



DES PLAINES PLANNING AND ZONING BOARD MEETING

**FEBRUARY 23, 2016
MINUTES**

The Des Plaines Planning and Zoning Board Meeting held its regularly-scheduled meeting on Tuesday, February 23, 2016, at 7 p.m. in Room 102 of the Des Plaines Civic Center.

ZONING BOARD

PRESENT: Saletnik, Schell, Yi, Szabo

ABSENT: Catalano, Hofherr, Green

ALSO PRESENT: George Sakas, AICP, Director/Community & Economic Development
Scott Mangum, AICP, Senior Planner/Community & Economic Development
Gale Cerabona/Recording Secretary

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

APPROVAL OF MINUTES

A motion was made by Board Member Saletnik, seconded by Board Member Yi, to approve the minutes of January 26, 2016, as presented.

AYES: Saletnik, Yi, Schell, Szabo

NAYES: None

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

PUBLIC COMMENT

There were no comments.

NEW BUSINESS

1. Training – Schedule Date for Workshop – March 8

Chairman Szabo asked if there are any conflicts. Senior Planner Mangum advised that the funding via CMAP is not available at this time (due to the state's budget situation) and that the training would be rescheduled in the future.

2. **Addresses:** 1870 Busse Highway

Case Number: 16-003-MAP-CU

Petitioner is requesting an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the property from the M-2, General Manufacturing Zoning District to the C-3, General Commercial Zoning District and a Conditional Use Permit under Section 12-7-3-F.3 of the 1998 Des Plaines Zoning Ordinance, as amended, to authorize the operation of an esthetics and massage therapy school (Commercial School) in the C-3 District.

PINs: 09-21-107-011-0000, 09-21-107-019-0000

On the following described property:

PARCEL 1: THE EAST 64 FEET, AS MEASURED ON THE NORTH LINE THEREOF, OF THAT PART OF LOT 167 IN TOWN OF RAND IN SECTION 21, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE WEST LINE OF SAID LOT 167, 456.14 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 167, 240.24 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID LOT 167, 289.30 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE NORTHEASTERLY LINE OF BUSSE HIGHWAY; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF BUSSE HIGHWAY, 301.37 FEET MORE OR LESS, TO THE WEST LINE OF SAID LOT 167; THENCE NORTH ON THE WEST LINE OF SAID LOT 167, 100 FEET MORE OR LESS TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST 22 FEET OF LOT 24 IN COUNTY CLERK'S SUBDIVISION OF UNSUBDIVIDED LANDS IN THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE NORTH 456.14 FEET OF LOT 24 AND NORTH OF THE NORTHERLY LINE OF BUSSE HIGHWAY, ALSO KNOWN AS THAT PART WHICH LIES SOUTH OF THE NORTH 456.14 FEET OF LOT 24, IN COUNTY CLERK'S SUBDIVISION OF UNSUBDIVIDED LANDS IN THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 41 NORTH RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN AND NORTH OF THE NORTHERLY LINE OF BUSSE HIGHWAY OF A STRIP OF LAND 22 FEET WIDE WEST OF AND ADJOINING LOTS 20 TO 36, BOTH INCLUSIVE, AND LOT 39 IN ALBERT E. CLARK'S SUBDIVISION OF THE EAST 350 FEET OF THE WEST 372 FEET OF LOT 24 IN COUNTY CLERK'S SUBDIVISION OF UNSUBDIVIDED LANDS IN THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF LOT 169 IN TOWN OF RAND LYING NORTH OF THE AFORESAID TRACT AND SOUTH OF CENTER OF MINER STREET, CITY OF DES PLAINES, ALL IN COOK COUNTY, ILLINOIS.

Petitioner: Daniel Dowd for The New Age Spa Institute, Inc., 1651 Elk Blvd., Des Plaines, IL 60016

Owner: Harris Bank of Hinsdale Trust No. L-3923, 1810 Harwood Ave., Homewood, IL 60430

Chairman Szabo swore in Daniel Dowd, 701 Lee Street, Suite 790, Des Plaines, IL attorney for The New Age Spa Institute, Inc., 1651 Elk Blvd., Des Plaines, IL 60016 who introduced himself & Monica Machej, one of the Shareholders.

Mr. Dowd advised that this New Age Spa is in another location, and due to its success, needs a larger location. He noted attendees at the Spa include participants, 3 employees, and 20 students. Hours of

Operation are from 9 a.m.-9 p.m. Monday-Thursday and 9 a.m.-3 p.m. Friday-Sunday. Mr. Dowd stated there is more than adequate parking (35 spaces on-site). He noted this is in the M-2 District. Ms. Machej advised this is an esthetics and teaching institute with international accreditation. Attendees at the school are between 30-45 years of age. She noted there is another location in Arlington Heights. Students must achieve 200 hours (per the State of IL). Ms. Machej concluded that medical esthetics training is forthcoming and a trend now.

Chairman Szabo asked if the Board has any questions.

Board Member Schell asked what medical esthetics is. Ms. Machej advised – those who receive anti-aging services (i.e. botox, microdermabrasion, lasers, medical peels, etc.). She noted she organized a 500-person convention in Northbrook with 14 speakers, etc. There is 100% enrollment with passing grades.

Chairman Szabo asked if the audience is in favor or objects to this proposal. The following came forward and were sworn in:

- Bill Maher, 872 Mason Lane

Mr. Maher asked if the City verified the number of parking spaces available for the site. He also noted there are 22 students at the facility and asked if they will have clients (for massage, botox therapy). Mr. Maher is concerned that the neighbors know the extent of this proposal.

Senior Planner Mangum advised there are 35 parking spaces shown (vs. 16 required by code) and 20 students on-site. Ms. Machej stated when 10 students are working on their licensing, they would be performing services on each other and families. She noted it is training only. A Physician or RN would be working on the patients. Ms. Machej advised there has never been parking issues.

- Kathy Cruz, 888 Mason Lane

Ms. Cruz asked/stated:

- if anyone from the City verified the 35 parking spaces. Senior Planner Mangum advised the site plan indicates such.
- this is in a residential area; don't know if this is a good fit for a 7-day/week operation
- if there will be a change with the lighting. Ms. Machej stated – no. Mr. Dowd advised – whatever the code allows.
- how long the course lasts. Ms. Machej advised – it depends (some are seeking 750 credit hours); there are evening and weekend classes. Senior Planner Mangum advised – there are maximum light levels. He noted lighting cannot spill over beyond 0.1 foot candles. Mr. Dowd reminded this is currently a manufacturing district.

Chairman Szabo asked Staff to provide the Staff Report.

Issue: The petitioner is requesting an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the property from the M-2, General Manufacturing Zoning District to the C-3, General Commercial Zoning District and a Conditional Use Permit under Section 12-7-3-F.3 of the 1998 Des Plaines Zoning Ordinance, as amended, to authorize the operation of an esthetics and massage therapy school (Commercial School) in the C-3 District.

Analysis:

Petitioner	Daniel Dowd for The New Age Spa Institute, Inc. 1651 Elk Boulevard, Des Plaines, IL 60016
Owner	Harris Bank of Hinsdale Trust No. L-3923, 1810 Harwood Avenue, Homewood, IL 60430
PIN	09-21-107-011-0000, 09-21-107-019-0000
Proposed Use	Commercial School (Esthetics and Massage School)
Existing Use	Office Building
Surrounding Land Use	North: Institutional (School) East: Single-Family Residential South: Light Industrial West: Commercial/Commercial Storage
Existing Zoning	M-2, General Manufacturing
Surrounding Zoning	North: I-1, Institutional East: R-1, Single-Family Residential South: M-1, Limited Manufacturing West: M-2, General Manufacturing
Street Classification	The adjacent section of Busse Highway is identified as a collector road in the Comprehensive Plan.
Comprehensive Plan	The Comprehensive Plan recommends Low-Density Mixed Use for this site.

In reviewing the map amendments and variation requests, staff has considered the following information:

The petitioner, the New Age Spa Institute, has applied for a Map Amendment and Conditional Use Permit to relocate a Commercial School, esthetics and massage therapy, from a one-story, 3,100 square-foot office building at 1651 Elk Boulevard to the two-story, approximately 10,000 square-foot building at 1870 Busse Highway. Conditional Use Permits were granted in 2007 (Case #07-051-CU) and 2010 (Case #10-064-CU) to authorize the operation of the esthetics school and the addition of massage instruction at the 1651 Elk Boulevard location within the C-3 Zoning District. Commercial Schools are a conditional use within the C-3 Zoning District, but are not a permitted use in the M-2 Zoning District. According to Section 12-7-5.A of the Zoning Ordinance, the purpose of the C-3 General Commercial District is to accommodate a variety of

businesses in locations to serve the community. The existing building would be in compliance with the C-3 bulk standards.

The New Age Spa Institute, Inc., states in the Plan of Operation that they would offer the classes in the following area of study:

1. Licensed Esthetician;
2. Licensed Esthetics Instructor;
3. Licensed Nail Technician;
4. Licensed Nail Technology Instructor;
5. Licensed Massage Therapist; and
6. Advanced continuing education courses.

The proposed hours of operation are from 9:00 a.m. to 9:00 p.m. Monday through Thursday, and 9:00 a.m. to 3:00 p.m. Friday through Sunday. The Institute would have no more than three employees and a maximum of 20 students at any one time. A clinic would be open to the public on a limited basis for the students to practice their skills in the areas of esthetics, nail technology, and massage therapy.

This proposed commercial school is required to have one parking space for each employee, (there would be a maximum of three on site at any one time); one space for each three students (there would be a maximum of 20 students in school at any one time). Approximately six additional spaces would be required for the massage and skin care clinic areas. In consideration of the above, it was calculated that approximately 16 parking spaces would be necessary where the petitioner's site plan shows 35 spaces.

The irregularly shaped approximately 23,454 square foot lot (0.54 acres) is located on the north side of Busse Highway and has approximately 108 feet of street frontage with one curb cut. The applicant's request for a waiver of the traffic study requirement has been granted by the Engineering Division due to a number of factors, including: the educational facility would generate a small amount of traffic for the context location; the use is going into an existing building; the zoning parking requirements fall well within the existing parking lot capacity; Busse Highway has significant excess capacity (3,200 ADT over four travel lanes); and Miner/Busse is proposed to be signalized within the next couple of years which will ease existing difficult NB-WB left turns at that intersection.

Standards for a Zoning Map Amendment

To analyze this map amendment request, the standards for amendments contained in Section 12-3-7.E of the Zoning Ordinance are used. Following is a discussion of those standards:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan.

The 2007 City of Des Plaines Comprehensive Plan recommends Low-Density Mixed Use for this site. The proposed commercial zoning and use of the site is more similar to the recommended future land use category and more compatible with the adjacent residential and institutional land uses than a number of uses that could be located within the existing M-2 Zoning District.

2. Whether the proposed amendment is compatible with the current conditions and the overall character of existing developments in the immediate vicinity of the subject property.

The current conditions around the facility include a mix of industrial, commercial, educational, and single-family residential uses. The proposed commercial school within an existing office building is more compatible with the adjacent residential and institutional land uses than a number of uses that could be located within an M-2 Zoning District.

3. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to the subject property.

The public facilities and the public services provided by the City of Des Plaines are expected to be adequate. If the zoning amendment is approved, no expansion of public facilities or services is anticipated.

4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction.

The proposed use of the site would change from a commercial office use to a commercial school where surrounding properties are a mix of residential, commercial, educational, and industrial. The amendment is not anticipated to have an adverse effect on the property values.

5. Whether the proposed amendment reflects responsible standards for development and growth.

The proposed map amendment to reclassify the property to C-3, General Commercial does not directly reflect the proposed future land use of the area as Community Commercial, however, the location of the proposed use could act as a transition between the manufacturing and residential zoning districts and would be similar to an adjacent educational use.

Conditional Use Findings: As required by Section 12-3-4.E (Standards for Conditional Uses) of the Zoning Ordinance, the proposed development is reviewed below:

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

Comment: A Commercial School is a Conditional Use in the proposed C-3, General Commercial Zoning District, as specified in Section 12-7-3.K of the 1998 City of Des Plaines Zoning Ordinance, as amended.

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

Comment: The 2007 Comprehensive Plan recommends low-density mixed-use for the site. The proposed commercial zoning and use of the site is more similar to the recommended future land use category and more compatible with the adjacent residential and institutional land uses than a number of uses that could be located within the existing M-2 Zoning District.

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

Comment: The proposed Commercial School is located on Busse Highway, a collector road that currently has an auto-oriented character. The proposed commercial school within an existing office building is more compatible with the adjacent residential and institutional land uses than a number of uses that could be located within an M-2 Zoning District.

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

Comment: None of the functions of the Commercial School are anticipated to be hazardous or disturbing to the surrounding neighborhood.

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

Comment: After reviewing the petitioner's plans, the proposed Conditional Use would be served adequately by essential public facilities and it would not overburden existing public services.

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

Comment: The proposed Conditional Use would appear to have adequate public facilities; it would not create a burden on public facilities nor would it be a detriment to the economic well-being of the community.

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

Comment: Following review of the petitioner's operations with the City's Engineering Division, the proposed Commercial School is not anticipated to create additional traffic, noise, or odors that could be detrimental to surrounding land uses.

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

Comment: The proposed project would utilize the existing curb cut on Busse Highway for access. Based on an evaluation of the existing conditions and plans provided, staff does not find any evidence for potential interference with traffic patterns.

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

Comment: No significant remodeling or demolition of the existing building is proposed. The proposed plan would not cause the destruction, loss, or damage of any natural, scenic or historic features of major importance.

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

Comment: It appears that the proposed conditional use complies with all additional regulations within the Zoning Ordinance.

Recommendation: The Community Development Department recommends approval of the Map Amendment from M-2 to C-3 and Conditional Use Permit for the establishment of a Commercial School, based on review of the information presented by the applicant and the findings made above, as specified in Sections Section 12-3-7.E (Standards for Amendments) and 12-3-4.E (Standards for Conditional Uses) of the City of Des Plaines Zoning Ordinance, subject to the following condition of approval:

1. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.

Planning and Zoning Board Procedure: Under Sections 12-3-7.D (Amendments) and 12-3-4.D (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 Map Amendment and Conditional Use Permit requests for the establishment of a Commercial School. The City Council has the final authority on the project.

Chairman Szabo asked if the Board has any questions.

Board Member Saletnik reminded the audience that the traffic study was waived due to this being a non-heavy traffic area. He also noted lighting is regulated by code.

Chairman Szabo advised the property was operating on Elk Boulevard with no parking concerns.

A motion was made by Board Member Saletnik, seconded by Board Member Schell, to recommend approval to City Council of the MAP changes from the M-2 District to the C-3 District and the Conditional Use Permit including a condition regarding hours of service.

AYES: Saletnik, Schell, Yi, Szabo

NAYES: None

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

Chairman Szabo advised Petitioner a recommendation will be submitted to City Council.

3. **Addresses:** 200 W. Jarvis Avenue

Case Number: 16-004-V

Petitioner is requesting a Standard Variation under Section 12-7-4.E.4 of the 1998 Des Plaines Zoning Ordinance, as amended, to erect a concrete batch plant with a front setback of approximately 29-feet, where a minimum setback of 50-feet is required in the M-2 General Manufacturing District.

PIN: 08-25-400-006-0000

Petitioner: Richard Slager for Ozinga Bros., Inc., 2222 S. Lumber Street, Chicago, IL 60616

Owner: Ozinga Bros., Inc., 19001 Old LaGrange Road, Suite 300, Mokena, IL 60448

Chairman Szabo swore in Richard Slager for Ozinga Bros., Inc., 2222 S. Lumber Street, Chicago, IL 60616 who advised the Ozinga Bros. has been operating for the last 4 years. He noted the intention is to place a permanent, more efficient plant. Facilities are being merged. A variation for a setback is being sought.

Chairman Szabo stated/asked:

- to Staff, the signs fall within the Ordinance. Senior Planner Mangum advised – a separate permit is required for signs which would be forthcoming
- why two plants are needed so close together. Mr. Slager advised – they aren't; one plant is in great need of repair
- if the Wolf Road facility is closing. Mr. Slager advised – it may only be open a few times during the year. He noted they lease the property from Agate Industries.

Chairman Szabo asked if the Board has any questions.

Board Member Yi asked:

- if there was a setback deficiency before. Mr. Slager advised – we have two portable plants and are trying to enclose the plants (due to dust, etc. for the environment); we need the space
- Staff, if the City required the setback. Senior Planner Mangum explained same.

Chairman Szabo asked how many feet they are from the setback now. Mr. Slager advised – 75 feet

Board Member Saletnik asked/stated:

- if this will be permanent. Mr. Slager advised – yes, there are current dust collectors but enclosing will keep the sound and dust to a minimum
- it's nice to hear you are concerned about the residents regarding dust. Mr. Slager advised – the neighbors' concerns have been improved

Chairman Szabo asked:

- if the existing batch plant will be removed. Mr. Slager advised – yes
- if the new building will be taller. Mr. Slager advised – 1 ft. shorter

Chairman Szabo asked Staff to provide the Staff Report.

Issue: The petitioner is requesting a Standard Variation under Section 12-7-4.E.4 of the 1998 Des Plaines Zoning Ordinance, as amended, to erect a concrete batch plant with a front setback of approximately 29-feet, where a minimum setback of 50-feet is required in the M-2 General Manufacturing District.

Analysis:

Address: 200 W. Jarvis Avenue
PINs: 08-25-400-006-0000
Existing Zoning: M-2, General Manufacturing
Petitioner: Richard Slager for Ozinga Bros., Inc., 2222 S. Lumber Street, Chicago, IL 60616
Owner(s): Ozinga Bros., Inc., 19001 Old LaGrange Road, Suite 300, Mokena, IL 60448

In reviewing the variation request, staff has considered the following information:

The applicant, Ozinga Bros., Inc., is seeking a standard variation for the location of a structure within the front yard setback at 200 Jarvis Avenue. The 5.0 acre property is located on the north side of Jarvis Avenue. The asymmetrical shaped property is adjacent to public rights-of-way on three sides including an access road from the Des Plaines Oasis and an on-ramp to the I-90, Jane Addams Expressway. The adjacent parcel to the east is also located within the M-2, General Manufacturing District. In 2013 a major variation was granted to allow a 78-foot tall temporary concrete batch plant. The Zoning Administrator has determined that the height variation is valid for the proposed 77-foot tall permanent concrete batch plant that will replace the existing temporary structure. However, the standard variation is required because the new structure would be located approximately 29 feet from the front property line, instead of not less than 50-feet away. The owner utilizes its facility as a ready mix concrete producer taking raw stone materials and creating ready mix concrete that is distributed from the site by concrete mixing trucks. A 16,500 square foot masonry building is centrally located on the site. Given the above, the subject property has a building coverage which is significantly less than the 70 percent maximum permitted in the M-2 district. Additionally, a variation for a front yard setback of 26.5-feet was granted in 2013 to construct an approximately 18-foot tall 400-square foot (20-foot by 20-foot) fueling canopy for vehicles to access a compressed natural gas (CNG) fueling station.

Recommendation: Staff recommends approval of the requested setback variation based on review of the information presented by the applicant and the standards and conditions imposed by Section 12-3-6.H (Findings of Fact for Variations) as outlined within the City of Des Plaines Zoning Ordinance. The recommendation for approval of the setback is based on the unique shape and relatively isolated location of the property.

Planning and Zoning Board Procedure:

Under Section 12-3-6.F of the Zoning Ordinance (Standard Variations) the Planning and Zoning Board has the authority to approve, approve subject to conditions, or disapprove the above-mentioned variance for the location of a structure within the M-2 Zoning District.

Chairman Szabo asked if anyone in the audience is in favor or objects to this proposal. No one responded.

Chairman Szabo asked if the Board has further comments. There were none.

A motion was made by Board Member Saletnik, seconded by Board Member Schell, to approve the setback variation as requested.

AYES: Saletnik, Schell, Yi, Szabo

NAYES: None

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

4. **Addresses:** Citywide

Case Number: 15-068-TA

City initiated Text Amendments are proposed to the Commercial and Manufacturing Districts Use Matrixes (Tables 12-7-3.K and 12-7-4.K), Off Street Parking and Loading Facilities (Section 12-9-7), and Definitions (Section 12-13-3), of Title 12 of the Des Plaines City Code (the City of Des Plaines 1998 Zoning Ordinance, as amended,) to address Breweries, Brewpubs, and Distilleries.

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

Senior Planner Mangum explained the existing Districts and noted current trends regarding local brewing, etc. He noted parking, definitions of Brewpubs, and Distilleries would be included. Senior Planner Mangum stated Breweries and Distilleries would be allowed in the M-2 and M-3 Districts with a Conditional Use requirement in the M-1 District. He discussed public tours, number of gallons, etc. Brewpubs would be permitted in most Commercial Districts similar to Taverns and Class A Restaurants. Senior Planner Mangum advised no one has requested to build as of yet, however, it is a good time to contemplate amendments now.

The Staff Report is as follows:

Issue: This is a City-initiated petition for Text Amendments to the City of Des Plaines 1998 Zoning Ordinance, as amended, involving various Articles to specifically allow Brewpubs, Breweries, and Distilleries within the Zoning Ordinance.

Analysis:

General Information

Petitioner	City of Des Plaines, Community and Economic Development Department 1420 Miner Street, Des Plaines, IL 60016
Address	Citywide
Case Number	15-068-TA

Background Information

The applicant, the City of Des Plaines, and the property owner, Rosemont Park District, request approval to reclassify the zoning of the property at the Northeast Corner of Higgins Road and Orchard Place to the C-3, General Commercial District, and resubdivide the property into three parcels of land. The purpose of the request is to facilitate the transfer of the majority of the property from the Rosemont Park District to the City of Des Plaines. In addition, the request will allow proposed Lot 3, which accommodates the existing Billboard on the site, to be retained by the Rosemont Park District, and permit the Billboard to remain on the site. The creation of Lot 3 will also require the approval of a variance of the requirement that a lot front upon a dedicated, public street.

The southern portion of the property is currently within the R-1, Single-Family Residential Zoning District while the northern portion of the site is zoned C-2, Limited Office Commercial. The approximately 3.55 acre property, comprised of eight PINs, is located East of Orchard Place, South of I-90, North of Higgins Road and West of the Canadian National Railroad Tracks with 354.49 feet of frontage on Higgins Road and 708.44 feet of frontage on Orchard Place. Higgins-Willow Creek bisects the property and a portion of the property on either side of the creek is located within the Floodway.

The property was acquired by the Park District in 1999 and 2002. The majority of the property was rezoned from the C-2, Limited Office Commercial District to the R-1 Zoning District in 2005 (Ordinance Z-11-05, Zoning Case# 05-024-A). A Billboard that is located at the northern portion of Parcel A is scheduled to be removed due to I-90, Jane Addams roadway construction by the Illinois Tollway Authority. A recently approved Text Amendment to the Zoning Ordinance (Ordinance Z-15-15, Zoning Case #15-006-TA) allows such impacted nonconforming Billboard signs to be relocated within 500-feet of the original sign location within one-year, subject to location requirements in Table 11.6.B of the Zoning Ordinance, including that Billboards must be located a minimum of 300-feet from a residential property line.

According to Section 7.5-1 of the Zoning Ordinance, the purpose of the C-3 District is to accommodate a variety of businesses in locations to serve the community of Des Plaines.

To properly evaluate the text amendment requests, the standards below, which are contained in Section 3.7-5 of the Zoning Ordinance, must be employed. Following is a discussion of those standards:

A. Whether the proposed amendments are consistent with the goals, objectives and policies contained in the Comprehensive Plan:

Comment: The City of Des Plaines Comprehensive Plan, adopted by the City Council in 2007, does not address these changes in detail.

B. Whether the proposed amendments are compatible with the current conditions and the overall character of existing developments in the immediate area:

Comment: The proposed amendments to the Zoning Ordinance restate and clarify existing regulations within the Zoning Ordinance. Staff does not believe there are significant changes in the substance of policies or regulations proposed.

C. Whether the amendments are appropriate considering the adequacy of public facilities and services available to the property:

Comment: The proposed amendments are not anticipated to have a significant effect on public facilities or services.

D. Whether the proposed amendments will have an adverse effect on the value of properties throughout the jurisdiction:

Comment: The majority of the proposed amendments are not substantive in nature and should not have an adverse effect on the value of properties.

E. Whether the proposed amendments reflects responsible standards for development and growth:

Comment: This zoning text amendments do not appear to directly conflict with the City's Comprehensive Plan, the official policy guide to future land use, development, and conservation amendments would not appear to be in conflict with responsible standards for development and growth. The proposed amendments are part of

Recommendation: Based on the above analysis, the Community and Economic Development Department recommends approval of proposed text amendments.

Plan Commission Procedure: Under Section 3.7-4 of the Zoning Ordinance (Amendments) the Plan Commission may vote to *recommend* approval, approval with modifications, or disapproval. The City Council has the final authority on Amendments to the Zoning Ordinance.

Board Member Schell stated Tasting Rooms would be included.

Chairman Szabo asked if there are establishments that make hard liquor. Board Member Schell stated there is one in Evanston.

Senior Planner Mangum advised this amendment would allow Distilleries with an accessory tavern or restaurant (retail goods, etc.).

Board Member Saletnik shared he wonders what precipitated this. He advised he supports this wholeheartedly as it would promote a vibrant downtown, etc. Director Sakas stated there were some initial requests (though the Code wasn't amended yet); the conversation is being started now. Board Member Saletnik reminded it is sad that the downtown area never got off the ground. He suggested this is a good way to open the door/lay the groundwork. He suggested perhaps a small Distillery could be available in an Entertainment District.

Director Sakas informed there are Tasting Rooms for flavoring vodka, etc. Chairman Szabo asked if that would be a Special or Conditional Use Permit. Director Sakas advised that hasn't arisen as of yet.

A motion was made by Board Member Schell, seconded by Board Member Saletnik, to recommend approval of the Text Amendment to City Council to include Breweries, Brewpubs, and Distilleries as presented.

AYES: Schell, Saletnik, Yi, Szabo

NAYES: None

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

OLD BUSINESS

There was no Old Business.

ADJOURNMENT

A motion was made by Board Member Saletnik, seconded by Board Member Schell, to adjourn the meeting at 8 p.m. On a voice vote, the motion carried unanimously.

Sincerely,

Gale Cerabona
Recording Secretary

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