



**DES PLAINES PLANNING AND ZONING BOARD MEETING  
MARCH 25, 2025  
MINUTES  
REVISED 4/7/2025**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, March 25, 2025, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

**ARTUR ZADROZNY SWEARING IN**

Chairman Szabo called the meeting to order at 7:01 p.m. and a roll call was established.

PRESENT: Bronakowski, Fowler, Zadrozny, Veremis, Weaver, Szabo  
ABSENT: Catalano  
ALSO PRESENT: Samantha Redman, Senior Planner  
Jonathan Stytz, Senior Planner  
Jeff Rogers, Director of Community & Economic Development

A quorum was present.

**APPROVAL OF MINUTES**

A motion was made by Board Member Bronakowski, seconded by Board Member Fowler to approve the meeting minutes of February 25, 2025.

AYES: Bronakowski, Fowler, Zadrozny, Veremis, Weaver, Szabo  
NAYS: None  
ABSTAIN: None

**PUBLIC COMMENT ON NON-AGENDA ITEM**

There was no public comment.

**GENERAL COMMUNICATIONS – ADMINISTRATIVE DECISIONS**

Chairman Szabo stated the list of administrative decisions provided on the agenda.

Case No. 25-005-TPLAT  
Case No. 25-010-CU  
Case No. 25-012-TA-CU

TENTATIVE PLAT  
CONDITIONAL USE  
TEXT AMENDMENT AND CONDITIONAL USE

2250 MANNHEIM ROAD  
20 W. GOLF RD.  
200 E HOWARD AVE.

**Pending Applications:**

1. **Address:** 2250 Mannheim Road **Case Number:** 25-005-TPLAT

The petitioner is requesting a Tentative Plat of Subdivision to split an existing lot into two lots of record, and any other variations, waivers, and zoning relief as may be necessary.

**Withdrawn by Applicant.**

**PIN:** 09-29-403-005-0000

**Petitioner:** BP Pulse (Representative: Jason Skock, 5199 Locust Post Lane, Columbus, OH 43230)

**Owner:** Hertz (Representative: Joshua Blum, 8501 Williams Road, Estero, FL 33928)

Chairman Szabo stated that 2285 Mannheim has asked for two continuances and now has withdrawn the petition. Chairman Szabo asked for any public comment. None was given.

2. **Address:** 20 W. Golf Road **Case Number:** 25-010-CU

The petitioner is requesting a conditional use to allow a drive-through facility adjacent to residences in the C-3 General Commercial district at 20 W. Golf Road, and any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 08-13-202-006-0000 and 08-13-202-030-0000

**Petitioner:** Kisan Patel, 4337 Emerson Avenue, Schiller Park, IL 60176

**Owner:** John Nasiopoulso, 20 W. Golf Road, Des Plaines, IL 60016

Chairman Szabo swore in Kisan Patel (4337 Emerson Avenue, Schiller Park, Illinois), Mario Valentini (5105 Tollview Dr., Rolling Meadows, Illinois), and Jacob Mathiasen (5105 Tollview Dr., Rolling Meadows, Illinois).

Mr. Mathiasen provides overview of the existing property. They are interested in dividing the existing building into two spaces, and the west side will be for Scooter's Coffee and the east side of a future office/retail space. The plan has taken into consideration sound and light disturbance from this use and limiting any traffic impacts.

Mr. Mathiasen provides an overview of the site context and the zoning including commercial on the east and south and residential on the north and west. The site includes more landscaping than the existing site. Access and drive thru locations will be in the same location as the existing. Parking islands will be added to increase landscaping in the area.

Mr. Mathiasen describes various elements of the site plan. A noise meter will be added to the speaker to control for the noise and landscaping will be included to buffer any sound on the property line. Information on the traffic study and parking information was discussed, seeking to balance the drive thru and the office/retail needs of both tenants on the property. Two drive thru lanes are intended to expedite services and reduce any traffic impacts.

Mr. Mathiasen describes the landscape plan, including arborvitae along the proposed new fence on the property. This landscaping will buffer sound and light that may affect the residences surrounding this development.

Mr. Mathiasen describes the proposed floor plan and states it will meet ADA requirements. Mr. Mathiasen describes the building elevations and will not change the building. The existing building is brick and CMU and will be painted to match the Scooter's and office/retail color schemes. Some of the existing canopies will also be removed and a smooth EIFS coating will be added 10 feet above the finished floor. The paint scheme will continue around the building and the existing awnings will be swapped out with new awnings matching the color scheme. Metal siding will be added to the drive-thru side. Mr. Mathiasen provides a list of building materials on the building. The only materials not previously existing is the metal siding being added.

Mr. Mathiasen states the focus is on compatibility in the neighborhood, ensuring it meets code requirements for sound, window glazing, and ADA compliance with sidewalks.

Member Weaver ~~asked if there was consideration regarding closing~~ acknowledged that the plans would close one of the access points to improve circulation. What about converting the remaining access point to three lanes, one going in and two going out for left and right turns?

Mr. Mathiasen states that they discussed this with the traffic consultant and stated it was a possibility. However, they state that adding the potential third lane will improve traffic flow on the site.

Mr. Valentini stated they would need to discuss closing this access point with IDOT. Member Weaver stated he has concerns with traffic with the existing site design.

Mr. Valenti responds that some of the parking stalls would be blocked with the suggested option. This option would also require additional discussion with IDOT. He states that he is unsure if they meet parking requirements.

Member Fowler states that she is familiar with this site and it is a difficult left turn. She went often when it was Johnny's and it is difficult to make that left turn and strongly encourages them to consider that option.

Senior Planner Stytz provides his staff report.

**Issue:** The petitioner requests a conditional use for a drive-through facility in the C-3 General Commercial district adjacent to residential uses.

Case No. 25-005-TPLAT  
Case No. 25-010-CU  
Case No. 25-012-TA-CU

TENTATIVE PLAT  
CONDITIONAL USE  
TEXT AMENDMENT AND CONDITIONAL USE

2250 MANNHEIM ROAD  
20 W. GOLF RD.  
200 E HOWARD AVE.

**Petitioner:** Kisan Patel, 4337 Emerson Avenue, Schiller Park, IL 60176

**Owner:** John Nasiopoulos, 20 W. Golf Road, Des Plaines, IL 60016

**Case Number:** #25-010-CU

**PINs:** 08-13-202-006-0000; 08-13-202-030-0000

**Ward Number:** #4, Alderman Dick Sayad

**Existing Zoning:** C-3, General Commercial

**Existing Land Uses:** Restaurant with drive-through facility (commercial)

**Surrounding Zoning:** North: R-1, Single Family Residential District

South: C-3, General Commercial District

East: C-3, General Commercial District

West: R1, Single Family Residential District (Village of Mount Prospect)

**Surrounding Land Uses:** North: Single Family Residences (residential)

South: Pharmacy (commercial)

East: Convenience Mart Fueling Station (commercial)

West: Single Family Residences (residential)

**Street Classification:** Golf Road is classified as a principal arterial road under Illinois Department of Transportation (IDOT) jurisdiction.

**Comprehensive Plan:** The Comprehensive Plan designates this site as commercial.

**Property/Zoning History:** The subject property at 20 W. Golf Road was annexed into the City in 1927 as undeveloped farmland. It was originally developed into a retail store but was later converted into a Class A restaurant use. In 2000, a former restaurant use, Jay's Beef, requested a conditional use to convert the Class A restaurant into a Class B restaurant, which was approved by City Council on April 3, 2000 by Ordinance Z-3-00, but did not include an allowance for a drive-through facility. In 2002, a separate conditional use was requested by Jay's Beef to allow a drive-through facility on a property abutting residential, which was approved by City Council on March 18, 202 by Ordinance Z-4-02 with certain conditions and restrictions. In 2009, the current Class B restaurant use, Johnny's Place, began operation and has been operating on the subject property since then.

## CONDITIONAL USE

### **Request Description:**

#### *Overview*

The subject property consists of two separate parcels under common ownership, which are both zoned C-3 and addressed 20 W. Golf Road. The 8,592-square-foot subject property is developed with a single-tenant commercial building, paved off-street parking areas accessed by two curb cuts off Golf Road, a pole sign, and single-lane accessory drive-through facility as illustrated on the attached Plat of Survey.

Pursuant to Section 12-7-3.K, a drive-through facility—as defined below—is only allowed as an accessory use to a principal use (e.g., a restaurant) and cannot be established and operated as the principal use of the property.

**DRIVE-THROUGH FACILITY:** An accessory facility, structure or portion thereof that is designed, intended or used for transacting business with customers located in motor vehicles. "Drive-through facility" shall not include an automobile filling station or any use that is otherwise listed specifically in a zoning district as a permitted or a conditional use.

The proposal includes the renovation of the existing single-tenant restaurant building into a two-unit commercial building: the west side to be occupied by a quick service coffee shop, Scooter's Coffee, with a drive-through facility and the east side to be occupied by a future commercial tenant as described in the attached Project Narrative. Pursuant to Section 12-13-3 of the Zoning Ordinance, a coffee shop is identified as a specialty food store—as defined below—which is a permitted use in the C-3 district:

**SPECIALTY FOOD STORE:** A building or portion thereof where the direct retail sale of prepared food items, either for immediate consumption on premises or to carry out, are available. "Specialty food" items include ice cream and frozen yogurt stores, bakery and bagel shops, coffee and tea shops, confectionery and candy shops, and other stores selling similar items. "Specialty food store" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

Contrarily, the existing drive-through facility on the subject property required a conditional use—which was obtained in 2002 as illustrated in the attached Ordinance Z-4-02—in order to be installed and utilized on the subject property which is adjacent to residential uses to the north and west.

*Proposed Changes to Drive-Through Operation Hours*

As noted in the attached Project Narrative, Scooter’s Coffee would be open from 5 am to 9 pm Sunday through Monday and intends to utilize the drive-through facility during this time. However, Ordinance Z-4-02 limits the hours of operation for the drive-through facility from 10 am to 10 pm Monday through Sunday and requires an amendment to the conditional use in order to extend the drive-through facility operation hours beyond these previously approved times. As a result, the petitioner must obtain a conditional use to allow the drive-through facility as proposed.

*Floor Plan and Elevations*

The attached Architectural Plans include a floor plan of the 2,435-square-foot commercial building, showing the split of the building between the proposed Scooter’s Coffee and the future commercial tenant. Scooter’s Coffee intends to occupy 1,182 square feet or 48.5 percent of the building, a majority of the floor plan designated for kitchen and drive-through serving areas. However, an approximate 120-square-foot area off the vestibule is designated for a point-of-sale and small seating area. The proposed improvements to the east tenant space are not shown as no user has yet been identified. However, when a future tenant is identified, a separate building permit will be required to specify the improvements to this space.

Related to the building elevations, the proposal includes aesthetic updates through painting and the installation of (i) awnings, (ii) accent finishing systems (EIFS) on the upper level of the building’s elevations, and (iii) glazing on the south building elevation as noted on the Proposed Exterior Material Elevations sheet in the attached Architectural Plans. The proposed changes to the front, street-facing building elevation require the proposal to comply with the Building Design Standards in Section 12-3-11 of the Zoning Ordinance, which is summarized in the table below for the subject property.

Item	Standard	Proposed
Transparency (street-facing elevations)	Minimum 75 percent transparency for restaurants, retail stores, and service uses from 2 ft to 9 ft above sidewalk	77 percent
Blank Wall Limitations	No rectangular area greater than 30 percent of a story's facade may be windowless; No part of a story's facade may be windowless for a horizontal distance greater than 15 feet.	26 percent of façade windowless 4’-1½” horizontal distance windowless

Exterior Building Materials	Permitted ground story materials are face brick, stucco, metal, and concrete masonry units <sup>1</sup>	Concrete masonry units, metal, accent EIFS
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*Access and Circulation*

There are currently two curb cuts from Golf Road for the subject property, the westernmost curb cut with full-access and the easternmost curb cut as a limited right-in-right-out access given the raised median on Golf Road and left turn lane for northbound Mount Prospect Road. Given concerns associated with the easternmost curb cut's proximity to the neighboring convenience mart fueling station entrance and limited access onto and from Golf Road, staff suggested and the petitioner agreed to remove the easternmost curb cut and replace it with a turf, parking, and landscaped area. The remaining westernmost curb cut will be 26 feet wide, which complies with the minimum 22-foot-wide requirement in Section 12-9-6 of the Zoning Ordinance for two-way travel aisles.

Related to site circulation, adjustments have been made to the parking area drive aisles, drive-through facility lane, and drive aisles to ensure compliance with Section 12-9-6. The front parking area drive aisles exceed 22 feet wide providing motorists sufficient space to park and leave the subject property without traveling around the building. The drive-through facility lane is 12 feet wide to provide sufficient space for drive-through queuing and circulation for Scooter's Coffee. In addition, a separate one-way travel lane around the building is provided to allow garbage trucks access to the existing dumpster enclosure at the northeast corner of the property as well as an escape lane for motorists in the drive-through facility lane. While there are some conceivable chokepoints in front of the building at both the entrance and exit of the drive-through facility due to site constraints, the proposal has maximized the space available to allow for adequate clearances.

*Drive-Through Queuing Spaces*

Section 12-9-4 of the Zoning Ordinance governs the number of queuing spaces required for the existing drive-through facility to ensure there is ample space for the queuing of motorists utilizing the drive-through facility, especially during peak business hours. Every drive-through facility must provide a minimum of six stacking

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<sup>1</sup> Finishing systems (EIFS) may be used as a permitted ground story material as an accent material. Such material shall only be used when installed at least eight feet (8') above the finished first floor.

spaces plus one stacking space per waiting area provided which do not interfere with the ingress and egress of the off-street parking provided on site. The Proposed Architectural Site Plan and Details sheet in the attached Architectural Plans illustrates that 11 stacking spaces are provided from the entrance to the drive-through lane to the pick-up window without any direct interfere with the off-street parking spaces noted below. In addition, the attached Preliminary Traffic Statement identifies that the drive-through configuration is sufficient for the anticipated queuing volumes.

*Off-Street Parking*

Sections 12-9-7 and 12-9-8 of the Zoning Ordinance govern the number of off-street standard and accessible parking spaces required based on the property uses. While the east tenant space use has not been defined, a parking calculation for the proposed specialty food store—requiring a minimum of one off-street parking space for every 200 feet of gross floor area—was conducted. Given the small customer area in the front of the proposed specialty food store, only two off-street parking spaces, including one accessible space, would be required. However, the Proposed Architectural Site Plan and Details sheet in the attached Architectural Plans illustrates a total of 16 off-street parking spaces, including one accessible space, in compliance with this regulation.

*Landscaping and Screening*

The subject property is currently void of landscaping improvements. However, the proposal includes the installation of the following landscape improvements throughout the subject property to make it more compliant with the regulations in Chapter 10 “Landscaping and Screening” of the Zoning Ordinance:

- Addition of perimeter parking lot landscaping areas for the entire front off-street parking lot;
- Addition of interior parking lot landscaping areas up in front of the building and at the end of all off-street parking rows;
- Landscape buffer areas along the full west and north property lines with fencing and arborvitae plantings to provide ample screening between the subject property and the adjacent residences; and
- Replacement of gravel groundcover with wood mulch and natural turf.

**Standards for Conditional Use:** Conditional Use requests are subject to the standards set forth in Section 12-3- 4(E) of the Zoning Ordinance. Rationale for how the proposed amendments would satisfy the standards is provided below and in the attached Petitioner Responses to Standards. For its rationale, the Board may use the responses provided as written, modify them, or adopt its own.

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

*Comment:* A drive-through facility operated on a property adjacent to residential requires a conditional use as specified in Section 12-7-3.K of the Zoning Ordinance for properties in the C-3 District.

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

*Comment:* The Comprehensive Plan designates this property as commercial and strives to promote new commercial businesses in Des Plaines. This property is positioned along the Golf Road corridor and surrounded by a mixture of residential and commercial development. The proposal for the new commercial building with two tenant spaces at the subject property—even with the drive-through facility—generally falls within the principles and goals of the Comprehensive Plan.

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

*Comment:* The existing drive-through facility is positioned and designed in a similar fashion to other drive-through facilities in the C-3 district and is generally harmonious with the existing commercial development in the immediate vicinity including the existing drive-through facility currently utilized by the pharmacy across the street from the subject property. While the proposal intends to slightly widen the drive-through lane to 12 feet in order to provide sufficient space for queuing vehicles, the overall design and location of the drive-through facility itself will not change.

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

*Comment:* The existing drive-through facility has been in operation on the subject property since 2002 and during its current hours of operation from 10 am to 10 pm has generally not had more hazardous or disturbing effects on neighboring uses than a typical drive-through facility. However, the proposed change in hours of operation of this drive-through facility to permit its operation as early as 5 am may subject residents located directly north and west of the subject property to the general adverse effects attributed to drive-through facilities at early hours in the day, seven days a week.

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

*Comment:* The existing drive-through facility on this site is adequately served by essential public facilities and services. While the proposal removes one of the existing curb cuts from Golf Road, staff do not have concerns that this will impact the essential public facilities and services that are currently serving the subject property.

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

*Comment:* The existing drive-through facility has not created a burden on public facilities and has not been detrimental to the economic well-being of the community. There is no indication that the expansion of the drive-through facility hours of operation will have negative economic impact on the community as a whole or create the need for additional City services provided that appropriate screening improvements are installed and the drive-through facility is operated according to all requirements in the C-3 district and the environmental performance standards in Section 12-12 of the Zoning Ordinance.

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

*Comment:* The operation of a drive-through facility by nature is attributed to activities that generate traffic, noise, smoke fumes, glare, and odors from vehicles occupying this space for pick-up of items from the establishment. Related to traffic, the proposal removes the east curb cut nearest the drive-through facility to reduce the number of vehicular interactions on and off the site while also increasing the stacking capacity of the drive-through facility, both of which help address concerns related to traffic backups and circulation issues on site. Related to light and glare, the proposal includes the installation of a new eight-foot-tall fence along the rear (north) property line and installation of 57 arborvitae plantings along the rear (north) and side (west) property lines to further screen the residences from the drive-through facility, which in part help address the light and glare concerns associated with drive-through facilities.

Furthermore, the attached Project Narrative identifies that the total time a motorist spends in the drive-through lane from entry to exit is around 60-90 seconds, mentioning that this helps reduce the noise concerns for residents. That said, the noise generated from the drive-through speaker, light generated from site lighting, and odor generated from vehicles queuing in the drive-through lane are still viable concerns with this request given the proposed extension of hours of operation for the drive-through facility. As such, staff have added conditions related to the drive-through facility hours of operation, speaker system volume, and lighting plan to reduce adverse impacts on the neighboring residential properties.

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

*Comment:* The proposal removes the existing east curb cut on the subject property to reduce interferences with traffic on surrounding public thoroughfares and circulation on the subject property. However, with the drive-through facility, painted arrows will be necessary to clearly define the direction of travel throughout the subject property to ensure that sufficient access and circulation are maintained for all uses. That said, staff have added a condition requiring the installation of painted arrows on all drive aisles throughout the subject property.

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

*Comment:* The proposal would not cause the destruction, loss, or damage of any natural, scenic, or historic features of major importance. The building and site were already developed for similar uses, including the accessory drive-through facility.

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

*Comment:* This proposal with the aforementioned adjustments will meet all other requirements of the Zoning Ordinance for the C-3 General Commercial District.

**PZB Procedure and Recommended Conditions:** Under Section 12-3-4.D (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to *recommend* that the City Council approve or deny the aforementioned request. Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Use) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions.

**Conditions of Approval:**

1. The petitioner agrees to maintain the same or fewer hours of operation for the drive-through facility lane as the coffee shop, not to exceed 5 am to 9 pm, seven days a week. The petitioner agrees to seek an amended conditional use if the hours of operation for the drive-through facility are proposed to be extended beyond these limits.
2. The petitioner must restripe the parking areas of the subject properties in conformance with the Proposed Architectural Site Plan and Details sheet and add painted directional arrows throughout the subject property. Ample off-street parking spaces for both uses shall be provided on site at all times.
3. At time of building permit, the petitioner must provide a photometric plan identifying the location of all existing and proposed exterior lighting fixtures and foot-candle measurements for the entire site in conformance with Section 12-12-10 of the Zoning Ordinance. Foot-candle measurements shall also be provided for a minimum of two rows outside the property boundaries.
4. A sound meter must be installed near the drive-through facility speaker and utilized at all times to ensure the speaker is not audible outside the boundaries of the subject property.

Member Weaver asked if the City's traffic engineer assessed the topic he raised regarding closing the curb cut. Senior Planner Stytz stated that was a recommendation by staff. There was not discussion of the three lanes, but that any changes to existing curb cuts will need to be approved by IDOT.

Member Veremis asked if there is seating inside the facility. Mr. Mathiasen states yes, there are seats provided.

Member Veremis asked about what type of business they foresee for the east tenant. Mr. Patel states they are unsure about the space, but that it could be an office space. They are planning to acquire the property but are not the owner yet.

Member Bronakowski asked about the ideal tenant. The concern he has for this property is the small size in a high traffic area. If you accidentally pull into the lot, with this site plan, it could be challenging to pull out of the lot. His concern is what the likelihood of an accident would be in this high traffic area. Mr. Patel stated they are considering an insurance agency who reached out, Geico or State Farm. It will not be a food service at this time.

Member Bronakowski asked about indoor seating. Mr. Patel says only two seats. The focus is on the drive-through concept.

Chairman Szabo stated the board members made an excellent point. Szabo states another restaurant would be challenging in the east tenant space because of conflicting hours. In other areas of the city, multiple restaurants in these areas could be a disaster. Mr. Valentini stated filling the east tenant space has been a discussion and limiting that use to something low impact. It is good for the future owner to know so they are careful to market that space.

Member Fowler asks if they are a to-go restaurant, not a typical coffee spot where people sit on their laptops and if we add a condition to require the addition of the third lane. She agrees with Member Bronakowski. Mr. Valentini stated that could be a condition to discuss with staff and there needs to be discussion with IDOT regardless, because one apron is being closed, and the proposal will be under the scrutiny of IDOT. It is something that could be discussed with staff and IDOT. It is easier to put it as a condition, throw it to IDOT as a scenario, and see what they say about what they can/cannot do.

Member Weaver has great faith that IDOT will look at that request carefully and command the third lane. I think their concern will be for the traffic and potential for accidents.

Member Weaver had another question on the drawings for the east tenant a front, side, and back entrance. The coffee operation is from 5am to 9pm. Where would supplies be received? Where would garbage and waste exit the building? The drive-thru is covering several sides [of the building] for many hours of the day and night.

Mr. Valentini states they cannot speak for the potential tenant on the east. They did not alter the existing exits on the current building. The landlord would need to ask them to coordinate on off-peak hours in order to have deliveries made. If this is an office use, this becomes a point of least

contention. They don't have a lot of deliveries; they will have quick drop offs. We do not think those are long duration items. Trash pickup is something that needs to be discussed with the waste management company to prevent pickup at 6 am during the busy time for the coffee shop. One of the entrances could potentially be closed off in the future. The adjacent tenant would have the rear exit, but that will be the main delivery door for the coffee shop now.

Member Weaver asked when deliveries come to the coffee shop. Mr. Patel states it is overnight, and they will have a key to the building to open the doors.

Member Weaver asked about refuse collection for both tenants. Mr. Patel states that they will share the same dumpster and same trash pick-up.

Member Bronakowski asked about congestion in this location. There is concern about one entrance/exit. Has there been discussion with the gas station next door to add a connection between the property?

Mr. Valentini stated that no, there has not been a conversation about that with the gas station. Potentially that is an option but would rely on a separate party for that agreement. However, they could potentially cause a problem with a person at the gas station using that exit as an outlet onto Golf Rd to avoid traffic on Mt. Prospect Rd. He understands concern with congestion. KLOA provided a traffic impact analysis stated support in their report for this facility. If they had objections, it would have been in the KLOA traffic statement. KLOA is being relied on for the traffic analysis because they are the experts and do many reports in the Chicago area.

Member Bronakowski states he will trust the experts.

Member Zadrozny asked about what products they will be selling. Mr. Patel mentioned they will sell primarily coffee and some donuts.

Member Zadrozny asked City staff if there have been any complaints regarding this drive thru in the past. There could potentially be several cars queuing early in the morning on this site. Mr. Patel states that it is generally 60-150 seconds to process orders. The restaurant is relatively fast compared to competitors.

Chairman Szabo opened public comment. No members of the public came forward. Chairman Szabo closed the public hearing and entertained a motion regarding the case.

A motion was made by Member Weaver and seconded by Member Veremis to recommend approval of the conditional use to the City Council, with four conditions drafted by staff.

AYES: Bronakowski, Catalano, Fowler, Zadrozny, Veremis, Weaver,  
Szabo  
NAYS: None  
ABSTAIN: None

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

3. **Address:** 200 Howard Avenue                      **Case Number:** 25-012-TA-CU

The petitioner requests: (i) text amendments to the Zoning Ordinance related to assembly uses in manufacturing zoning districts; (ii) a Conditional Use for a proposed assembly use at the subject property; and (iii) any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-30-101-031-0000 and 09-30-101-032-0000

**Petitioner:** Insight Church, Inc., P.O. Box 188, Tinley Park, IL 60477

**Owner:** HOH Owner LLC, 837 W. Junior Terrace, Chicago, IL 60613

Chairman Szabo swore in Braeden Lord (Taft Stettinius & Hollister, LLP, 111 E. Wacker Drive, Suite 2600, Chicago, IL 60601), Robb Thompson (Insight Church, 4400 Greenwood St, Skokie, IL 60076), Linda Thompson (Insight Church, 4400 Greenwood St, Skokie, IL 60076) Thomas Gath (481 W. Savoy Round Lake, IL), James Ward (18500 92<sup>nd</sup> Ave., Tinley Park, IL 60487), and Shannon Westberg (20 Chestnut Ave., Clarendon Hills, IL).

Mr. Lord summarized the applicant's request.

Senior Planner Redman confirmed that copies of the applicant's addendum of materials was provided to the PZB members.

Mr. Ward greeted the PZB and summarized the details of Insight Church. Insight Church is a multi-location church founded in 2011 with existing locations in Skokie and Tinley Park. He summarized the beliefs and teachings of the Church and relationships with their communities including coordinating with the Skokie Police Department for involvement in crisis situations. The leadership of the church look forward to coordinating with Des Plaines community leaders to improve the quality of life for the City of Des Plaines.

Member Fowler inquired about the reasoning for selection of this particular location in the City. Mr. Ward identified the accessibility of the site from the highway provides opportunities to serve populations from a wide area.

Member Veremis inquired whether the Skokie location would be vacated. Mr. Ward noted that space in Skokie is currently leased from a Park District. The new operations in Des Plaines would initially supplement the existing operations in Skokie while also providing permanent office space.

Member Veremis inquired about the comparative sizes of the Skokie operation and the proposed Des Plaines operation. Mr. Ward answered that the Des Plaines location is slightly larger and more functional than the one in Skokie.

Mr. Lord summarized the details of the proposed amendments to the City Code which would add a conditional use land use in the M-2 District for a manufacturing-zoned assembly use. As

proposed, buffer setbacks are required. The amendments would be intended to minimize negative impacts upon adjacent properties.

Mr. Lord summarized the intent of the proposed buffer setbacks from various uses and major roadways, the downtown, and the Rivers Casino. The buffers would assist with limiting utilization of industrial property for large quantities of assembly uses and would not conflict with existing allowances in the Code establishing requirements which allow assembly uses near the downtown and in other areas of the community.

The proposed use would occupy Suite 202 in the existing multi-tenant building. The use would not be expected to have negative impacts on the operations of other businesses in the center. The space was developed in 1986 and has been vacant for approximately six months after occupancy by a prior office use. The proposed use would be especially well suited for the proposed tenant space which is highly visible from the public right-of-way on a site with ample off-street parking spaces. Visitors to the site would contribute to the economic vitality of the City as many visitors would be expected to visit other businesses in the community before or after their visit to the site. A summary of the proposed schedule of weekly and monthly operations and anticipated traffic volumes was presented.

Mr. Lord presented a summary of the existing tenant mix throughout the center including existing hours of operations. The proposed use would not create significant conflicts with the existing uses and would typically be comprised of up to two employees occupying the offices on the property when church services were not in progress.

Mr. Lord summarized the standards for text amendments and the applicant's evidence and testimony indicating their compliance with the applicable standards.

The proposed tenant would contribute to common maintenance expenses, would contribute to the economic vitality of the development via payment of rent, and would increase the appearance of the multi-tenant center by adding an occupancy to a key tenant space in the development which is currently vacant.

The proposed use would help strengthen connections between congregants and local employers. Many buildings throughout the City's industrial areas are approaching the end of their useful life and are experiencing pressures for new investment and/or consideration of alternative occupancies. The proposed text amendment would require assembly use occupancies to locate within 150 feet of public rights-of-way to ensure visibility of such uses.

The proposed use would serve a diverse population and would serve as a conduit for reaching diverse populations within the community.

The proposed text amendment would provide property owners with an additional tool to find tenants for vacant space throughout the M Districts. Presently, there is an especially depressed demand for office space due to changes in employee behavior and expectations since the COVID pandemic. The lack of opportunity to consider assembly uses creates challenges for the se property owners to secure tenants in some properties, including legacy developments such as the multi-

tenant building on the subject property. All proposed assembly uses could be considered on a case-by-case basis in accordance with the conditional use standards.

Mr. Lord presented specific information regarding the proposed use in accordance with the conditional use standards. The existing development is comprised of eight freestanding buildings with various office and logistics/warehouse uses and 339 shared off-street parking spaces. The proposed space is comprised of more than 7,000 square feet. Several site photos were presented as well as the proposed floor plan. The proposed use would be expected to be comprised of congregation space, restrooms, classrooms for Sunday school, and offices. Access to the site is available from a curb cut near the tenant space to be occupied. Two staff members would be present during operations outside of proposed assembly services. A weekly sermon service would be scheduled in addition to a monthly prayer service.

Mr. Lord noted that the proposed use would comply with the City's conditional use standards and would be operated in accordance with these requirements. The use would operate on days and at times which would not conflict with other uses in the vicinity. A preliminary review by City staff of utility service to the property was found to be sufficient for the proposed use.

Member Weaver asked whether SCIS would continue to occupy their existing tenant space. Thomas Gath, broker representing the property owner, confirmed that SCIS maintains a one-year lease and they expect their continued occupancy into the future.

Member Weaver inquired whether the adjacent tenant space is occupied, 204B. Mr. Gath noted that the space is currently vacant and is comprised of 1,578 square feet. This space is separated from Suite 202 by a demising wall.

Member Veremis inquired about the percentage of development that is vacant. Mr. Gath confirmed the current vacancy is approximately 20 percent.

Member Veremis inquired about anticipation of future growth. Mr. Ward confirmed that they do not have specific expectations but hope to grow in the future.

Member Bronakowski asked for confirmation of any other locations that were considered. Mr. Ward noted that they are working with a broker but prefer this space due to its proximity to highway access. Uses such as this have become more popular due to improvements in technology.

Member Zadrozny asked for confirmation of the maximum occupancy of the proposed space. Mr. Lord confirmed that the maximum occupancy would be 140 occupants, however the expected regular occupancy would be approximately 60 occupants.

Member Veremis inquired about the draft text amendment about accommodating the proposed land use. Senior Planner Redman stated that churches are classified within the assembly use definition.

Chairman Szabo requested a summary of the proposal from staff.

Senior Planner Redman summarized the details of the City Code and the applicant’s request. She noted the need to consider potential text amendments in the context of the entire City and all districts where a text amendment may change applicable requirements.

A text amendment regarding assembly uses in institutional districts was considered in 2024 and was subsequently adopted. The applicant’s specific request includes various qualifying details including requiring proposed uses to be noncommercial assembly uses as well as various buffer distances.

The applicant proposes several conditions to limit the quantity of potential assembly uses in manufacturing districts. The proposed buffers would create an area generally inclusive of the Howard Avenue corridor and other properties near I-90 in the vicinity of the subject property. A map of the potential areas where an assembly use would be permissible in M Districts was presented.

Ms. Redman summarized the importance of the manufacturing district properties to employment and economic production of the City and referenced the detailed analysis provided within the staff report.

**Issue:** Consider Zoning Ordinance amendments to: (i) define “Manufacturing Zoned Assembly Uses” in Section 12-13-3; (ii) amend the use matrix in Section 12-7-5.A.6 to allow “Manufacturing Zoned Assembly Use”; and consider a Conditional Use for a Manufacturing Zoned Assembly Use at 200 Howard Ave., Suite 202.

**Petitioner:** Insight Church, Inc., P.O. Box 188, Tinley Park, IL 60477  
**Owner:** HOH Owner LLC, 837 W. Junior Terrace, Chicago, IL 60613  
**Case Number:** 25-012-TA-CU  
**PINs:** 09-30-101-031-0000; 09-30-101-032-0000  
**Ward:** #5, Alderman Carla Brookman  
**Existing Zoning:** M-2, General Manufacturing District  
**Existing Land Use:** Multi-tenant manufacturing building  
**Surrounding Zoning:** North: M-2, General Manufacturing District  
South: M-2, General Manufacturing District  
East: M-2, General Manufacturing District  
West: M-2, General Manufacturing District  
**Surrounding Land Use:** North: Manufacturing building  
South: Manufacturing building and railroad

East: Railroad

West: Manufacturing building

**Street Classification:** Howard Avenue is classified as a local road and is under the jurisdiction of the City of Des Plaines.

**Comprehensive Plan:** “Industrial” is the use illustrated in the Comprehensive Plan.

**Project Overview:** The petitioner, Insight Church, LLC, is the prospective lessee of Suite 202 of 200 Howard Ave. This tenant space is within a multi-tenant building which has historically included primarily office spaces and small warehouses. Insight Church is interested in operating a religious assembly use facility within Suite 202 of this building. No proposed expansions or exterior alterations are proposed for the building. All proposed uses will be located inside the building. Refer to the “Floor Plan” attachment.

Zoning	Permitted or Conditional Use	Count of Parcels
R-1	Conditional use, if on sites of 1 acre or more with frontage on a collector or arterial street	87 parcels
R-2	Conditional use, if on sites of 1 acre or more with frontage on a collector or arterial street	0 parcels
R-3	Conditional use	1,494 parcels
R-4	Conditional use	779 parcels
C-3	Conditional use	800 parcels
C-5	Conditional use	120 parcels
I-1	Permitted by right if along an arterial roadway; Conditional use if not located along an arterial roadway	67 parcels
C-1, C-2, C-4, C-6, C-7, M-1, M-2, M-3	Not permissible	N/A

## Overview of Requests

To allow this use in this location, the applicant requests the following:

1. Text amendment to the zoning ordinance defining Manufacturing Zoned Assembly Uses;
2. Text amendment to the zoning ordinance allowing Manufacturing Zoned Assembly Uses within the M-2 district; and
3. Conditional use for a Manufacturing Zoned Assembly Use, if required by proposed text amendment allowing this use in the M-2 district.

## Text Amendment Request

Currently, City Code identifies assembly uses within the Institutional zoning district as well as several residential and commercial districts, either permitted by right or as a conditional use.

Refer to Existing Assembly Use map for locations where an assembly use may currently locate. The table below summarizes requirements for assembly uses within each zoning district:

### Proposed Text Amendments

#### *Definition*

In 2018, the Zoning Ordinance was amended to establish regulations surrounding assembly uses within residentially and commercially zoned properties. In 2024, an additional definition for institutionally zoned assembly uses was added to the zoning ordinance. Included below are the three current definitions.

- **COMMERCIAL ZONED ASSEMBLY USES:** A use that is primarily for the purpose of the assembly of people, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: commercial theater, banquet halls, nightclubs, church, synagogue, temple, meeting house, mosque, or other place of worship.
- **RESIDENTIALLY ZONED ASSEMBLY USES:** A use that is primarily for the purpose of the assembly of people for a non-commercial purpose, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: community center, membership organizations, church, synagogue, temple, meeting house, mosque, or other place of worship.
- **INSTITUTIONALLY ZONED ASSEMBLY USES:** A use that is primarily for the purpose of the assembly of people, which can contain a combination of uses that take place in both principal and accessory structures. Such uses include: commercial

theaters, banquet halls, event spaces, churches, synagogues, temples, meeting houses, mosque, or other place of worship. Institutional Zoned Assembly Uses do not include nightclubs. Such uses must adhere to the off street parking requirements under "assembly uses".

The petitioner proposes a similar definition to the above, but clarifies the use should have a “non-commercial” purpose. The applicant’s draft definition is as follows:

**MANUFACTURING ZONED ASSEMBLY USE: A use that is primarily for the purpose of the assembly of people for a non-commercial purpose, which can contain a combination of uses that take place in both principal and accessory structures. A Manufacturing Zoned Assembly Use may include: community center, membership organizations, church, synagogue, temple, meeting house, mosque, or other place of worship. Such uses shall adhere to the off-street parking requirements under "assembly uses".**

Within the Response to Standards for Amendment attachment, the petitioner discusses the rationale for their definition specifying the assembly being for a “non-commercial purpose”. The Board may request additional details or evidence regarding the applicant’s claim of non-commercial assembly uses benefitting adjacent employers.

*Use Matrix*

The purpose stated for manufacturing districts within the Zoning Ordinance is “to protect the stability of manufacturing activities in the City and to encourage the development of new manufacturing activities by providing adequate and appropriate space within the City.” Any erosion of this purpose with the introduction of non-compatible or less economically productive uses should be considered carefully. The M-2 zoning district has a wider range of uses permitted by right or with a conditional use than the other manufacturing districts and is generally intended for higher intensity uses such as warehouses, heavy manufacturing, and distribution facilities.

The applicant proposes the following text amendments to the use matrix:

*Section 12-7-6: Manufacturing Districts Regulations*

	M-1	M-2	M-3
***			
<b><u>Manufacturing Zoned Assembly Uses</u></b>		<u>C<sup>8,9</sup></u>	
***			

- 8. Any manufacturing zoned assembly use must have an entrance that faces or is located within 150 feet of a public right-of-way.**
- 9. No manufacturing zoned assembly use shall be located within 1,320 feet of an R-1, R-2, R-3, or R-4 District; 1,760 feet of the Touhy Avenue public right-of-way; or 5,280 feet of the C-5 or C-6 District.**

Refer to Text Amendment Buffer Map to understand the locations where these uses may be located with a conditional use. Rationale for the buffers and the distance are provided within the Petitioner’s Response to Standards for Amendment

*Examples from Other Communities*

Within their narrative, the petitioner has provided a summary of zoning ordinances from six surrounding municipalities, showing that various assembly uses are permitted in industrial or manufacturing districts with a special or conditional use. While this comparison highlights how other communities accommodate such uses, these municipalities lack the proximity to O’Hare Airport and Interstate 90 making Des Plaines’ manufacturing-zoned properties particularly valuable for import/export operations and for improving employee commutes, expanding the potential workforce, and making these businesses more attractive to prospective employees.

**Conditional Use**

***Proposed Uses of Building and Hours of Operation***

Refer to the Petitioner’s Narrative for an overview of the proposed activities at the site. Insight Church intends to primarily use the property for religious services with accessory classroom and rehearsal spaces for related activities.

***Off-Street Parking***

Pursuant to Section 12-9-7, commercially zoned assembly uses for worship facilities without affixed seating are required to provide one off-street parking space for every 60 square feet of gross activity area. The office spaces currently used in the building require 1 space for every 250 square feet of gross floor area.

The definition of “floor area” in Section 12-13-3 allows certain spaces such as restrooms, mechanical rooms, hallways, and a percentage of storage areas to be excluded. The table below reflects the floor area of the tenant space per this definition.

<b>Use</b>	<b>Floor Area or Seats/Employees<sup>1</sup></b>	<b>Required parking<sup>2</sup></b>
Assembly use	3,851 sq ft	65 spaces
Office	1,072 sq ft	5 spaces
	<b>Total Required Spaces</b>	70 spaces
	<b>Total Existing Spaces</b>	339 spaces (shared)
<sup>1</sup> Excludes floor area for mechanical rooms, restrooms, and storage areas		
<sup>2</sup> Spaces rounded up to next whole number		

Parking will not be separately dedicated for this use versus other tenant spaces. A total of 331 standard spaces and 8 accessible spaces are provided for shared use by all tenants of this facility. Staff completed an analysis of all existing uses on the property and determined, with this proposed assembly use, the total minimum required parking for all uses on the property is 295 spaces, therefore sufficient required parking is provided on the property per Section 12-9-7. Further, per City Code required parking spaces for each use are assumed to be available 24/7, and therefore additional capacity for parking during peak periods could be accommodated since every business will likely not be open simultaneously.

***Traffic***

Although a traffic impact study is typically associated with a conditional use permit for assembly uses, a waiver was requested by the applicant and granted by the Zoning Administrator based on the limited traffic generated by this use compared to the overall volume of traffic traveling in and around this site, and staff’s familiarity with the building, tenant mix, and site operations stemming from recent

code enforcement actions. Refer to the Traffic Waiver Request attachment. If needed, the Board may request additional information regarding parking, traffic management, projected trip generation, etc.

In 2024, a Zoning Certificate was approved for the overall property to allow businesses within several tenant spaces to park larger trucks and vehicles on the property in designated locations. Refer to the 2024 Zoning Certificate Parking Plan attachment. A site plan, approved by the Community and Economic Development Department and the Fire Prevention Division, includes a compliant fire lane surrounding the building. This plan regulates the parking and vehicle storage operations throughout the property. If the PZB identifies a reasonable nexus between the proposed use and the site plan, they may recommend amendments to the currently approved plan.

#### *Noise and Other Nuisance*

The property and all associated uses will be required to meet all environmental performance standards surrounding noise, odor, light, or other potentially disruptive elements pursuant to Title 12, Chapter 12 of the City Code. A condition of approval states a special event license is required for any special events located outside of the building. This condition of approval is suggested to provide certainty of safe circulation patterns around the building due to the frequent large truck traffic on the property related to businesses within other tenant spaces.

#### **Standards for Text Amendments:**

The following is a discussion of standards for zoning amendments from Section 12-3-7.E. of City Code. Rationale for how the proposed amendments would satisfy the standards is provided. The PZB may use the statements below as its rationale or adopt its own.

#### **1. Whether the proposed amendments are consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the City Council;**

The Petitioner's Response to Standards for Amendment provides a summary of their justification for this amendment.

*Staff Comments:* Review of the comprehensive plan by staff did not provide any additional evidence or policy to support this type of use within manufacturing districts. Rather, the comprehensive plan encourages the growth of industry by maintaining manufacturing areas zoning districts and re-development of properties as necessary to evolve to new industrial needs.

**2. Whether the proposed amendments are compatible with current conditions and the overall character of existing development;**

The Petitioner's Response to Standards for Amendment provides their response to this standard.

*Staff Comments:* Staff encourages the Board to consider the overall intensity of uses possible within the M-2 zoning district. The M-2 Zoning District Use Matrix attachment provides an overview of the types of uses permitted in this zoning district. In addition, the M-2 district is the only zoning which permits heavy manufacturing, which is generally considered the highest intensity use within the city in terms of potential impact. Refer to the definition below from Section 12-13-3:

*MANUFACTURING, HEAVY: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing". Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials or products involving flammable or explosive materials and processes that require extensive floor areas or land area for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.*

The Board may find it suitable to ask for additional information from the petitioner regarding why assembly uses would be compatible in a zoning district with the potential for the above activities permitted by right. In addition, by its nature, the traffic generated by uses within manufacturing districts is a greater volume and the vehicles a larger size than other zoning districts. The proposed amendment requiring assembly uses to be in close proximity to a street, in order to limit conflict points on large industrial properties, may provide some compatibility assurances.

**3. Whether the proposed amendments are appropriate considering the adequacy of public facilities and services available;**

The Petitioner's Response to Standards for Amendment provides their response to this standard.

*Staff Comments:* This amendment proposes manufacturing zoned assembly uses as a conditional use, which would allow for determining adequacy of public facilities and services on a case-by-case basis, including assessing whether the existing transportation network and proximity to emergency services would be adequate for this type of use.

**4. Whether the proposed amendments will have an adverse effect on the value of properties throughout the jurisdiction; and**

The Petitioner’s Response to Standards for Amendment provides their response to this standard.

*Staff Comments:* To evaluate potential adverse effect on property values in both the M-2 District and throughout the City, Staff completed an analysis of major employers within the city and the zoning classifications of their properties to better understand the overall inventory of manufacturing properties and their impact on the local economy. Below is a table summarizing the total jobs of major employers, classified as employers with 25 or more employees, and the associated zoning district for these businesses.

Zoning	Total Employees <sup>1</sup>	Total Sales <sup>1</sup>	Estimated Property Taxes <sup>2</sup>	Estimated City Share of Property Taxes <sup>3</sup>
C-2	447	\$147,307,000	\$3,747,751.50	\$386,018.40
C-3	3,293	\$448,297,000	\$7,652,366.25	\$788,193.72
C-4	309	\$47,728,000	\$1,432,080.50	\$147,504.29
C-5	1,073	\$132,305,000	\$325,438.06	\$33,520.12
C-6	1,500	\$194,317,000	\$9,293,831.10	\$957,264.60
I-1	1,625	\$68,125,000	\$199,440.34	\$20,542.36
M-1	47	\$203,685,000	\$60,133.86	\$6,193.79
<b>M-2</b>	<b>7,001</b>	<b>\$5,521,113,000</b>	<b>\$19,908,165.32</b>	<b>\$2,050,541.03</b>
M-3	1,201	\$385,373,000	\$2,838,664.27	\$292,382.42
R-1	1,216	\$24,979,000	\$40,866.23	\$4,209.22

<sup>1</sup> Data obtained through Data Axle Reference Solutions, retrieved March 2025

<sup>2</sup> Total assessed value data obtained through Cook County Assessor, retrieved February 2025 and adjusted with Cook County Equalized Assessed Value formula. Estimated tax bill does not take into account any applicable tax exemptions that may reduce the total amount.

<sup>3</sup> Based on current 10.3% property tax collected by Des Plaines

Major employers within the M-2 zoning district have the highest number of jobs, largest local sales volume, and the properties have the highest estimated property taxes compared to other zoning districts.

The petitioner's proposed text amendment significantly limits where manufacturing zoned assembly uses may be considered as a conditional use, reducing—but not eliminating—the risk of eroding valuable M-2 zoned properties. Assembly uses typically do not generate local sales revenue and, if occupied by a tax-exempt entity, could remove the property from the tax base entirely. Given these potential impacts, the Board is encouraged to request additional evidence from the petitioner demonstrating that the benefits of the amendment outweigh its risks. Assembly uses are allowed as a permitted or conditional use on over 3,600 other properties within the city.

**5. Whether the proposed amendments reflect responsible standards for development and growth.**

The Petitioner's Response to Standards for Amendment provides their response to this standard.

*Staff Comments:* As outlined in the standards above, this type of use differs from what is typically permitted in manufacturing districts and raises compatibility concerns. To uphold responsible development standards, the proposed amendment designates assembly uses as conditional, allowing case-by-case evaluation and City Council approval, with conditions to address potential issues. However, as noted in Standard 4, converting manufacturing parcels to less economically productive uses may hinder industrial growth, conflicting with responsible growth principles.

**Standards for Conditional Use**

The following is a discussion of standards for zoning amendments from Section 12-3-4(E) of the Zoning Ordinance. Rationale for how the proposed amendments may or may not satisfy the standards is provided below and in the petitioner's response to standards. The PZB may use this rationale toward its recommendation, or the Board may make up its own.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* With the approval of the proposed text amendment, this would be a conditional use in this zoning district.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* As discussed in the amendment standards above, staff did not identify anything explicit within the comprehensive plan which supports non-industrial uses within manufacturing districts.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* Staff has suggested a condition of approval to mitigate concerns with this use to ensure compatibility on the property for any outdoor events.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* Staff did not identify any specific concerns regarding this use in this location impacting neighbors.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* Staff believes the proposed use will be adequately served with essential public facilities and services in the future.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* The proposed use is not anticipated to create a burden on public facilities. However, this use in this location may encourage a higher amount of automobile traffic compared to an assembly use in a residential neighborhood, as it is not easily walkable from a residential area and may have fewer attendees using alternative means of transportation to arrive at services.

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

The Petitioner's Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* All activities are proposed to occur inside the building. Any uses must be in compliance with the Environmental Performance Standards in Title 12, Chapter 12 of the City

Code. Noise level for any activities on the site will be regulated by Section 6-2-7 of the Police Regulations in the City’s municipal code. Refer to the Traffic section of this report for additional discussion regarding traffic.

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

The Petitioner’s Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* Vehicular access will continue to be provided from the existing full-access curb cut to Howard Avenue. Traffic within the property will continue to be guided by the site plan approved in 2024. Howard Avenue is designed with a cross-section designed to accommodate typical industrial vehicle trip volumes.

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

The Petitioner’s Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* The subject property is within an existing building and thus would not result in the loss or damage of natural, scenic, or historic features. No new development is proposed for this site.

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

The Petitioner’s Response to Standards for Conditional Use provides their response to this standard.

*Staff Comments:* If the text amendment is approved, no zoning relief is necessary for this conditional use and it is compliant with other zoning ordinance requirements.

Senior Planner Redman noted that a traffic impact analysis was not required for the proposed application. Extensive information was available for the property based upon prior research and code enforcement relating to the property.

Member Weaver asked for clarification of the meaning and definition within the Code for uses which comprise a “noncommercial” purpose. Senior Planner Redman confirmed that the Code may not specifically state the definition of this term. Mr. Lord noted that the proposed text amendment definition for the proposed assembly use was based upon the current definition for “residentially zoned assembly uses” which similarly references assembly uses serving a “non-commercial” purpose.

Chairman Szabo repeated the petitioner’s statement that the proposed negative tax implications of the use might be offset by the sales tax revenue by visitors to the property to businesses elsewhere within the City.

A motion was made by Member Weaver and seconded by Member Zadrozny to recommend approval of the text amendment as presented.

Member Veremis inquired whether an alternate definition or regulation of assembly uses was contemplated by staff, potentially including a limitation on size of a property or proposed use. Ms. Redman stated this option was not presented by the petitioner, but it is a common regulation for other uses in the zoning ordinance.

Member Weaver stated that his understanding is that the amendment, as presented, would still require each assembly use to be reviewed as a conditional use by the Board, so it can be decided on a case by case basis. Ms. Redman confirmed this statement was correct.

Member Bronakowski referenced attachment 3 of the staff report packet. Note 9 notes a minimum buffer from residential uses. He inquired whether such a restriction would limit opportunities for rezoning of property in the future. Ms. Redman stated staff would not anticipate any issues with re-zoning in the future caused by this amendment.

Chairman Szabo asked whether anyone from the public wished to speak regarding either request. No one from the public came forward.

Member Veremis noted that this location may not provide opportunities between the highway and the premises to support visitors patronizing other businesses within the City.

Member Bronakowski noted that there are many vacant properties elsewhere in the City with zoning that would allow for consideration of the proposed use without the need for a text amendment. Mr. Ward noted that over a period of ten years they have been coordinating with property owners for potential occupancies in other locations but have not found alignment until the current opportunity.

Member Fowler noted that the proposed text amendment would introduce buffers which would limit potential locations for all assembly uses throughout the City's manufacturing

Member Fowler noted that she believed that a conditional use requirement will provide the City with an opportunity to potentially limit and control a large influx of assembly uses into manufacturing districts.

Shannon Westberg, the property owner's representative, summarized the challenges with leasing this space. The existing space is suited for an office tenant and generally lacks some of the industrial features of properties near the rear of the building.

A motion was made by Member Weaver and seconded by Member Zadrozny to recommend approval of the text amendment to the City Council, as drafted by staff.

AYES: Fowler, Zadrozny, Veremis, Weaver, Szabo  
NAYS: Bronakowski  
ABSTAIN: None

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

Case No. 25-005-TPLAT  
Case No. 25-010-CU  
Case No. 25-012-TA-CU

TENTATIVE PLAT  
CONDITIONAL USE  
TEXT AMENDMENT AND CONDITIONAL USE

2250 MANNHEIM ROAD  
20 W. GOLF RD.  
200 E HOWARD AVE.

A motion was made by Member Weaver and seconded by Member Zadrozny to recommend approval of the conditional use to the City Council, with condition drafted by staff.

AYES: Fowler, Zadrozny, Weaver, Szabo  
NAYS: Bronakowski, Veremis  
ABSTAIN: None

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

**ADJOURNMENT**

Chairman Szabo adjourned the meeting by affirmative voice vote at 9:05 p.m.

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