure: Under Section 12-3-6(F) of the Zoning Ordinance (Major Variations), the Planning and Zoning Board has the authority to *recommend* that the City Council approve, approve subject to conditions, or disapprove the above-mentioned variance for density within the C-3 Zoning District at 800 Beau Drive. The City Council has the final authority on the proposal.

A motion was made by Board Member Hofherr, seconded by Board Member Veremis to deny approval of the Major Variation to allow increase density in the R-3 Zoning District at 800 Beau Drive, due to size concerns.

AYES: Hofherr, Veremis, Fowler

NAYES: Saletnik, Szabo

ABSTAIN: None

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

Member Fowler commented that she hopes the developers reconsider the scale of the project.

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, April 13, 2021.

Chairman Szabo adjourned the meeting by voice vote at 9:16 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

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



MEMORANDUM

Date: April 30, 2021
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
Cc: Michael McMahon, Community & Economic Development Director mm
Subject: Consideration of Conditional Use for a Commercial Mobile Radio Service Facility Use at 1011 E. Touhy Avenue, Case 21-007-CU (5th Ward)

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: Sheronica Chase, T-Mobile, 10700 W. Higgins Road, Des Plaines, IL 60018
Petitioner: Larry Goodman, ADM, LLC, 999 E. Touhy Avenue, Suite 510, 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 (Attachment 4). 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.

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 (Attachment 6). Please see the Project Narrative (Attachment 1) 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.

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 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) (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.

Attachments:

- Attachment 1: Project Narrative
- Attachment 2: Petitioner's Responses to Standards
- Attachment 3: Location Map
- Attachment 4: Plat of Survey
- Attachment 5: Site Plan
- Attachment 6: Antenna Details
- Attachment 7: Site and Context Photos

Narrative Overview

T-Mobile is requesting Conditional Use Amendment Approval, pursuant to the City of Des Plaines Zoning Ordinance §12-3-4, in order to complete the proposed modification to the rooftop commercial mobile service facility on the property located at 1011 Touhy Avenue, Des Plaines, IL 60018 (PIN 09-32-101-022-0000 & 09-32-101-023-0000). T-Mobile has been working to upgrade their equipment at different sites to support 5G capabilities. T-Mobile has acquired the necessary licenses from the Federal Communications Commission (“FCC”) to provide Personal Communications Services (“PCS”) coverage throughout the United States. These licenses include the City of Des Plaines.

The proposed project will consist of swapping 3 existing antennas and support equipment with new antennas and additional equipment.

The proposed site is located in the City’s C-2 Limited Office Commercial District. The properties immediately surrounding the parcel to the east and west are zoned C-2 and R-1 Single Family Residential to the north of the proposed site. The property to the south is within the O’hare International Airport. Allowing the proposed upgrades in this area will continue to help increase access to telecommunication services, wi-fi, and increase connection to emergency services for future development.

The modifications T-Mobile is proposing to install is necessary in order to provide uninterrupted PCS coverage for the carrier to the residents of the City of Des Plaines, including wireless telephone service, voice paging, messaging and wireless internet and broadband data transmission. All registered wireless provider’s technology operates at various radio frequency bands allocated by the FCC as part of their licenses.

PCS systems operate on a grid system with overlapping cells mesh together, forming a seamless network. No single site can function as a stand-alone entity as each site is interconnected, forming the network. The technical criteria for establishing cell sites are very exacting as to the location and height. The proposed site is within the geographic area deemed necessary for T-Mobile in order to provide uninterrupted services.

The facility is unstaffed and will require service technicians, in a pick-up/van sized vehicle, to visit the site approximately once per month. Access will be provided via the established driveway at the property. No new points of public right-of-way access are requested, and there is no traffic impact due the proposal. The site is entirely self-monitored through a sophisticated alarm system which is connected to a main switch station. The system alerts personnel to any equipment malfunction or breach of security. Additionally, there is no impact on any town's services such as water, sanitation, police and fire. The only services used in connect with the wireless telecommunications facility are power and land-line telephone.

In accordance with FCC regulations, the mobile service support structure will not interfere with any form of communications, including but not limited to, land-line phones, cable and satellite television and radio broadcasts. PCS technology has become a vital part of emergency services, aiding local residents and motorists in a variety of situations, thus helping to protect the general public's health, safety and welfare. The proposed mobile service support structure at this site will further enhance goals of providing the most reliable network possible in this area and enhanced emergency services, including E911.

The proposed modification will be designed and constructed to meet all applicable governmental and industry safety standards. Specifically, T-Mobile will comply with all FCC and FAA rules and regulations regarding construction requirements and technical standards. Any and all RF emissions are subject to the exclusive jurisdiction of the FCC. The existing rooftop contains an FAA required beacon.

LCC Telecom Services, on behalf of T-Mobile, looks forward to working with the City of Des Plaines to bring the benefits of the proposed service to the entire area. The modification of the equipment will ensure the best uninterrupted wireless services for the citizens of the City of Des Plaines. The application addresses standards for a Conditional Use Amendment Approval contained in the City's zoning code, and how this proposal complies with those standards.

STANDARDS FOR CONDITIONAL USES

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Conditional Use in terms of the following standards. Keep in mind that in responding to the items below, you are demonstrating that the proposed use is appropriate for the site and will not have a negative impact on surrounding properties and the community. Please answer each item completely and thoroughly (two to three sentences each).

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

Commercial mobile radio service facility on a rooftop is allowed in the Limited Office Commercial (C-2) zoning district as a conditional use. A conditional use permit was previously approved for the installation of the existing equipment.

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

The proposed conditional use amendment is in accordance with the objectives of the city's comprehensive plan by ensuring the residents maintain uninterrupted Personal Communications Services ("PCS"). PCS allows residents to have access to communication devices for business operations and in case of an emergency.

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;

The proposed conditional use amendment is designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity. The existing antennas are designed to be concealed to resemble the aesthetics of the building.

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

The proposed conditional use amendment will not be hazardous or disturbing to existing neighboring uses. T-Mobile is replacing some of the existing equipment at this location and the site has proven not to be hazardous or disturbing to existing neighboring uses.

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

The proposed conditional use amendment at the existing commercial mobile radio service facility will be served adequately by essential public facilities and services. Because the facility is unstaffed, there will be no impact to the existing traffic patterns nor will there be any need for additional access roads. No drainage, sanitation, refuse disposal, water and sewer, or school services will be necessary for this facility. Existing police and fire protection are more than adequate to provide security for the facility.

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;

A wireless telecommunications facility is unstaffed and entirely self-monitored. The only public utilities needed are power and teleco/fiber which are readily available to the site and currently being utilized by the existing equipment. Because the facility is unstaffed, no additional public facilities or services are required.

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

The proposed conditional use amendment to swap equipment, will not have an adverse effect on the surrounding properties nor the character of the area. Wireless transmissions do not interfere with any other form of communications whether public or private, or in any way endanger the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. All wireless telecommunications facilities are governed by FCC and FAA regulations, which has deemed the signals will not cause any health-related affects.

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

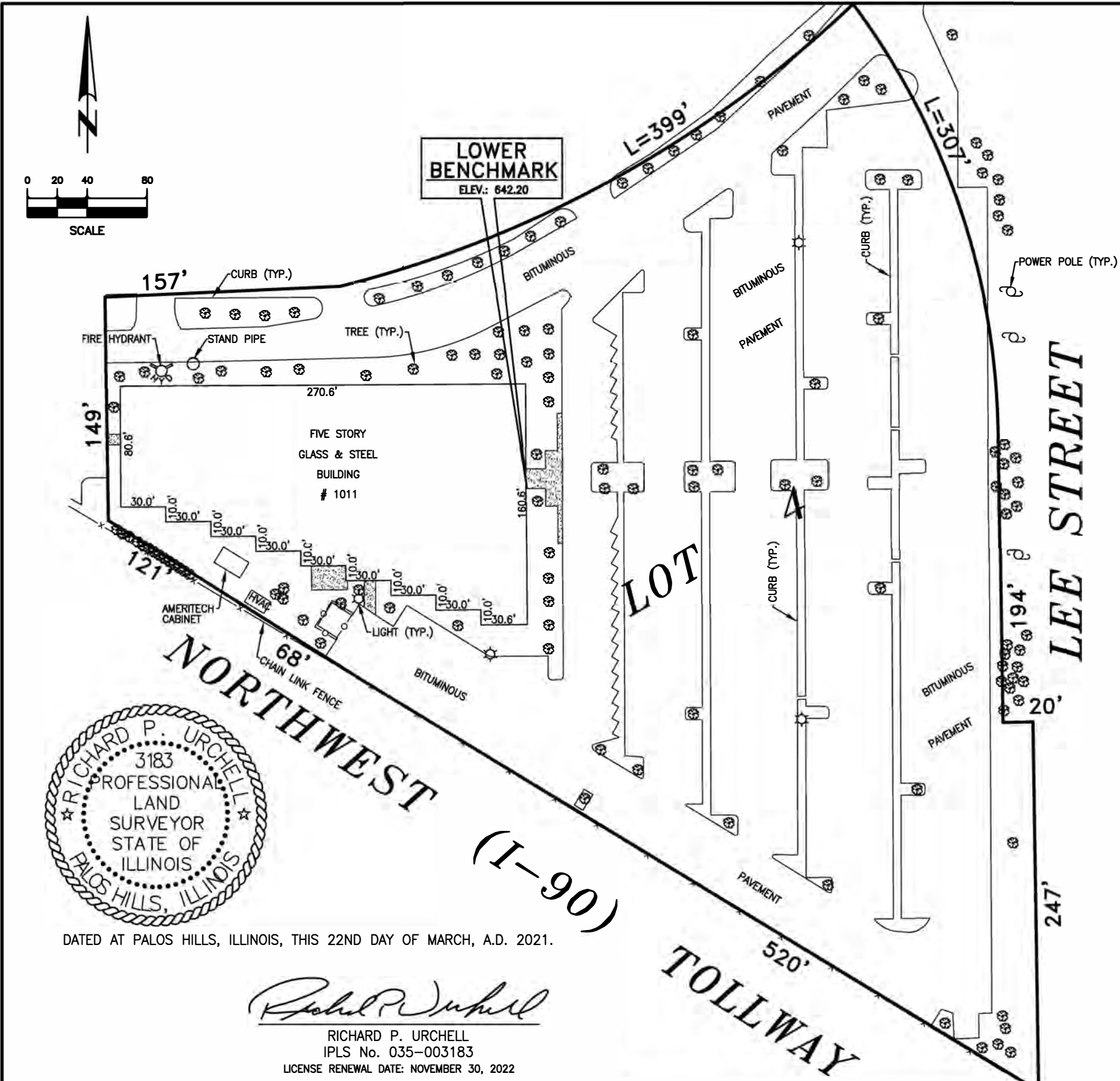
The proposed conditional use amendment will not interfere with traffic around the site. The facility will be commonly be visited by a maintenance personnel approximately once or twice a month in a van-sized vehicle that will use the existing access points and not disrupt traffic on the surrounding public thoroughfares.

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

The proposed conditional use amendment will not result in any destruction, loss, or damage of natural, scenic, or historic feature of major importance. This is an existing site that is being T-Mobile is seeking approval to swap some equipment. This site has not resulted an impact to historic features of major importance in the area.

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

The proposed conditional use amendment does and will comply with all additional regulations in this title specific to this amendment request.



SUBJECT PROPERTY

LOT 4 IN O'HARE NORTHWEST OFFICE PARK SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

NOTES

1. BEARINGS, IF ANY, SHOWN HEREON REFER TO TRUE NORTH DETERMINED BY GPS MEASUREMENT.
2. ELEVATIONS SHOWN ARE ON THE NORTH AMERICAN VERTICAL DATUM OF 1988
3. BENCHMARK:
UPPER: SQUARE ON TOP OF I-BEAM LOCATED AS SHOWN:
ELEVATION: 704.13

LOWER: CHISELED SQUARE ON CONCRETE WALK LOCATED AS SHOWN:
ELEVATION: 642.20
4. AFFECTS PERMANENT TAX INDEX NUMBERS: 09-32-101-022 AND 09-32-101-023
5. SURFACE EVIDENCE OF UNDERGROUND IMPROVEMENTS, IF ANY, SHOWN HEREON IS BASED ON PHYSICAL OBSERVATIONS AND RECORDS, IF ANY, PROVIDED. NO DELINEATION OF UTILITY MARKERS OR UTILITY NOTATIONS BY A UTILITY MARKING SERVICE WAS PROVIDED FOR USE IN THE PREPARATION OF THIS SITE SURVEY.
6. NO TITLE WORK WAS PROVIDED FOR USE IN THE PREPARATION OF THIS SITE SURVEY. SUBJECT PROPERTY LEGAL DESCRIPTION SHOWN HEREON IS FROM WARRANTY DEED RECORDED JULY 1, 2009, AS DOCUMENT NUMBER 0918210032. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO DEEDS, ABSTRACTS, TITLE POLICIES, SEARCHES OR COMMITMENTS, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.
7. THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN UNSHADED FLOOD ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR COOK COUNTY, ILLINOIS, ON FLOOD INSURANCE RATE MAP PANEL NUMBER 17031C0219J, DATED AUGUST 19, 2008.
8. CENTER OF BUILDING LOCATION:
NAD 83
LATITUDE NORTH 42°00'25.75"
LONGITUDE WEST 87°53'46.24"

WITHIN TOLERANCES SET BY FAA IN 2C CERTIFICATE REQUIREMENTS
9. A.M.S.L. HEIGHT OF GROUND AT BUILDING ELEVATION: 644
A.M.S.L. HEIGHT OF TOP OF BUILDING PARAPET ELEVATION: 705
A.M.S.L. HEIGHT OF TOP OF PENTHOUSE ROOF ELEVATION: 710
A.M.S.L. HEIGHT OF TOP OF EXISTING ANTENNAE ELEVATION: 712
A.M.S.L. HEIGHT OF TOP OF SCREENS ELEVATION: 712

WITHIN TOLERANCES SET BY FAA IN 2C CERTIFICATE REQUIREMENTS
10. ELEVATIONS AND IMPROVEMENTS SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS AND MEASUREMENTS PERFORMED MARCH 16, 2021.
11. THIS SITE SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. LIMITED FIELD MONUMENTATION AND LOCATION OF CHAIN LINK FENCE ALONG SOUTH LINE WAS USED TO SHOW GENERAL PERIMETER PROPERTY DIMENSIONS.



DATED AT PALOS HILLS, ILLINOIS, THIS 22ND DAY OF MARCH, A.D. 2021.

Richard P. Urchell

RICHARD P. URCHELL
IPLS No. 035-003183
LICENSE RENEWAL DATE: NOVEMBER 30, 2022



604 FOX GLEN
BARRINGTON, IL 60010
TELEPHONE: 847-277-0070
FAX : 847-277-0080
ae@westchesterservices.com

**CH13035E
BLUE PRUDENTIAL BUILDING**

1011 EAST TOUHY AVENUE
DES PLAINES, IL



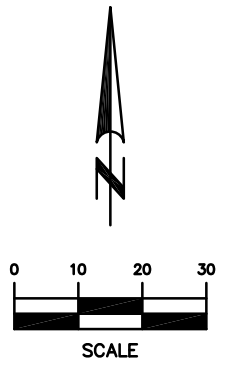
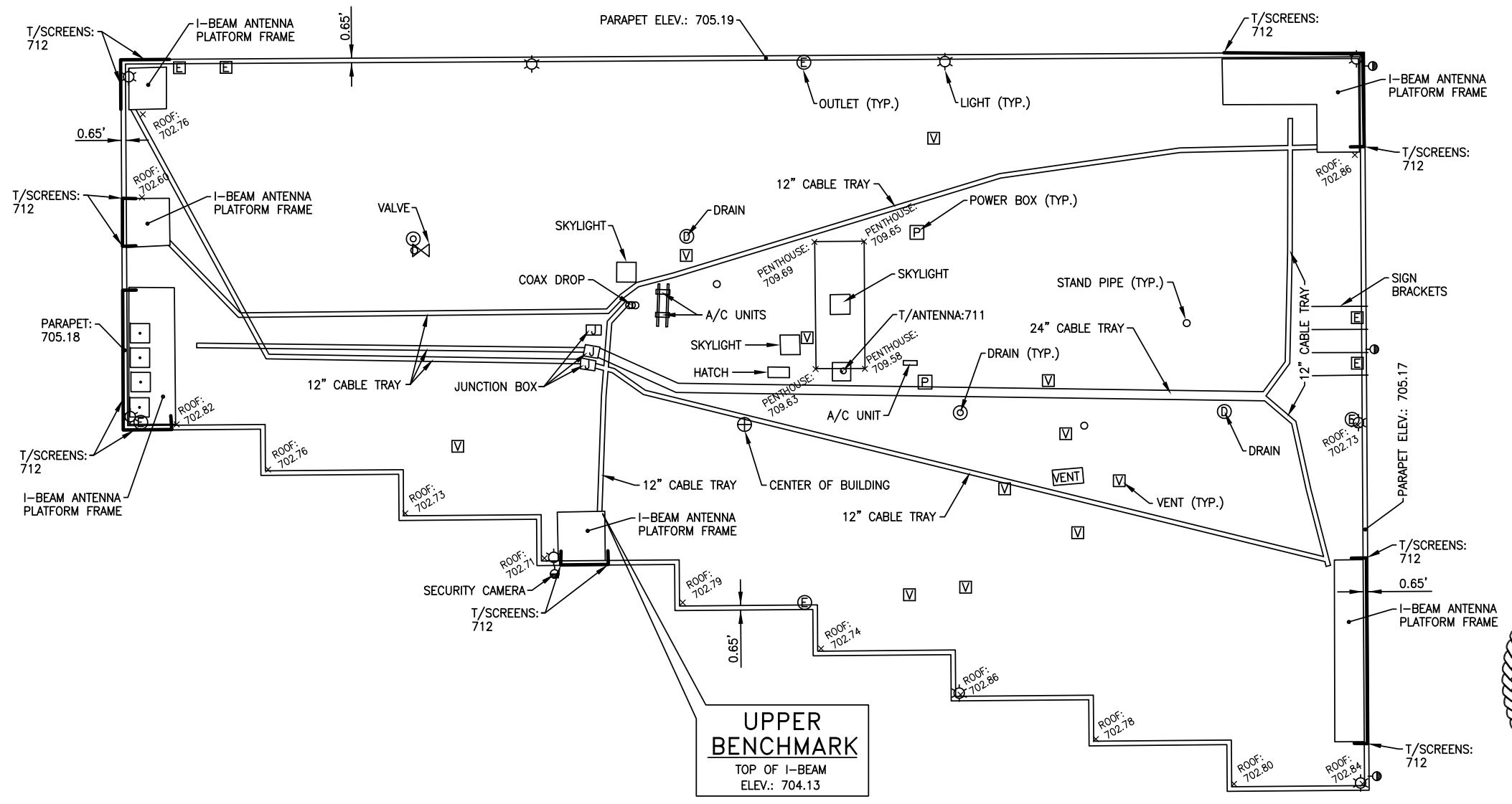
1400 OPUS PLACE 7TH FLOOR
DOWNERS GROVE, IL 60515
(773) 444-5400

NO.	DATE	REVISIONS	BY	CHK	APP'D
0	3/19/21	PRELIMINARY		T.G.	R.U.
SCALE: AS SHOWN		DESIGNED BY:	DRAWN BY: T.G.		



ENGINEERING LLC
DESIGN FIRM REGISTRATION NO. 184-005577
7808 WEST 103RD STREET
PALOS HILLS, ILLINOIS 60465-1529
Phone (708) 599-3737
PROJECT No. 21-03-019

SITE SURVEY
PAGE 1 OF 2



DATED AT PALOS HILLS, ILLINOIS, THIS 22ND DAY OF MARCH, A.D. 2021.

Richard P. Urchell
 RICHARD P. URCHELL
 IPLS No. 035-003183
 LICENSE RENEWAL DATE: NOVEMBER 30, 2022

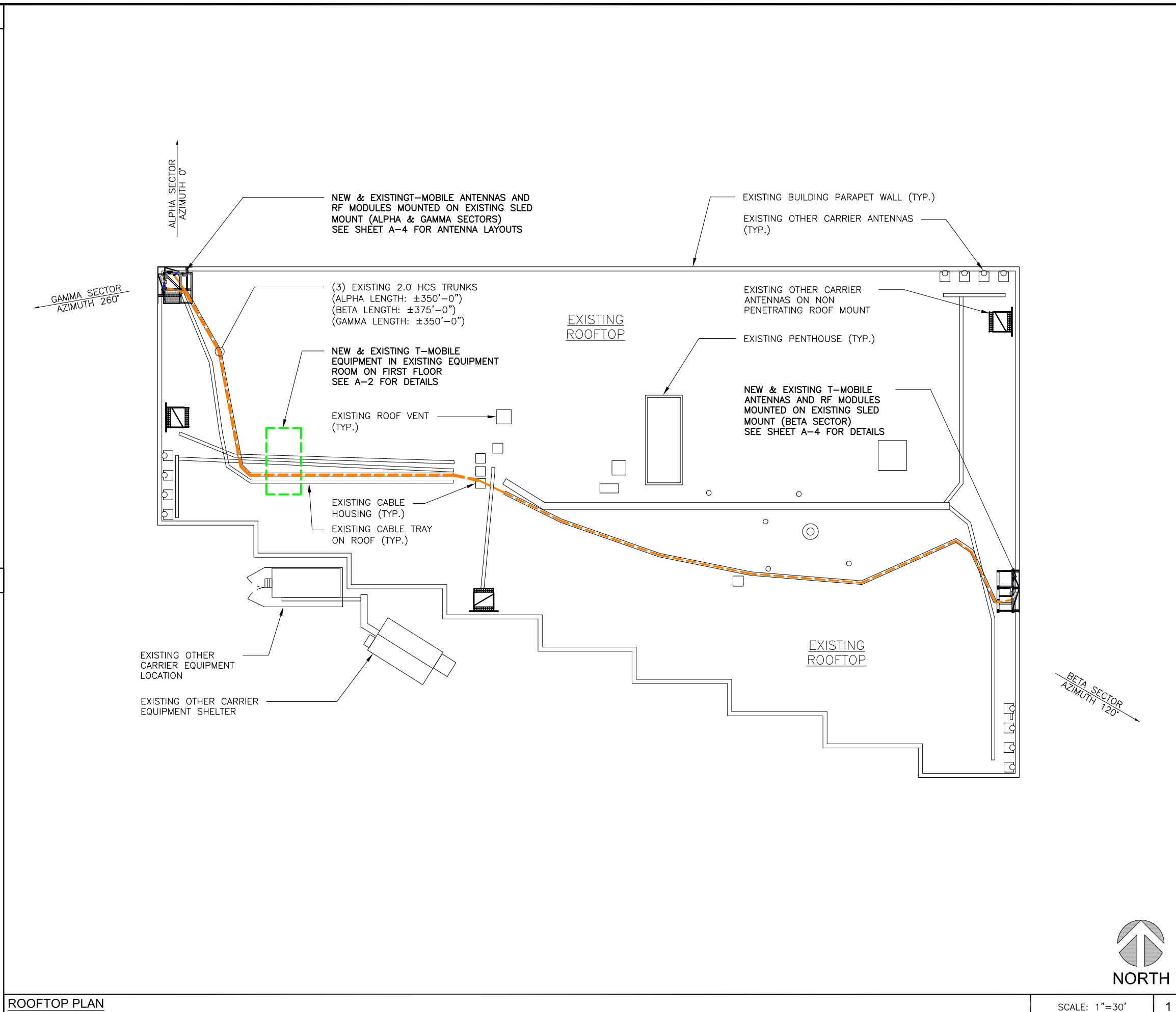
 WESTCHESTER SERVICES LLC 604 FOX GLEN BARRINGTON, IL 60010 TELEPHONE: 847-277-0070 FAX: 847-277-0080 ae@westchesterservices.com	CH13035E BLUE PRUDENTIAL BUILDING 1011 EAST TOUHY AVENUE DES PLAINES, IL	 T-Mobile 1400 OPUS PLACE 7TH FLOOR DOWNERS GROVE, IL 60515 (773) 444-5400	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;">NO.</td> <td style="width:10%;">DATE</td> <td style="width:40%;">REVISIONS</td> <td style="width:10%;">BY</td> <td style="width:10%;">CHK</td> <td style="width:10%;">APP'D</td> </tr> <tr> <td>0</td> <td>3/19/21</td> <td>PRELIMINARY</td> <td></td> <td></td> <td></td> </tr> </table>	NO.	DATE	REVISIONS	BY	CHK	APP'D	0	3/19/21	PRELIMINARY				 LANDMARK ENGINEERING LLC <small>DESIGN FIRM REGISTRATION NO. 184-005577</small> 7808 WEST 103RD STREET PALOS HILLS, ILLINOIS 60465-1529 Phone (708) 599-3737 PROJECT No. 21-03-019	SITE SURVEY PAGE 2 OF 2
NO.	DATE	REVISIONS	BY	CHK	APP'D												
0	3/19/21	PRELIMINARY															
			SCALE: AS SHOWN DESIGNED BY: DRAWN BY: T.G.														

ABBREVIATIONS

AFF	ABOVE FINISHED FLOOR
AGL	ABOVE GRADE LEVEL
AMSL	ABOVE MEAN SEA LEVEL
APPROX	APPROXIMATE
AWG	AMERICAN WIRE GAUGE
BBU	BATTERY BACKUP UNIT
BLDG	BUILDING
CLR	CLEAR
COL	COLUMN
CONC	CONCRETE
CND	CONDUIT
DWG	DRAWING
FT	FOOT(FEET)
EGB	EQUIPMENT GROUND BAR
ELEC	ELECTRICAL
EMT	ELECTRICAL METALLIC TUBING
ELEV	ELEVATION
EQUIP	EQUIPMENT
E	EXISTING
EXT	EXTERIOR
FND	FOUNDATION
GA	GAUGE
GALV	GALVANIZED
GPS	GLOBAL POSITIONING SYSTEM
GND	GROUND
HCS	HYBRID CABLE SOLUTION
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MFR	MANUFACTURER
MGB	MASTER GROUND BAR
MIN	MINIMUM
NTS	NOT TO SCALE
O.C.	ON CENTER
OE/OT	OVERHEAD ELECTRIC/TELCO
RFDS	RF DATA SHEET
RGS	RIGID GALVANIZED STEEL
IN	INCH(ES)
INT	INTERIOR
LB(#)	POUND(S)
RRH	REMOTE RADIO HEAD
SF	SQUARE FOOT
SSC	SITE SUPPORT CABINET
STL	STEEL
TBD	TO BE DETERMINED
TYP	TYPICAL
UE/UT	UNDERGROUND ELECTRIC/TELCO
UNO	UNLESS NOTED OTHERWISE
VIF	VERIFY IN FIELD
W/	WITH
XFMR	TRANSFORMER
PL	PLATE

SYMBOLS

	CENTERLINE
	REVISION
	WORK POINT
	UTILITY POLE
	BRICK
	COMPRESSED STONE
	CONCRETE
	EARTH
	GRAVEL
	MASONRY
	STEEL
	CENTERLINE
	PROPERTY LINE
	LEASE LINE
	EASEMENT LINE
	CHAIN LINK FENCE
	WOOD FENCE
	BELOW GRADE ELECTRIC
	BELOW GRADE TELEPHONE
	OVERHEAD ELECTRIC/TELEPHONE
	SECTION REFERENCE



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 jbanks@westchesterservices.com

CHECKED BY:	ST		
APPROVED BY:	JMB		
REV.	DATE	BY	DESCRIPTION
A	06/04/19	LJ	PRELIMINARY CD
B	09/09/20	LJ	PRELIMINARY CD
C	10/02/20	LJ	PRELIMINARY CD
D	10/08/20	LJ	PERMIT/CONSTRUCTION
1	01/27/21	ST	PERMIT/CONSTRUCTION



SIGNED: 01/27/2021 EXP DATE: 11/30/2022

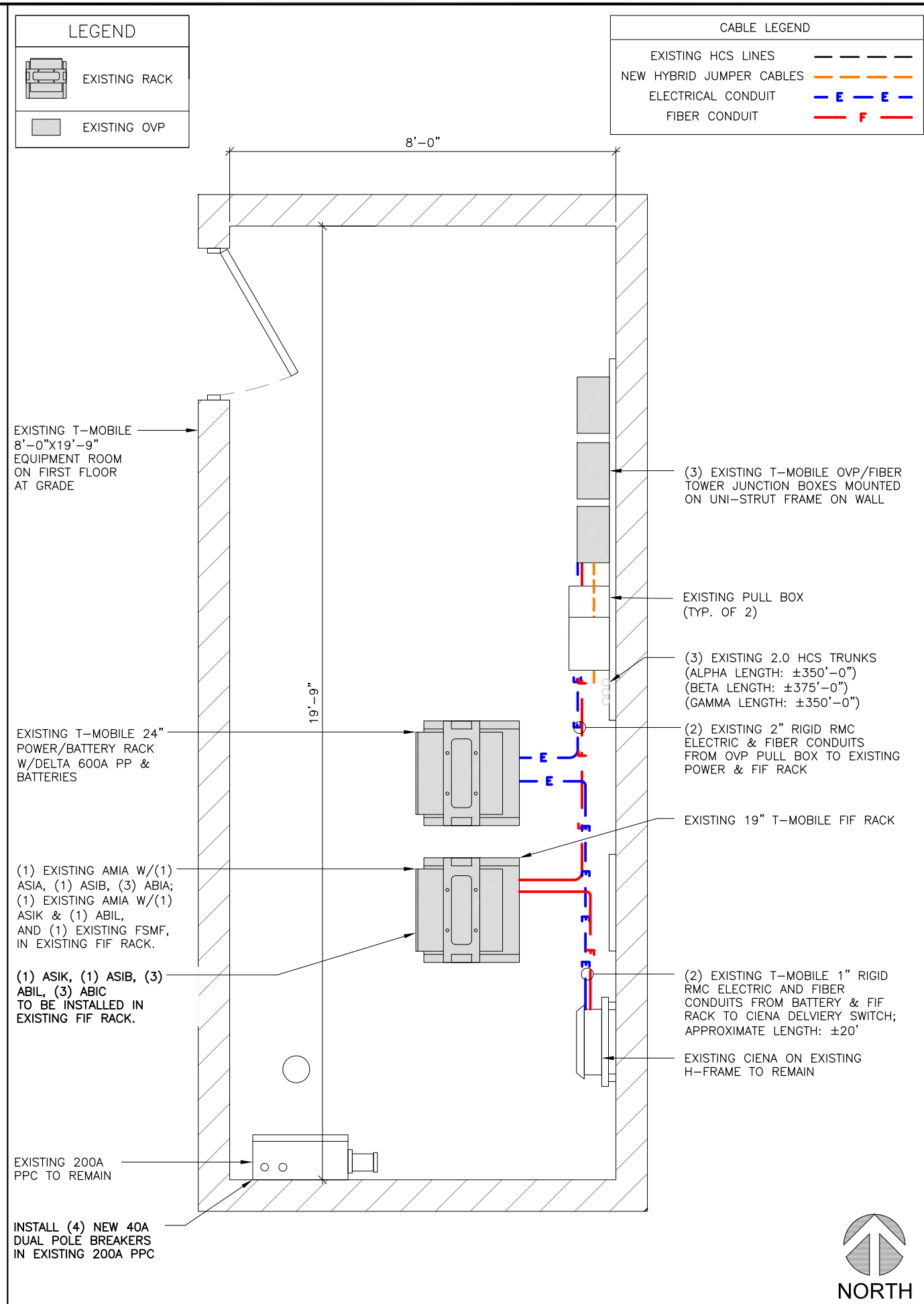
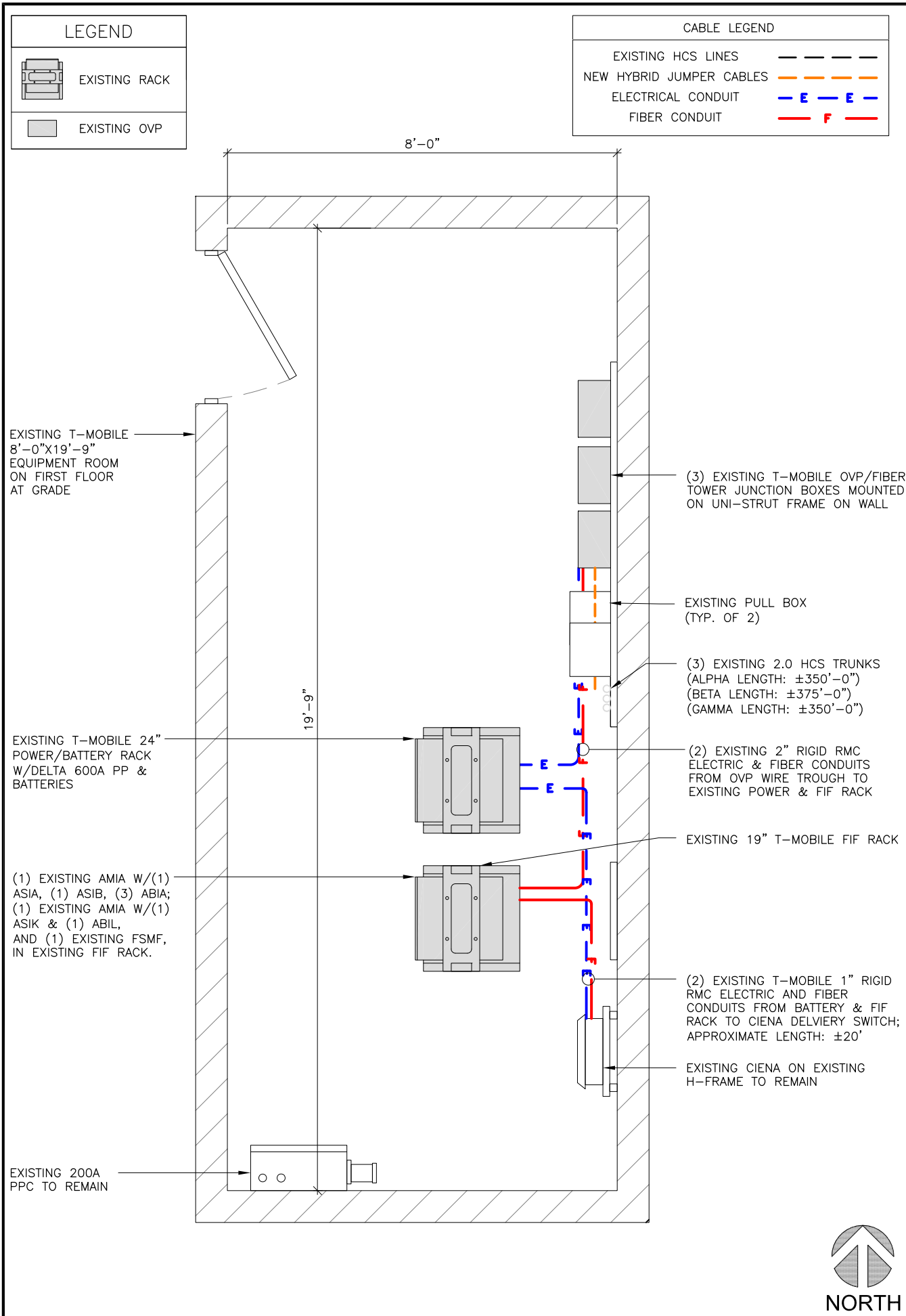
CH13035E
 BLUE PRUDENTIAL BUILDING
 1011 E. TOUHY AVE.
 DES PLAINES, IL 60018

SHEET TITLE
ROOFTOP PLAN

SHEET NUMBER
A-1



SCALE: 1"=30' 1



EXISTING EQUIPMENT PLAN

SCALE: 3/8 " = 1'-0" 1

NEW EQUIPMENT PLAN

SCALE: 3/8 " = 1'-0" 2



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CHECKED BY:	ST		
APPROVED BY:	JMB		
REV.	DATE	BY	DESCRIPTION
A	06/04/19	LJ	PRELIMINARY CD
B	09/09/20	LJ	PRELIMINARY CD
C	10/02/20	LJ	PRELIMINARY CD
D	10/08/20	LJ	PERMIT/CONSTRUCTION
1	01/27/21	ST	PERMIT/CONSTRUCTION

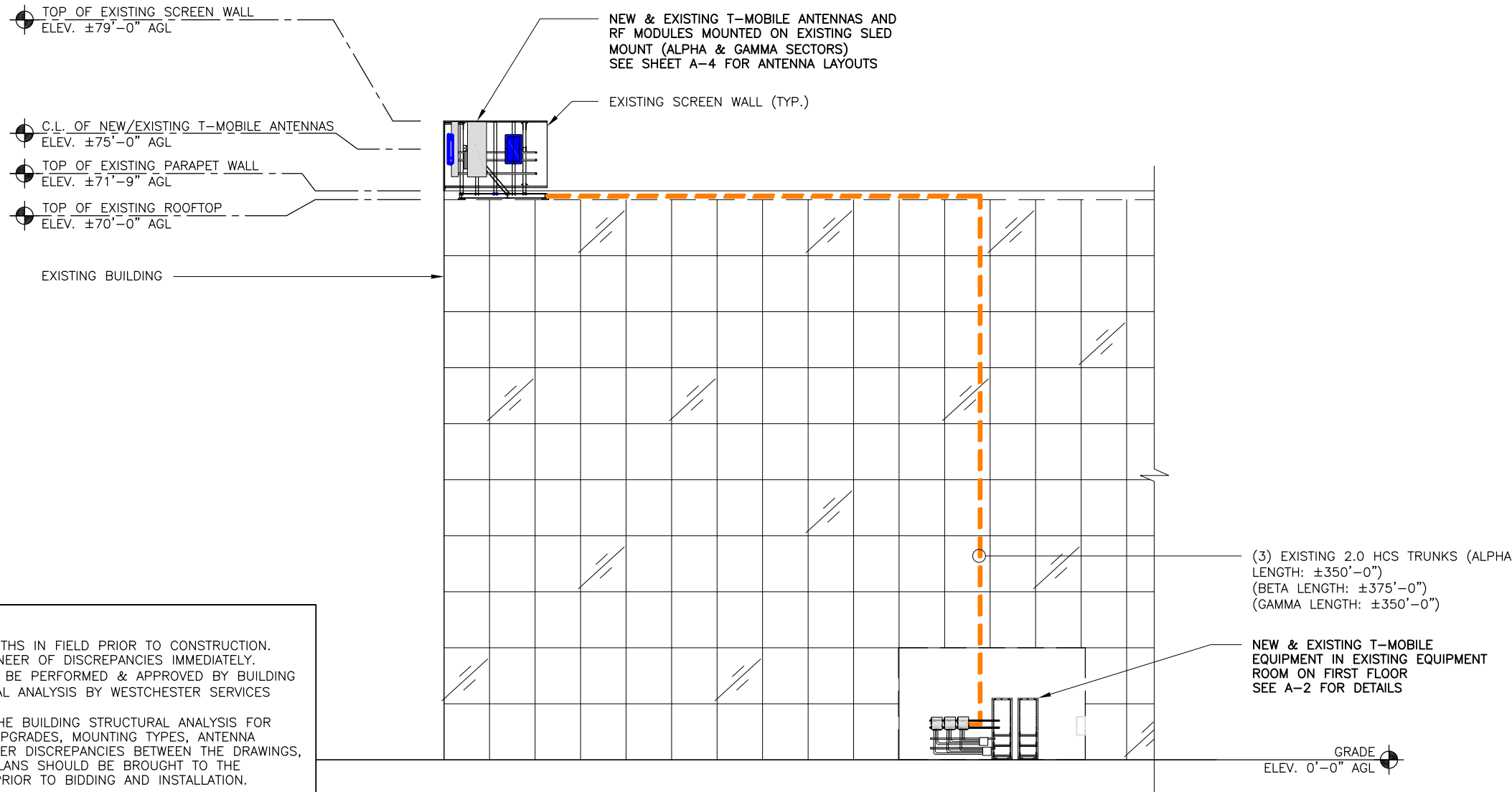


SIGNED: 01/27/2021 EXP DATE: 11/30/2022

CH13035E
 BLUE PRUDENTIAL BUILDING
 1011 E. TOUHY AVE.
 DES PLAINES, IL 60018

SHEET TITLE
 EXISTING & PROPOSED
 ENLARGED EQUIPMENT
 LAYOUT

SHEET NUMBER
 A-2



SPECIAL NOTES:

- G.C. TO VERIFY ALL HEIGHTS AND AZIMUTHS IN FIELD PRIOR TO CONSTRUCTION. G.C. SHALL NOTIFY T-MOBILE AND ENGINEER OF DISCREPANCIES IMMEDIATELY.
- STRUCTURAL/DESIGN & ANALYSIS SHALL BE PERFORMED & APPROVED BY BUILDING OWNER AND MANUFACTURER (STRUCTURAL ANALYSIS BY WESTCHESTER SERVICES L.L.C.)
- CONTRACTOR TO THOROUGHLY REVIEW THE BUILDING STRUCTURAL ANALYSIS FOR INFORMATION PERTAINING TO BUILDING UPGRADES, MOUNTING TYPES, ANTENNA HEIGHTS, AND CABLE ROUTING, ANY OTHER DISCREPANCIES BETWEEN THE DRAWINGS, STRUCTURAL ANALYSIS, AND BUILDING PLANS SHOULD BE BROUGHT TO THE ATTENTION OF THE PROJECT MANAGER PRIOR TO BIDDING AND INSTALLATION.



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CHECKED BY:	ST		
APPROVED BY:	JMB		
REV.	DATE	BY	DESCRIPTION
A	06/04/19	LJ	PRELIMINARY CD
B	09/09/20	LJ	PRELIMINARY CD
C	10/02/20	LJ	PRELIMINARY CD
D	10/08/20	LJ	PERMIT/CONSTRUCTION
1	01/27/21	ST	PERMIT/CONSTRUCTION

BUILDING ELEVATION

SCALE: 1" = 15'-0" 1



SIGNED: 01/27/2021 EXP DATE: 11/30/2022

CH13035E
 BLUE PRUDENTIAL BUILDING
 1011 E. TOUHY AVE.
 DES PLAINES, IL 60018

SHEET TITLE
ELEVATION & DETAILS

SHEET NUMBER
A-3

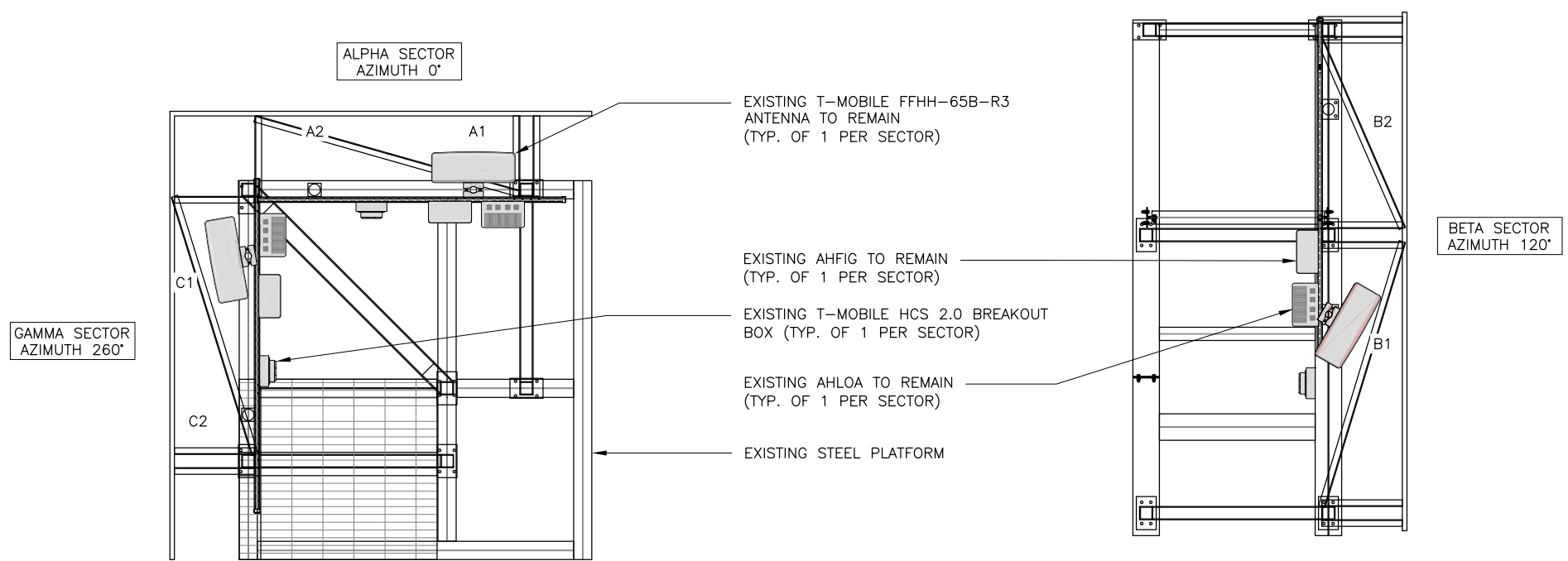
NOT USED

SCALE: N.T.S. 2

NOT USED

SCALE: N.T.S. 3

LEGEND	
	ANTENNA TO REMAIN
	EXISTING AHLOA
	EXISTING AHFIG
	EXISTING BREAKOUT BOX



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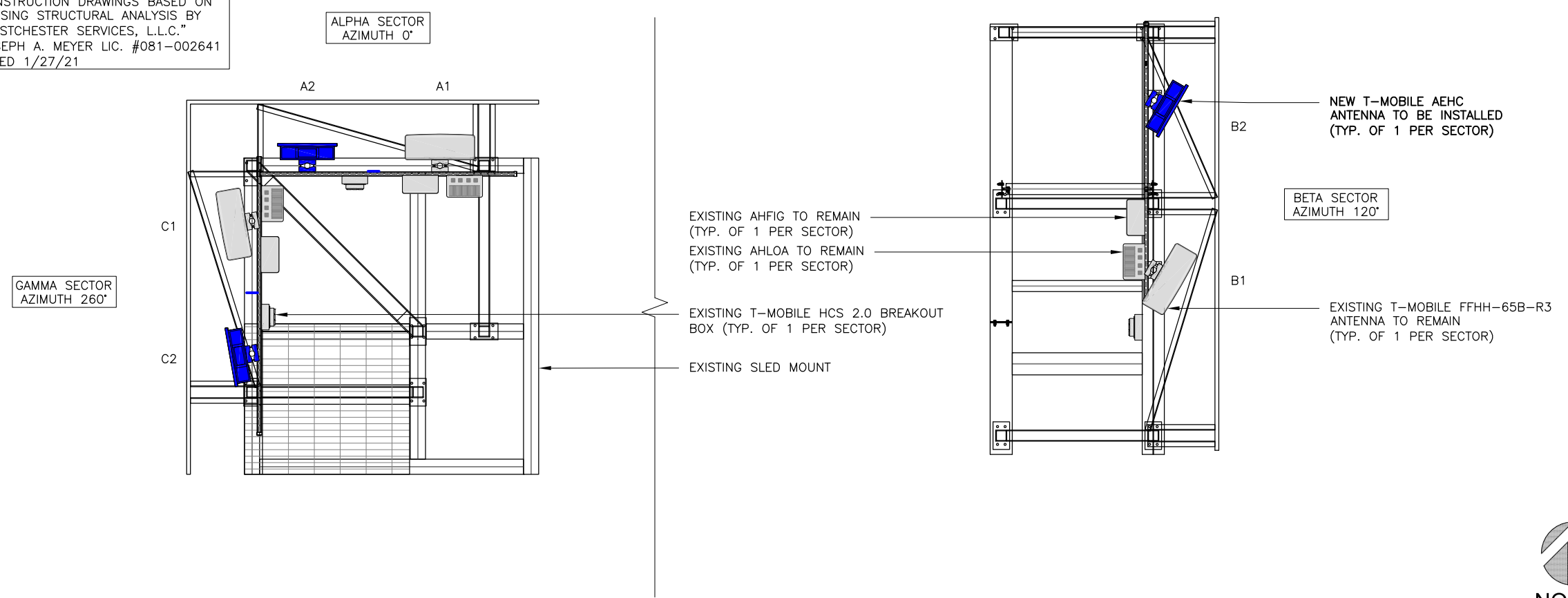
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APPROVED BY:	JMB		
REV.	DATE	BY	DESCRIPTION
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D	10/08/20	LJ	PERMIT/CONSTRUCTION
1	01/27/21	ST	PERMIT/CONSTRUCTION

EXISTING T-MOBILE ANTENNA CONFIGURATION

SCALE: 1/4" = 1'-0" 1

LEGEND	
	NEW AEHC
	EXISTING ANTENNA
	EXISTING AHLOA
	EXISTING AHFIG
	EXISTING BREAKOUT BOX

CONSTRUCTION DRAWINGS BASED ON PASSING STRUCTURAL ANALYSIS BY "WESTCHESTER SERVICES, L.L.C." JOSEPH A. MEYER LIC. #081-002641 DATED 1/27/21



SIGNED: 01/27/2021 EXP DATE: 11/30/2022

CH13035E
 BLUE PRUDENTIAL BUILDING
 1011 E. TOUHY AVE.
 DES PLAINES, IL 60018

SHEET TITLE
 EXISTING & PROPOSED ANTENNA PLANS

SHEET NUMBER
 A-4

NEW T-MOBILE ANTENNA CONFIGURATION

SCALE: 1/4" = 1'-0" 2





1011 E. Touhy Ave – Public Notice



1011 E. Touhy Ave – Facing Northwest



1011 E. Touhy Ave – Facing West



1011 E. Touhy Ave – Front of Property



COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT

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

MEMORANDUM

Date: April 30, 2021
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
Cc: Michael McMahon, Community & Economic Development Director mm
Subject: Consideration of Conditional Use for a Trade Contractor Use at 1628 Rand Road, Case 21-008-CU (1st Ward)

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

Petitioner: Elliott Katz, 2401 N. Janssen Avenue, Unit 301, Chicago, 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 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 (Attachment 4). 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 (Attachment 5). 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 (Attachment 5) 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:

- **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, 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.

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 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.

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 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.

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 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.

J. 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.

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.

Attachments:

- Attachment 1: Project Narrative
- Attachment 2: Petitioner’s Responses to Standards
- Attachment 3: Location Map
- Attachment 4: Plat of Survey
- Attachment 5: Site Plan and Floor Plan
- Attachment 6: Site and Context Photos

HGM

House Of Granite & Marble . Co

5136 N Pearl St.
Schiller Park Il 60176
Tel:(847) 928-1111
Fax: (847) 928-1138

Website: www.houseofgranite.com
Email: houseofgranite@hotmail.com

We are Company since 2002 in market at one location pass 19 years . We sell or kind of stone granite, quartz ,marble qurtzite kitchen cabinets, sinks, faucets ,counter tops vanity's , shower glass all brands . We important stuff all over the world . Our goal is keep nice clean store showroom ,warehouse , fabrication counter tops close to the people . We currently have our location at Schiller Park 10000.00 sq ft .We want move our businesses to Des Plains to bigger location and more parking spaces . We are open 6 Days a week store from 8:30 AM to 6:00 PM and warehouse and fabrication from 7:15 AM to 6:00 PM .Our team is 12 people same times more is the pants at the session . We want duet nice improvement to this location .

Sincerely
Peter Topolewicz



STANDARDS FOR CONDITIONAL USES

The Planning and Zoning Board and City Council review the particular facts and circumstances of each proposed Conditional Use in terms of the following standards. Keep in mind that in responding to the items below, you are demonstrating that the proposed use is appropriate for the site and will not have a negative impact on surrounding properties and the community. Please answer each item completely and thoroughly (two to three sentences each).

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

Yes, the conditional use request is for a trade contractor use, showroom for purchase and installation of granite, kitchen cabinets, countertops, sinks, etc.

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

Yes, the commercial/trade contractor use is in accordance with the objectives of Chapters 2, 3 and 8 of the Des Plaines comprehensive plan. The business will be retail showroom with installation services that will primarily serve day-to-day needs of local residents.

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;

The proposed conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate with the existing C-3 commercial character of the general vicinity. The business will be commercial storefront with a warehouse and showroom accessible to the public. The interior and exterior of the building will be refreshed and refurbished.

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

The proposed conditional use is not hazardous or disturbing to existing neighboring uses. As other neighboring uses, the property will be a commercial storefront open to the public and serving the day to day needs of local residents. The warehouse will be located in the rear of the property and not open or accessible to the public.

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;

Yes the proposed conditional use will be served adequately by essential public facilities and services. The property is currently connected to all public utilities(gas, water, sewer, etc) and is protected by police and fire services. The property has access to Rand Road and provides parking for customers and employees.

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

The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare. The property is already connected to all public utilities and is within the boundaries of police and fire services provided by the Village. There will be minimal to no additional requirements at public expense as the Purchaser intends to improve the currently vacant property to advance the Villages mission of economic development and eliminate the health and safety issues associated with a vacant commercial building.

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

The proposed conditional use will be a showroom and warehouse/factory. The business will be open during normal business hours and the warehouse shall be used for storage and cutting granite/marble/stor which does not produce excessive noise, smoke, fumes, glare or odor. The business will not produce excessive production of traffic as the business is not a high traffic business and has large parking lot.

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

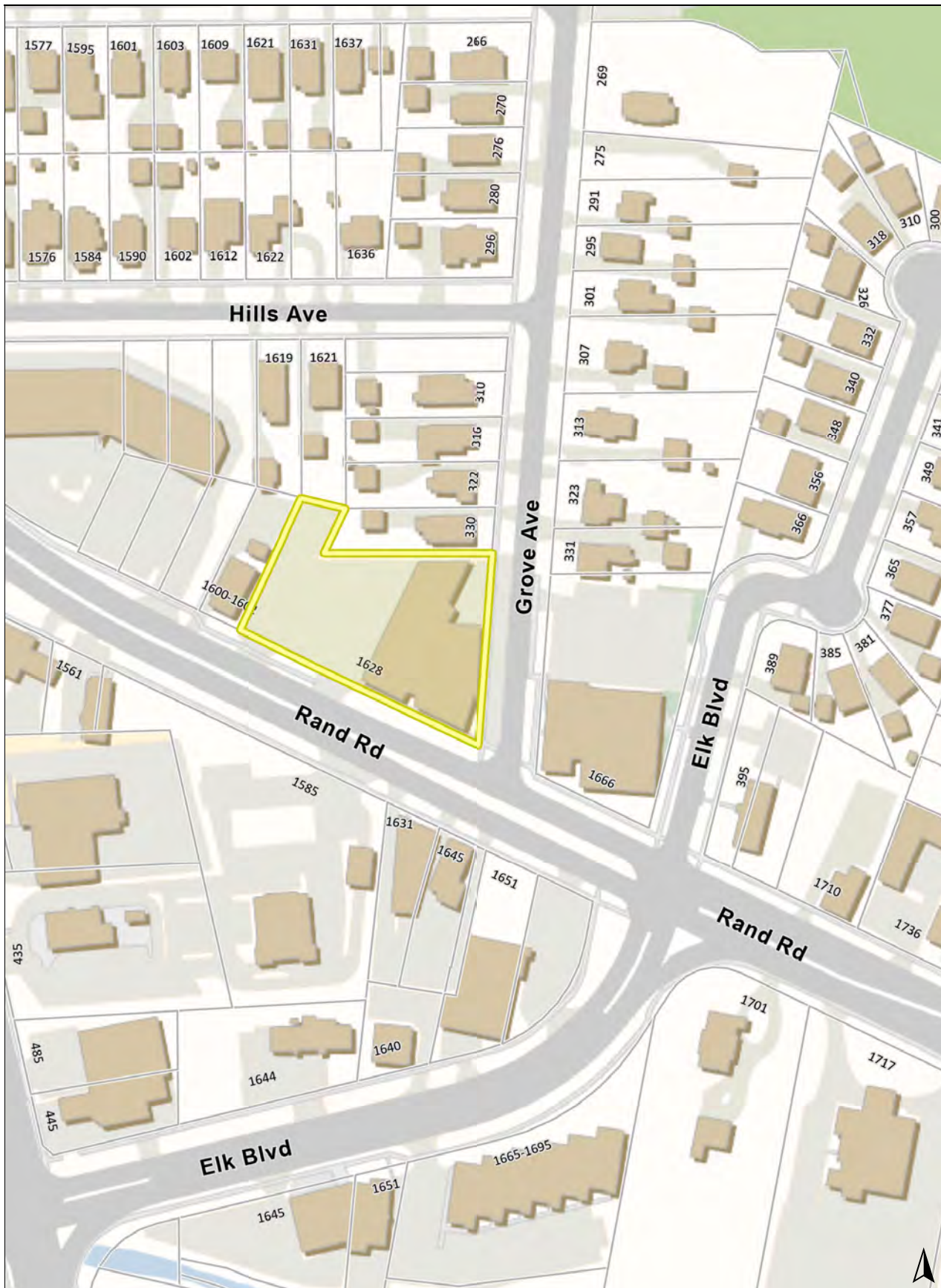
The proposed conditional use provides vehicular access to the property via Rand Road. The property also has a large parking lot sufficient for both customers and employees, eliminating any need for customer or employees parking on public streets. The ingress and egress to the property does not create an interference with traffic.

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

The proposed conditional use does not result in destruction, loss, or damage of a historic, scenic or historic feature of major importance. The property is currently vacant and is not classified as historic per the Village. The use will improve the current scenic view.

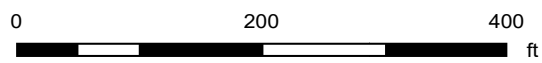
10. The proposed conditional use complies with all additional regulations in this title specific to the conditional use requested

The proposed conditional use does comply with all additional regulations in this title specific to the conditional use being requested. Purchaser will install streetscaping improvements in the form of adding landscaping in the front of the property. Purchaser will also designate parking spaces for customers and employees as required and stipulated by the Village.



Legend

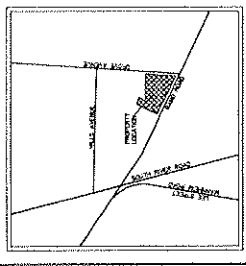
Notes



Print Date: 5/2/2021

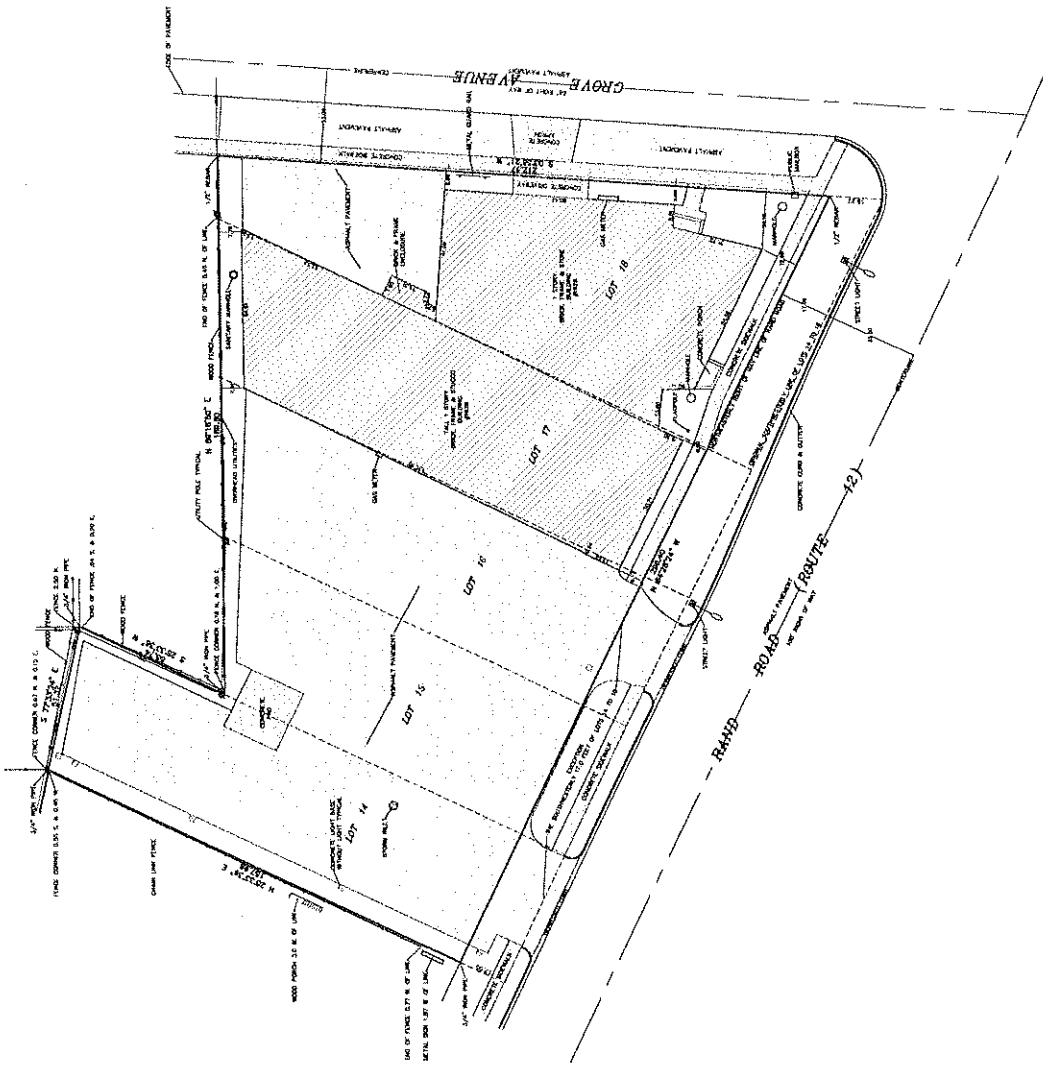
Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

20 0 20 40 60
Scale 1" = 20'



**ALTA/NSPS
LAND TITLE SURVEY**

LOCAL OCCUPATION
THIS TITLE IS THE RESULT OF A SURVEY MADE BY THE SURVEYOR FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF THE PROVINCE OF ALBERTA. THE SURVEYOR HAS BEEN ADVISED THAT THE LAND IS OCCUPIED BY THE LOCAL OCCUPANT AND THAT THE SURVEYOR HAS BEEN ADVISED THAT THE LOCAL OCCUPANT IS THE PROPRIETOR OF THE LAND.



PREPARED BY:
S.A. ALTA/NSPS
LAND TITLE SURVEY
10000 100th Street, Edmonton, Alberta T5A 0A8

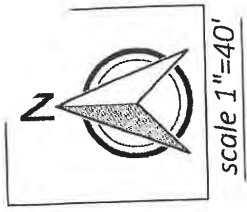
BOUNDARY MARKING
(ASSUMED)

ALTA/NSPS LAND TITLE SURVEY SHALL BE CONDUCTED IN ACCORDANCE WITH THE ALTA/NSPS LAND TITLE ACT AND THE ALTA/NSPS LAND TITLE REGULATIONS. THE SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY AND THE CORRECTNESS OF THE INFORMATION PROVIDED HEREON. THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE SURVEY OR IN THE INFORMATION PROVIDED HEREON. THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE SURVEY OR BY THE INFORMATION PROVIDED HEREON.

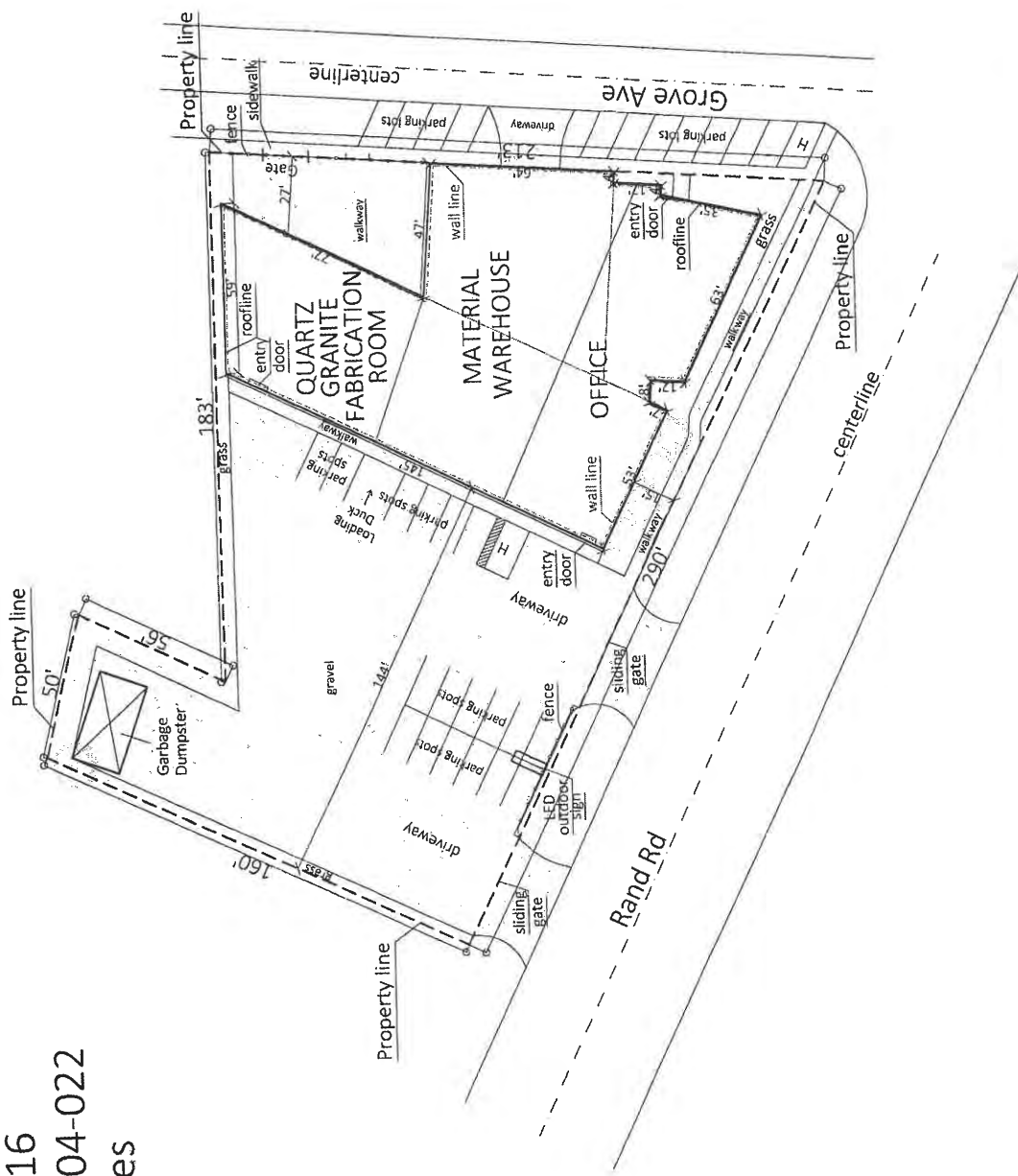
THIS SURVEY IS MADE BY THE COMPANY/PARTY/PERSONS
PROVIDED THAT THE SURVEY IS MADE BY THE COMPANY/PARTY/PERSONS
DATE OF SURVEY: 1998
BY: S.A. ALTA/NSPS
LAND TITLE SURVEY
10000 100th Street, Edmonton, Alberta T5A 0A8



THE SURVEY IS MADE ONLY BY THE SURVEYOR'S SEAL.



SITE PLAN
 1628 Rand Rd
 Des Plaines IL 60016
 Parcel ID: 09-16-104-022
 Lot area: 0.95 Acres





1628 Rand Rd – Public Notice



1628 Rand Rd – Front of Building



1628 Rand Rd – Front of Property



1628 Rand Rd – Parking Lot



MEMORANDUM

Date: April 30, 2021
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
CC: Michael McMahon, Community & Economic Development Director mm
Subject: Consideration of a Planned Unit Development Amendment and a Final Plat of Subdivision for Metropolitan Square, Case 21-012-FPLAT-PUD-A (1st Ward)

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.

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. 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:

- 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:

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.

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.

Attachments:

- Attachment 1: Project Narrative
- Attachment 2: Responses to Standards for PUD
- Attachment 3: Location Map
- Attachment 4: Plat of Survey
- Attachment 5: Final Plat of Subdivision
- Attachment 6: Amended Plat of PUD
- Attachment 7: Site and Context Photos

File Number: 35493-003
Direct Dial: (312) 461-4302
E-mail: sbauer@mpslaw.com

March 26, 2021

VIA E-MAIL

Jonathan Stytz
City Planner
Community & Economic Development Department
City of Des Plaines
1420 Miner Street
Des Plaines, IL 60016

Re: Metropolitan Square Subdivision Proposal

Dear Mr. Stytz:

On behalf of our client T Metro Square IL, LLC (“T Metro Square”) (i) for itself, as owner of each (a) that portion of Lot A in Metropolitan Square Phase I commonly known as 518 Metropolitan Way, 1440-1472 Market Street and 1506-1524 Market Street and (b) portions of Lot E in Metropolitan Square Phase IA, and (ii) on behalf of 7711 Mitchell Road Partners, LLP (“7711 Mitchell”), as owner of that portion of Lot A commonly known 510 Metropolitan Way and currently occupied by a Fifth Third Bank branch facility (“Bank Property”), we are pleased to submit the attached Development Application. As stated in that application, T Metro requests final plat of subdivision and planned unit development amendment approval in accordance with the attached Final Plat of Resubdivision (“Resubdivision Plat”) and the attached Amended Planned Unit Development Plat (“PUD Plat”), respectively. More specifically, T Metro seeks to (i) consolidate Lot A with the northeasternmost portion of Lot E as shown on the Final Plat, which portion consists of six parking stalls and the eastern half of the adjacent drive aisle, (ii) resubdivide Lot A into Lots 1 and 3 as shown on the Final Plat, (iii) designate the southeasternmost portion of Lot E, on which a Metropolitan Square multi-tenant pylon sign is located, as Lot 2 and (iv) amend the planned unit development plat in accordance with the PUD Plat to depict corresponding lot lines consistent with the Resubdivision Plat.

As you know, neither T Metro Square nor 7711 Mitchell proposes to alter the existing improvements located on the aforesaid properties or any other portion of Metropolitan

*Jonathan Stytz
City of Des Plaines
March 26, 2021
Page 2*

Square. Rather, the foregoing requests are made solely because the Bank Property was originally acquired by T Metro Square affiliate T Metro Pad, IL, LLC (“T Metro Pad”) concurrently with acquisition of the remainder the aforesaid properties by T Metro Square, at which time the City of Des Plaines issued real estate transfer stamps authorizing the conveyances by which those acquisitions occurred notwithstanding the fact that the Bank Property is not a separately platted lot of record. In accordance with the apparent spirit and intent of a Transfer Tax Stamp Release Agreement entered into between the City, T Metro Pad and 7711 Mitchell (“Stamp Agreement”), under which the City desired that 7711 Mitchell would submit an application to the City for subdivision approval to create a separately platted lot of record for the Bank Property, T Metro Square now requests subdivision approval for that and parcel consolidation purposes reflective of existing property ownership, and an associated planned unit development amendment as described above.

Attached for your review is a Development Application executed by each T Metro Square and 7711 Mitchell, the Resubdivision Plat, the PUD Plat and a copy of the \$10,309 check paid to the City today and stamped as received accordingly for the associated \$309 application fee and \$10,000 project review escrow account payment you requested when we last spoke.

For avoidance of any doubt, please note that T Metro Pad has not held an interest in any portion of the aforesaid properties since it conveyed the Bank Property to 7711 Mitchell as contemplated by the Stamp Agreement. Additionally, T Metro Square does not anticipate conveying any portion of proposed Lot 1 as shown on the Final Plat separately from any other portion that lot. If and when T Metro Square conveys proposed Lot 1 to a third party, it intends to convey proposed Lot 2 to the same party.

We look forward to working with the City to complete this long-anticipated resubdivision and planned unit development plat amendment as mutually desired by each of T Metro Square, 7711 Mitchell and the City.

Sincerely,

MELTZER, PURTILL & STELLE LLC



Steven C. Bauer

Attachments

{35493: 003: 03054498.DOCX : }

**Responses to Standards of Review for
Major Planned Unit Development Amendment**
(Metropolitan Square – Resubdivision)

As owner of each (a) that portion of Lot A in Metropolitan Square Phase I commonly known as 518 Metropolitan Way, 1440-1472 Market Street and 1506-1524 Market Street and (b) portions of Lot E in Metropolitan Square Phase IA, which portions of Lot A and Lot E are collectively occupied by a composition of mixed uses, and on behalf of 7711 Mitchell Road Partners, LLP, as owner of that portion of Lot A commonly known 510 Metropolitan Way and currently occupied by a Fifth Third Bank branch facility (“Bank Property”), T Metro Square IL, LLC (“T Metro Square”), for itself and on behalf of 7711 Mitchell Road Partners, LLP (“7711 Mitchell”), provides the following responses to the applicable standards of review for a Major Planned Unit Development amendment in accordance with Sections 12-3-5(E) and 12-3-5(G) of the *Des Plaines Zoning Ordinance of 1998*, as amended (“Zoning Ordinance”), and in conjunction with a concurrent request for Final Plat of Subdivision Approval.

1. The extent to which the proposed plan is or is not consistent with the stated purpose of the planned unit development regulations set forth in Section 12-3-5(A) of the Zoning Ordinance;

The proposed PUD amendment is not in any way inconsistent with the purpose of the PUD regulations set forth in Section 12-3-5(A) of the Zoning Ordinance in that the proposed amendment will not alter any of (a) the environment available to the public at Metropolitan Square as it was approved, constructed and exists today, (b) the extent of common open space, recreation areas and facilities at Metropolitan Square as it was approved, constructed and exists today, (c) the pattern of development at Metropolitan Square as it was approved, constructed and exists today in relation to preservation of natural vegetation, topographic and geologic features, (d) the creative approach to the use of land and related physical facilities at Metropolitan Square as it was approved, constructed and exists today in relation to the aesthetic amenities at Metropolitan Square as it was approved, constructed and exists today, (e) the efficient use of land at Metropolitan Square as it was approved, constructed and exists today in relation to economic networks of utilities, streets and other facilities or (f) land uses at Metropolitan Square as it was approved, constructed and exists today in relation to the promotion of the public health, safety, and general welfare.

The proposed PUD amendment is sought solely for the purpose of depicting corresponding lot lines consistent with the proposed Final Plat of Subdivision for which T Metro Square seeks approval in conjunction with the proposed PUD amendment. T Metro Square seeks approval of that proposed Final Plat of Subdivision as a matter of housekeeping solely because T Metro Square affiliate T Metro Pad, IL LLC (“T Metro Pad”) acquired the Bank Property by way of a deed describing that property as a separate parcel of record, but not a separate lot of record, before then conveying it to 7711 Mitchell. The City authorized that conveyance when it issued real estate transfer stamps pursuant to a Transfer Tax Stamp Release Agreement entered into between the City, T Metro Pad and 7711 Mitchell Road under which agreement the City desired that the parties would seek subdivision approval to create a separately platted lot of record for the Bank Property. T Metro Square now requests subdivision approval for that and parcel consolidation purposes reflective of existing property ownership. And, again, T Metro Square is concurrently seeking

approval of the proposed PUD amendment solely for the purpose of depicting corresponding lot lines consistent with that of the proposed Final Plat of Subdivision.

2. The extent to which the proposed plan meets the requirements and standards of the planned unit development regulations;

The proposed PUD amendment will not in any way materially alter the PUD plan for Metropolitan Square as it was approved and under which Metropolitan Square was constructed and exists today. More specifically, the proposed PUD amendment will not alter any of the zoning, unified development and operation of Metropolitan Square as they exist today, the improvements at Metropolitan Square as they exist today, the required minimum perimeter yards, the compatibility of uses permitted at Metropolitan Square, the availability of parking supply, traffic circulation at Metropolitan Square or the general design or architectural features of Metropolitan Square. Moreover, the proposed PUD amendment will not endanger the public health, safety, morals, comfort or general welfare.

3. The extent to which the proposed plan departs from the 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;

The proposed PUD amendment does not involve departure from the zoning and subdivision regulations otherwise applicable to the subject property. As previously stated, proposed PUD amendment is sought solely for the purpose of depicting corresponding lot lines consistent with the proposed Final Plat of Subdivision for which T Metro Square seeks approval in conjunction with the proposed PUD amendment as described in further detail above.

4. The extent to which the physical design of the proposed plan does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open space, and further the amenities of light and air, recreation and visual enjoyment;

The proposed PUD amendment does not involve alteration to (a) the physical design of the approved PUD plan for Metropolitan Square, (b) the physical composition of Metropolitan Square as it was constructed and exists today, (c) traffic control at Metropolitan Square as it exists today, (d) designated common open space at Metropolitan Square as it was approved, constructed and exists today or (e) amenities of light, air, recreation and visual enjoyment as those development characteristics of Metropolitan Square exist today.

5. The extent to which the relationship and compatibility of the proposed plan is beneficial or adverse to adjacent properties and neighborhood;

The proposed PUD amendment will have no impact on adjacent properties or the surrounding neighborhood. As previously stated and described in greater detail above, the proposed PUD amendment is sought solely for the purpose of depicting corresponding lot lines consistent with the proposed Final Plat of Subdivision for which T Metro Square seeks approval in conjunction

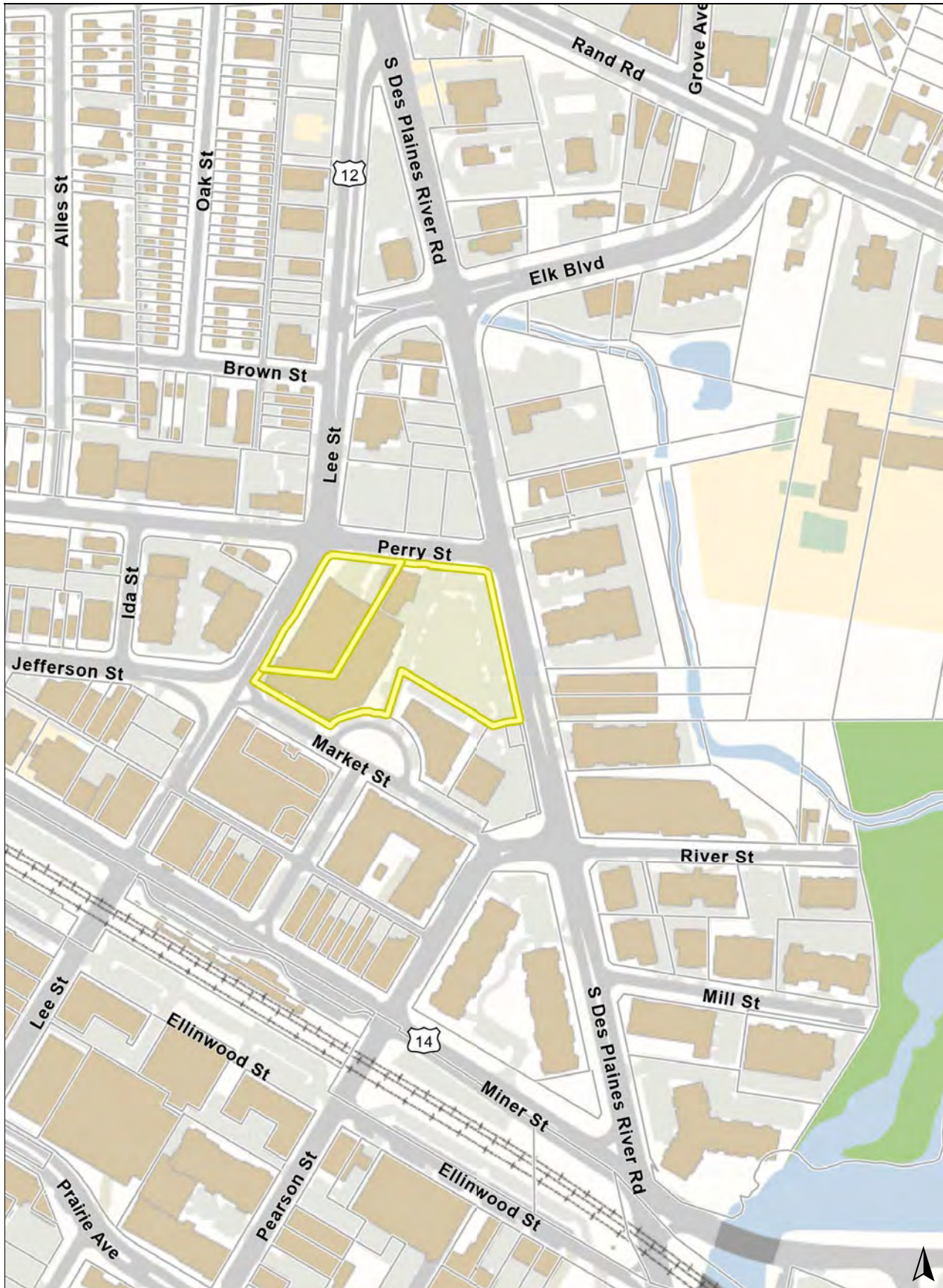
with the proposed PUD amendment. As also previously stated, T Metro Square seeks approval of that proposed Final Plat of Subdivision as a matter of housekeeping solely to (a) create a separately platted lot of record for the Bank Property in a manner consistent with that in which T Metro Square affiliate T Metro Pad acquired that property and then conveyed it to 7711 Mitchell and (b) for parcel consolidation purposes reflective of existing property ownership.

6. The extent to which the proposed plan is not desirable to the proposed plan [sic] to physical development, tax base and economic well-being of the entire community; and

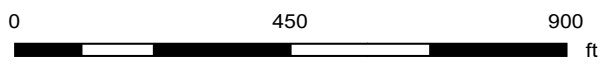
The proposed PUD amendment will have no impact on the physical development, tax base and economic well-being of either the neighborhood in which Metropolitan Square is located or the City as a whole.

7. The extent to which the proposed plan is not in conformity with the recommendations of the comprehensive plan.

The proposed PUD amendment is not out of conformity with and will have no impact upon the Overarching Principles of the Comprehensive Plan set forth on page 8 thereof. More specifically, the proposed PUD amendment will not (i) expand or detrimentally alter mixed-use development in the downtown, (ii) create or alter the composition of housing options at Metropolitan Square or throughout the City generally, (iii) alter the presence of or opportunities for small-scale pocket parks or large-scale open spaces, (iv) present flooding issues or undermine flood mitigation efforts, (v) hinder the City's effort to retain historic character or (vi) in any way frustrate the City's efforts to adhere to the Inclusive Growth framework of the Chicago Metropolitan Agency for Planning pertaining to ensuring several housing options to fit diverse needs; providing accessibility for residents to age-in-place; exploring outreach strategies for underrepresented groups; increasing communication and collaboration efforts; education of homeowners, including promoting stormwater improvements on private property; and enhancing the business climate through focus on economic development initiatives and programing to encourage private investment.



Legend



Print Date: 5/3/2021

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

ALTA/NSPS LAND TITLE SURVEY



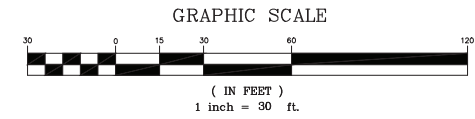
LINE	(1) CURVE NO.	(2) BEARING	(3) CHORD BEARING	(4) CHORD LENGTH	(5) ARC LENGTH	(6) AREA
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<p>2 OF 2</p> <p>DATE: 11-11-16</p> <p>SCALE: 1" = 20'</p>	<p>COMPASS SURVEYING LTD</p> <p>ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING</p> <p>3811 GINGER WOODS PARKWAY, STY. 100 ACTON, ONT. M9C 5S5 PHONE: (416) 824-1100 FAX: (416) 824-1101</p>	<p>PROJECT: Metropolitan Square 24 Towne Square</p> <p>CLIENT: T Metro Square II, LLC 24 Towne Square, Acton, ON Date: 11-11-16</p>	<p>DATE: 11-11-16</p> <p>PD: []</p> <p>BY: []</p> <p>CHKD BY: []</p> <p>DATE: []</p> <p>BY: []</p> <p>CHKD BY: []</p>	<p>PROJECT: ALTA/NSPS LAND TITLE SURVEY</p> <p>DATE: 11-11-16</p> <p>BY: []</p> <p>CHKD BY: []</p>

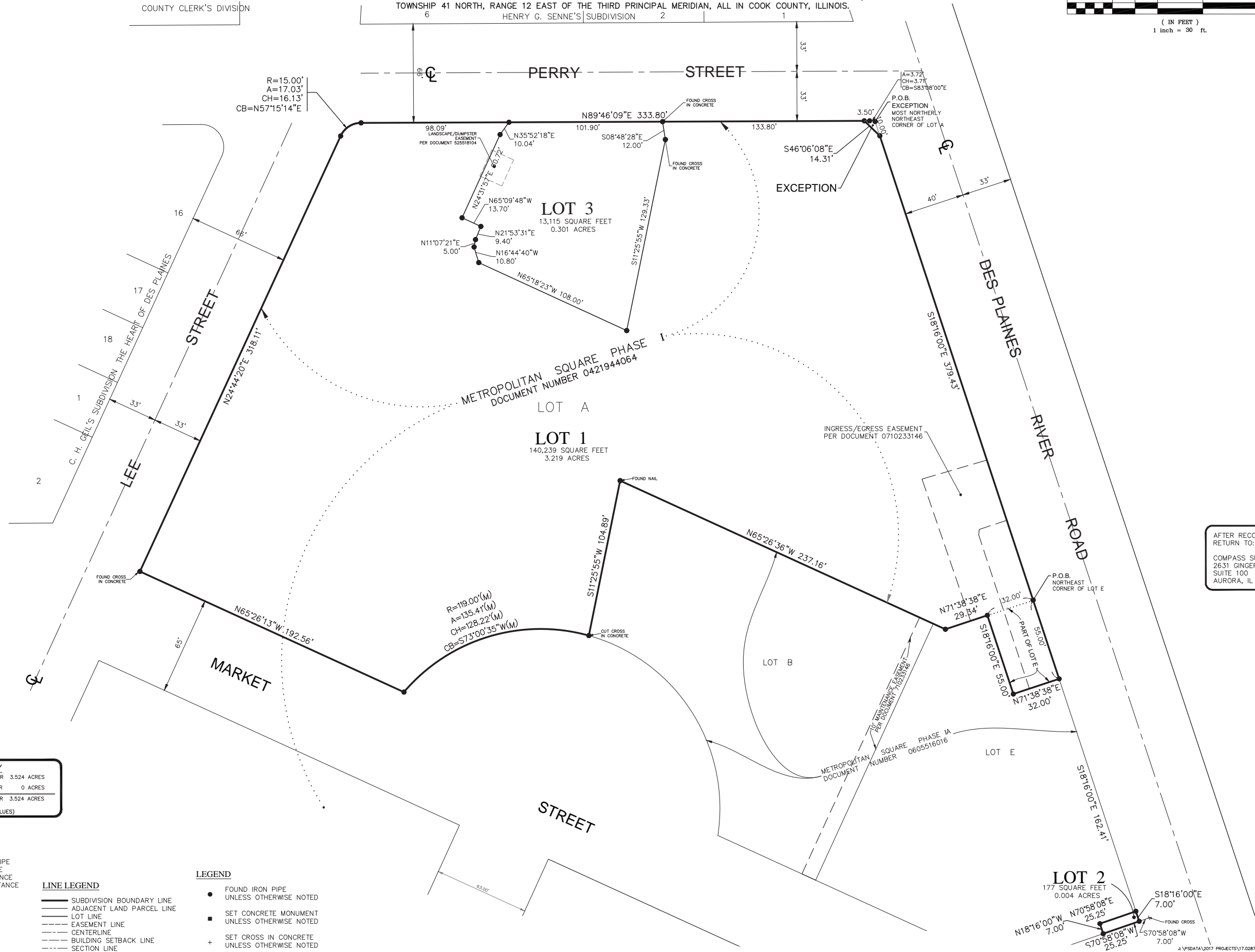
FINAL PLAT OF SUBDIVISION RESUBDIVISION OF LOT A IN METROPOLITAN SQUARE PHASE I AND LOT E IN METROPOLITAN SQUARE PHASE IA

PART OF THE SOUTHEAST QUARTER OF SECTION 17 AND PART OF THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

P.I.N. 09-17-411-015
P.I.N. 09-17-411-016



Know what's below.
Call before you dig.



AREA SUMMARY		
GROSS	153,531 SQUARE FEET	OR 3.524 ACRES
R.O.W. DEDICATION	0 SQUARE FEET	OR 0 ACRES
NET AREA	153,531 SQUARE FEET	OR 3.524 ACRES
(TO HEAVY LINES) (BASED ON MEASURED VALUES)		

- ABBREVIATIONS**
- O.D.I.P. = OUTSIDE DIAMETER IRON PIPE
 - (R) = RECORD BEARING OR DISTANCE
 - (M) = MEASURED BEARING OR DISTANCE
 - (C) = CALCULATED BEARING OR DISTANCE
 - (D) = DEED BEARING OR DISTANCE
 - B.S.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - P.O.C. = POINT OF COMMENCEMENT
 - P.O.B. = POINT OF BEGINNING
 - P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT

- LINE LEGEND**
- SUBDIVISION BOUNDARY LINE
 - ADJACENT LAND PARCEL LINE
 - LOT LINE
 - EASEMENT LINE
 - CENTERLINE
 - BUILDING SETBACK LINE
 - SECTION LINE

- LEGEND**
- FOUND IRON PIPE UNLESS OTHERWISE NOTED
 - SET CONCRETE MONUMENT UNLESS OTHERWISE NOTED
 - + SET CROSS IN CONCRETE UNLESS OTHERWISE NOTED

AFTER RECORDING
RETURN TO:
COMPASS SURVEYING LTD.
2631 GINGER WOODS PARKWAY
SUITE 100
AURORA, IL 60502

NO.	DATE	PC	MP	SK	BOOK	PG	BY

PROJECT: FINAL PLAT OF SUBDIVISION
RESUBDIVISION OF LOT A IN METROPOLITAN SQUARE PHASE I AND LOT E IN METROPOLITAN SQUARE PHASE IA
CLIENT: T Metro Square II, LLC
1600 Dallas Parkway, Suite 300
Dallas TX 75248

COMPASS SURVEYING LTD.
ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING
2631 GINGER WOODS PARKWAY, STE. 100
AURORA, IL 60502
PHONE: (630) 820-9100 FAX: (630) 820-7050

SCALE: 1" = 30'
1 OF 2
PROJ. NO.: 17.0287-01

FINAL PLAT OF SUBDIVISION RESUBDIVISION OF LOT A IN METROPOLITAN SQUARE PHASE I AND LOT E IN METROPOLITAN SQUARE PHASE IA

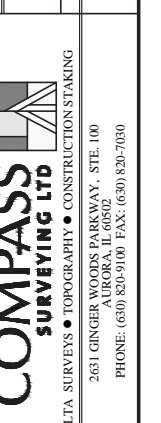
PART OF THE SOUTHEAST QUARTER OF SECTION 17 AND PART OF THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.



Know what's below.
Call before you dig.

NO.	DATE	7-2-19	FC	DRAWN BY	MP	CHECKED BY	SK	BOOK	DATE	BY

PROJECT: METROPOLITAN SQUARE PHASE I
 RESUBDIVISION NO. 1
 CLIENT: Des Plaines, Illinois
 T Metro Square IL, LLC
 1600 Dallas Parkway, Suite 300
 Dallas TX 75248



ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING
 2631 GINGER WOODS PARKWAY, STE. 100
 AURORA, IL 60502
 PHONE: (630) 820-9100 • FAX: (630) 830-7050

SCALE: 1" = NONE
2 OF 2
PROJ. NO.: 17.0287-01

SURVEYOR'S AUTHORIZATION TO RECORD

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I HEREBY DESIGNATE _____ AND/OR REPRESENTATIVES THEREOF, TO RECORD THIS PLAT, A TRUE COPY OF WHICH HAS BEEN RETAINED BY ME TO ASSURE NO CHANGES HAVE BEEN MADE TO SAID PLAT.

DATED THIS _____ DAY OF _____, 20____, AT AURORA, KANE COUNTY, ILLINOIS.

COMPASS SURVEYING LTD
PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION NO. 184-002778
LICENSE EXPIRES 4/30/2019

BY: _____
SCOTT KREBS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3509

LICENSE EXPIRES 11/30/18

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, SCOTT C. KREBS, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3509, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING PROPERTY:

LOT A IN METROPOLITAN SQUARE PHASE I, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 6, 2004 AS DOCUMENT 0421944064;

EXCEPT THAT PART OF SAID LOT A DESCRIBED AS FOLLOWS:
BEGINNING AT THE MOST NORTHERLY NORTHEAST CORNER OF SAID LOT A; THENCE SOUTHEASTERLY, 3.72 FEET ON THE NORTH LINE OF SAID LOT, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 77 DEGREES 05 MINUTES 55 SECONDS EAST ON AN ASSUMED BEARING, A DISTANCE OF 3.71 FEET TO THE WESTERLY RIGHT-OF-WAY OF DES PLAINES RIVER ROAD, AS DEDICATED PER SAID METROPOLITAN SQUARE PHASE I SUBDIVISION; THENCE SOUTH 12 DEGREES 13 MINUTES 59 SECONDS EAST, ON SAID WESTERLY RIGHT-OF-WAY LINE, 10.00 FEET; THENCE NORTH 40 DEGREES 04 MINUTES 00 SECONDS WEST, 14.31 FEET TO THE SAID NORTH LINE OF LOT A; THENCE SOUTH 84 DEGREES 11 MINUTES 43 SECONDS EAST, ON SAID NORTH LINE, 3.50 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

TOGETHER WITH

THAT PART OF LOT E IN METROPOLITAN SQUARE PHASE IA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 17 AND PART OF THE SOUTHWEST 1/4 OF SECTION 16, BOTH IN TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 2006 AS DOCUMENT 0605516016, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT E; THENCE SOUTH 18 DEGREES 16 MINUTES 00 SECONDS EAST ALONG THE EASTERLY LINE OF SAID LOT E, 55.00 FEET; THENCE SOUTH 71 DEGREES 38 MINUTES 38 SECONDS WEST, 32.00 FEET; THENCE NORTH 18 DEGREES 16 MINUTES 00 SECONDS WEST, 55.00 FEET TO THE NORTHERLY LINE OF SAID LOT E; THENCE NORTH 71 DEGREES 38 MINUTES 38 SECONDS EAST ALONG SAID NORTHERLY LINE, 32.00 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

TOGETHER WITH

THE SOUTHEASTERLY 7.00 FEET OF THE NORTHEASTERLY 25.25 FEET OF LOT E IN METROPOLITAN SQUARE PHASE IA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 17 AND PART OF THE SOUTHWEST 1/4 OF SECTION 16, BOTH IN TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 2006 AS DOCUMENT 0605516016, IN COOK COUNTY, ILLINOIS.

AS SHOWN BY THE ANNEXED PLAT WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. THE MONUMENTATION; IRON PIPES AND CUT CROSSES HAVE BEEN PLACED IN THE GROUND AS INDICATED HEREON, IN ACCORDANCE WITH THE SUBDIVISION REGULATION OF DES PLAINES CITY CODE. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. THIS SUBDIVISION IS WITHIN THE CORPORATE LIMITS OF THE CITY OF DES PLAINES WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED, AND THIS SITE FALLS WITHIN THE FOLLOWING FLOOD ZONES:

- "OTHER AREAS: ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)
- "OTHER FLOOD AREAS, ZONE X"(AREAS OF 0.2 PERCENT ANNUAL CHANCE FLOOD; AREAS OF 1 PERCENT ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1 PERCENT ANNUAL CHANCE FLOOD).
- "ZONE AE" (BASE FLOOD ELEVATIONS DETERMINED)

AS DEFINED BY THE FLOOD INSURANCE RATE MAP, MAP NUMBER 17031C0181J, HAVING A REVISED DATE OF AUGUST 19, 2008.

GIVEN UNDER MY HAND AND SEAL AT AURORA , ILLINOIS THIS _____ DAY OF _____, 20____.

COMPASS SURVEYING LTD
PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION NO. 184-002778
LICENSE EXPIRES 4/30/2021

BY: _____
SCOTT C. KREBS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3509
LICENSE EXPIRES 11/30/2020

OWNER CERTIFICATION

_____, OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPTS THIS PLAT OF SUBDIVISION AND ESTABLISH(ES) THE MINIMUM BUILDING RESTRICTION LINES, DEDICATE(S) THE ROADS, STREETS, ALLEYS, WALKS, AND OTHER AREAS INDICATED THEREON TO THE PUBLIC USE; AND ESTABLISH(ES) ANY OTHER EASEMENT SHOWN THEREON.

ALSO, THIS IS TO CERTIFY THAT THE PROPERTY BEING SUBDIVIDED AFORESAID AND, TO THE BEST OF OWNER'S KNOWLEDGE AND BELIEF, SAID SUBDIVISION LIES ENTIRELY WITHIN THE LIMITS OF SCHOOL DISTRICT(S) _____.

NOTARY CERTIFICATION

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT PERSONALLY KNOW TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED SAID INSTRUMENT AS THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CONSENT OF MORTGAGE

_____, WHICH IS THE HOLDER OF A MORTGAGE DATED AS OF _____, 20____, AND RECORDED IN THE OFFICE OF THE COOK COUNTY RECORDER, ILLINOIS ON _____, 20____ AS DOCUMENT NO. _____, ENCUMBERING THE PROPERTY DESCRIBED ON THIS PLAT OF SUBDIVISION, HEREBY CONSENTS TO THE RECORDING OF THIS PLAT OF SUBDIVISION AND AGREES THAT ITS LIEN SHALL BE SUBJECT TO THE PROVISIONS OF THIS PLAT OF SUBDIVISION.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THIS CONSENT TO BE EXECUTED ON _____, 20____.

ATTEST: _____, A _____

BY: _____ BY: _____

ITS: _____ ITS: _____

NOTARY CERTIFICATION

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____, BY _____ THE _____ AND _____, THE _____ SECRETARY, OF _____, A _____, WHICH INDIVIDUALS ARE KNOWN TO ME TO BE THE IDENTICAL PERSONS WHO SIGNED THE FOREGOING INSTRUMENT AS SUCH OFFICERS OF THE CORPORATION FOR AND ON BEHALF OF SAID CORPORATION, AND THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AN DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF THE CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS ___ DAY OF _____, 20____.

SIGNATURE OF NOTARY

SEAL

MY COMMISSION EXPIRES: _____

DRAINAGE CERTIFICATION

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR, IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE OWNER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THIS SUBDIVISION.

OWNER REGISTERED PROFESSIONAL ENGINEER

NAME: _____
DATE: _____
DATE: _____
(SEAL)

NAME: _____
FIRM: _____

MAYOR CERTIFICATION

APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS ON THIS _____ DAY OF _____, 20____.

MAYOR

ATTEST: _____

CITY CLERK

PLANNING AND ZONING BOARD

APPROVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF DES PLAINES, ILLINOIS ON THIS _____ DAY OF _____, 20____.

CHAIRMAN

DIRECTOR OF FINANCE CERTIFICATION

I CERTIFY THAT THERE ARE NO DELINQUENT OR CURRENT UNPAID SPECIAL ASSESSMENTS ON THE PROPERTY SHOWN ON THIS PLAT.

DATE: _____

DIRECTOR OF FINANCE

DIRECTOR OF PUBLIC WORKS & ENGINEERING CERTIFICATION

APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING OF THE CITY OF DES PLAINES, ILLINOIS ON THIS _____ DAY OF _____, 20____.

CITY ENGINEER

I.D.O.T. SIGNATURE

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO 765 ILCS 205/2, AS AMENDED. HOWEVER, A HIGHWAY PERMIT FOR ACCESS IS REQUIRED BY THE OWNER OF THE PROPERTY. A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

Date _____

ANTHONY QUIGLEY
REGION ONE ENGINEER

AMENDED PLANNED UNIT DEVELOPMENT PLAT

OF

LOT A IN METROPOLITAN SQUARE PHASE I AND LOTS B AND E IN METROPOLITAN SQUARE PHASE IA

P.I.N. 09-17-411-015

P.I.N. 09-17-411-016

P.I.N. 09-17-414-021

LEGAL DESCRIPTION (RESUBDIVISION OF LOT A IN METROPOLITAN SQUARE PHASE I AND LOTS B AND E IN METROPOLITAN SQUARE PHASE IA)

LOT A IN METROPOLITAN SQUARE PHASE I, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 6, 2004 AS DOCUMENT 0421944064;

EXCEPT THAT PART OF SAID LOT A DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY NORTHEAST CORNER OF SAID LOT A; THENCE SOUTHEASTERLY, 3.72 FEET ON THE NORTH LINE OF SAID LOT, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 77 DEGREES 05 MINUTES 55 SECONDS EAST ON AN ASSUMED BEARING, A DISTANCE OF 3.71 FEET TO THE WESTERLY RIGHT-OF-WAY OF DES PLAINES RIVER ROAD, AS DEDICATED PER SAID METROPOLITAN SQUARE PHASE I SUBDIVISION; THENCE SOUTH 12 DEGREES 13 MINUTES 59 SECONDS EAST, ON SAID WESTERLY RIGHT-OF-WAY LINE, 10.00 FEET; THENCE NORTH 40 DEGREES 04 MINUTES 00 SECONDS WEST, 14.31 FEET TO THE SAID NORTH LINE OF LOT A; THENCE SOUTH 84 DEGREES 11 MINUTES 43 SECONDS EAST, ON SAID NORTH LINE, 3.50 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

TOGETHER WITH

THAT PART OF LOT E IN METROPOLITAN SQUARE PHASE IA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 17 AND PART OF THE SOUTHWEST QUARTER OF SECTION 16, BOTH IN TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 2006 AS DOCUMENT 0605516016, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT E; THENCE SOUTH 18 DEGREES 16 MINUTES 00 SECONDS EAST ALONG THE EASTERLY LINE OF SAID LOT E, 55.00 FEET; THENCE SOUTH 71 DEGREES 38 MINUTES 38 SECONDS WEST, 32.00 FEET; THENCE NORTH 18 DEGREES 16 MINUTES 00 SECONDS WEST, 55.00 FEET TO THE NORTHERLY LINE OF SAID LOT E; THENCE NORTH 71 DEGREES 38 MINUTES 38 SECONDS EAST ALONG SAID NORTHERLY LINE, 32.00 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

TOGETHER WITH

THE SOUTHEASTERLY 7.00 FEET OF THE NORTHEASTERLY 25.25 FEET OF LOT E IN METROPOLITAN SQUARE PHASE IA, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 17 AND PART OF THE SOUTHWEST QUARTER OF SECTION 16, BOTH IN TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 2006 AS DOCUMENT 0605516016, IN COOK COUNTY, ILLINOIS.

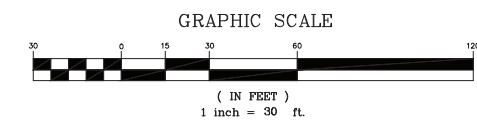
TOGETHER WITH

LOT B IN METROPOLITAN SQUARE PHASE IA, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 17 AND PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 24, 2006 AS DOCUMENT 0605516016, IN COOK COUNTY, ILLINOIS.

NOTES:

- 1. ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
2. ARC DISTANCES ALONG ALL CURVES.
3. BUILDINGS AND IMPROVEMENTS TAKEN FROM SURVEY PREPARED BY COMPASS SURVEYING, JOB NUMBER OF 17.0287 AND A REVISED DATE OF 10/24/17.
4. ZONING INFORMATION TAKEN FROM DES PLAINES COMMUNITY ZONING MAP, UPDATED FEB. 1, 2018.

PART OF THE SOUTHEAST QUARTER OF SECTION 17 AND PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.



LINE LEGEND

- AMENDED PLANNED UNIT DEVELOPMENT BOUNDARY LINE
ADJACENT LAND PARCEL LINE
LOT LINE
EASEMENT LINE
CENTERLINE
BUILDING SETBACK LINE
SECTION LINE

ABBREVIATIONS

- O.D.I.P. = OUTSIDE DIAMETER IRON PIPE
(R) = RECORD BEARING OR DISTANCE
(M) = MEASURED BEARING OR DISTANCE
(C) = CALCULATED BEARING OR DISTANCE
(D) = DEED BEARING OR DISTANCE
B.S.L. = BUILDING SETBACK LINE
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT

LEGEND

- FOUND 7/8" O.D.I.P. UNLESS OTHERWISE NOTED (HELD LOCATION)
CONCRETE MONUMENT
CROSS IN CONCRETE
MANHOLE
STORM STRUCTURE
SANITARY MANHOLE
VALVE VALVE
FIRE HYDRANT
FLARED END SECTION
UTILITY POLE
UTILITY POLE W/LAUGHT
UTILITY POLE W/TSF
GUY POLE
OVERHEAD TRAFFIC SIGNAL
TRAFFIC SIGNAL MANHOLE
OVERHEAD WIRES
GAS METER
ELECTRIC METER
TRANSFORMER PAD
TELEPHONE PEDESTAL
ELECTRIC PEDESTAL
TELEPHONE MANHOLE
CABLE TELEVISION PEDESTAL
ELECTRIC MANHOLE
VALVE BOX
SIGN
BOLLARD POLE
LIGHT
LIGHT POLE
HAND HOLE
MAILBOX
GAS MARKER
ELECTRIC MARKER
TELEPHONE MARKER
FLAG POLE
POST INDICATOR VALVE
GATE POST
DOWN SPOUT
TELEPHONE NETWORK INTERFACE
IRRIGATION CONTROL VALVE
ELECTRIC BOX
SIAMENSE WATER CONNECTION
WATER MARKER
BORING HOLE
GAS VALVE
SANITARY SEWER
SAN
WATER MAIN
STM
GAS MAIN
ELECTRIC LINE
TELEPHONE LINE
CONFEROUS TREE
W/APPROX. DIAMETER
DECIDUOUS TREE
W/APPROX. DIAMETER
M-S-M-T-SYSTEM
(ORIP LINE SHOWN IS APPROXIMATE)
ELEVATION
BITUMINOUS PAVEMENT
CONCRETE SURFACE
DEPRESSED CURB
GRAVEL SURFACE
LANDSCAPE AREA
STONE SURFACE
DETECTABLE TACTILE WARNING SURFACE
WOOD FENCE
CHAIN LINK FENCE
METAL FENCE
METAL GUARDRAIL
OVERHEAD TRAFFIC SIGNAL



Know what's below. Call before you dig.

Table with columns: DATE, BY, BOOK, NO., REVISIONS, PER ATTORNEY COMMENTS

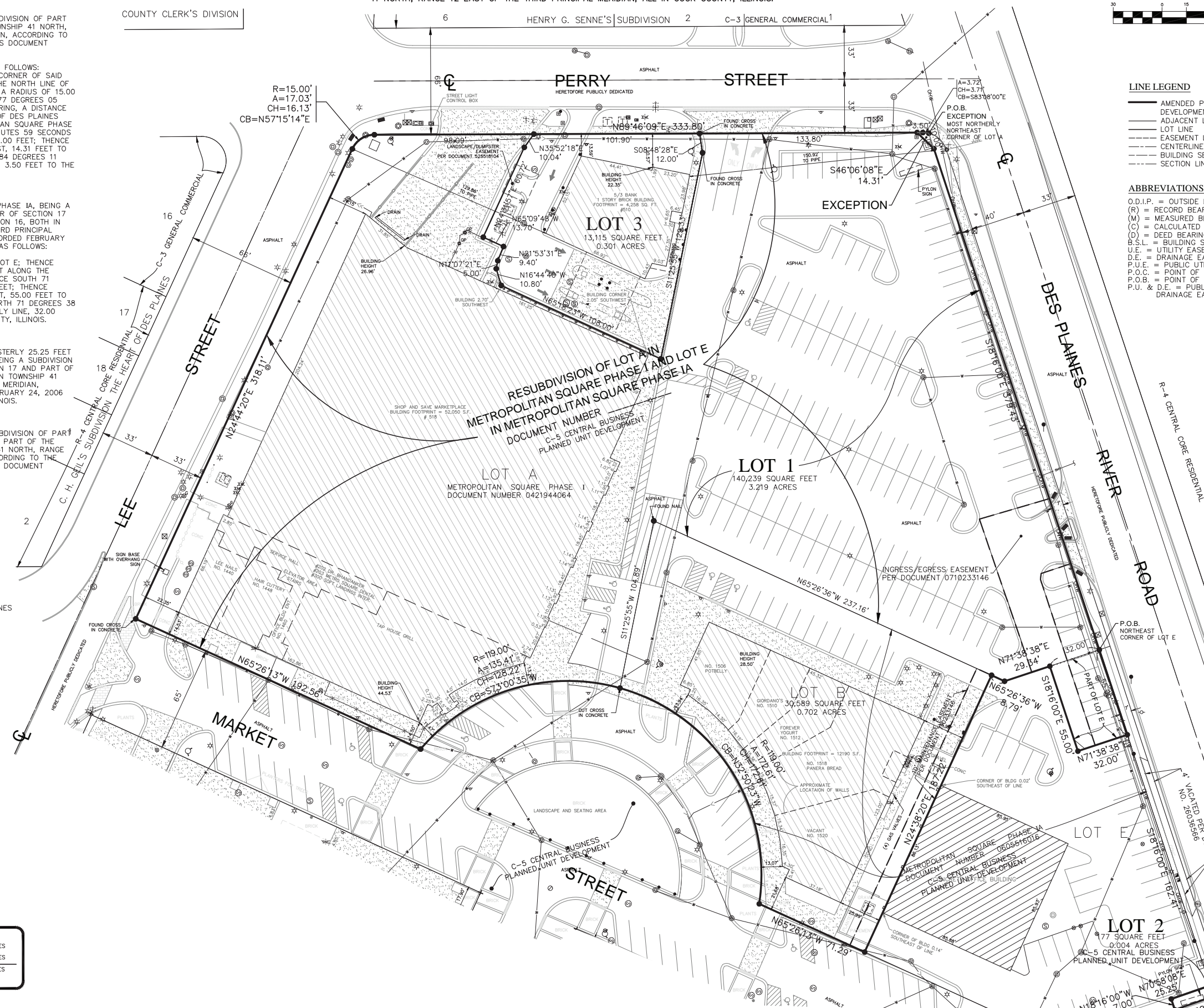
Table with columns: DATE, BY, BOOK, NO., REVISIONS, PER ATTORNEY COMMENTS

AMENDED PLANNED UNIT DEVELOPMENT PLAT OF LOT A IN METROPOLITAN SQUARE PHASE I AND LOT E IN METROPOLITAN SQUARE PHASE IA Des Plaines, Illinois

T Metro Square IL, LLC
1600 Dallas Parkway, Suite 300
Dallas TX 75248

COMPASS SURVEYING LTD
ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING
2631 GINGER WOODS PARKWAY, STE. 100
AURORA, IL 60502
PHONE: (630) 931-0100 FAX: (630) 920-7030

SCALE: 1" = 30'
1 OF 1
PROJ. NO.: 17.0287-02



AREA SUMMARY table with columns: GROSS, R.O.W. DEDICATION, NET AREA



Metropolitan Square – Public Notice



Metropolitan Square – Facing East



Metropolitan Square – Facing Southeast



Metropolitan Square – Facing West



MEMORANDUM

Date: April 30, 2021
To: Planning and Zoning Board
From: Jonathan Stytz, Planner JS
Cc: Michael McMahon, Community & Economic Development Director mm
Subject: Consideration of Conditional Use for a Commercially Zoned Assembly Use at 1470-1476 Miner Street, Case #21-013-CU (1st Ward)

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 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 (Attachment 4). 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 (Attachment 5). 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 (Attachment 1) 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.

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 adequately any such services:

Comment: Please see the petitioner's responses 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: 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: 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.

Attachments:

- Attachment 1: Project Narrative
- Attachment 2: Petitioner's Responses to Standards
- Attachment 3: Location Map
- Attachment 4: Plat of Survey
- Attachment 5: Floor Plan
- Attachment 6: Site and Context Photos

April 9, 2021

Project Narrative

The subject property currently contains the historical Des Plaines Theatre building, which has been located on site since 1925. The existing two-story, brick building is consistent with the character of the development in the Downtown area and is harmonious with surrounding development. The proposed conditional use for a Commercially Zoned Assembly use will retain and improve on an existing historical feature of major importance for Des Plaines to provide a premier destination for the area. The Des Plaines Theatre has recently been restored to include a remodeled theater space, new bar area, and new restaurant area to provide additional services and promote a more vibrant entertainment and restaurant district in the Downtown area.

The Comprehensive Plan strives to enhance the built environment to create a sense of place and attract more visitors to Downtown Des Plaines. The Des Plaines Theatre is identified as a historically significant asset of Des Plaines, which should be utilized to generate more activity in the Downtown area. One of the specific goals of the Comprehensive Plan is to revive and restore the Des Plaines Theatre in order to transform it into a sub-regional destination. The remodeled Des Plaines Theater will include a 737-seat, multi-level theater seating area, 814-square foot, 62-seat restaurant space, and 1,682-square foot, 112-seat bar area for a variety of events. The maximum of 50 employees will be on site at a given time. The Des Plaines Theater will be open daily between 11 am and 2 am. The existing property has access to on-street parking along Miner Street and off-street parking located in Metropolitan Square parking garage, which provide ample ingress and egress to and from the property. Additionally, there is an alley located behind the theatre building for the temporary parking of buses and vehicles for performers and their equipment.

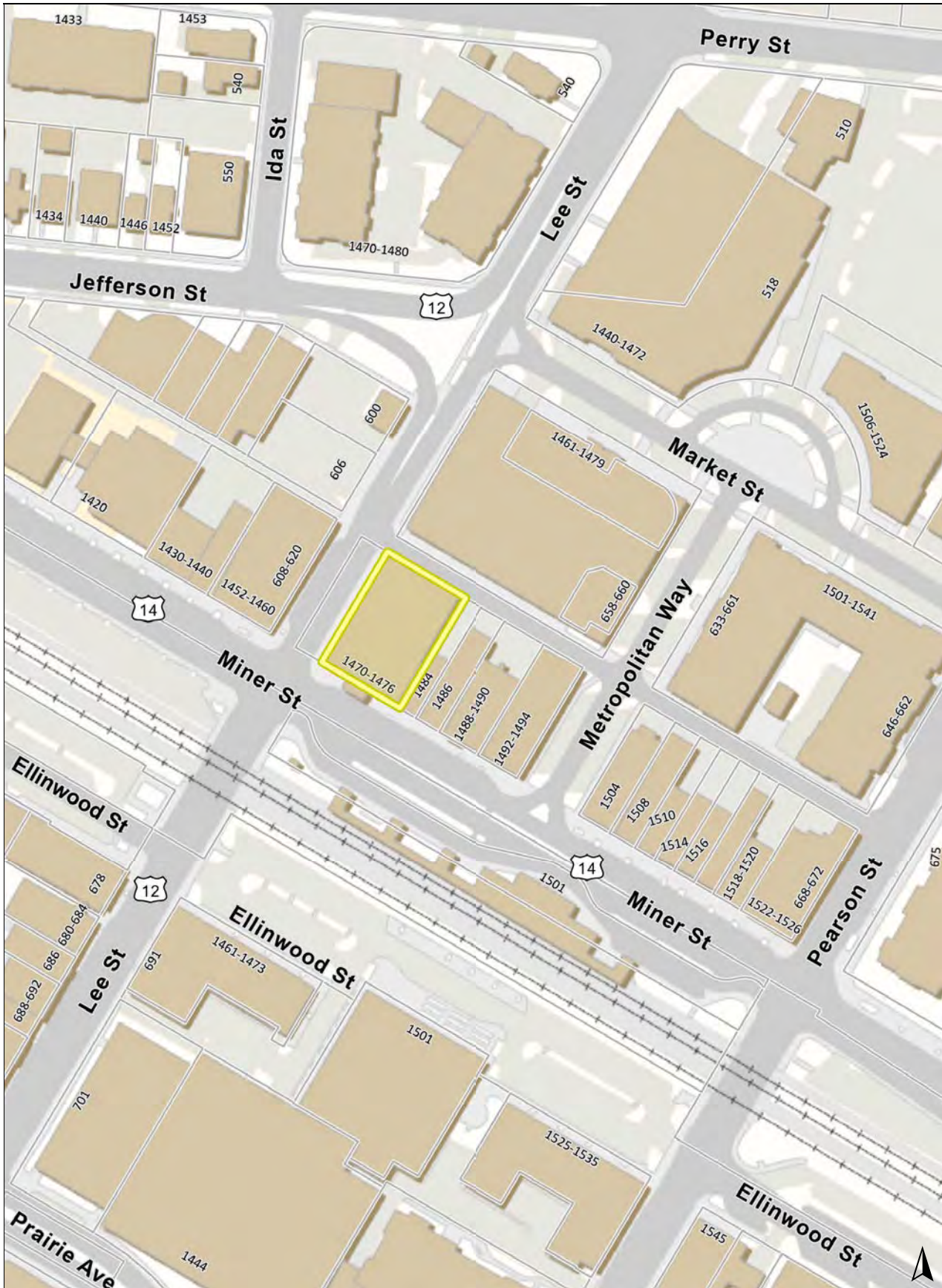
April 9, 2021

Responses to Standards for Conditional Uses

1. A theatre is classified as a commercially-zoned assembly use. A commercially-zoned assembly use is a conditional use in the C-5, Central Business District pursuant to Section 12-7-3(K) of the Des Plaines Zoning Ordinance.
2. The Comprehensive Plan strives to enhance the built environment to create a sense of place and attract more visitors to Downtown Des Plaines. The Des Plaines Theatre is identified as a historically significant asset of Des Plaines, which should be utilized to generate more activity in the Downtown area. One of the specific goals of the Comprehensive Plan is to revive and restore the Des Plaines Theatre in order to transform it into a sub-regional destination and promote a vibrant entertainment and restaurant district in this area.
3. The subject property currently contains the historical Des Plaines Theatre building, which has been located on site since 1925. The existing building is consistent with the character of the Downtown area and is harmonious with surrounding development.
4. The existing theatre building has not been hazardous or disturbing to neighboring uses. The restoration and revival of the Des Plaines Theatre will not create a hazardous or distributing environment for neighboring properties.
5. The existing theatre building is adequately served by essential public facilities at the corner of Lee Street and Miner Street. The restoration and revival of the Des Plaines Theatre will not create any concerns in relation to adequate service of the property by essential public facilities.
6. The restoration and revival of the Des Plaines Theatre will not create additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community. In fact, due to its revival and restoration, the Des Plaines Theatre will help promote an economic boost to Des Plaines and has the potential to promote a more defined entertainment and restaurant district in the Downtown area.
7. The restoration and revival of the Des Plaines Theatre will not involve uses, activities, processes, materials, equipment and conditions of operation that would be detrimental

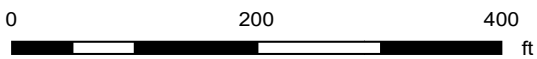
to the general welfare of the community. The Des Plaines Theatre has been restored to include a remodeled theater space, bar area, and restaurant, none of which will create any excess production of traffic, noise, smoke, fumes, glare, or odors. Patrons of the Des Plaines Theatre will be able to utilize the public parking spaces in the Metropolitan Square parking garage, which is located directly behind the theatre building and provides adequate parking for the use.

8. The existing property has access to on-street parking along Miner Street and off-street parking located in Metropolitan Square parking garage, which provide ample ingress and egress to and from the property. Additionally, there is an alley located behind the theatre building for the temporary parking of buses and vehicles for performers and their equipment.
9. The existing property has already been developed since 1925 and the Des Plaines Theatre is identified as a historically significant building. Thus, the proposed conditional use will retain and improve on an existing historical feature of major importance for Des Plaines.
10. The proposed conditional use will comply with all additional regulations in Section 12-3-4 of the Des Plaines Zoning Ordinance. The Des Plaines Theatre has been revised and restored in conformance with current Des Plaines codes.



Legend

Notes



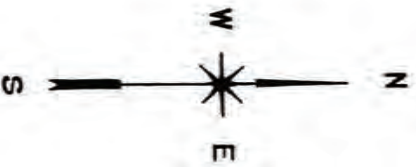
Print Date: 5/3/2021

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

CERTIFIED SURVEY, INC.
 315 S. Northwest Hwy, Suite 50, Park Ridge, IL 60068 Fax 847-823-9502
 Phone 847-823-9500

PLAT OF SURVEY

LOTS 68 AND 69 (EXCEPT THE NORTHEASTERLY 8 FEET TAKEN FOR ALLEY) IN ORIGINAL TOWN OF RAND (NOW VILLAGE OF DES PLAINES), A SUBDIVISION OF PARTS OF SECTION 16, 17, 20, AND 21, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



AREA - 14,249.4 SQ. FT.

THE PROPERTY SHOWN HEREON IS LOCATED IN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NUMBER 1703100217 F EFFECTIVE DATE NOVEMBER 6, 2000.

STATE OF ILLINOIS)
 COUNTY OF COOK)SS
 TO: CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED BY ALTA, ACSM AND NSPS IN 1998 AND INCLUDES ITEMS 1, 3, 4, 7a, 8, 9, 10, 11a, OF TABLE THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, ACSM AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE MINIMUM ANGLE, DISTANCE AND CLOSURE REQUIREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS.

DATE OCTOBER 7th 2003 PROFESSIONAL ILLINOIS LAND SURVEYOR No. 3408

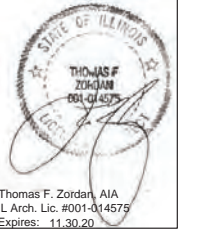


Order No. **831620**
 Scale: 1" = 30' (1/4" = 15')
 Date OCTOBER 7th 2003
 Ordered by MORRIS L. KURTZ, LTD

Decimals of a foot and their equivalent in inches and fractions thereof

0.1 = 1/10"	0.2 = 1/5"	0.3 = 3/10"	0.4 = 2/5"	0.5 = 1/2"	0.6 = 3/5"	0.7 = 7/10"	0.8 = 4/5"	0.9 = 9/10"
0.1 = 1/10"	0.2 = 1/5"	0.3 = 3/10"	0.4 = 2/5"	0.5 = 1/2"	0.6 = 3/5"	0.7 = 7/10"	0.8 = 4/5"	0.9 = 9/10"

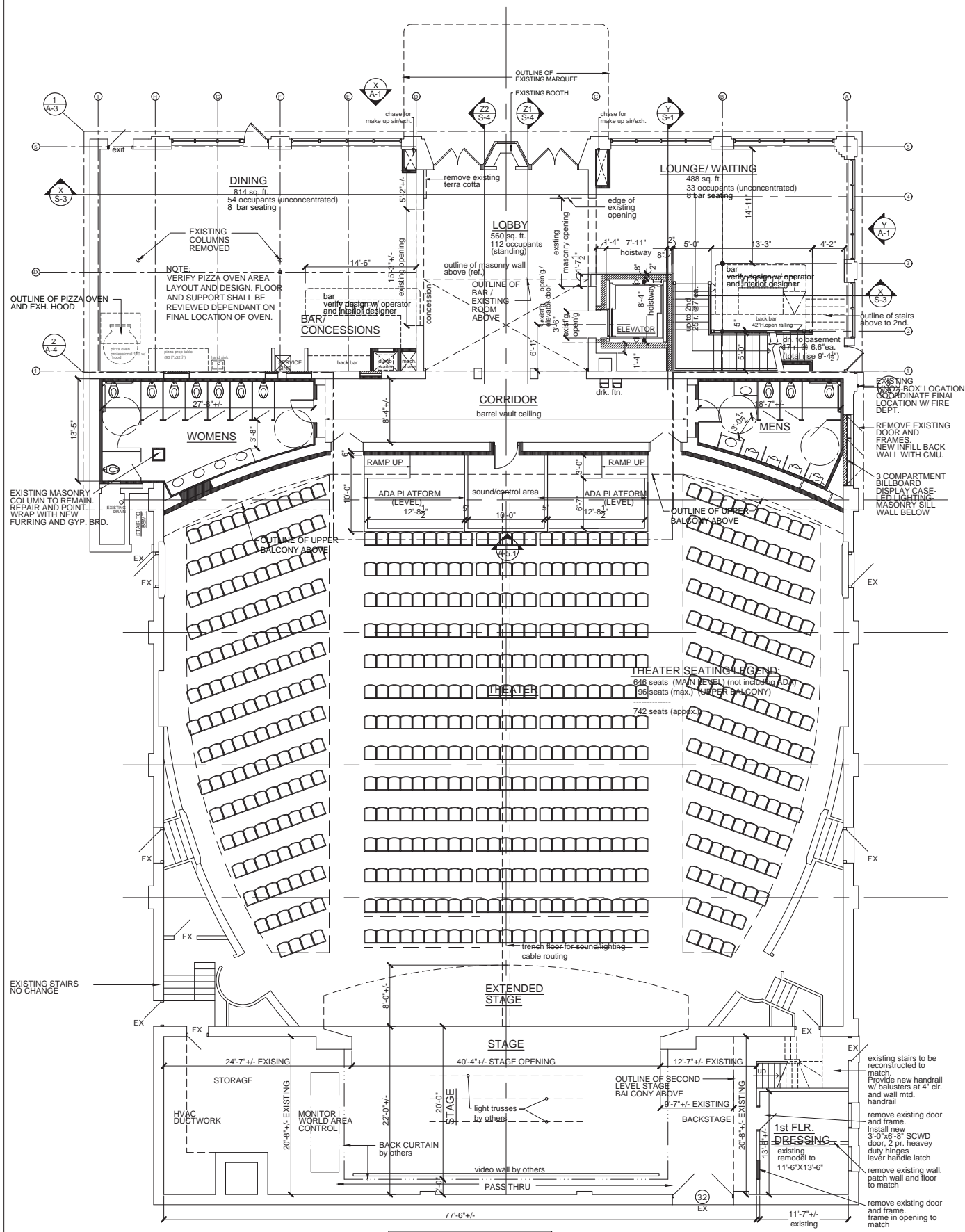
I hereby certify that these documents have been prepared under my supervision and to the best of my knowledge conform with all applicable building codes ordinances.



Thomas F. Jordan, AIA
L. Arch. Lic. #001-014575
Expires: 11.30.20

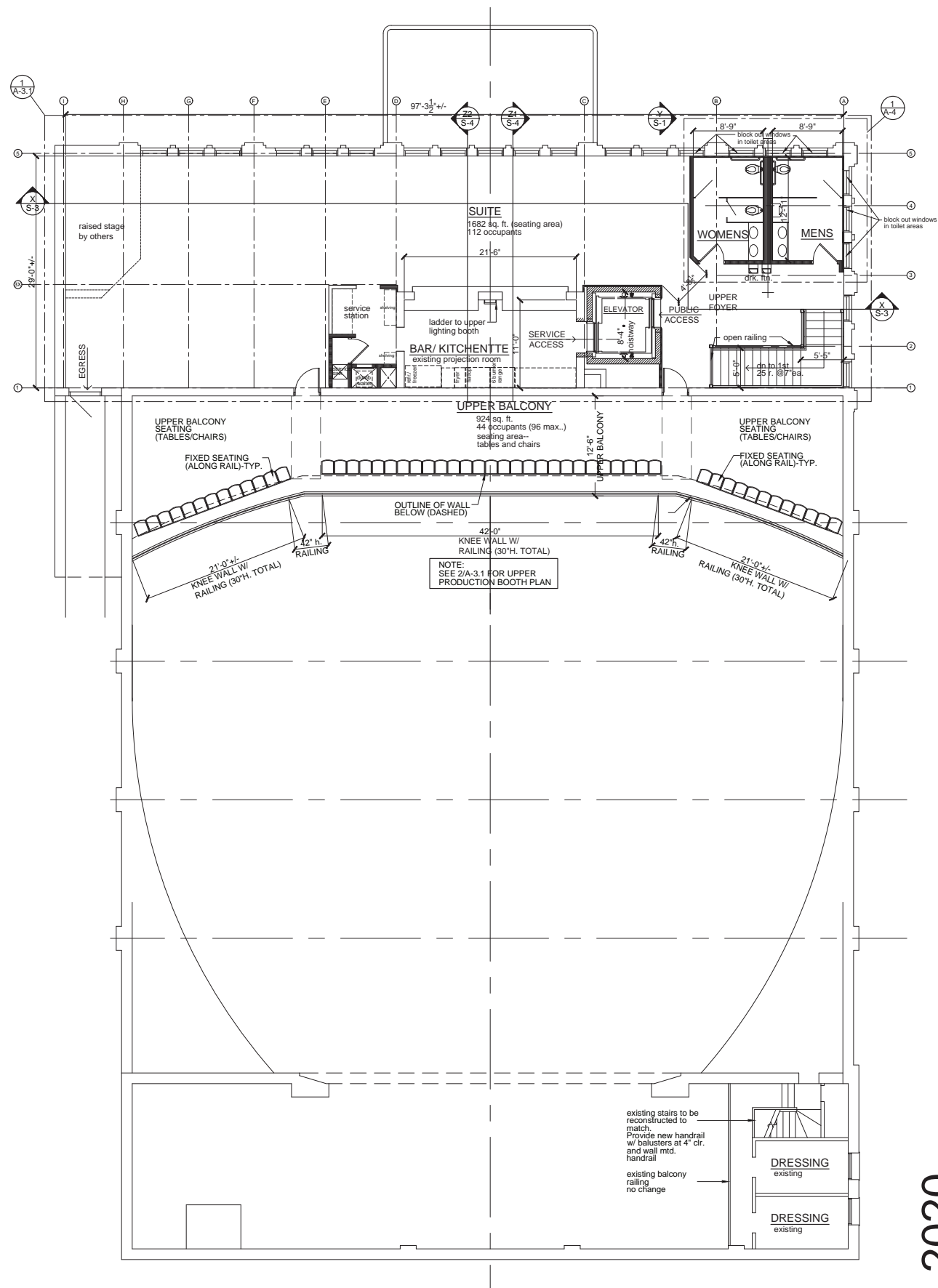
INTERIOR REHABILITATION for:
DES PLAINES THEATER
1476 MINER STREET
DES PLAINES, ILLINOIS 60016

4-14-2020



1 FIRST FLOOR PLAN
1/8" = 1'-0"
North

NOTE:
ALL EXTERIOR DOORS MARKED 'EX' ARE
HOLLOW METAL DOORS AND FRAMES WITH
EGRESS PANIC PUSH BARS,
WEATHERSTRIPPING, THRESHOLDS, AND
CLOSER.



2 SECOND FLOOR PLAN
1/8" = 1'-0"
North

existing stairs to be reconstructed to match.
Provide new handrail w/ balusters at 4' cir. and wall mtd. handrail
remove existing door and frame.
Install new 3'-0"x6'-8" SCWD door, 2 pr. heavy duty hinges lever handle latch
remove existing wall, patch wall and floor to match
remove existing door and frame, frame in opening to match
existing stairs to be reconstructed to match.
Provide new handrail w/ balusters at 4' cir. and wall mtd. handrail
existing balcony railing no change

NO.	DESCRIPTION	DATE
	IN PROGRESS	4.14.20
	98% IN PROGRESS	1.7.20
	95% IN PROGRESS	12.19.19

Drawing Date: 10-22-19
Project No.: 18-159-02

Sheet Title:
OVERALL FIRST/SECOND FLOOR PLAN
Sheet No.:

A-2



1470-1476 Miner St – Public Notice



1470-1476 Miner St – Front Entrance



1470-1476 Miner St – Front of Building



1470-1476 Miner St – Facing Southeast