



September 19, 2016  
City Council Meeting

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Supplemental Packet

**COMMITTEE OF THE WHOLE**

1. **FINANCE & ADMINISTRATION** – Alderman Don Smith, Chair
  - a. N/A
  - b. Discussion and Presentation Regarding the Water/Sewer Fund (*back-up material to follow under separate cover*)
  
2. **COMMUNITY DEVELOPMENT** – Alderman Mike Charewicz, Chair
  - a. Opus Development – Consideration of Variations and Resubdivision, 1555 & 1565 Ellinwood Avenue, Case #16-050-V-SUB, 1<sup>st</sup> Ward – ORDINANCE Z-24-16 (*back-up material to follow under separate cover*)



## FINANCE DEPARTMENT

1420 Miner Street  
Des Plaines, IL 60016  
P: 847.391.5300  
desplaines.org

## MEMORANDUM

Date: September 16, 2016

To: Michael G. Bartholomew, City Manager

From: Dorothy Wisniewski, Assistant City Manager / Director of Finance  
Tim Oakley, Director of Public Works and Engineering

Subject: Water/Sewer Fund Analysis

**Issue:** The City Council requested an analysis regarding the water sewer fund and how the alternate water source impacts this fund financially.

**Analysis:** The Water/Sewer Fund is considered an enterprise fund. Enterprise funds are established to account for the financing of self-supporting activities of the City that render services on a user-charge basis. As part of the City's water allocation permit, the Illinois Department of Natural Resources states that all permittees adopt water rate structures based on metered water use and that water rate structures be developed that will discourage excessive water use. The Department also recommends that water rates reflect the full cost of water, including the long term cost to properly maintain and operate the water supply distribution system in such a manner as to keep system losses to a minimum (17 Ill. Adm. Code 3730).

In 2011, the City commissioned a water/sewer rate study which was conducted by Baxter & Woodman, Inc. The purpose of the study was to ensure that the water and sewer utilities were self-sustaining. The study included an in-depth evaluation of the current and projected revenues and expenses of the water and sanitary sewer systems. The findings gathered from the study in 2011 indicated that the annual water and sewer costs have gradually outpaced revenues over a few years prior to the study due to inflation and deferral of rate increases since 2006. Each year that a rate increase was deferred, the gap between revenues and expenditures widened. The study indicated that rate increases were needed not only to reverse the operating spending deficit and preserve enterprise fund reserves, but to also provide for increased investment in equipment and infrastructure. Those increases would have allowed the water/sewer fund to maintain a stable financial position. Several recommendations were made within the study, such as modifications to the rate structure by including a minimum water and minimum sewer bill charges to all accounts regardless of consumption. Another recommendation was to include an escalator on charges over a 5 year period of 4% rather than just passing on the City of Chicago increases in order to keep pace with increased expenditures. A third recommendation was to optimize shut-off procedures by sending pre-shutoff notices within 30 days of non-payment regardless of the amount outstanding. Current practice is to send pre-shut off notices after being 2 cycles delinquent.

While the study made recommendations on increasing the water rates, given the increases passed by the City of Chicago during fiscal years 2012 of 25%, 2013 of 15%, 2014 of 15% and 2015 of 15%, the City only

provided for an increase to the operational rate portion in 2012 of 15% with no further increases between 2013 through 2016. Prior to that timeframe, the last operational rate increase was in 2006 of 3.7%. As such, based on the continued increases to expenditures primarily due to inflation as well as aged infrastructure, the water/sewer fund depleted all of its reserves beginning in 2014 and had a negative balance position of \$1.5M at the end of the 2014 fiscal year.

As of December 31, 2015 the Water/Sewer fund had an unrestricted net position of negative \$3.4 million. The expenditures of the water/sewer fund began outpacing the revenues in 2010, and the balance began declining in 2011. Due to an aging infrastructure and limited rate increases, the water/sewer fund expenditures continue to outpace revenues at a higher rate annually. The following chart provides a historical overview between the years of 2010 through 2015:

	<b>2010 Actual</b>	<b>2011 Actual</b>	<b>2012 Actual</b>	<b>2013 Actual</b>	<b>2014 Actual</b>	<b>2015 Actual</b>
Beginning Balance	5,537,957	5,031,860	3,473,407	3,469,874	1,421,852	(1,497,649)*
Revenues	11,906,919	11,293,637	14,172,242	13,825,722	14,762,310	14,661,781
Expenses	(12,225,806)	(12,763,270)	(14,196,533)	(15,894,502)	(17,417,766)	(22,751,951)
Transfers	(187,210)	(88,820)	20,758	20,758	320,758	6,126,775
Prior Period Adjustment due to change in accounting principles					(584,803)	
<b>Ending Balance</b>	<b>5,031,860</b>	<b>3,473,407</b>	<b>3,469,874</b>	<b>1,421,852</b>	<b>(1,497,649)</b>	<b>(3,461,044)</b>

In May 2016, the City completed construction of an alternate water source that allows for the purchase of water from the Northwest Water Commission (NWWC). The total cost of this infrastructure buildout was \$9.0M of which \$8.5M has been paid to date utilizing gaming revenues. The City began flowing water from NWWC in May 2016. The amount of water allowed from the NWWC is not to exceed 5 million gallons per day. The average usage on a daily basis is approximately 6.324 million gallons per day (MGD) and during the summer months the average demand is 7.4 MGD. As such the remaining demand is still supplied by the City of Chicago. During the months of May, June and July 2016, the City has saved approximately \$731K by purchasing water through the NWWC. Once facilities are fully operational savings could reach a maximum of approximately \$3M annually, depending on demand. Given the limited amount of funding allocated toward infrastructure projects over the past 10 years, the City will need to address the aging infrastructure improvements over the next several years. Past budget funding for this replacement and rehabilitation work has been minimal at roughly \$1 million per year.

Based on the water/sewer study conducted in 2011 as well as industry standard replacement and rehabilitation schedules for the various components of the system, the above target annual budget allocation of \$3.3M toward infrastructure improvements has been created. This amount should be set aside for replacement and rehabilitation of the water system each year as part of the City’s Water System budget under the Capital Outlay section. It should be noted that this funding is necessary for maintaining the existing infrastructure.

The following table provides a water system inventory along with a recommended annual target allocation based on 2011 Baxter Woodman study.

	Activity	Estimated Cost	Service Life (years)	Target Annual Allocation
<b>Water Distribution</b>				
Water Main	Replacement	\$205,000,000	75	\$2,733,333
Meters	Replacement	\$6,000,000	20	\$300,000
				<b>\$3,033,333</b>
<b>Water Pumping Stations</b>				
Maple Street Pumps	Replace Pumps	\$300,000	20	\$15,000
Central Road Pumps	Replace Pumps	\$300,000	20	\$15,000
Generators	Replace Generators	\$1,000,000	20	\$50,000
Controls & Instrumentation	Replacement	\$500,000	20	\$25,000
				<b>\$105,000</b>
<b>Water Storage</b>				
Maple Street Reservoir	Inspect, Clean, Repair	\$100,000	15	\$6,667
Central Road Reservoir	Inspect, Clean, Repair	\$100,000	15	\$6,667
Dulles Road Elevated	Inspect, Repair, Paint	\$650,000	15	\$43,333
Holy Family Elevated	Inspect, Repair, Paint	\$375,000	15	\$25,000
Miner Street Elevated	Inspect, Repair, Paint	\$375,000	15	\$25,000
Oakton Street Elevated	Inspect, Repair, Paint	\$550,000	15	\$36,667
Howard Avenue Elevated	Inspect, Repair, Paint	\$550,000	15	\$36,667
				<b>\$180,000</b>
			<b>Total =</b>	<b>\$3,318,333</b>

The need for water main replacement, the largest component of the water system, is evidenced by the number of water main breaks we experience each year. On the average, we have 100 main breaks per year that result in approximately \$600,000 in water loss cost and \$130,000 in overtime costs on an annual basis.

The following chart provides details of the total water main breaks experienced between the years of 2010 through 2016:

Year	Number of Breaks	Approximate Unaccounted Flow	Meter Unaccounted Flow	Water Maint Break Unaccounted Flow	Estimated Water Loss Cost	Actual Water Main Overtime Cost	Estimated Total Cost
2010	110	8.88%	3.00%	5.88%	411,043	182,298	593,341
2011	96	10.90%	3.00%	7.90%	504,546	159,096	663,642
2012	170	8.73%	3.00%	5.73%	505,125	193,004	698,129
2013	141	7.41%	3.00%	4.41%	493,003	161,547	654,550
2014	105	7.50%	3.00%	4.50%	573,747	147,725	721,472
2015	80	11.90%	3.00%	8.90%	1,046,586	132,580	1,179,166
2016	92				1,203,574	61,582	1,265,156
<b>Total</b>	<b>794</b>				<b>4,737,624</b>	<b>1,037,832</b>	<b>5,775,455</b>

The City is in the process of replacing our aged water meters. As water meters age, they lose accuracy and under read the amount of water passing through them. The maximum recommended service life for a residential meter is 20 years and 12 years for larger commercial meters. The city's average residential meter age is 28 years and 21 years for commercial meters. Based on regular meter testing, the City is losing approximately 3% of unaccounted for water.

The American Water Works Association guidelines for water system operation recommends less than 25 water main breaks per year per 100 miles of pipe. Given our 221 miles of pipe, our break history should be 55 breaks per year under the guideline. Part of the reason why the City is experiencing a high level of water main breaks is due to the aging infrastructure. As you will note in the table below, close to 60% of the total miles of water mains are over 40 years old and 20% are over 60 years old. The cost of replacing just the 42 miles of water main which are over 60 years old is estimated at \$38.9M.

Pipe Age	Miles	% of Total
< 20 Years	53	24%
20 – 40 Years	40	18%
40 – 60 Years	86	39%
> 60 Years	42	19%
Total	221	100%

In addition to the above costs, there is movement at the Illinois Environmental Protection Agency to add additional lead / copper testing requirements and possible lead service line replacement mandates for water systems. The costs associated with this is unknown at this time but any new regulations will affect our Water System budget.

Based on the City Councils request to provide options for the potential water rate reduction, the following options are presented for discussion which yield the financial results as indicated in Water/Sewer Fund Balance Chart below. Additionally, it is important to note that the 2017 Projection assumed the Proposed Budget numbers which will be discussed during budget deliberations.

**Option #1**

**Assumptions:** No increase to the rates are proposed and the capital improvements are funded through the water/sewer fund.

**Results:** The deficit in the water/sewer fund continues to increase and by 2022 is projected to be at a negative \$16.5M with continued deficit increases years beyond.

**Option #2**

**Assumptions:** No increase to the rates are proposed and the capital improvements are 100% funded through a transfer from the gaming fund.

**Results:** Based on this option, the fund has a positive projected fund balance of \$441K in year 2022. It is important to note that with this option approximately 40% of gaming revenues received would be utilized towards capital improvement projects within the water/sewer fund.

**Option #3**

**Assumptions:** Should the City of Chicago increase the water rates as recently proposed in the amount of 7% over the next 3 years, the rates are assumed to be passed on to the residents. In terms of capital projects, those are assumed to be funded at 50% from gaming revenues 50% from water/sewer fund revenues.

**Results:** Based on this option, the fund has a positive projected fund balance of \$175K in year 2024. It is important to note that with this option approximately 20% of gaming revenues received would be utilized towards capital improvement projects within the water/sewer fund.

**Option #4**

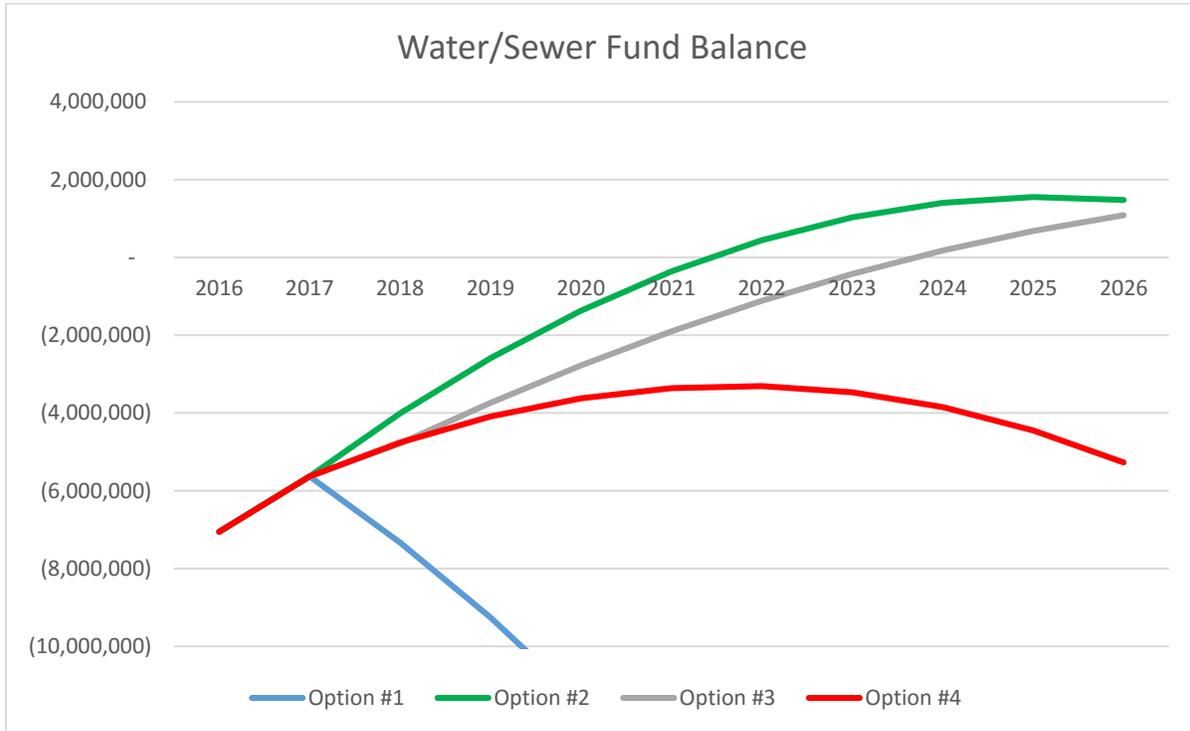
**Assumptions:** This option assumes a 25% sharing of the savings achieved by purchasing water from the Northwest Water Commission. No increase from the City of Chicago has been assumed. In terms of capital

projects, those continue to be funded through gaming funds at the 100% level as mentioned in Option #2 above.

**Results:** Based on this option, while the fund begins to move toward a positive direction, in year 2023 the operational expenses exceed the revenues and therefore the fund never reaches a positive balance.

All options assume a minimal 2% increase to the operating expenses and a 1% increase to water cost and capital infrastructure projects. In terms of capital infrastructure projects, it is important to note that the initial funding level used is \$3.3M which was estimated back in 2011.

The following chart graphically depicts each of the above options and the year in which the water/sewer fund is able to reverse the negative trend in declining balances which is only possible in Options #2 and #3.



Additionally, while the commercial/industrial utility accounts comprise 5.7% of the total utility billing accounts, they account for 34.1% of the annual consumption. Residential properties account of 94.3% of the total utility billing accounts and 65.9% of the average annual consumption. As such, any decrease in water rates would be realized proportionately based on consumption.

**Conclusion:** The above information is provided for City Council discussion.

**Attachments:**

Attachment 1: Water/Sewer Fund Financial Projection

Water/Sewer Fund Financial Projection												
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	
	Projection	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Projection	Projection	Projection	
<b>Option #1</b>												
Revenues		14,551,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000
Transfers		4,620,758										
Operating Expenses		6,827,826	6,964,383	7,103,670	7,245,744	7,390,658	7,538,472	7,689,241	7,843,026	7,999,886	8,159,884	8,159,884
Water Cost (Avg Increase)		6,300,000	6,019,297	6,079,490	6,140,285	6,201,688	6,263,705	6,326,342	6,389,605	6,453,502	6,518,037	6,518,037
Capital Improvements		4,620,758	3,318,333	3,351,516	3,385,031	3,418,882	3,453,071	3,487,601	3,522,477	3,557,702	3,593,279	3,593,279
<b>Balance</b>	<b>(7,054,633)</b>	<b>(5,631,459)</b>	<b>(7,329,472)</b>	<b>(9,260,149)</b>	<b>(11,427,209)</b>	<b>(13,834,437)</b>	<b>(16,485,685)</b>	<b>(19,384,869)</b>	<b>(22,535,978)</b>	<b>(25,943,068)</b>	<b>(29,610,268)</b>	<b>(29,610,268)</b>
<b>Option #2</b>												
Revenues		14,551,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000	14,604,000
Transfers		4,600,000	3,318,333	3,351,516	3,385,031	3,418,882	3,453,071	3,487,601	3,522,477	3,557,702	3,593,279	3,593,279
Operating Expenses		6,827,826	6,964,383	7,103,670	7,245,744	7,390,658	7,538,472	7,689,241	7,843,026	7,999,886	8,159,884	8,159,884
Water Cost (Avg Increase)		6,300,000	6,019,297	6,079,490	6,140,285	6,201,688	6,263,705	6,326,342	6,389,605	6,453,502	6,518,037	6,518,037
Capital Improvements		4,600,000	3,318,333	3,351,516	3,385,031	3,418,882	3,453,071	3,487,601	3,522,477	3,557,702	3,593,279	3,593,279
<b>Balance</b>	<b>(7,054,633)</b>	<b>(5,631,459)</b>	<b>(4,011,139)</b>	<b>(2,590,299)</b>	<b>(1,372,328)</b>	<b>(360,675)</b>	<b>441,149</b>	<b>1,029,565</b>	<b>1,400,934</b>	<b>1,551,546</b>	<b>1,477,626</b>	<b>1,477,626</b>
<b>Option #3</b>												
Revenues		14,551,000	15,604,000	16,154,000	16,291,500	16,430,375	16,570,639	16,712,305	16,855,388	16,999,902	17,145,861	17,145,861
Transfers		4,620,758	1,659,167	1,675,758	1,692,516	1,709,441	1,726,535	1,743,801	1,761,239	1,778,851	1,796,640	1,796,640
Operating Expenses		6,827,826	6,964,383	7,103,670	7,245,744	7,390,658	7,538,472	7,689,241	7,843,026	7,999,886	8,159,884	8,159,884
Water Cost (Avg Increase)		6,300,000	6,135,225	6,328,313	6,391,596	6,455,512	6,520,067	6,585,268	6,651,121	6,717,632	6,784,808	6,784,808
Capital Improvements		4,620,758	3,318,333	3,351,516	3,385,031	3,418,882	3,453,071	3,487,601	3,522,477	3,557,702	3,593,279	3,593,279
<b>Balance</b>	<b>(7,054,633)</b>	<b>(5,631,459)</b>	<b>(4,786,233)</b>	<b>(3,739,974)</b>	<b>(2,778,330)</b>	<b>(1,903,567)</b>	<b>(1,118,002)</b>	<b>(424,007)</b>	<b>175,996</b>	<b>679,529</b>	<b>1,084,058</b>	<b>1,084,058</b>
<b>Option #4</b>												
Revenues (25% Savings)		14,551,000	13,854,000	13,854,000	13,854,000	13,854,000	13,854,000	13,854,000	13,854,000	13,854,000	13,854,000	13,854,000
Transfers		4,620,758	3,318,333	3,351,516	3,385,031	3,418,882	3,453,071	3,487,601	3,522,477	3,557,702	3,593,279	3,593,279
Operating Expenses		6,827,826	6,964,383	7,103,670	7,245,744	7,390,658	7,538,472	7,689,241	7,843,026	7,999,886	8,159,884	8,159,884
Water Cost (Avg Increase)		6,300,000	6,019,297	6,079,490	6,140,285	6,201,688	6,263,705	6,326,342	6,389,605	6,453,502	6,518,037	6,518,037
Capital Improvements		4,620,758	3,318,333	3,351,516	3,385,031	3,418,882	3,453,071	3,487,601	3,522,477	3,557,702	3,593,279	3,593,279
<b>Balance</b>	<b>(7,054,633)</b>	<b>(5,631,459)</b>	<b>(4,761,139)</b>	<b>(4,090,299)</b>	<b>(3,622,328)</b>	<b>(3,360,675)</b>	<b>(3,308,851)</b>	<b>(3,470,435)</b>	<b>(3,849,066)</b>	<b>(4,448,454)</b>	<b>(5,272,374)</b>	<b>(5,272,374)</b>



MEMORANDUM

Date: September 13, 2016  
To: Michael G. Bartholomew, MCP, LEED AP, City Manager  
Michael McMahon, Community and Economic Development Director  
From: Lauren Pruss, AICP, Economic Development Coordinator (LP)  
Subject: Opus Development - Consideration of Variations and Resubdivision,  
1555 & 1565 Ellinwood Street (Case #: 16-050-V-SUB) (1<sup>st</sup> Ward)

**Issue:** Opus Development proposes to construct 113 multi-family units in the C-5 Zoning District located at 1555 and 1565 Ellinwood Street. The petitioner is requesting approval of a tentative and final plat of consolidation and a major variation of the 1998 City of Des Plaines Zoning Ordinance Section 12-7-3.5.e.2 which requires a minimum Lot Area of 150,600 square feet, where the applicant is providing 57,342 square feet.

**Analysis:** In analyzing this request, staff considered the following information:

**General Information**

**Address** 1555 & 1565 Ellinwood Street, Adjoining City Parcel (no address or PIN)  
**Real Estate Index Numbers** 09-17-421-012-0000, 09-17-421-024-0000, 09-17-421-034-0000  
**Existing Zoning** C-5, Central Business District  
**Petitioner** Opus Development Company, LLC, 9700 W. Higgins Rd., Ste. 900, Rosemont, IL 60018  
**Owner** Robert Lewandowski, 3729 Torrey Pines Blvd., Sarasota, FL 34238  
Hank Kolak, 1043 Apple Creek Ln., Des Plaines, IL 60016  
**Case Number** 16-050-V-SUB

The Opus Group proposes to develop the parcels located at 1555 & 1565 Ellinwood Street, and the adjacent city-owned parcel, with a luxury apartment building in the C-5, Central Business District. The developer originally proposed to develop only the lots at 1555 & 1565 Ellinwood, but provide a portion of the required parking on the adjoining city-owned land and within the Ellinwood right of way. The proposed plan which included 108 units, a requested parking variation to reduce the required on-site parking ratio to 1.69, and a lot area variation to provide only 43,842 square feet of lot area when 140,600 square feet is required was presented to the Planning and Zoning Board on August 23, 2016. The Planning and Zoning Board voted unanimously (7-0) to recommend approval of the proposed plan subject to several conditions, including one requiring the developer enter into a contract for the sale of the adjoining city-owned parcel of land or other form of long-term lease agreement for the use of land as required parking for the development.

Following the public hearing, the applicant and staff have worked diligently to eliminate the requested parking variation. Staff has further urged the applicant to enter in to a contract for purchase of the City property, rather than a long term lease. While staff and the applicant have yet to discuss the terms of a sale, it has been understood among the parties that the sale of the City property is an essential component of eliminating the originally requested parking variation. To that end, the applicant has worked to develop a revised plan that accomplishes this goal while remaining financially feasible. Overall, the revised plan is substantially similar to the previous proposal in that the same property is still the subject of the application, the proposed use of the property, height of the building, and concept architecture remain unchanged. However, for the project to remain financially feasible, the applicant is proposing the following modifications to the proposed plan:

- Increase the number of units from 108 to 113,
- The retail floor area has increased from 1,846 square feet to 1,988 square feet,
- With the City lot now included, the lot area increases by approximately 13,500 square feet (from 43,842 square feet to 57,342 square feet),
- The required lot area increases from 140,600 to 150,600 square feet,
- The proposed building footprint increases from 31,652 square feet to 35,737 square feet (+4,085 square feet) and will occupy a portion of the City lot, and
- The proposed number of on-site parking spaces increases from 182 (1.69/unit) to 232 (2.05/unit), eliminating the need for a parking variance.

### **Additional Considerations and Findings:**

**Traffic and Parking.** The applicant has submitted a traffic study which shows that the existing street network and nearby intersections have more than enough capacity to support the proposed development.

**Comprehensive Plan.** The 2007 Comprehensive Plan designates the subject property as “Mixed Use – High Density.” The proposed development conforms to this designation as it incorporates both residential and commercial uses and provides a high density residential form of development.

**Surrounding Land Use and Zoning.** The areas to the north, east and west are zoned C-5, and are developed with a mix of both residential and commercial uses consistent with the pattern of development found throughout downtown. The area to the south is zoned R-4 Central Core Residential, and is developed with the Central Elementary School playground. The proposed development is consistent with the pattern and form of development and the uses permitted in these zones. The proposed seven story building will provide an appropriate transition in the building heights along Ellinwood from the 10-story Brookdale building on the east end of the street to the two story bank building at the corner of Pearson and Ellinwood. Additionally, the site’s proximity to the train station warrants a transit-oriented, high density form of development which would not be possible under the strict application of the C-5 zoning.

**Architecture.** The proposed building design is consistent with the Building Design Review regulations of the Zoning Ordinance which require a minimum of 75% window transparency on street facing commercial facades, and requires durable, natural materials such as brick, stucco, metal, and concrete as permitted first floor materials. The primary materials on the first floor elevation of the building will be brick and concrete, with fiber cement board and metal on the upper floors. The proposed architecture is of a simple, modern design with projecting balconies providing an urban finish to the facades. The proposed architecture will be compatible with the adjoining Brookdale building, and add interest and variety to the surrounding development within downtown.

**Public Benefit.** In addition to improving the aesthetic quality of the Ellinwood Street frontage, the proposed development will provide a number of public benefits should it be approved. The current property tax provided by the existing development is approximately \$38,000 annually. Further, the City property generates no property tax. The property tax increment from the proposed development has not been estimated at this time, but it can safely be assumed that there will be a significant increase in property taxes with the redevelopment of the site. Additionally, the proposed retail space should generate sales tax revenue. If the City requires the development of the site under the strict application of the Zoning Ordinance, the property tax revenue from the site would be reduced, and the development would likely not be possible due to the cost factors associated with land acquisition and construction.

### **Final Plat Report**

**Name of Subdivision:** 1555 Ellinwood Apartments  
**Address:** 1555 & 1656 Ellinwood Street  
**Request:** Approval of a Tentative and Final Plat of Subdivision to consolidate four lots into one lot  
**Total Size of Resubdivision:** 57,342 square feet

### **General Information**

**Lot Descriptions and Construction Plans:** The Final plat shows four existing parcels being consolidated into one lot containing 57,342 square feet. No Variations to the Subdivision regulations are requested at this time.

### **Final Plat Comments**

1. If approved, the Final Plat must show the Name of the Owner(s) and notarized signatures;
2. The Final Plat must show the proper easement provisions and signature lines and have them signed by all the public service utilities;
3. On the Final Plat, the petitioner shall sign the owner certificate(s) and have them notarized.
4. The Final Plat must show Municipal Boundaries.
5. The Final Plat must show building lines and easements including dimensions.

**Summary of Findings:** The proposed development conforms to the Mixed-Use High-Density Residential land use designation for this site expressed in the 2007 Comprehensive Plan and would also be compatible with the existing development and zoning of the surrounding area. The site's location in the Downtown Business District and the adjacent Union Pacific NW Line train station justifies the reduction in lot area per dwelling unit to allow for the development of the site in conformance with the Comprehensive Plan. An increased number of units can help to promote transit-oriented development, which is a described goal in the City's Comprehensive Plan along with providing high-quality and diverse housing options. Additionally, the proposed development will provide a significant increase in the assessed value of the property, resulting in an increase in property tax revenue to the City.

**Recommendations:**

- The Planning and Zoning Board, after having heard and fully considered the evidence, voted (7-0) to *recommend* approval of the Major Variance, Tentative Plat, and Final Plat of Subdivision subject to conditions 1-3, below.
  1. The applicant shall enter into a contract for the sale of the adjoining City-owned parcel of land or other form of long-term lease agreement for the use of land as required parking for the development.
  2. The architecture of the sides and rear of the building must be of consistent design and materials as what is represented for the Ellinwood (north) and east facades on pages 7 and 8, titled “3D Building Image,” of the Zoning Variance Application dated August 1, 2016, and shall conform with Section 12-3-11 Building Design Review of the Zoning Ordinance
  3. Compliance with all applicable codes and ordinances.
  
- Given the changes in the proposed plan, the Department of Community and Economic Development recommends approval subject to conditions 2 and 3 above, but with condition #1 modified as follows:
  1. The applicant shall enter into a contract for the sale of the adjoining City-owned parcel of land.

Under Section 12-3-5 (Planned Unit Developments) of the Zoning Ordinance the City Council has the authority to approve, approve with modifications, or disapprove the above-mentioned major lot area variance, the major parking variance, and the tentative and final plat of subdivision.

It is requested that this item be placed on the Committee of the Whole agenda at the September 19, 2016 City Council meeting.

**Attachments:**

- Attachment 1: Petitioner’s Variation Statement
- Attachment 2: Location Map
- Attachment 3: Site and Context Photos
- Attachment 4: Planning Zoning Board Meeting Minutes of August 23, 2016
- Attachment 5: Letter from the Planning and Zoning Board to the Mayor
- Attachment 6: Traffic Study (Appendices not Included)
- Attachment 7: Variation Application Booklet

Ordinance Z – 24–16 An Ordinance Approving Tentative and Final Plats of Consolidation and a Major Variation from Section 12-7-3.5.E.2 of The City of Des Plaines Zoning Ordinance at 1555-1557 and 1565 Ellinwood Avenue, Des Plaines, Illinois.

**Exhibits:**

- Exhibit A: Final Plat of Subdivision
- Exhibit B: Site Plan
- Exhibit C: 3D Building Image

## City of Des Plaines – Zoning Variation Application

**1585 Ellinwood, Des Plaines IL, 60016  
Ellinwood Apartments**

### **RE: Reasons for Variation Request**

A Variation is a zoning adjustment, which permits changes of certain zoning requirements where individual properties are unduly burdened by the strict application of the zoning standards. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome hardship of the property.

A Variation recognizes that the same zoning district requirements do not affect all properties equally; the intention of it is to allow changes to properties where there is a hardship to enjoy equal opportunities with similarly zoned properties. You must prove in making your case that special circumstances or unusual conditions affect your property. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties, a variation cannot be granted. You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted under the current zoning district. No variation may be granted which would adversely affect surrounding property or the general neighborhood. All variations must be in harmony with the intent and purpose of the Zoning Ordinance.

**In order for the Zoning Administrator, staff and Zoning Board of Appeals to understand your reasons for requesting a variation(s) please answer the following questions completely.**

1. What would you describe as the hardship(s) that prevent you from being able to carry out the strict letter of the provisions of the Zoning Ordinance? (Explain in Detail)

### **Zoning Ordinance 12-9-7 – Relief from Parking Requirement 2:1 Parking Ratio**

Residential Parking Ratio – The development seeks to reduce the parking ratio as follows:

- From 2:1 to 1.69:1 - inclusive of the on-site parking stalls (182 stalls)
- From 2:1 to 1.89:1 – inclusive of the resulting stalls from the reconfiguration of the adjacent public alley (22 additional stalls)
- No relief needed (2.0:1) – inclusive of the Ellinwood frontage stalls (12 additional stalls)

Applicant requests the reduction due to the limitations in site area for the development program to allow the density required for financial feasibility. The Applicant projects that the overall 2.0:1 parking ratio consisting of 216 available parking spaces for 108 residential units will be more than adequate to satisfy the residents parking demands.

Additionally, the proposed development has physical and subsequent economic hardships with regards to the subsurface conditions of the site. Because of the high water table and the site being partially located within a flood plain, creation of underground parking is an economic non-starter. Therefore, this development is not financially viable if Applicant is denied the requested relief from the current Zoning Code Ordinance.

## **Zoning Ordinance 12-7-3.H5E2 – Relief from Minimum Lot Area**

Minimum Lot Area - The proposed development does not meet minimum lot area requirements and density requirements of the C-5 district. The Applicant seeks relief of this requirement to provide the density required to make this development a financially viable project. The total site area is 43,900sf (1.01 acres). The total FAR of the project will remain under a 4.0 FAR keeping in-line with the surrounding density and use profile of the City. The project will remain under the required 100 foot height limit and be approximately 75 feet. The Applicant views the minimum lot area to be incongruent with the minimum floor area per unit requirements (Studio 535sf, 1BR 620, 2BR 780) requirements. The proposed development will have average units sizes of (Studio 599sf, 1BR 715sf, 2BR 1,112sf) meeting the Minimum Floor Area per dwelling unit requirement.

2. How do the site conditions prevent the reasonable use of your land under the terms of the Zoning Ordinance? (Explain in Detail)

Because of the high water table and the site being partially located within a flood plain, creation of underground parking is an economic non-starter. Therefore, this development is not financially viable if Applicant is denied the requested relief from the current Zoning Code Ordinance.

3. To the best of your knowledge, can you affirm that the physical condition of your property was not created by an action of anyone having property interests in the land after the Zoning Ordinance of 1998 was adopted, or as the result of other governmental action, or was created by natural forces:

Yes. We affirm the physical condition was not created by an action of anyone having property interests in the land after the Zoning Ordinance of 1998 was adopted, or as the result of other governmental action, or was created by natural forces.

4. How would the denial of the variation deprive you from rights enjoyed by other persons subject to the same provisions? (Explain in Detail)

Increasing the minimum lot area or parking density will reduce the number of residential units - forcing the residential units to be larger than what is considered "market" (what competitive buildings would offer) and would subsequently push the per unit rents higher than the market can support based on current rent for competitive buildings.

The proposed plan integrates seamlessly into the urban surroundings and will provide a vibrant fresh take on transit oriented development - replacing an underutilized vacant lot and an aging, obsolete office building. The increase tax base and new residents will benefit the City and the rest of the downtown market.

5. Is the requested variation the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of the Zoning Ordinance? (Explain in Detail)

The proposed variation request is the minimum measure of relief necessary. The Applicant is not strictly seeking relief under the zoning ordinance for parking and minimum lot area requirements. Providing the relief provides the applicant the necessary land use approvals to create a financially feasible development.

6. Will the granting of the variation be in harmony with the neighborhood and the provisions of the Zoning Ordinance from which it is being sought? (Explain in Detail)

The Applicant proposes to develop the Property into high density multifamily and commercial uses. The proposed uses for the Property, diversity of uses through the proposed mixed-use development, and the location of the Property near public transportation are all examples of how the proposed uses and development are in keeping with the Comprehensive Downtown Plan. The proposed uses are in harmony with the purposes for which the code was enacted and for which the regulations of the district were established.

The proposed commercial use is not projected to materially increase traffic but will add services to the City. The proposed residential use is projected to include residents that utilize public transportation. Metra's Northwest Rail line is located at the doorsteps of the proposed development and provides direct access to Chicago's Ogilvy Transportation Hub in under 45 minutes. The location of the Property with immediate proximity to Metra will encourage the use of public transportation instead of commuting by vehicle. The proposed use will not cause undue traffic congestion nor draw significant amounts of traffic through the residential streets.

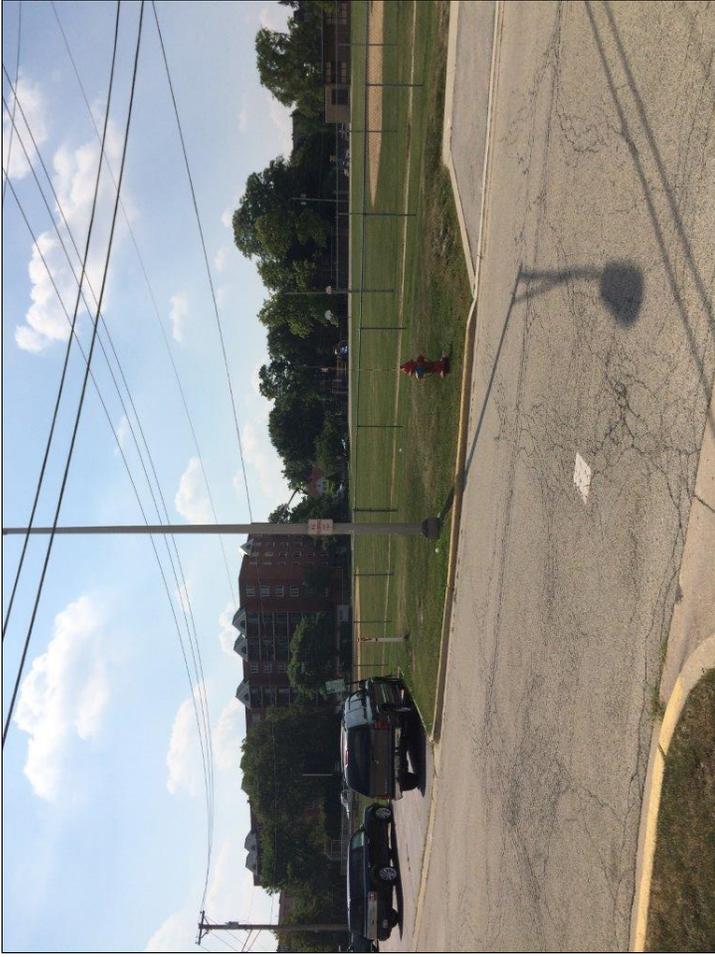
The proposed use and development will provide a material improvement to the Property and general area. The Property has been underutilized for more than a decade. The proposed use will be utilized by residents of Des Plaines as well as by its visitors. The overall design of the proposed development maintains and enhances the character of the area which is improved with commercial and high density multifamily uses. New hardscape improvements will add to public safety and provide a safer atmosphere to the surrounding areas. The proposed development will have a positive impact on the public health, safety and general welfare in fulfilling the intent of the current comprehensive plan for the Des Plaines downtown.



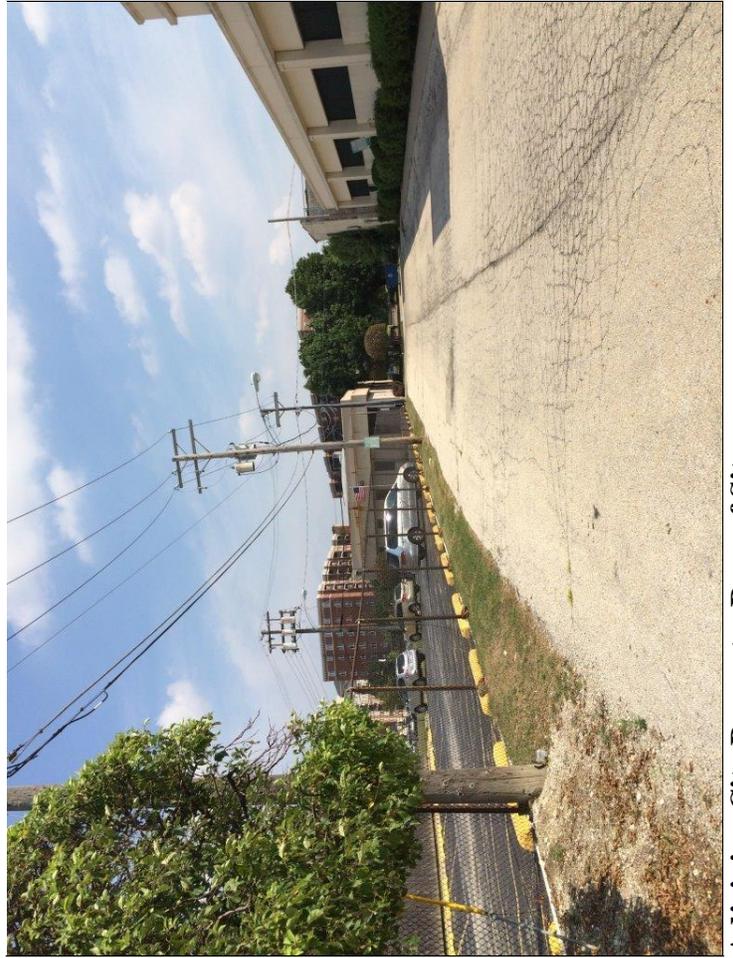
Map created on August 11, 2016.  
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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not 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.



Public Hearing Sign



Looking South from Site at Prairie Ave.



Adjoining City Property, Rear of Site



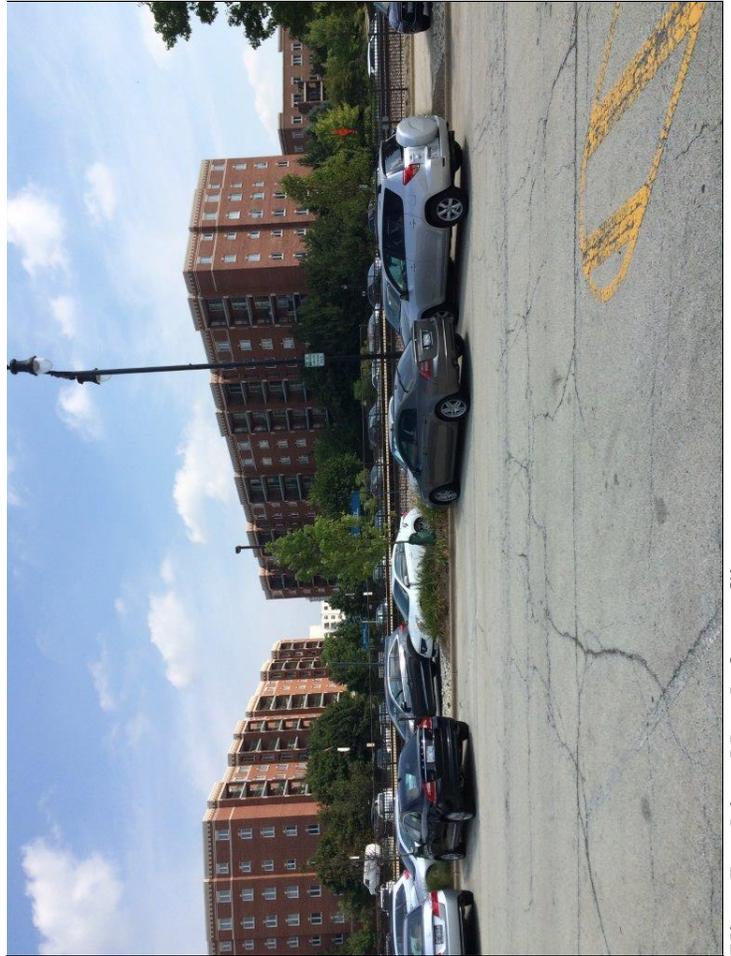
View from Site Looking East along Prairie Ave.



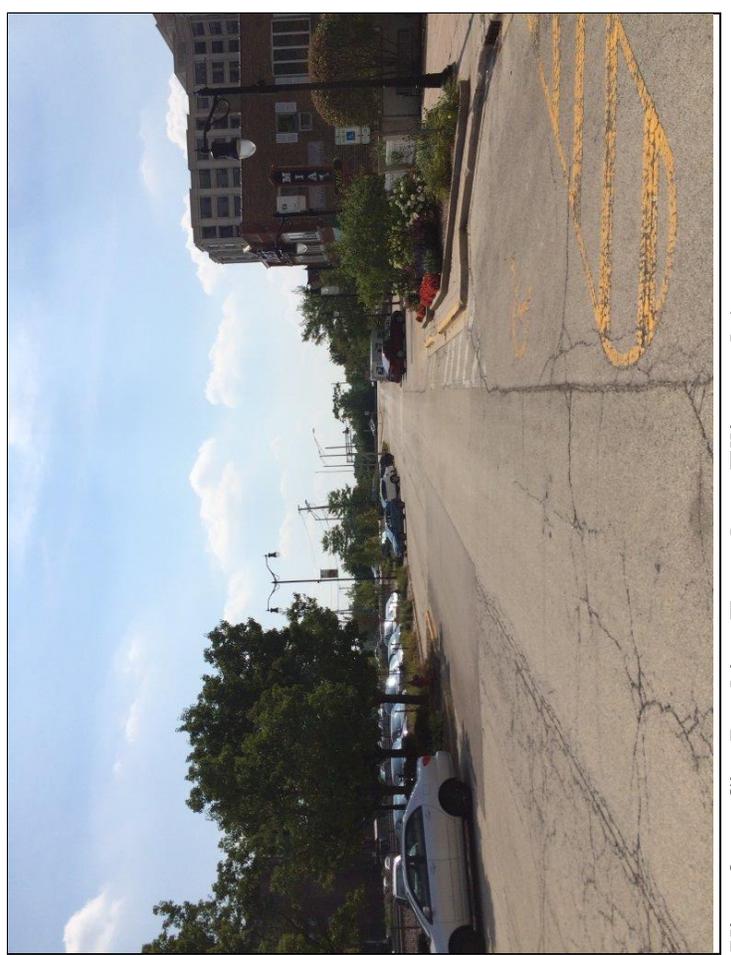
View Looking West along Prairie Ave.



View Looking West along Elinwood Ave.



View Looking North from Site



View from Site Looking East along Elinwood Ave.

Chairman Szabo asked what the hours of operation are. Mr. Georgantas advised 10:30 a.m. – 9 p.m. Monday thru Saturday and closed on Sundays.

Board Member Catalano asked for clarification on the location of Gus Mandes' home; Mr. Chelin illustrated same.

Board Member Saletnik asked Staff to review zoning standards. Coordinator Pruss stated there is a Lighting Code, Noise ordinance – all with requirements that must be met.

Board Member Catalano asked if the drive-thru speaker could be angled to the Southeast. Coordinator Pruss stated this could be added to a motion.

Board Member Hofherr advised speakers could be turned down to a low volume when repeating orders back to customers (as he experiences this firsthand with a drive-thru near his home).

**A motion was made by Board Member Saletnik, seconded by Board Member Hofherr, to recommend approval to City Council as presented and angle the drive-thru speaker to minimize sound to residents.**

AYES: Saletnik, Hofherr, Bader, Green, Catalano, Schell, Szabo

NAYES: None

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

Chairman Szabo advised a recommendation for approval would be provided to City Council.

**2. Addresses: 1555 & 1565 Ellinwood Case 16-050-V-SUB**

Opus Development proposes to construct 108 multi-family units in the C-5 Zoning District located at 1555 and 1565 Ellinwood Avenue. The petitioner is requesting approval of a tentative and final plat of consolidation and major variations of the 1998 City of Des Plaines Zoning Ordinance Section 12-7- 3.5.e.2 which requires a minimum Lot Area of 140,600 square feet, where the applicant is providing 43,900 square feet; and Section 12-9-7: Off Street Parking, providing 182 on-site parking spaces, and 34 adjacent parking spaces where a minimum of 216 are required.

**PINs:** 09-17-421-012-0000, 09-17-421-024-0000

**Petitioner:** Opus Development Company, LLC, 9700 W. Higgins Rd., Ste. 900, Rosemont, IL 60018

**Owner:** Robert Lewandowski, 3729 Torrey Pines Blvd., Sarasota, FL 34238 & Hank Kolak, 1043 Apple Creek Ln., Des Plaines, IL 60016

Chairman Szabo swore in Bryan Farquhar, Senior Manager, Real Estate Development, Opus Development Company, LLC, 9700 Higgins Road, Suite 900, Rosemont, IL & Gretchen M. Camp, AIA, LEED AP, Partner, ESG, 500 Washington Avenue South, Suite 1080, Minneapolis, MN, & Luay R. Aboona, PE, KLOA, 9575 W. Higgins Road, Suite 400, Rosemont, IL.

Mr. Farquhar thanked the Board & Staff for this opportunity. He advised Opus is a family-owned business opened for 50 years in Minneapolis. Opus is a real estate developer. He noted they have had an office in Chicago for 25 years. They have been working on this development for over 2 years. Mr. Farquhar noted

parking ratio, requirements. He believes the Code of 2 parking spaces per unit is high and noted there aren't any other suburbs where this is required; Elmhurst is 1.3 spaces per unit. This is a mixed use, 5-story building with 2-level parking, amenities in building, etc. He advised the adjacent strip mall may be added. Rationale for economic performance was read. Mr. Farquhar stated there is a 254-unit transit development in LaGrange. He believes Des Plaines is a great fit with need for a vibrant development. Top Ten Transit Suburb information was shared. Target demographics were identified. He stated users are millennials, renters, couples, singles, etc. Renters are seeking community spaces, are eco-conscious, want dog/bike paths, festivals in area, etc. Amenities are a pool, business center, club room, outdoor gourmet kitchen and grill, coffee bar, etc.

Traffic impact, in other locations, indicates that 25% of users use other means of transportation for work than vehicles.

Cost of apartments are: \$1,300-2,000 per month for a 1-bedroom and \$2,400 per month for a 2-bedroom. Mr. Farquhar advised the current EAV/use is \$360,000 per year in taxes and \$41,000 in taxes with a future EAV of \$3,400,000 and \$387,000 in annual property taxes.

Ms. Camp gave background that ESG is an architectural firm that has worked with Opus for over 15 years. She identified other projects (in Park Ridge, Minneapolis, etc.). Aerial and other photos were shown. Site plan was illustrated:

- 1<sup>st</sup> floor retail shops, lobby, 73 garage stalls; maintaining pocket park
- 2<sup>d</sup> floor 93 parking stalls
- 3<sup>d</sup> floor outdoor terrace, pool, club room, fitness area
- 4<sup>th</sup>-7<sup>th</sup> floors have stacked parking

Materials are:

- 1<sup>st</sup>-2<sup>d</sup> floors cement (precast)
- 3<sup>d</sup>-7<sup>th</sup> floors wood frame (masonry, stucco, etc.)

It was noted a retailer is yet to be identified. Each unit has an outdoor terrace. Parking layouts were shared. The following requests were referenced:

- off-street parking (182 stalls)
- summary of recent developments
- parking ratios
- density variance (proposing 43,900 sq. ft.)
- apartments sizes were noted
- combining 3 lots into a Plat
- 22 stalls (in alley area); may purchase or lease from City

Chairman Szabo asked if the Board has any questions.

Board Member Green asked/referenced:

- Staff if the City owns the easement. Coordinator Pruss advised – yes and explained same; page 35 of Staff Report was referenced by Ms. Camp. Board Member Green referenced page 25 of 33. Coordinator Pruss stated the strip abuts the Oliveti property; granted to City for access.
- if sold, would parcel be sold also? Coordinator Pruss advised – details haven't yet been worked out
- if the City has ever leased parking. Coordinator Pruss advised – yes, and referenced Metropolitan Square

Board Member Schell asked, regarding pages 2 & 14, what the assumptions are that this won't increase traffic. Mr. Aboona advised – there will be an increase in traffic. The analysis shows:

- renters will not commute by car
- regarding 4 intersections, impact will not be significant based on distribution of traffic (1 car per minute for a 1-hr period). Mr. Farquhar added – page 14 refers to commercial space.

Board Member Saletnik asked that the wood frame and combustibility be explained. Ms. Camp noted half of their portfolio is of this type; working with Butch Ehrke, City Engineer to be compliant.

Chairman Szabo stated it's troubling that wood is being used. He asked, why stucco; looks cheap. Ms. Camp stated it's a smooth finish; high quality material (not EFIS). Chairman Szabo concluded it doesn't constitute a quality project. He stated he likes the remainder of proposal; is familiar and works well at other locations. Coordinator Pruss reminded the requirement cannot be EFIS per Code. Chairman Szabo is concerned from an aesthetic point of view; doesn't fit in with other high rises.

Board Member Hofherr asked:

- what is in the lobby area; could it be reduced to accommodate another retailer. Mr. Farquhar stated – as the site is removed from the main corridor of Des Plaines, it doesn't lend itself (per expert consultants).
- Staff, what the occupancy rate is; is there a need? Coordinator Pruss advised – the occupancy rate is stable at 93%; sufficient supply and demand in downtown; will be beneficial to Des Plaines

Board Member Saletnik commented:

- to have a vibrant downtown, Des Plaines needs a theater, foot traffic
- this could bring a higher class of people for Des Plaines

Chairman Szabo asked if anyone is in favor of the proposal. No one responded. He asked if anyone objects – 8 people raised their hands; the following came forward and were sworn in:

- John Adinamis 750 Pearson

Mr. Adinamis stated, regarding vibrancy, the area is decaying; their projects are huge. Don't see relief on Pearson regarding traffic. There are not enough restaurants here. Renters are filling developments (rather than condo dwellers). He asked the Board to consider creating an area with a Starbucks, etc.

- Jim Duerr with Jim Duerr & Associates

Mr. Duerr advised he is marketing the property. He stated the site is not conducive for a Dunkin Donuts or Starbucks as those companies want a corner location (with a drive-thru). This is a good project for downtown; will have younger people will discretionary income.

- Richard Grosse 750 Pearson

Mr. Grosse noted the project looks great. The concern is parking. He stated being President of a condo association, the lack of parking has always been a complaint. Homeowners overflow to the street. Surveys indicated more than 2 cars per unit were needed. Cars were permitted to park on Pearson & Prairie (with building sticker) in the past. These patrons are parking on the street already. Where are the renters, guests going to park? The Board should not consider reducing parking spaces.

- Kathy Hazell & Susan Tallman 825 Pearson

The above stated:

- the project is good
- entrance for parking on Ellinwood may be okay but not if patrons enter on Prairie; not enough parking
- traffic is backed up even without trains
- traffic study is weak; no facts/substance
- walkability factor must include retail, nightlife
- Des Plaines appeals to an older clientele
- there are baseball games at the school on Prairie; more traffic
- against reducing parking requirement. Pearson is a snow route (cars are moved there)
- why such a high variance? Ms. Camp advised – it has to do with more units

Board Member Green stated/asked:

- he is a fan of these developments
- parking spaces on Ellinwood are only available for 3 hours. Coordinator Pruss concurred and noted visitors need to be included in the ratio.
- if Petitioner explored options to gain other parking spaces. Mr. Farquhar advised – yes, but far away spaces are not desirable; have exhausted options in the immediate area
- how about parking spaces on the site? Ms. Camp stated – it has been reviewed thoroughly. The difference to meet the Code is 12 parking stalls (2.0 requirement would be met with that). There would be 9 spaces where landscaping is highlighted.

Chairman Szabo asked Staff to provide the Staff Report which Coordinator Pruss did:

**Issue:** Opus Development proposes to construct 108 multi-family units in the C-5 Zoning District located at 1555 and 1565 Ellinwood Avenue. The petitioner is requesting approval of a tentative and final plat of consolidation and major variations of the 1998 City of Des Plaines Zoning Ordinance Section 12-7-3.5.e.2 which requires a minimum Lot Area of 140,600 square feet, where the applicant is providing 43,900 square feet; and Section 12-9-7: Off Street Parking, providing 182 on-site parking spaces, and 34 adjacent parking spaces where a minimum of 216 are required.

**Analysis:** In analyzing this request, staff considered the following information:

#### General Information

<b>Address</b>	1555 & 1565 Ellinwood Avenue
<b>Real Estate Index Numbers</b>	09-17-421-012-0000, 09-17-421-024-0000
<b>Existing Zoning</b>	C-5, Central Business District
<b>Petitioner</b>	Opus Development Company, LLC, 9700 W. Higgins Rd., Ste. 900, Rosemont, IL 60018
<b>Owners</b>	Robert Lewandowski, 3729 Torrey Pines Blvd., Sarasota, FL 34238 & Hank Kolak, 1043 Apple Creek Ln., Des Plaines, IL 60016

**Case Number** 15-050-V-SUB

The Opus Group proposes to develop the parcels located at 1555 & 1565 Ellinwood Avenue with 108 luxury apartments in the C-5, Central Business District. The 43,842 square foot irregularly shaped site is comprised of four parcels that are partially developed with a 5,400 square foot office building and an off-street parking lot. The parcels would be consolidated and the site would then be redeveloped with a seven story 108 unit multi-family building encompassing a two story parking garage lined with 1,846 square feet of retail space and 3,783 square feet of lobby area on the Ellinwood ground level.

In order to develop the site as proposed, two variances must be granted. The first variation is to relieve the development of the minimum lot area per unit requirement in the C-5 zone. For the proposed bedroom mix of 20 “Alcove” or efficiency units, 48 one bedroom units, 10-one bedroom plus den, and 30 two bedroom units, a total of 140,600 square feet of lot area is required. However, the lot area of the site is 43,842 square feet.

In addition to the lot area variation, an on-site parking variance of 1.69 spaces per unit is necessary, although the proposed development will provide a total of two spaces per unit as required by code. A total of 182 spaces are provided on-site within the parking deck and surface parking. An additional 22 spaces will be provided through the reconfiguration of the parking on the adjoining City-owned alley, and an allocation of 12 adjoining spaces within the Ellinwood right-of-way. This brings the total parking ratio to 2.0 per unit, or 216 spaces. The Zoning Ordinance specifically states that parking must be located on the same zoning lot on which the building or use served is located. As such, a total of 216 spaces should be provided on site.

However, the developer has preliminarily discussed purchasing the adjoining City property. If that that transaction were to occur, the parcel would become part of the subject property and would be considered part of the zoning lot, bringing the on-site parking ratio to 1.89 spaces per unit. Staff also believes that the allocation of the adjacent on street parking is appropriate as visitors of both the residential and commercial portion of the development would logically park directly in front of the building.

The location of this development in the Downtown Business District and its proximity to the Union Pacific-NW Line and the Pace hub is the primary justification for the reduced lot area and on-site parking. An increased number of units can help to promote transit-oriented development, which is a described goal in the City’s Comprehensive Plan along with providing high-quality and diverse housing options. Additionally, this proximity will result in reduced car trips to and from the development.

	Existing	Proposed	Ratio/Unit
On-site Garage Parking	0	164	N/A
On-site Surface Parking	0	18	1.69
Reconfigure City Alley	15	22	1.89
Reconfigure Ellinwood Street Parking	10	12	2.0
Total Proposed	25	216	2.0
Total Required	N/A	216	2.0

**Additional Considerations and Findings:**

**Traffic.** The applicant has submitted a traffic study which shows that the existing street network and nearby intersections have more than enough capacity to support the proposed development.

**Comprehensive Plan.** The 2007 Comprehensive Plan designates the subject property as “Mixed Use – High Density.” The proposed development conforms to this designation as it incorporates both residential and commercial uses and provides a high density residential form of development.

**Surrounding Land Use and Zoning.** The areas to the north, east and west are zoned C-5, and are developed with a mix of both residential and commercial uses consistent with the pattern of development found throughout downtown. The area to the south is zoned R-4 Central Core Residential, and is developed with a park. The proposed development is consistent with the pattern and form of development and the uses permitted in these zones. The proposed seven story building will provide an appropriate transition in the building heights along Ellinwood from the 10-story Brookdale building on the east end of the street to the two story bank building at the corner of Pearson and Ellinwood. Additionally, the site’s proximity to the train station warrants a transit-oriented, high density form of development which would not be possible under the strict application of the zoning ordinance.

**Architecture.** The proposed building design is consistent with the Building Design Review regulations of the Zoning Ordinance which require a minimum of 75% window transparency on street facing commercial facades, and requires durable, natural materials such as brick, stucco, metal, and concrete as permitted first floor materials. The primary materials on the first floor elevation of the building will be brick and concrete, with fiber cement board and metal on the upper floors. The proposed architecture is of a simple, modern design with projecting balconies providing an urban finish to the facades.

**Public Benefit.** In addition to improving the aesthetic quality of the Ellinwood street frontage, the proposed development will provide a number of public benefits should it be approved. The current property tax provided by the existing development is approximately \$38,000 annually. The property tax increment from the proposed development has not been estimated at this time, but it can safely be assumed that there will be a significant increase in property taxes with the redevelopment of the site. Additionally, the proposed retail space should generate sales tax revenue. If the City requires the development of site under the strict application of the Zoning Ordinance, the property tax revenue from the site would be reduced, and the development would likely not be possible due to the cost factors associated with land acquisition and construction.

**Recommendations:** I recommend approval of the variation requests for the reduction in required lot area and on-site parking ratio, based on review of the information presented by the applicant and the standards and conditions imposed by Section 3.6-8 (Findings of Fact for Variations) as outlined by the City of Des Plaines Zoning Ordinance. The proposed development conforms to the Mixed-Use High-Density Residential land use designation for this site expressed in the 2007 Comprehensive Plan and would also be compatible with the existing development and zoning of the surrounding area. Due to its location in the Downtown Business District and is adjacent to the Union Pacific NW Line train station, it justifies the reduction in lot area per dwelling unit and parking space requirement. An increased number of units can help to promote transit-oriented development,

which is a described goal in the City’s Comprehensive Plan along with providing high-quality and diverse housing options. Staff is recommending the following conditions for approval:

1. The applicant shall enter into a contract for the sale of the adjoining City-owned parcel of land or other form of long-term lease agreement for the use of land as required parking for the development.
2. The architecture of the sides and rear of the building must be of consistent design and materials as what is represented for the Ellinwood (north) and east facades on pages 7 and 8, titled “3D Building Image,” of the Zoning Variance Application dated August 1, 2016, and shall conform with Section 12-3-11 Building Design Review of the Zoning Ordinance
3. Compliance with all applicable codes and ordinances.

**Planning and Zoning Board Procedure:**

Under Section 3.6-6 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 variations in the C-5 zoning district. The City Council has the final authority on the major variation (parking and lot area) and final plat of consolidation requests.

Chairman Szabo noted:

- Petitioner could flip the lobby and retail; lobby is large
- the block back-up for upper floors is not desirable; masonry is preferable
- overall, it’s a good project

Board Member Schell stated he has concerns about parking on Prairie.

Board Member Saletnik concurred with Staff. This is what Des Plaines needs to create vibrancy.

**A motion was made by Board Member Hofherr, seconded by Board Member Green, to recommend approval to City Council with the 3 Conditions as presented.**

AYES: Hofherr, Green, Bader, Catalano, Saletnik, Schell, Szabo

NAYES: None

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

Chairman Szabo advised a recommendation for approval would be provided to City Council.

**3. Addresses: Citywide Case 16-054-TA**

The Planning and Zoning Board will hold public hearing on amendments to the Zoning Ordinance and the Subdivision Regulations necessary to require developers of residential developments that create new demand for additional Public Open Space specifically and uniquely attributable to the developments to either contribute land or pay a fee in lieu of land for use by the Park District to provide the necessary additional Public Open Space within the City.

**PIN:** Citywide

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

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

Coordinator Pruss stated the Park District approached the City a year ago regarding this proposal. She noted Staff conducted research on other municipalities and Ordinances (with cash payment). Land value has not yet been decided. The Ordinance would pay a cash payment or land dedication. The Buckingham at 800 Northwest Highway was referenced. A minimum threshold for size would be established for land dedication. Coordinator Pruss continued with the Staff Report.

**Issue:** Amendments to the Zoning Ordinance and the Subdivision Regulations necessary to require developers of residential developments that create new demand for additional Public Open Space specifically and uniquely attributable to the developments to either contribute land or pay a fee in lieu of land for use by the Park District to provide the necessary additional Public Open Space within the City.

**Analysis:**

**Text Amendment Report**

**PIN:** Citywide

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

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

**Project Description:**

The Des Plaines Park District has requested that the City amend the Zoning Ordinance and the Subdivision Regulations to require a minimum land dedication or to pay a fee in lieu of dedication for residential developments. In some municipalities it is required that the developers of new subdivisions or residential planned unit developments dedicate land for park or recreational purposes. This requirement is in place to ensure public spaces are created to serve the population growth due to the new development.

This is a public hearing to gather public input. No ordinance has been drafted or is being considered. Below is an overview of current codes in place across west and northwest suburban municipalities. Following the overview are additional details provided by each municipality.

Municipality	Minimum Acres Required per 1,000 People	Cash in-lieu of Land per acre
Arlington Heights	9.0	\$85,000
Aurora	10	--
Buffalo Grove	10	\$150,000
Carol Stream	5.5	\$140,650
Deerfield	5.5	\$175,000
Hoffman Estates	5.5	Fair Market Value
Naperville	8.6	\$121,800
Northbrook	5	\$500,000
Park Ridge	Discretion of the Commission	--
Roselle	5.5	\$83,000
Schaumburg	Discretion of the Commission	--
Vernon Hills	10	\$125,000 or Fair Market Value (lesser)

August 24, 2016

Mayor Bogusz and Des Plaines City Council  
CITY OF DES PLAINES

Subject: Planning and Zoning Board, 1555 & 1565 Ellinwood St., Case # 16-050-V-SUB

RE: Request to authorize Major Lot Area and Parking Variations, Tentative and Final Plat of Subdivision

Honorable Mayor and Members of the Des Plaines City Council:

The Planning and Zoning Board Commission met on August 23, 2016 to consider the above petition. The Planning and Zoning Board submits the following:

1. Mr. Bryan Farquar, representing the Petitioner, presented the pertinent facts.
2. The Community and Economic Development Department recommended approval of the requested major variations, tentative plat, and final plat subject to the following conditions:
3. One member of the public spoke in support of the request.
4. Three members of the public spoke in support of the overall project, but in opposition to the requested parking variation.
5. The Planning and Zoning Board *recommended* (7-0) that the City Council approve the requested major parking and lot area variations, tentative plat and final plat of subdivision, subject to the following conditions:
  1. The applicant shall enter into a contract for the sale of the adjoining City-owned parcel of land or other form of long-term lease agreement for the use of land as required parking for the development.
  2. The architecture of the sides and rear of the building must be of consistent design and materials as what is represented for the Ellinwood (north) and east facades on pages 7 and 8, titled "3D Building Image," of the Zoning Variance Application dated August 1, 2016, and shall conform with Section 12-3-11 Building Design Review of the Zoning Ordinance
  3. Compliance with all applicable codes and ordinances.

Respectfully submitted,



James Szabo  
Des Plaines Planning and Zoning Board, Chairman

August 23, 2016  
Page 2

cc: City Officials  
Aldermen  
Planning and Zoning Board Members

# Traffic Impact Study

## Proposed Transit Oriented Development

### Des Plaines, Illinois



Prepared For:



Prepared By:



September 7, 2016

# 1.

## Introduction

This report summarizes the methodologies, results and findings of a traffic impact study conducted by Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA, Inc.) for a proposed apartment development to be located in Des Plaines, Illinois. The site is located on the south side of Ellinwood Avenue between Pearson Street and River Road in close proximity to the Metra Station which qualifies the development as a Transit Oriented Development (TOD). As proposed, the site will be developed with a seven-story apartment building containing 108 units, 1,800 square feet of ground floor retail and a parking garage with 164 parking spaces with access off Prairie Avenue.

The purpose of this study was to examine background traffic conditions, assess the impact that the proposed development will have on traffic conditions in the area and determine if any roadway or access improvements are necessary to accommodate traffic generated by the proposed development. Additionally, the parking needs for the proposed development will be determined and the adequacy of the proposed parking supply will be evaluated.

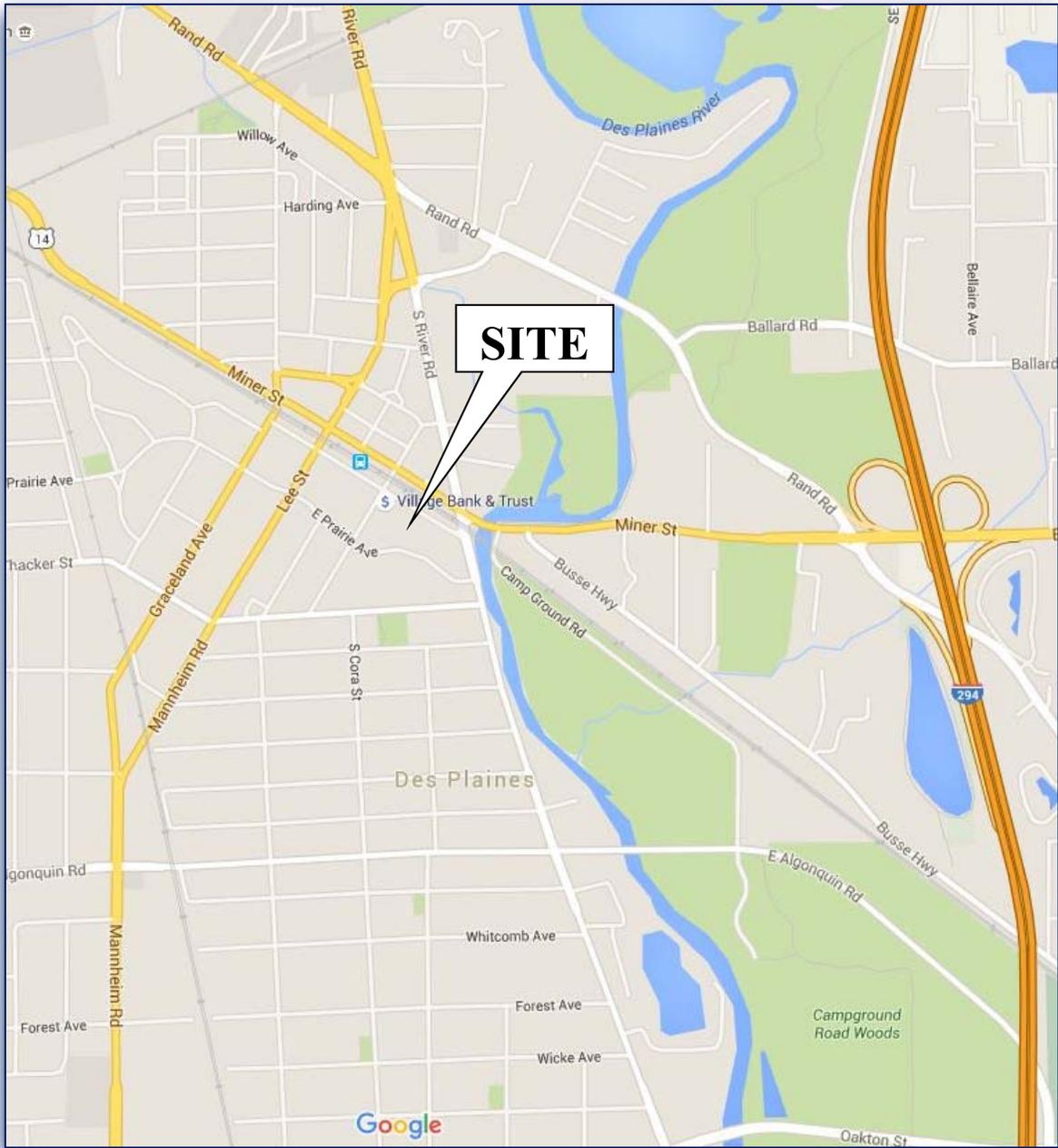
**Figure 1** shows the location of the site in relation to the area roadway system. **Figure 2** shows an aerial view of the site area.

The sections of this report present the following.

- Existing roadway conditions
- A description of the proposed development
- Directional distribution of the development traffic
- Vehicle trip generation for the development
- Future traffic conditions including access to the development
- Traffic analyses for the weekday morning and evening peak hours
- Recommendations with respect to adequacy of the site access system and adjacent roadway system
- Recommendations regarding the adequacy of the parking supply.

Traffic capacity analyses were conducted for the weekday morning and evening peak hours for the following conditions.

1. Existing Condition - Analyzes the capacity of the existing roadway system using existing peak hour traffic volumes in the surrounding area.
2. Future Condition - The future projected traffic volumes include the existing traffic volumes, ambient area growth not attributable to any particular development and the traffic estimated to be generated by the proposed subject development.



**Site Location**

**Figure 1**



**Aerial View of Site Location**

**Figure 2**

## 2. Existing Conditions

Existing transportation conditions in the vicinity of the site were documented based on field visits conducted by KLOA, Inc. in order to obtain a database for projecting future conditions. The following provides a description of the geographical location of the site, physical characteristics of the area roadway system including lane usage and traffic control devices and existing peak hour traffic volumes.

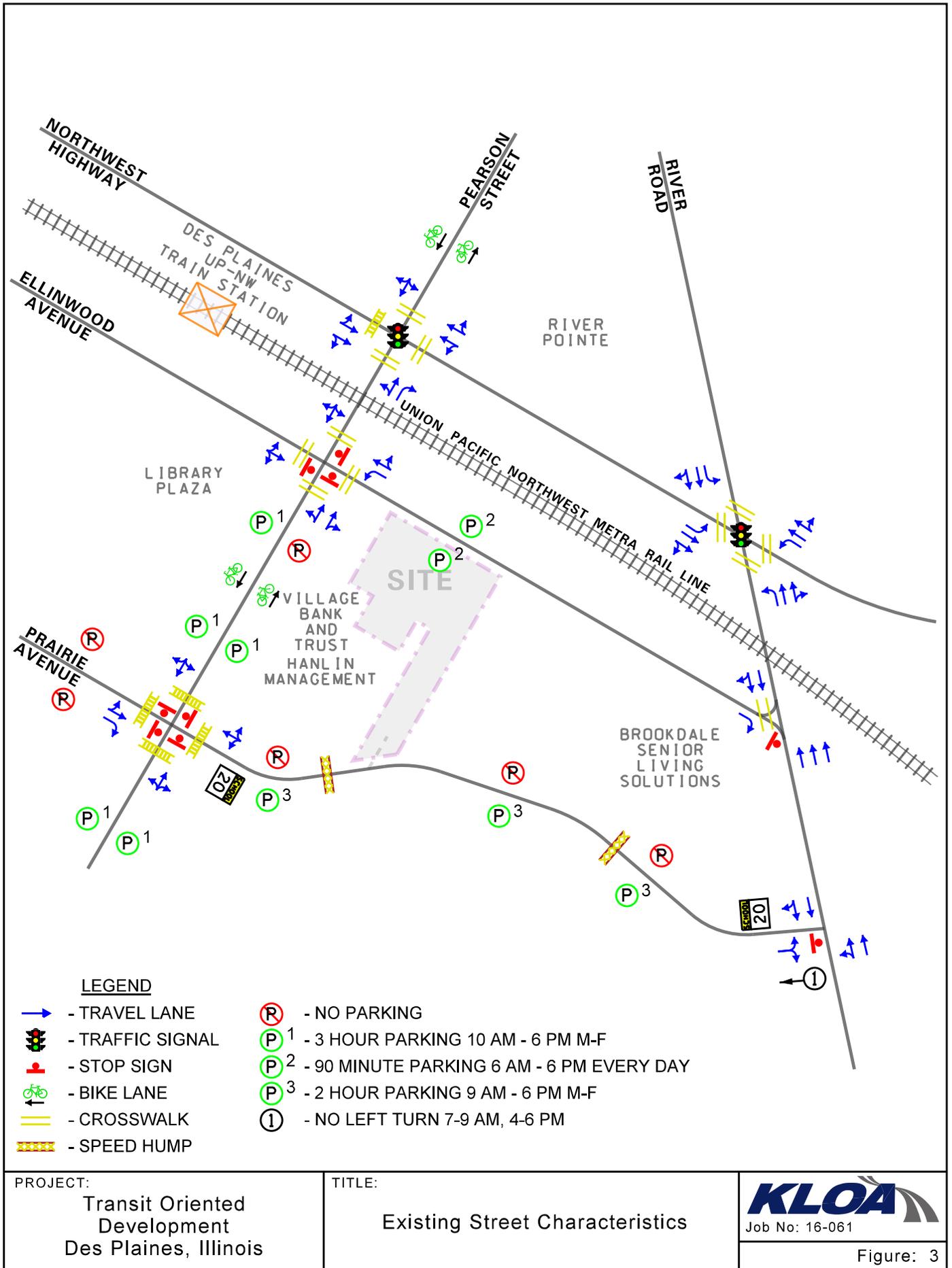
### Site Location

The site is located in Downtown Des Plaines on the south side of Ellinwood Avenue between Pearson Street and River Road within walking distance to the Des Plaines Metra Station for the Union Pacific – Northwest (UP-NW) Metra Rail Line. The site is currently occupied by a vacant lot, the Hanlin Management office building and a surface parking lot. Land uses in the vicinity of the site include the Brookdale Senior Living Solutions and some commercial buildings to the east, Central Elementary School to the south and the Des Plaines Historical Society, an AT&T office building and Village Bank and Trust to the west.

### Existing Roadway System Characteristics

The characteristics of the existing roadways near the development are described below. **Figure 3** illustrates the existing roadway characteristics.

*Ellinwood Avenue* is a generally an east-west local roadway that in the vicinity of the site provides one lane in each direction. At its unsignalized intersection with Pearson Street, Ellinwood Avenue provides an exclusive left-turn lane and a shared through/right-turn lane on the westbound approach. The eastbound approach is a surface parking lot for the commercial developments of Library Plaza and provides a shared left/through/right-turn lane that is under stop sign control. The intersection of Ellinwood Avenue with Pearson Street is located approximately 120 feet to the south of the Pearson Street at-grade crossing with the UP-NW Metra Rail Line. At its unsignalized intersection with River Road, Ellinwood Avenue provides one lane restricted to right-turn movements only that is under stop-sign control. The intersection of Ellinwood Avenue with River Road is located approximately 80 feet south of the River Road at-grade crossing with the UP-NW Metra Rail Line. There are 60 diagonal on-street parking spaces provided along Ellinwood Avenue between Pearson Street and River Road that are limited to 90-minute parking between 6:00 A.M. and 6:00 P.M. every day. Additionally, a parking lot is located on the north side of Ellinwood Avenue between Pearson Street and River Road. This parking lot provides 32 parking spaces and is paid parking all day on Monday through Friday. Ellinwood Avenue is under the jurisdiction of the City of Des Plaines.



*Prairie Avenue* is a generally an east-west local roadway that in the vicinity of the site provides one lane in each direction. At its unsignalized intersection with River Road, *Prairie Avenue* provides a shared left/right-turn lane that is under stop sign control. Left-turns from *Prairie Avenue* onto River Road are prohibited between 7:00 to 9:00 A.M. and 4:00 to 6:00 P.M. At its all-way stop controlled intersection with Pearson Street, *Prairie Avenue* provides a shared left/through/right-turn lane and a high visibility crosswalk on the westbound approach and a shared left-turn/through lane, an exclusive right-turn lane and a high visibility cross walk on the eastbound approach. Parking is permitted on the south side of the roadway that is restricted to two hours between 9:00 A.M. and 6:00 P.M. *Prairie Avenue* is under the jurisdiction of the City of Des Plaines and has a school zone speed limit of 20 miles per hour.

*Pearson Street* is generally a north-south collector roadway that in the vicinity of the site provides one lane in each direction. At its unsignalized intersection with Ellinwood Avenue, *Pearson Street* provides a shared left-turn/through lane and a shared through/right-turn lane that are under stop-sign control on the northbound approach and the southbound approach provides a shared left/through/right-turn lane. At its all-way stop controlled intersection with *Prairie Avenue*, *Pearson Street* provides a shared left/through/right-turn lane and a high visibility crosswalk on both approaches. In the vicinity of the site, on-street parking is provided along *Pearson Street* that is restricted to three hours between 10:00 A.M. to 6:00 P.M. Monday through Friday. *Pearson Street* is under the jurisdiction of the City of Des Plaines and carries an average annual daily traffic (AADT) volume of 3,450 vehicles (Illinois Department of Transportation AADT 2014).

*River Road* is a north-south arterial roadway that in the vicinity of the site generally provides two through lanes in each direction. At its unsignalized intersection with Ellinwood Avenue, *River Road* provides three through lanes on the northbound approach and a through lane and a shared through/right-turn lane on the southbound approach. At its unsignalized intersection with *Prairie Avenue*, *River Road* provides an exclusive through lane and a shared through/right-turn lane on the southbound approach and a shared left-turn/through lane and an exclusive through lane on the northbound approach. *River Road* is under the jurisdiction of the Illinois Department of Transportation (IDOT), carries and AADT volume of 25,100 vehicles (IDOT AADT 2014) and has a posted speed limit of 35 miles per hour.

## Existing Traffic Volumes

In order to determine current traffic conditions in the vicinity of the site, KLOA, Inc. conducted manual peak period traffic counts during the weekday morning (7:00 A.M. to 9:00 A.M.) and weekday evening (4:00 P.M. to 6:00 P.M.) peak periods at the following intersections:

- Ellinwood Avenue with Pearson Street (Tuesday, February 16, 2016)
- Ellinwood Avenue with River Road (Tuesday, February 16, 2016)
- Prairie Avenue with Pearson Street (Wednesday, July 27, 2016)
- Prairie Avenue with River Road (Wednesday, July 27, 2016)

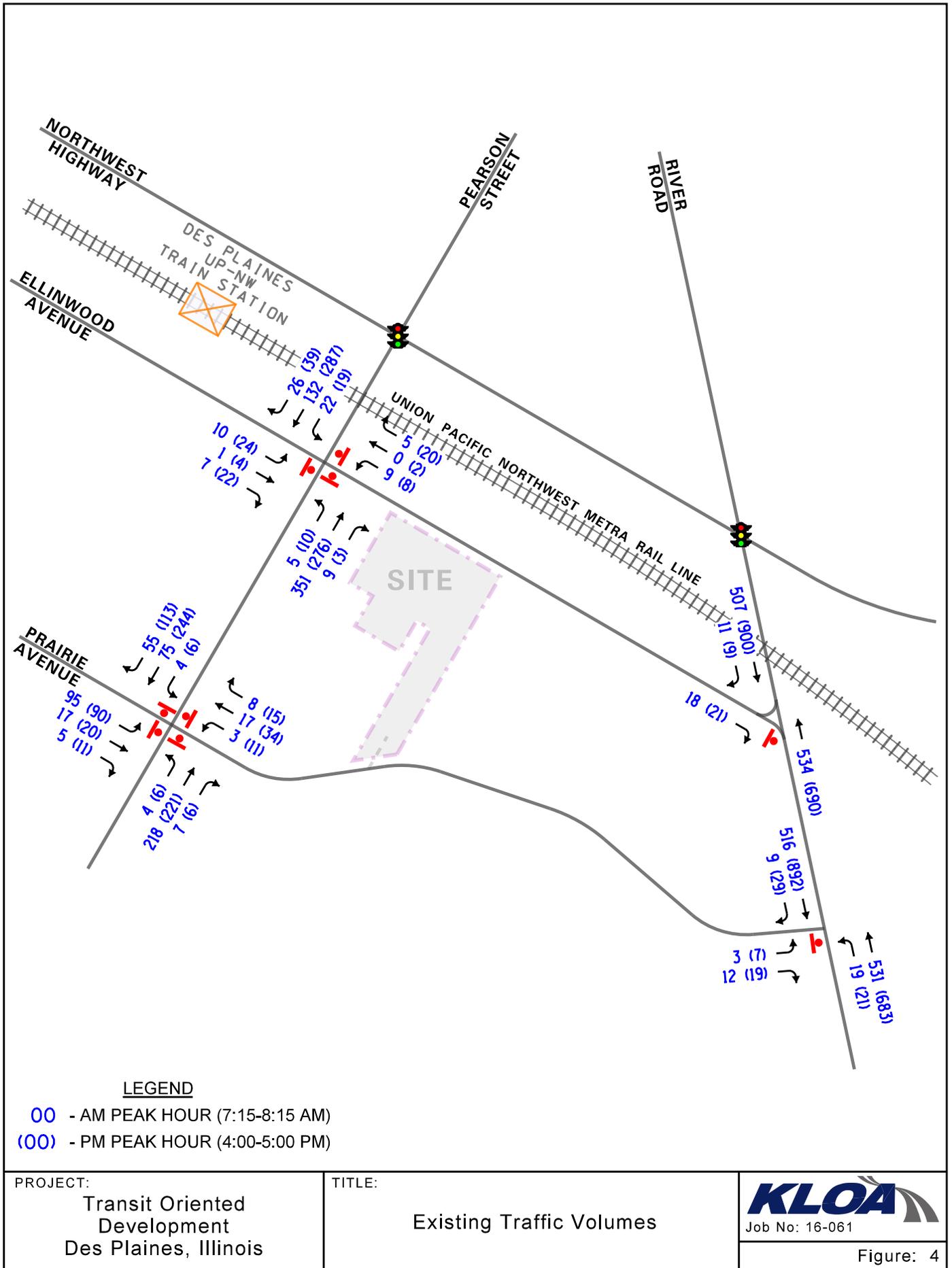
The results of the traffic counts showed that the weekday morning peak hour of traffic occurs from 7:15 A.M. to 8:15 A.M. and the evening peak hour of traffic occurs from 4:00 P.M. to 5:00 P.M. **Figure 4** illustrates the existing peak hour traffic volumes. Copies of the traffic count summary sheets are included in the Appendix.

## Field Observations

Due to the proximity of the intersection of Ellinwood Avenue with Pearson Street to the at-grade crossing of Pearson Street with the UP-NW Metra Rail Line, during the events when the train gates are down queues develop along the northbound approach at this intersection.

- During the morning peak hour it was observed that the gates were down eight times averaging approximately two minutes per event with a maximum of approximately three and one-half minutes. Queues were observed to be an average of seven vehicles with a maximum queue of 14 vehicles. These queues dissipated within thirty seconds to one minute.
- During the evening peak hour it was observed that the gates were down four times averaging one minute per event with a maximum of approximately two and one-half minutes. Queues were observed to be an average of six vehicles with a maximum queue of 10 vehicles. These queues dissipated within thirty seconds to one minute.

Extensive signage and pavement markings are provided at the intersection to alert drivers to not block the intersection to keep northbound queues from extending through the intersection, allowing eastbound through, westbound through and westbound left-turning movements to occur while train gates are down.



## Public Transportation

Sidewalks are provided on the entire surrounding street network and traditional/standard crosswalks are provided at the intersections of Ellinwood Avenue with River Road and Ellinwood Avenue with Pearson Street. The intersection of Prairie Avenue with Pearson Street provides high visibility cross walk on all approaches and the intersection of Prairie Avenue with River Road does not provide a crosswalk. There is signage and sharrow pavement markings provided along Pearson Street denoting Pearson Street as a bicycle route from River Road south to its terminus at Thacker Street which is also a designated bicycle route. Furthermore, the site is located approximately 575 feet southeast from the Des Plaines station for the UP-NW Metra Rail Line which offers daily service between Harvard/McHenry and Chicago.

The site is also within the vicinity of six Pace bus routes that include the following:

- Route 208 (Golf Road) - Davis Street Metra/CTA stations to Northwest Transportation Center (Schaumburg) via Church Street.
- Route 209 (Busse Highway) - Harlem Avenue CTA Blue Line Station in Chicago to the Park Ridge, Dee Road, and Des Plaines Metra UP Northwest Line stations via Busse Highway
- Route 226 (Oakton Street) - Jefferson Park CTA Blue Line Metra Station and Oakton and Hamilton in southern Mt. Prospect (including Des Plaines Metra Station) via Oakton Street and Niles Center Road.
- Route 230 (South Des Plaines) - Rosemont CTA Blue Line station to the Des Plaines Metra Station via River Road.
- Route 234 (Wheeling – Des Plaines) - Weekday service from Des Plaines to Wheeling. Rush hour service operates between Des Plaines Metra Station and Pace Buffalo Grove Terminal. Mid-day trips end at Strong/Milwaukee (Wheeling). Serves the following major destinations: Holy Family Hospital, Metra UP Northwest Line stations (Des Plaines, Cumberland and Mt. Prospect), Randhurst Mall, Wheeling H.S., Metra North Central Line station (Wheeling), Wheeling Municipal Complex and Wheeling Tower.
- Route 250 (Dempster Street) - Davis Street Metra/CTA stations to O'Hare Kiss-n-Fly ATS Station via Church Street.

The nearest bus stops to the development are located at the intersections of Ellinwood Avenue with Pearson Street and Ellinwood Avenue with River Road that are served by the Pace Bus Route 230. Additionally, the bust stop located at the intersection of Pearson Street with Minor Street is served by Pace Bus Routes 208, 209, 226, 230 and 234. The closest bus stop for the Pace Bus Route 250 is located at the intersection of River Road with Minor Street.

### 3.

## Traffic Characteristics of the Proposed Development

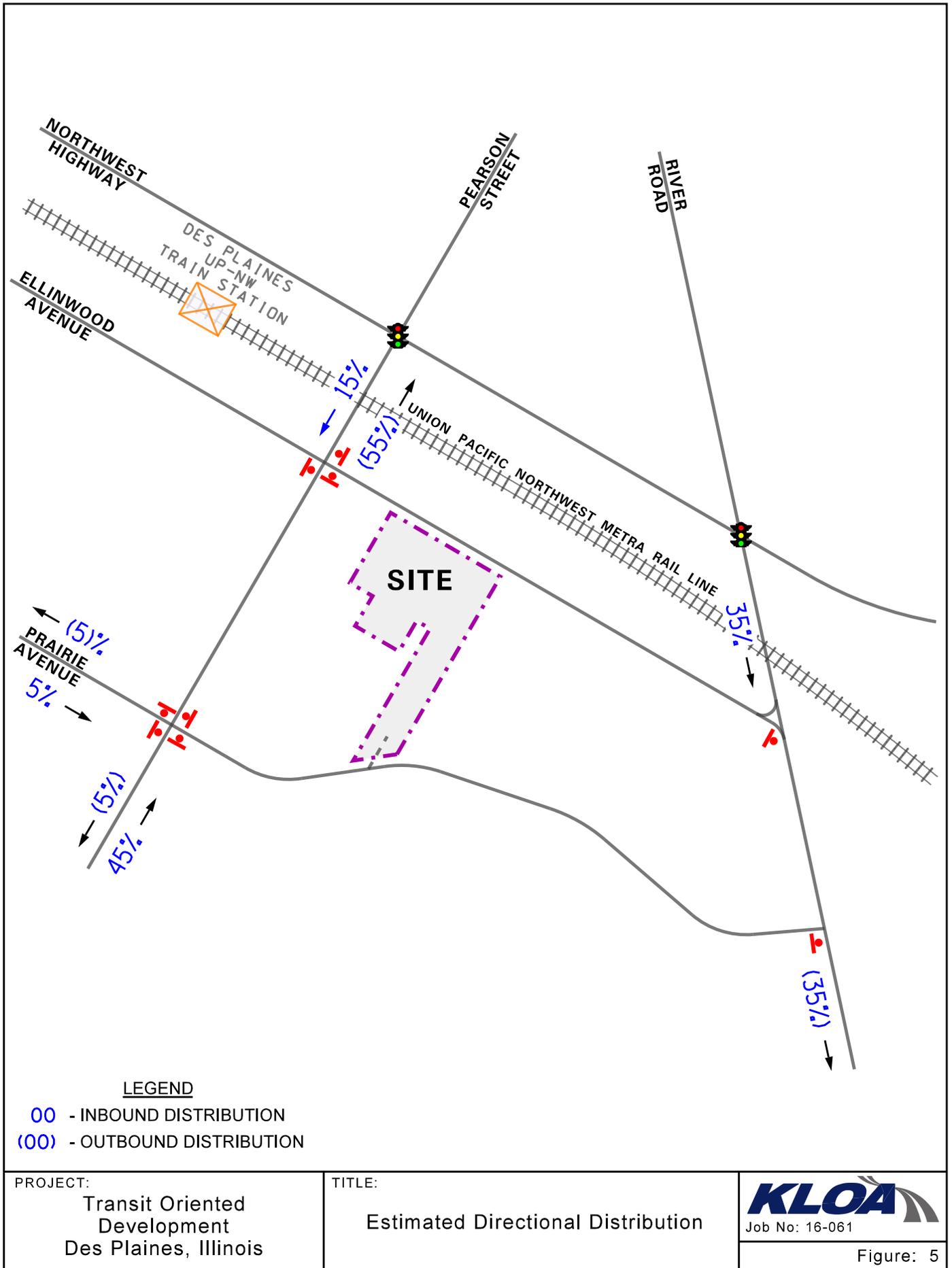
In order to properly evaluate future traffic conditions in the surrounding area, it was necessary to determine the traffic characteristics of the proposed development, including the directional distribution and volumes of traffic that it will generate.

### Proposed Development Plan

As proposed, the plans call for developing the site with a seven story apartment building containing 108 apartment units, resident amenities including a fitness and club room and approximately 1,800 square-feet of ground floor retail space. The development will provide a parking garage containing 164 parking spaces for residents of the development. Access to parking garage will be provided via an easement to the existing surface parking lot (which currently provides 27 parking spaces) and public alley, located approximately 350 feet and 415 feet west of Pearson Street, respectively. As part of the easement, the parking lot and alley will be redeveloped to provide an additional 30 parking spaces. Pedestrian access to the residential units and retail space within the proposed building will be on Ellinwood Avenue along the north side of the building. Additionally, on-site bike storage will be provided as part of the proposed development. A copy of the preliminary site plan depicting the proposed development and access is included in the Appendix.

### Directional Distribution

The directional distribution of future site-generated trips on the roadway system is a function of several variables, including the operational characteristics of the roadway system and the ease with which drivers can travel over various sections of the roadway system without encountering congestion. The directions from which residents of the townhome units and patrons of the retail buildings will approach and depart the site were estimated based on existing travel patterns, as determined from the traffic counts. It should be noted that as part of ongoing River Road construction, Prairie Avenue at its intersection with River Road is proposed to be converted into a right-in/right-out approach and this conversion was taken into consideration. **Figure 5** illustrates the directional distribution of the development generated traffic.



PROJECT:  
Transit Oriented  
Development  
Des Plaines, Illinois

TITLE:  
Estimated Directional Distribution

**KLOA**  
Job No: 16-061

Figure: 5

## Estimated Site Traffic Generation

The volume of traffic generated by a development is based on the type of land uses and the size of the development. The number of peak hour vehicle trips estimated to be generated by the proposed development of 108 apartment units and 1,800 square-feet of ground floor retail was based on vehicle trip generation rates contained in *Trip Generation*, 9<sup>th</sup> Edition, published by the Institute of Transportation Engineers (ITE). A review of the U.S. Census data in the downtown Des Plaines area shows that approximately 88 percent of residents in the downtown Des Plaines area drive a car to work. As a result, the estimated number of generated trips for the proposed apartments was reduced by 12 percent to account for the residents that will use means of transportation other than the automobile to commute to work. **Table 1** shows the site-generated traffic volumes for the proposed development.

Table 1  
ESTIMATED SITE-GENERATED TRAFFIC VOLUMES

ITE Land-Use Code	Type/Size	Weekday Morning Peak Hour			Weekday Evening Peak Hour			Daily Two-Way Trips
		In	Out	Total	In	Out	Total	
220	Apartment (108 Units)	11	46	57	50	27	77	778
	<i>12 percent reduction</i>	<i>-1</i>	<i>-6</i>	<i>-7</i>	<i>-6</i>	<i>-3</i>	<i>-9</i>	<i>-93</i>
826	Retail (1,800 s.f.)	<u>1</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>3</u>	<u>5</u>	<u>80</u>
	<b>Total</b>	<b>11</b>	<b>41</b>	<b>52</b>	<b>46</b>	<b>27</b>	<b>73</b>	<b>765</b>

## 4. Projected Traffic Conditions

The total projected traffic volumes include the existing traffic volumes, increase in background traffic due to ambient growth and the traffic estimated to be generated by the proposed subject development.

### Development Traffic Assignment

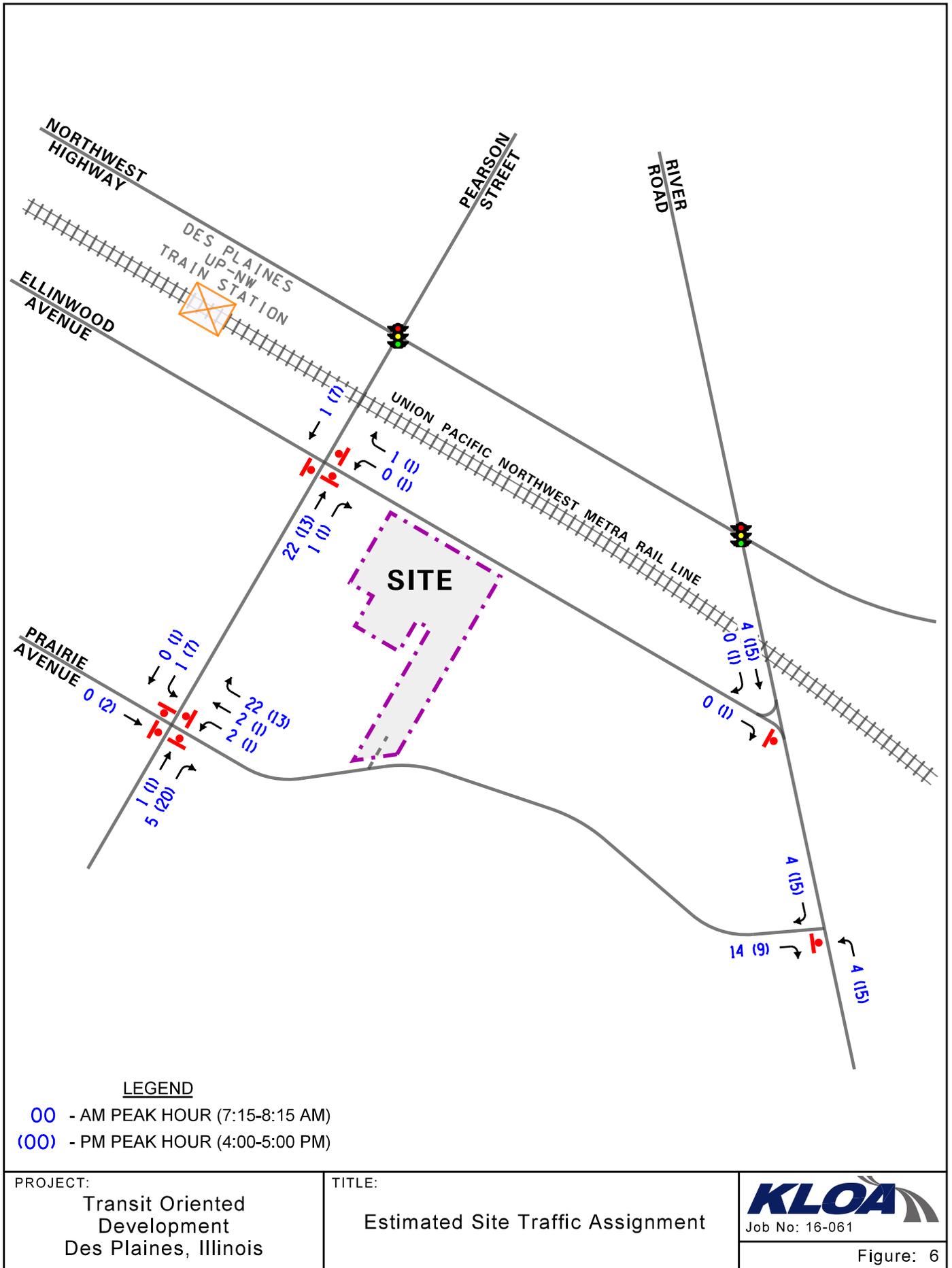
The estimated weekday morning and evening peak hour traffic volumes that will be generated by the proposed development were assigned to the roadway system in accordance with the previously described directional distribution (Figure 5). The traffic assignment for the development is illustrated in **Figure 6**.

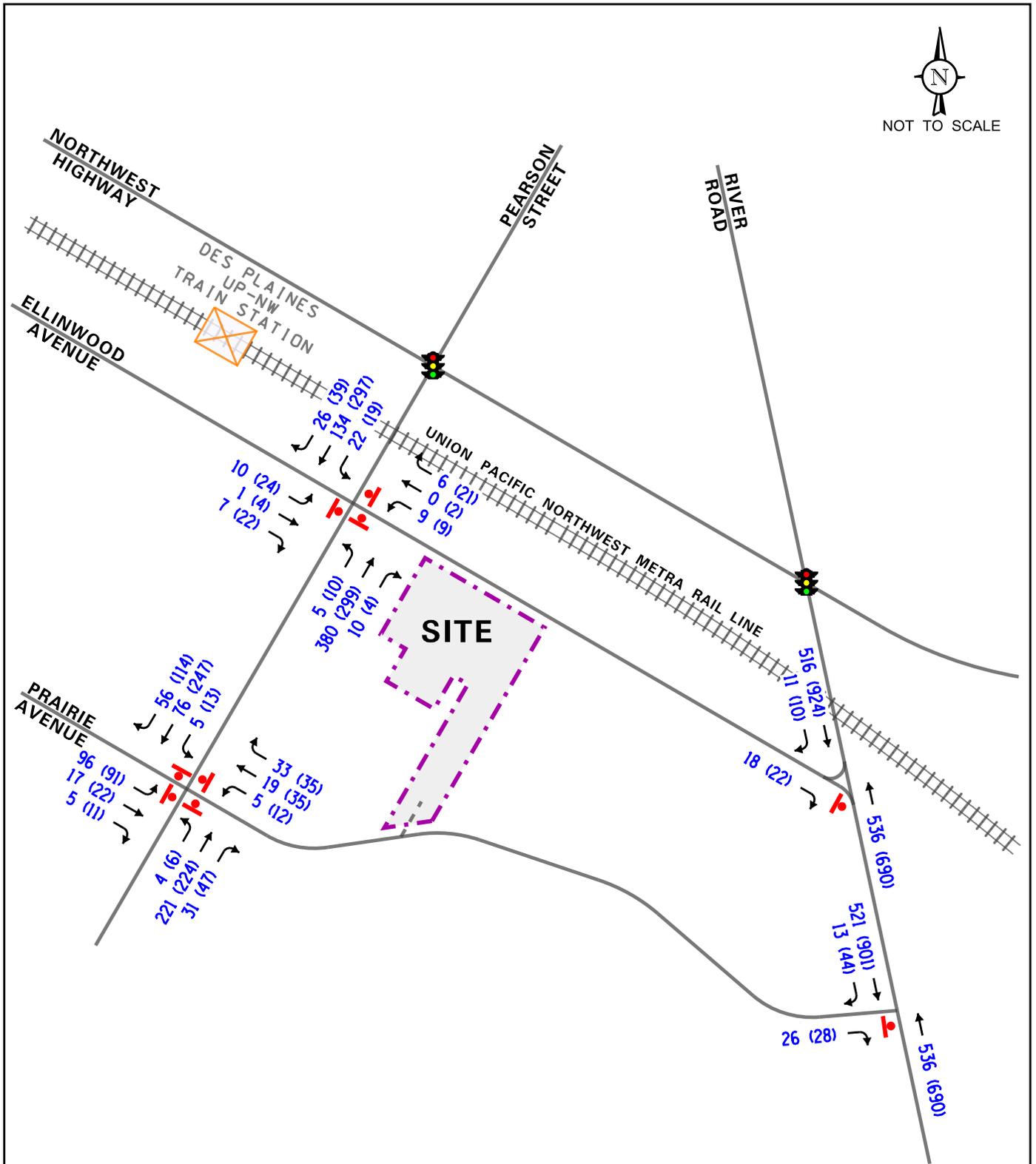
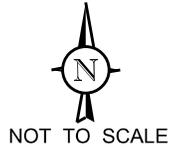
### Background Traffic Conditions

The existing traffic volumes (Figure 4) were increased by a regional growth factor to account for the increase in existing traffic related to regional growth in the area (i.e., not attributable to any particular planned development). Based on the Chicago Metropolitan Agency for Planning (CMAP) *2040 Forecast of Population, Households and Employment* an increase of one-half percent per year over two years (one percent total) was applied to project Year 2018 conditions. As previously indicated, the Prairie Avenue approach at its intersection with River Road is proposed to be converted to right-turns onto Prairie Avenue from River Road and right-turns from Prairie Avenue onto River Road only. As such, the existing left-turns to and from Prairie Avenue at its intersection with River Road were reassigned to the area roadway network.

### Total Projected Traffic Volumes

The addition of the development generated traffic to the existing traffic volumes accounting for background growth, to determine the Year 2018 total projected traffic volumes, are shown in **Figure 7**.





**LEGEND**

- 00 - AM PEAK HOUR (7:15-8:15 AM)
- (00) - PM PEAK HOUR (4:00-5:00 PM)

PROJECT:  
 Transit Oriented  
 Development  
 Des Plaines, Illinois

TITLE:  
 Year 2018 Total Projected  
 Traffic Volumes



Figure: 7

## 5. Traffic Analysis and Recommendations

The following provides an evaluation conducted for the weekday morning and weekday evening peak hours. The analysis includes conducting capacity analyses to determine how well the roadway system and access drives are projected to operate and whether any roadway improvements or modification are required.

### Traffic Analyses

Roadway and adjacent or nearby intersection analyses were performed for the weekday morning and weekday evening peak hour periods for the existing (Year 2016) and future projected (Year 2018) traffic volumes.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM), 2010* and analyzed using the Synchro/Simtraffic 8 computer software.

The analyses for the unsignalized intersections determine the average control delay to vehicles at an intersection. Control delay is the elapsed time from a vehicle joining the queue at a stop sign (includes the time required to decelerate to a stop) until its departure from the stop sign and resumption of free flow speed. The methodology analyzes each intersection approach controlled by a stop sign and considers traffic volumes on all approaches and lane characteristics.

The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection. The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for signalized intersections and unsignalized intersections are included in the Appendix of this report.

Summaries of the traffic analysis results showing the level of service and overall intersection delay (measured in seconds) for the existing, existing plus site, and Year 2018 total projected conditions are presented in **Tables 2** and **3**, respectively. A discussion of the intersections follows. Summary sheets for the capacity analyses are included in the Appendix.

Table 2  
CAPACITY ANALYSIS RESULTS – EXISTING TRAFFIC VOLUMES

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
Prairie Avenue with Pearson Street <sup>1</sup>				
• Overall	A	9.1	B	11.0
• Eastbound Approach	A	9.1	A	9.9
• Westbound Approach	A	8.3	A	9.4
• Northbound Approach	A	9.6	B	10.7
• Southbound Approach	A	8.4	B	12.0
Prairie Avenue with River Road <sup>1</sup>				
• Westbound Approach	B	12.1	C	18.1
• Northbound Lefts	A	1.0	A	1.2
Ellinwood Avenue with Pearson Street <sup>2</sup>				
• ICU Level of Service	A	--	A	--
Ellinwood Avenue with River Road <sup>1</sup>				
• Eastbound Approach	B	10.3	B	12.3

LOS = Level of Service  
 Delay is measured in seconds.  
 1 - Unsignalized Intersection  
 2 - The operation of this intersection is based on a critical volume to saturation flow (v/s) evaluation also known as the Intersection Capacity Utilization (ICU) method.

Table 3  
CAPACITY ANALYSIS RESULTS - PROJECTED YEAR 2018 TRAFFIC VOLUMES

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
Prairie Avenue with Pearson Street <sup>1</sup>				
• Overall	A	9.4	B	12.2
• Eastbound Approach	A	9.3	B	10.4
• Westbound Approach	A	8.4	A	9.9
• Northbound Approach	B	10.1	B	11.8
• Southbound Approach	A	8.6	B	13.7
Prairie Avenue with River Road <sup>1</sup>				
• Westbound Approach	B	10.4	B	12.3
Ellinwood Avenue with Pearson Street <sup>2</sup>				
• ICU Level of Service	A	--	A	--
Ellinwood Avenue with River Road <sup>1</sup>				
• Eastbound Approach	B	10.4	B	12.5

LOS = Level of Service

Delay is measured in seconds.

1 - Unsignalized Intersection

2 - The operation of this intersection is based on a critical volume to saturation flow (v/s) evaluation also known as the Intersection Capacity Utilization (ICU) method.

## Discussion and Recommendations

The following summarizes how the intersections are projected to operate and identify any roadway and traffic control improvements to accommodate the development traffic.

### *Prairie Avenue with Pearson Street*

The results of the capacity analyses indicate that overall this intersection currently operates at level of service (LOS) A during the weekday morning peak hour and at LOS B during the weekday evening peak hour. In addition, all of the approaches operate at LOS B or better during the peak hours. Under future conditions, this intersection overall is projected to continue operating at existing LOS and all the approaches are projected to operate at LOS B or better during the peak hours with increases in delay of approximately two seconds or less. As such, the proposed development will have a limited impact on the operations of this intersection and no roadway or traffic control improvements will be necessary.

### *Prairie Avenue with River Road*

The results of the capacity analyses indicate that overall the eastbound approach at this intersection currently operates at LOS B during the weekday morning peak hour and at LOS C during the weekday evening peak hour. Assuming future conditions, with the conversion of the Prairie Avenue approach to right-in/right-out only, the eastbound approach is projected to operate at LOS B during both peak hours with 95<sup>th</sup> percentile queues of one to two vehicles. As such, the proposed development will have a limited impact on the operations of this intersection and no roadway or traffic control improvements will be necessary.

### *Ellinwood Avenue with Pearson Street*

Because of the traffic control configuration of this intersection where the southbound traffic is free flow and the other three approaches are under stop sign control, the intersection could not be analyzed using HCM procedures. This intersection's traffic control is designed to allow southbound movements to operate under free flow conditions in order to keep southbound queues to extend onto the train tracks. Given this traffic control configuration and the limitations of the HCM procedures, the intersection was analyzed using the intersection capacity utilization (ICU) level of service. The ICU indicates how much reserve capacity is available or how much an intersection is over capacity. Based on the ICU analysis, the intersection currently utilizes approximately 38 to 46 percent of the capacity of the intersection. Under future conditions it is projected that the intersection will utilize approximately 39 to 47 percent of the capacity of the intersection. As a result, the intersection will continue to operate efficiently and with minimal delays. As previously indicated and based on field observations, this intersection experiences long delays and queuing along the northbound approach during events when train gates are down. While the proposed development will contribute traffic to the intersection, this additional traffic will not be significant. As such, the proposed development will have a limited impact on the operations of this intersection and no roadway or traffic control improvements will be necessary.

*Ellinwood Avenue with River Road*

The results of the capacity analysis indicate that the eastbound approach at this intersection currently operates at the acceptable LOS B during the weekday morning and weekday evening peak hours and is projected to continue operating at the acceptable LOS B during both peak hours with increases in delay of less than one second. Furthermore 95<sup>th</sup> percentile queues are projected to be one to two vehicles. As such, the proposed development will have a limited impact on the operations of this intersection and no roadway or traffic control improvements will be necessary.

## 6. Parking Evaluation

As proposed, the site will be developed with 108 apartment units with a unit mix of 20 alcoves, 48 one-bedrooms, 10 one-bedrooms with a den, and 30 two-bedrooms. This bedroom composition translates into approximately 1.28 bedrooms per unit.

The apartment building will provide an approximately 164 space parking garage (parking ratio of 1.52 spaces per unit). Taking into consideration that the development has an easement to the existing 27 space surface parking lot located off Prairie Avenue that will be redeveloped to provide an additional 30 parking spaces, a total of 221 spaces will be available which translates into a ratio of 2.05 spaces per unit which exceeds the city's parking code requirement of 2.0 spaces per unit. Furthermore, including the 12 on-street parking stalls that are provided on Ellinwood Avenue along the site frontage, a total of 233 parking spaces will be available which translates into a ratio of 2.16 spaces per unit.

Based on a review of survey data published by the Institute of Transportation Engineers (ITE) in the Parking Generation Manual, 4<sup>th</sup> Edition for Land Use Code 221 (Low/Mid-Rise Apartments), the following was determined:

- The average parking supply ratio at similar sites was 1.4 spaces per unit.
- The average peak parking demand ratio is 1.23 spaces per dwelling unit.
- The average peak parking demand ratio based on the number of bedrooms ranged between 0.9 and 1.0 spaces per bedroom.
- The rate shows a direct correlation between the number of bedrooms and the peak parking demand. Developments with less than 1.5 bedrooms per unit had a peak parking demand of 92 percent of the average peak parking demand. This will apply to the proposed development since it is anticipated to have an average of 1.28 bedrooms per unit.

Furthermore, the proposed parking ratio of 1.52 spaces per unit is consistent with other apartment developments (built or planned) in the area which provides an average parking at a ratio of 1.31 spaces per unit. A summary table of the location, number of units and parking spaces provided for these developments are included in the Appendix.

Lastly, for comparison purposes, KLOA, Inc. also examined US Census data compiled by the Center for Transit-Oriented Development. Based on the Census data, the average number of vehicles available per renter occupied household within one-quarter mile from the Des Plaines Metra station is 1.22 vehicles. Given that the proposed apartment building is located within 650 feet southeast of the Des Plaines Metra station, it is anticipated that the apartment building will have the same characteristics as other apartment developments within the one-quarter mile radius.

Based on the above, it is KLOA, Inc.'s opinion that providing 1.52 parking spaces per unit for the proposed apartment building will be adequate in accommodating its peak parking demand.

## 7. Conclusion

Based on the preceding analyses and recommendations, the following conclusions have been made:

- The development is well located with respect to the area roadway system.
- The amount of traffic projected to be generated by the development will be reduced due to the proximity of the development to alternative modes of transportation
- The development generated traffic will not have a significant impact on area roadways.
- The proposed access and roadway system will be adequate in accommodating the development generated traffic and will ensure that an efficient and flexible access is provided.
- No geometric or traffic control improvements will be required under future conditions at the study area intersections
- The proposed development will provide a sufficient number of parking spaces to accommodate its peak needs.

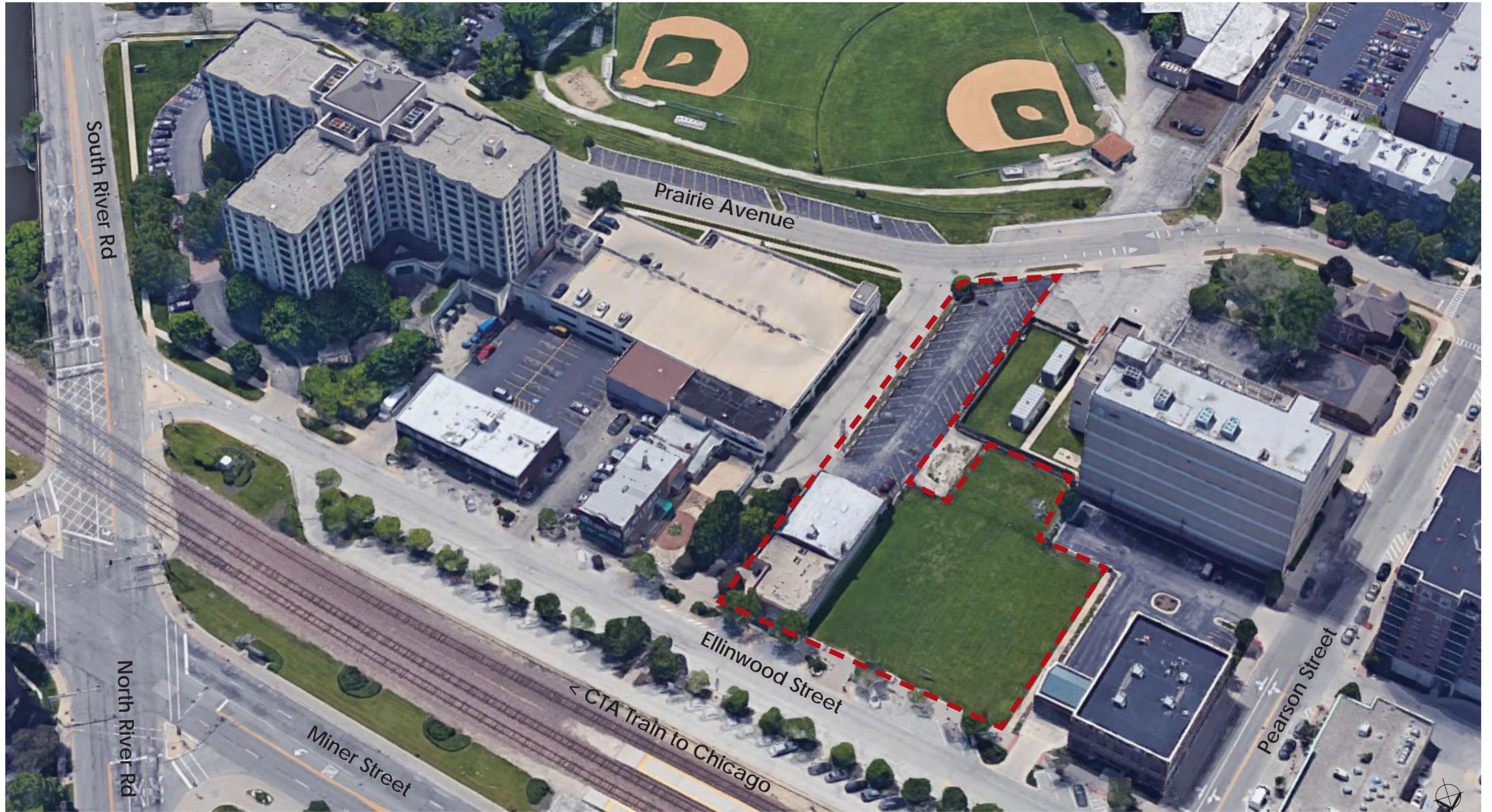


# Zoning Variance Application 8/1/2016

1555 ELLINWOOD APARTMENTS  
DES PLAINES, IL

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### **Project Overview**

The apartments proposed at 1555 Ellinwood Street will be a transit-oriented, mixed-use building located in the Downtown neighborhood of Des Plaines. With a Walk Score of 85, Des Plaines is an ideal location to create a contemporary, high-density residential community. The project addresses the changing aspirations of people who desire to live closer to services in an urban environment which provides for a more convenient style of living while simultaneously decreasing ones environmental footprint.

The project will include approximately 108 rental apartments, approximately 1,800 sq ft of retail space at ground level and resident amenities such as a fitness center, lounge, outdoor terrace and a club room. There are 164 enclosed parking stalls and 18 surface stalls for a total of 182 stalls (a parking ratio of 1.69 per unit). Additionally there are 12 existing street stalls located directly in front of the development on Ellinwood and 22 additional stalls located in the alley/easement area, thereby achieving a 2.0 per unit ratio. Unit sizes will range from approximately 556 sq ft for a studio, 682 sq ft for a 1-bedroom, 902 sq ft for a 1-bedroom + den, and 1,062 sq ft for a 2-bedroom unit. The project is located directly across the street from the Metra North West Line Train to Chicago creating an opportunity for residents to leave their car at home for travel outside of the neighborhood and work commutes. The site is strategically located next to the River Road which offers residents the opportunity to walk or bike to various destinations. The project is also adjacent to many bus routes, dedicated bike lanes, sidewalk network. Furthermore, the site will feature significant on-site bike storage. The development team will continue to work with the neighborhood and the City to ensure that the final design is pedestrian-oriented, sustainable and friendly.

### **Streetscape and Public Realm**

The redevelopment will dramatically improve the current site conditions, replacing a commercial building and vacant lot with a mixed-use project, ultimately achieving highest and best use for the site. Beyond the multiple uses, the building will have a handsome exterior and site design that will provide a warm and welcoming pedestrian experience. The building will be positioned to visually define the street edge while screening an existing parking ramp to the rear of the site. Public seating and bike racks will be located adjacent to the main housing and retail entrances on Ellinwood Street.

Adding resident dwelling units at this location naturally creates a more inviting streetscape, as more people will be walking and biking to and from the site which creates an energetic, safe and people-friendly hub in place of the existing commercial and surface lot that exists today. An existing curb cut will be removed and adjacent sidewalk conditions will be improved, thus supporting nearby sites and encouraging area residents to walk to for their shopping and entertainment needs.

### **Architectural Description**

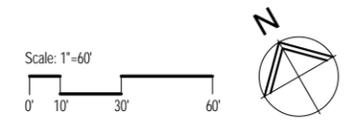
The architectural design and massing of the building will continue the urban fabric and active street definition along Ellinwood Street, and currently located throughout downtown Des Plaines. The overall design carefully nestles a 7-story residential building within the existing compact block and is respectful to its residential neighbors in terms of height, massing and ground level circulation and landscaping. It is important that the proposed building relate to the character of the area. Drawing from the existing context, the building's materials, scale and articulation of elements work to reinforce a sense of neighborhood place. As a mixed-use building, the development has a responsibility to enhance the retail activity of the street, while creating a livable, engaged residential community above.

A tremendous amount of thought and research of the existing buildings and goals of the City and neighborhood were considered while designing the project. The building will be a wood-framed structure with a concrete podium and exterior materials will consist of brick, stucco, metal panel, composite siding and glass. Windows will be expansive, allowing plenty of daylight into the dwelling units. Exterior facades will feature a simple system of hung balconies that allow residents to take advantage of outdoor space.



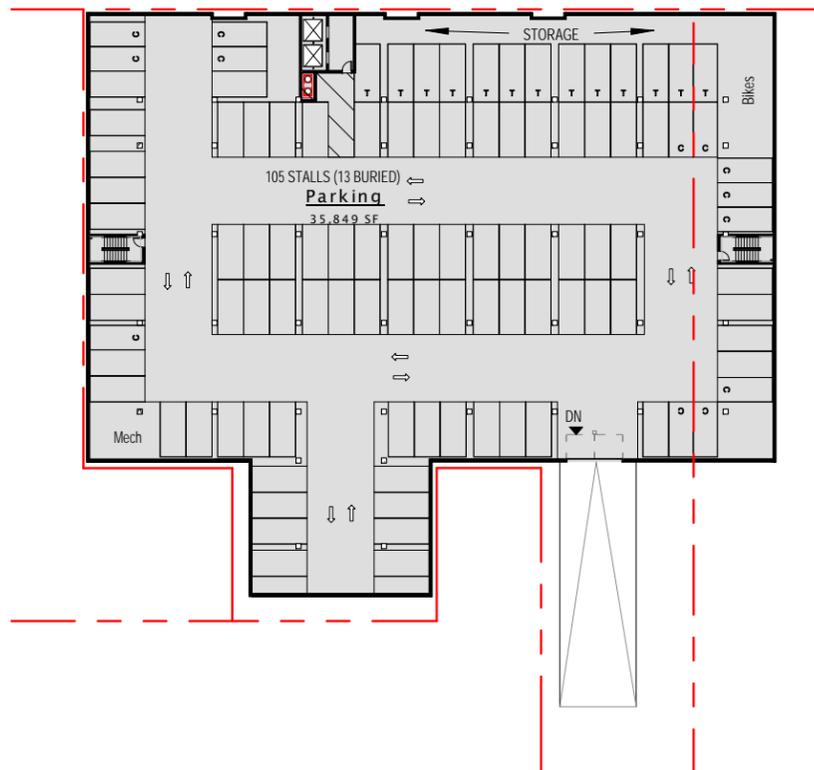
1555 Ellinwood Apartments - Des Plaines, IL  
9/8/2016

Attachment 7

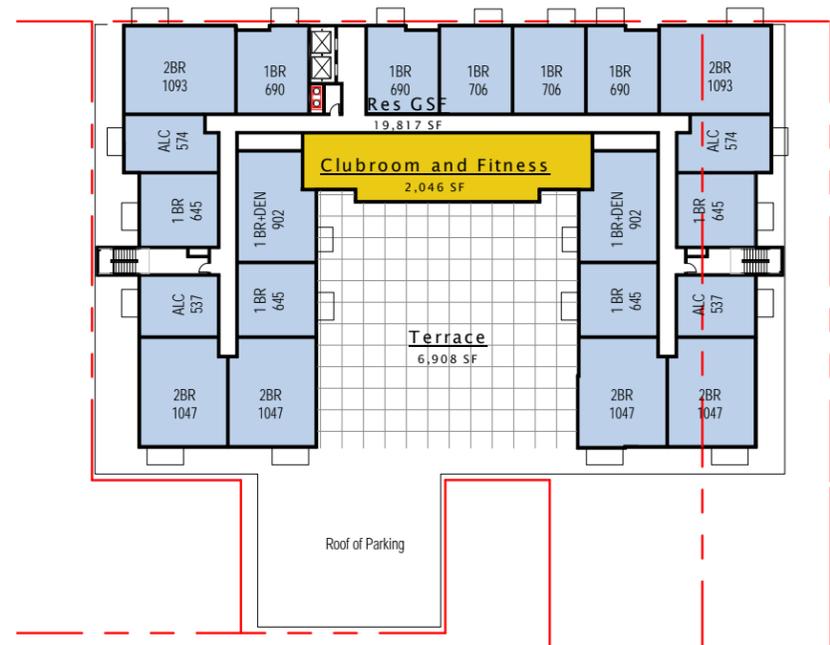


SITE PLAN

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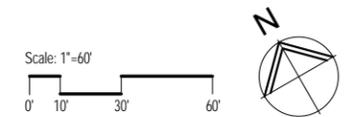
LEVEL 2 PLAN



LEVEL 3 PLAN



LEVEL 4-7 PLAN





STUCCO/  
FIBER CEMENT BOARD

PREFABRICATED ALUMINUM  
BALCONY & RAILING

ARCHITECTURAL ACCENTS

ARCHITECTURALLY FORMLINED  
PRECAST WALL PANELS

METAL PANEL

FIBERGLASS WINDOWS  
& DOORS, TYP

MASONRY

View from Ellinwood Avenue, Looking Southwest



View from Ellinwood Avenue, Looking Southeast

## BUILDING METRICS

	TOTAL GSF	PARKING GSF	STALLS	RETAIL GSF	AMENITY GSF	APT GSF	APT RSF	APT UNITS
LEVEL 1	35,737	29,092	85	1,988	4,657			
LEVEL 2	35,849	35,849	105					
LEVEL 3	21,863				2,046	19,817	16,462	21
LEVEL 4	21,862					21,862	18,508	23
LEVEL 5	21,862					21,862	18,508	23
LEVEL 6	21,862					21,862	18,508	23
LEVEL 7	21,862					21,862	18,508	23
	180,897	64,941	190	1,988	6,703	107,265	90,494	113

ENCLOSED PARKING STALLS	190
SURFACE PARKING	42
<b>TOTAL PARKING STALLS</b>	<b>232</b>

STALLS/UNIT	2.05
STALLS/BEDROOM	1.54

## UNIT MIX & SIZES

Level	2	3	4	5	6	7	TOTAL	%	Beds	Avg	Range
Alcove	0	4	4	4	4	4	20	17.7%	20	556	537-574
1 Bedroom	0	9	9	9	9	9	45	39.8%	45	674	645-706
1 Bedroom + Den	0	2	2	2	2	2	10	8.8%	10	902	902
2 Bedroom	0	6	8	8	8	8	38	33.6%	76	1054	1023-1093
	0	21	23	23	23	23	113		151	801	

Existing Des Plaines Parking Comparables					
	Year Built	# of Units	# of Parking Spaces	Parking Ratio	Transit Oriented Development***
1555 Ellinwood Des Plaines, IL		108	182 (on-site) 194 (w/ on-street)	1.69*	Yes
Midtown Square Glenview, IL	2014	138	247	1.79	Yes
Park 205 Park Ridge, IL	2015	115	207	1.80	No
Ninety7Fifty (9750 Orland Park) Orland Park, IL	2013	295	365	1.24	Yes
Wheaton 121 Wheaton, IL	2013	306	400	1.31	Yes
Aloft at the Glen Glenview, IL	2003	181	181	1.00	No
1717 Ridge Evanston, IL	2013	175	205	1.17	Yes
Residences at the Grove Downers Grove, IL	2008	294	345	1.17	No
Uptown La Grange La Grange, IL	2015	254	336	1.32	Yes
The Reserve at Evanston Evanston, IL	2003	195	219	1.12	Yes
Regency Place Oak Brook, IL	2007	112	130	1.16	No
One Arlington Arlington Heights, IL	2014	214	300	1.40	No
E2 Evanston, IL	2015	356	371	1.04	Yes
255 Hahn Elmhurst, IL	2015	188	270	1.44	Yes
***Per industry standards, to be designated as a true "Transit Oriented Development", a project must be located within 0.5 miles of metra rail transportation.					

\*Inclusion of 12 stalls in front of the building on Ellinwood and an additional 22 stalls in the easement area yields a 2.0 parking ratio.

**CITY OF DES PLAINES**

**ORDINANCE      Z - 24 - 16**

**AN ORDINANCE APPROVING TENTATIVE AND FINAL PLATS OF CONSOLIDATION AND A MAJOR VARIATION FROM SECTION 12-7-3.5.e.2 OF THE CITY OF DES PLAINES ZONING ORDINANCE AT 1555-1557 AND 1565 ELLINWOOD AVENUE, DES PLAINES, ILLINOIS. (CASE #16-050-V-SUB).**

**WHEREAS**, Opus Development Company, LLC (“*Petitioner*”), is the contract purchaser and proposed developer of four parcels of property commonly known respectively as 1555-1557 and 1565 Ellinwood Avenue, Des Plaines, Illinois (“*Private Parcels*”); and

**WHEREAS**, Robert Lewandowski and Hank Kolak are the owners of the Private Parcels (“*Private Owners*”); and

**WHEREAS**, the City of Des Plaines (“*City*”) is the owner of an approximately 13,500 square foot parcel located directly to the east of the Private Parcels along the Ellinwood Avenue frontage (“*City Parcel*”); and

**WHEREAS**, the Private Parcels and the City Parcels collectively constitute an area of 57,342 square feet (collectively, the “*Subject Property*”); and

**WHEREAS**, the Subject Property is located in the C-5 Central Business District of the City (“*C-5 District*”); and

**WHEREAS**, Petitioner desires to consolidate the Private Parcels and the City Parcel into one lot and redevelop the Subject Property with 113 multi-family residential units, retail space, and 232 on-site parking spaces (“*Proposed Development*”); and

**WHEREAS**, pursuant to Section 12-7-3-5.e.2 of the Zoning Ordinance, the minimum lot area required for the 113 proposed dwelling units proposed by the Petitioner is 150,600 square feet in the C-5 District; and

**WHEREAS**, Petitioner submitted an application to the City of Des Plaines Department of Community and Economic Development (“*Department*”) for consolidation of the Subject Property (“*Lot Consolidation*”); and

**WHEREAS**, the Petitioner also submitted an application to the Department for a major variation from Section 12-7-3-5.e.2 of the Zoning Ordinance to reduce the required minimum lot area required for the Development from 150,600 square feet to 57,342 square feet (“*Variation*”); and

**WHEREAS**, the Petitioner's applications for the Lot Consolidation and the Variation were referred by the Department, within 15 days after its receipt, to the Planning and Zoning Board of the City of Des Plaines ("**PZB**"); and

**WHEREAS**, within 90 days after the date of Petitioner's applications, a public hearing was held by the PZB on August 23, 2016, pursuant to publication of notice in the *Des Plaines Journal* on July 22, 2016; and

**WHEREAS**, notice of the public hearing was mailed to all owners of property located within 300 feet of the Subject Property; and

**WHEREAS**, during the public hearing, the PZB heard competent testimony and received evidence with respect to the Petitioner's applications for the Lot Consolidation and Variation; and

**WHEREAS**, on August 24, 2016, the PZB filed a written report with the City Council summarizing the testimony received by the PZB and stating that the PZB's motion to recommend approval of the Lot Consolidation and Variation passed by a vote of 7-0; and

**WHEREAS**, the Petitioner made representations to the PZB with respect to the requested Variation, which representations are hereby found by the City Council to be material and upon which the City Council relies in granting the Lot Consolidation and Variations subject to certain terms and conditions; and

**WHEREAS**, the City Council has studied the written report of the PZB, the applicable standards set forth in the Zoning Ordinance, and the Staff Memorandum dated August 29, 2016, including its exhibits, which form part of the basis for this Ordinance;

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

**SECTION 1. RECITALS.** The recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting part of the factual basis for this Ordinance granting the Variations.

**SECTION 2. LEGAL DESCRIPTION OF SUBJECT PROPERTY.** The Subject Property is legally described as follows:

PRIVATE PARCELS

PARCEL 1:

LOT 96 IN THE ORIGINAL TOWN OF RAND IN THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOTS 97 AND 98 IN THE ORIGINAL TOWN OF RAND (NOW THE VILLAGE OF DES PLAINES), DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 97; THENCE RUNNING SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 97, A DISTANCE OF 200.00 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOTS, A DISTANCE OF 66.00 FEET; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 97 TO THE NORTHEASTERLY LINE OF SAID LOT 98; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOTS 97 AND 98, WHICH IS ALSO THE SOUTHWESTERLY LINE OF ELLINWOOD STREET, TO THE POINT OF BEGINNING, SAID TOWN OF RAND BEING A SUBDIVISION OF PARTS OF SECTIONS 16, 17, 20 AND 21, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE NORTHEASTERLY 150.00 FEET OF LOTS 97 AND 98 IN THE ORIGINAL TOWN OF RAND (NOW THE VILLAGE OF DES PLAINES) (EXCEPTING THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 97; THENCE RUNNING SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 97, A DISTANCE OF 200.00 FEET; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOTS, A DISTANCE OF 66.00 FEET; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 97 TO THE NORTHEASTERLY LINE OF SAID LOT 98; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOTS 97 AND 98, WHICH IS ALSO THE SOUTHWESTERLY LINE OF ELLINWOOD STREET, TO THE POINT OF BEGINNING); SAID TOWN OF RAND, BEING A SUBDIVISION OF PARTS OF SECTIONS 16, 17, 20 AND 21, ALL IN TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

LOT 99 IN THE TOWN OF RAND, A SUBDIVISION IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 AND THE NORTHEAST QUARTER OF SECTION 20 AND THE NORTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 09-17-421-012-0000; 09-17-421-024-0000; and 09-17-421-034-0000

Commonly known as 1555 and 1565 Ellinwood Street, Des Plaines, Illinois.

CITY PARCEL

LOT 100 (EXCEPT THE EAST 8 FEET THEREOF) IN THE ORIGINAL TOWN OF RAND (NOW DES PLAINES), BEING A SUBDIVISION OF SECTIONS 16, 17, 20 AND 21, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**SECTION 3: APPROVAL OF FINAL PLAT.** The City Council hereby approves the Final Plat for the Subject Property, a copy of which is attached hereto and made a part hereof as **Exhibit A**, and authorizes the Mayor to sign, and the City Clerk to attest and seal, with the corporate seal of the City of Des Plaines, the original Final Plat, prepared by SPACECO, Inc., consisting of two sheets, and date of September 12, 2016.

**SECTION 4: RECORDATION OF FINAL PLAT.** The City Council hereby authorizes and directs the City Clerk to cause the executed and sealed Final Plat to be recorded with the office of the Cook County Recorder of Deeds any time after the Effective Date of this Ordinance and the execution of the Final Plat by all other necessary parties and agencies.

**SECTION 5. VARIATION.** The City Council finds that the Variation satisfies the standards set forth in Section 12-3-6.H of the Zoning Ordinance and, pursuant to the City's home rule powers, finds that the Variation is otherwise necessary and appropriate. Subject to and

contingent upon the conditions, restrictions, limitations and provisions set forth in Section 6 of this Ordinance, the City Council hereby grants the Variation for the Subject Property to the Petitioner.

**SECTION 6. CONDITIONS.** The Final Plat approval granted in Section 3 and the Variation granted in Section 5 of this Ordinance shall be, and are expressly subject to and contingent upon the conditions, restrictions, and limitations set forth in this Section 6:

A. Compliance with Plans. The development, use, and maintenance of the Subject Property shall be in strict compliance with the following plans, except for minor changes and site work approved by the Director of the Department of Community and Economic Development in accordance with applicable City codes, ordinances, and standards.

1. Site Plan prepared by ESG, consisting of one sheet, with a date of September 8, 2016, a copy of which is attached to, and by this reference made a part of, this Ordinance as **Exhibit B**;
2. 3D Building Image, consisting of two sheets, with a date of August 1, 2016, a copy of which is attached to, and by this reference made a part of, this Ordinance as **Exhibit C**;

B. Additional Conditions. The development, use, and maintenance of the Subject Property shall be subject to and contingent upon the following additional conditions:

1. Petitioner shall enter into an agreement with the City for the purchase and sale of the City Parcel for inclusion in the Development. The inclusion of the City Parcel in the Development is required to provide the Development with sufficient off-street parking to satisfy the requirements of the C-5 Central Business District; and
2. The architecture of the sides and rear of the Development must be of consistent design and materials as what is represented for the Ellinwood (north) and east facades on pages 7 and 8, titled “3D Building Image,” of the Zoning Variance Application dated August 1, 2016, and shall conform with Section 12-3-11 Building Design Review of the Zoning Ordinance.

3. Petitioner shall comply with all applicable codes and ordinances.

**SECTION 7. EFFECT.** This Ordinance authorizes the use and development of the Subject Property in accordance with the terms and conditions of this Ordinance and shall prevail against other ordinances of the City to the extent that any might conflict. The terms and conditions of this Ordinance shall be binding upon Petitioner, its grantees, assigns and successors in interest to the Subject Property.

**SECTION 8. LIMITATIONS.** The Variation shall be valid for not more than 12 months prior to the issuance of a building permit and the commencement of construction in accordance with the terms and conditions of this Ordinance. The Zoning Administrator may extend the Variation if the Petitioner requests an extension in accordance with Section 12-3-6.L of the Zoning Ordinance.

**SECTION 9 EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law; provided, however, that this Ordinance shall not take effect unless and until the occurrence of all of the following:

A. execution of a true and correct copy of this Ordinance by the Petitioner or such other party in interest consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution must take place within 60 days after the passage and approval of this Ordinance or within such extension of time as may be granted by the City Council by motion and delivered directly to the City Clerk; and

B. acquisition by the Petitioner, or its successors or assigns, of the City Parcel and the integration of the City Parcel into the Development.

**SECTION 10.**        **SEVERABILITY.** If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

**[SIGNATURE PAGE FOLLOWS]**

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**VOTE:** Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

ATTEST:

\_\_\_\_\_  
**CITY CLERK**

Published in pamphlet form this  
\_\_\_\_ day of \_\_\_\_\_, 2016.

Approved as to form:

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**Peter M. Friedman, General Counsel**

I, \_\_\_\_\_, being the owner or other party in interest of the property, legally described within this Ordinance, having read a copy of the Ordinance, do hereby accept, concur and agree to develop and use the subject property in accordance with the terms of this Ordinance.

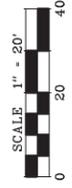
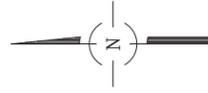
Dated: \_\_\_\_\_

\_\_\_\_\_  
By its authorized representative (Signature)

DP-Ordinance Approving Major Variations and Tentative and Final Play 1555-1565 Ellinwood St

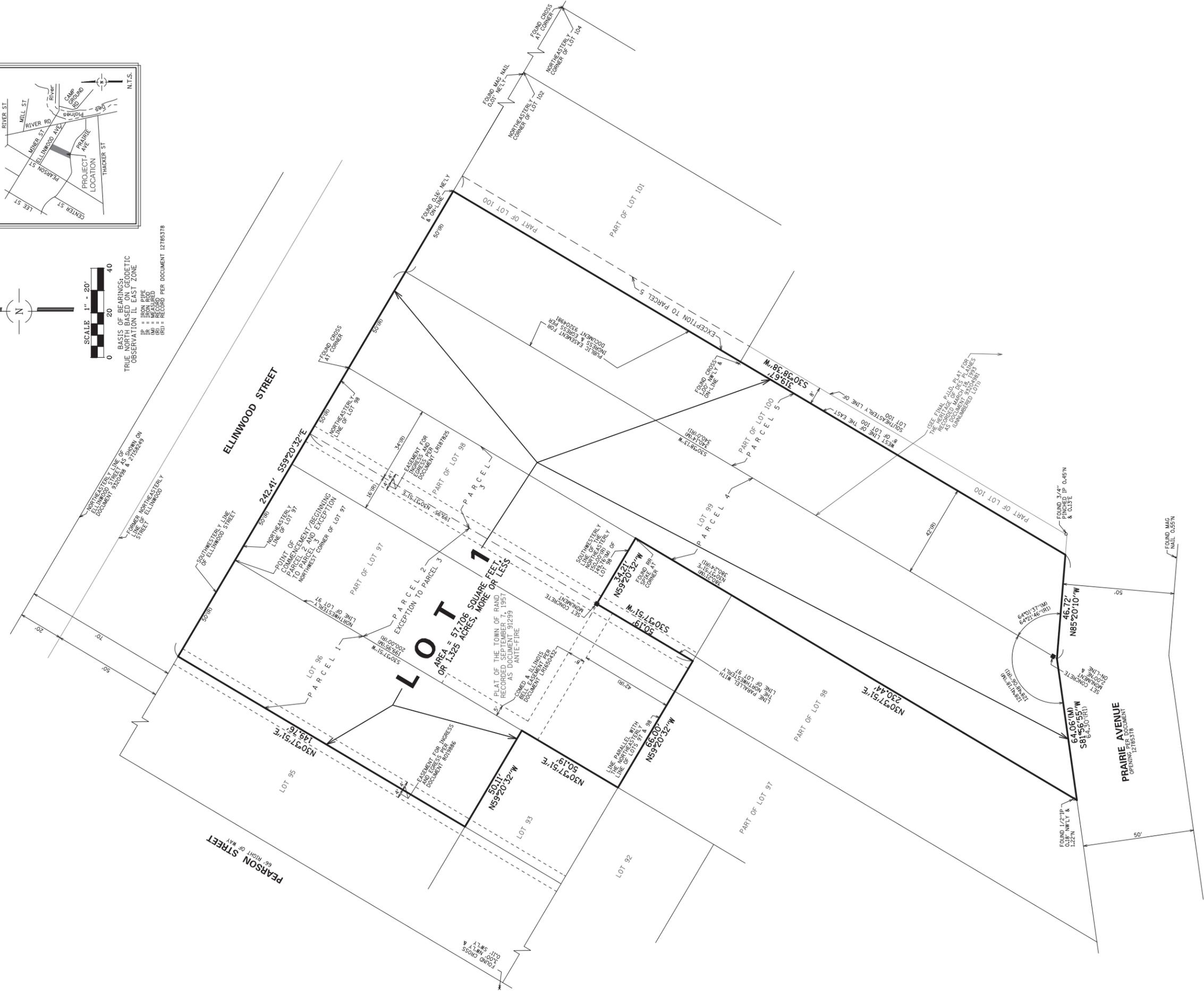
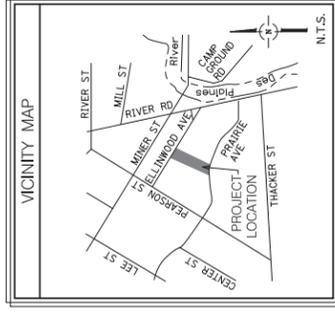
FINAL PLAT OF SUBDIVISION  
**OPUS ELLINWOOD**

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 17, IN TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



BASIS OF BEARINGS:  
 TRUE NORTH BASED ON GEODETIC  
 OBSERVATION ILL EAST ZONE

IR = IRON ROD  
 CR = CONCRETE  
 (R) = RECORD PER DOCUMENT 12785378



REVISIONS:

09/12/2016	
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CONSULTING ENGINEERS  
 SITE DEVELOPMENT ENGINEERS  
 LAND SURVEYORS

DATE: 07/22/2016  
 JOB NO: 8838  
 FILENAME: 8838SUB-01  
 SHEET 1 OF 2

FOR REVIEW ONLY  
 PURPOSES ONLY

PREPARED FOR:  
 THE OPUS GROUP  
 1700 WEST HIGGINS ROAD, SUITE 900  
 ROSEMONT, IL 60018

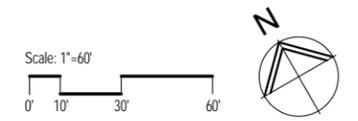
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1555 Ellinwood Apartments - Des Plaines, IL  
9/8/2016

Exhibit B



SITE PLAN



STUCCO/  
FIBER CEMENT BOARD

PREFABRICATED ALUMINUM  
BALCONY & RAILING

ARCHITECTURAL ACCENTS

ARCHITECTURALLY FORMLINED  
PRECAST WALL PANELS

METAL PANEL

FIBERGLASS WINDOWS  
& DOORS, TYP

MASONRY

View from Ellinwood Avenue, Looking Southwest



PREFABRICATED ALUMINUM  
BALCONY & RAILING

STUCCO/  
FIBER CEMENT BOARD

METAL PANEL

FIBERGLASS WINDOWS  
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MASONRY

ARCHITECTURALLY FORMLINED  
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ARCHITECTURAL ACCENTS

View from Ellinwood Avenue, Looking Southeast