



# **Village of Mount Prospect, IL Mount Prospect Planning and Zoning Commission Agenda**

Village of Mount Prospect  
Village Hall - 3rd floor  
Board Room  
50 S. Emerson Street  
Mount Prospect, IL 60056

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**Thursday, June 11, 2020**

**7:00 PM**

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**Meeting will be conducted via GoToWebinar**

**Please register for the Planning and Zoning Commission Meeting:**

<https://attendee.gotowebinar.com/register/8695520001472931851>

**Once registered, you will receive a confirmation email containing information about joining the webinar one hour prior to the meeting. You may view the public hearing via [live-stream on MPDC](#) or view on [WOW](#) or Comcast Channel 17.**

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## **1 CALL TO ORDER**

## **2 APPROVAL OF MINUTES**

- 2.1 PZ-02-20 / 1000 - 1080 S. Elmhurst Road / Conditional Use for a final planned unit development (PUD)
- 2.2 PZ-25-19 / 215 N. Westgate Road / Plat of Subdivision
- 2.3 PZ-06-20 / 1052 Center Drive / Conditional Use for a Massage Therapy Establishment

## **3 NEW BUSINESS**

- 3.1 PZ-07-20 / 215 Can Dota Avenue / Variation to the Side Yard Setback / Village Board Final
- 3.2 PZ-09-20 / 2 W. Northwest Highway / Off-Site Parking Agreement
- 3.3 PZ-10-20 / 50 S. Emerson Street / Text Amendments / Village Board Final

## **4 CITIZENS TO BE HEARD**

## **5 QUESTIONS AND COMMENTS**

## **6 ADJOURNMENT**

ANY INDIVIDUAL WHO WOULD LIKE TO ATTEND THIS MEETING BUT BECAUSE OF A DISABILITY OR NEEDS SOME ACCOMODATION TO PARTICIPATE, SHOULD CONTACT THE VILLAGE MANAGER'S OFFICE AT 847/392-6000, EXTENSION 5327



## Item Cover Page

**Subject**

**PZ-02-20 / 1000 - 1080 S. Elmhurst Road /  
Conditional Use for a final planned unit development  
(PUD)**

**Meeting**

June 11, 2020 - MOUNT PROSPECT PLANNING AND ZONING  
COMMISSION -

**Category**

**APPROVAL OF MINUTES**

**Type**

Action Item

**Information****Alternatives****Staff Recommendation****ATTACHMENTS:**

[Minutes.pdf](#)



**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING & ZONING COMMISSION**

**CASE NO. PZ-02-20** Hearing Date: March 12, 2020

**PROPERTY ADDRESS:** 1000-1080 S. Elmhurst Road

**PETITIONER:** Golf Plaza II Shopping Center, LLC

**PUBLICATION DATE:** February 26, 2020

**REQUEST:** CU: final PUD including a drive-through establishment

**MEMBERS PRESENT:** Joseph Donnelly  
William Beattie  
Thomas Fitzgerald  
Norbert Mizwicki

**MEMBERS ABSENT:** Sharon Otteman  
Lisa Griffin  
Agostino Filippone  
Walter Szymczak

**STAFF MEMBERS PRESENT** Connor Harmon, Development Planner  
Consuelo Arguilles, Deputy Director of Community Development

**INTERESTED PARTIES:** Chris Giannis, Jason Doland

Chairman Donnelly called the meeting to order at 7:24 pm. Commissioner Beattie made a motion seconded by Commissioner Mizwicki to approve the minutes from the Planning and Zoning Commission meeting on January 9, 2020. The minutes were approved 4-0. Chairman Donnelly introduced case, PZ-02-20: 1000-1080 S. Elmhurst Road as a conditional use to allow a final PUD including a drive-through establishment. This case is Village Board final.

Mrs. Arguilles gave a brief description of the Subject Property. Mrs. Arguilles explained the Subject Property's existing conditions and that the Petitioner is proposing to construct an out-lot multi-tenant commercial building including a drive-through, which requires conditional use approval.

Mrs. Arguilles explained because of differing timelines between a potential tenant and the time required by IDOT to review and approve site improvements, the development is proposed to occur in two stages. She explained that the interim stage would use existing curb cuts and access points into the property so that the building can be constructed without needing IDOT's approval. This would allow the tenant to occupy the space on the shortest timeline possible. Mrs. Arguilles explained how the surrounding parking lot design would change from interim design to final design.

Mrs. Arguilles discussed the proposed elevations and floor plan of the proposed building. She explained that the building is to be comprised of brick with metal accents including awnings and a coping on the building. She stated that there is no planned tenant for the northern space at this time.

Mrs. Arguilles stated that staff finds that the conditional use request complies with the standards as listed in the Zoning Ordinance and that staff is therefore supportive of the request. Mrs. Arguilles stated that staff feels the use complements existing businesses at the center and is consistent with development on Golf and Elmhurst Roads. She stated further that the proposal is consistent with the Village Comprehensive Plan. Based on these findings, staff recommends that the Planning and Zoning Commission make a motion to adopt staff's findings as the findings of the Planning and Zoning Commission and recommend approval of the following motion:

"To approve:

1. A conditional use for a final planned unit development (PUD) consisting of four (4) principal buildings, including a drive-through establishment at 1000-1080 S. Elmhurst Road, subject to the following conditions:
  - A. Site landscaping and photometrics shall meet code requirements;
  - B. Prior to obtaining a Certificate of Occupancy, the Petitioner must submit owner's association documents for staff review and approval. The document must address long-term site maintenance, including snow removal and paving;
  - C. Development of the site in general conformance with 'Alternate 1' plans prepared by Doland Engineering, LLC dated February 17, 2020, except that the entrances adjacent to American Bank and along Golf Road be modified to be consistent with Permit #2016-2001, subject to IDOT approval;
  - D. Development of the building in general conformance with the elevations prepared by ALA Architects, dated February 10, 2020, except that the northern half of the building shall have a height consistent with the southern half of the building; and
  - E. Compliance with all Development, Fire, Building, and other Village codes and ordinances."

She stated that the Village Board's decision is final for this case.

Commissioner Beattie asked staff to explain the purpose of moving one of the site entrances north, closer to Boston Market. Mrs. Arguilles explained that staff, including Village Engineers, recommended the entrance be relocated north to improve traffic circulation on the site.

Commissioner Beattie asked if a traffic study was required as part of this project. Mrs. Arguilles confirmed that the Petitioner has retained a traffic engineer to complete a traffic study.

Commissioner Mizwicki asked if the previously proposed drive-through Walgreens project was still moving forward. Mrs. Arguilles answered that the project is no longer being pursued.

Chairman Donnelly and Mrs. Arguilles discussed the required queue length for the proposed drive-through. Mrs. Arguilles confirmed that the proposed stacking exceeds code requirements.

Commissioner Mizwicki discussed traffic levels on Golf and Elmhurst Roads during peak times and how the proposed project will affect traffic in the area. Mrs. Arguilles stated that staff does not anticipate that the proposed project to significantly impact traffic and that the proposed improvements to the center will off-set any increased traffic.

Chairman Donnelly asked about landscaping that is required as part of this project. Mrs. Arguilles stated that the overall site landscaping and lighting are required to meet code as part of this project.

Commissioner Mizwicki asked if the project developer is the same one who developed and owns the rest of the center. Mrs. Arguilles confirmed that is the case.

Commissioner Beattie and staff discussed the addition of a left turn lane to the boulevard entrance in the final design proposal.

Chairman Donnelly swore in:

Chris Giannis, representing the ownership of the Golf Plaza II Shopping Center  
Jason Doland, Doland Engineering, LLC 334 E. Colfax Street #C, Palatine IL 60067

Mr. Giannis explained that the project has been a long time in the making and that the potential tenant is ready to execute the project. Mr. Giannis explained that a sandwich shop may be the other tenant of the proposed building and that the project will generate significant sales tax revenues.

Commissioner Mizwicki asked if other tenants at the center had seen the proposed development.

Mr. Giannis explained that all other tenants had seen the proposal and that only one or two are not in support of it.

Commissioner Beattie asked Mr. Giannis why some tenants were against the project.

Mr. Giannis stated that a tenant is being difficult.

Chairman Donnelly stated that supplemental information was provided today regarding the case and asked staff to explain the disposition of those comments. Mrs. Arguilles stated that the comments received were from one tenant who is against the proposal. Mrs. Arguilles stated that several phone calls were received asking for information about the project from residents.

Commissioner Beattie asked Mr. Giannis to explain the lease issue presented in the documents.

Mr. Giannis stated that the matter is a lease dispute and that they responded to the tenant a year ago regarding their complaint. Mr. Giannis stated that the tenant believes ownership needs their permission to construct the out-lot building, and that ownership does not believe this to be the case.

Commissioner Beattie asked if any other tenants voiced displeasure over the proposal. Mr. Giannis stated that no other tenants are opposed the development. He stated further that other tenants are excited because the proposal will increase business and traffic on the Subject Property.

Chairman Donnelly reviewed the conditions of approval with the Petitioner.

Hearing no further comments Chairman Donnelly closed the hearing and asked for a motion.

Commissioner Fitzgerald made a motion seconded by Commissioner Beattie to approve:

1. "A conditional use for a final planned unit development (PUD) consisting of four (4) principal buildings, including a drive-through establishment at 1000-1080 S. Elmhurst Road, subject to the following conditions:
  - A. Site landscaping and photometrics shall meet code requirements;
  - B. Prior to obtaining a Certificate of Occupancy, the Petitioner must submit owner's association documents for staff review and approval. The document must address long-term site maintenance, including snow removal and paving;
  - C. Development of the site in general conformance with 'Alternate 1' plans prepared by Doland Engineering, LLC dated February 17, 2020, except that the entrances adjacent to American Bank and along Golf Road be modified to be consistent with Permit #2016-2001, subject to IDOT approval;
  - D. Development of the building in general conformance with the elevations prepared by ALA Architects, dated February 10, 2020, except that the northern half of the building shall have a height consistent with the southern half of the building; and
  - E. Compliance with all Development, Fire, Building, and other Village codes and ordinances."

UPON ROLL CALL      AYES: Fitzgerald, Beattie, Mizwicki, Donnelly  
                              NAYS: None

A vote of 4-0 was taken with a positive recommendation to the Village Board.

Hearing no further cases, Commissioner Beattie made a motion seconded by Commissioner Fitzgerald and the meeting was adjourned at 7:55 PM.



Jason C. Shallcross, AICP  
 Development Review Planner



## Item Cover Page

**Subject**

**PZ-25-19 / 215 N. Westgate Road / Plat of Subdivision**

Meeting

June 11, 2020 - MOUNT PROSPECT PLANNING AND ZONING COMMISSION -

Category

**APPROVAL OF MINUTES**

Type

Action Item

**Information****Alternatives****Staff Recommendation**

ATTACHMENTS:

[Minutes.pdf](#)

**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING & ZONING COMMISSION**

<b>CASE NO. PZ-25-19</b>	Hearing Date: March 12, 2020
<b>PROPERTY ADDRESS:</b>	215 N. Westgate Road
<b>PETITIONER:</b>	Angelo Manella
<b>PROPERTY POSTED:</b>	February 26, 2020
<b>REQUEST:</b>	Final Plat of Subdivision
<b>MEMBERS PRESENT:</b>	Joseph Donnelly William Beattie Thomas Fitzgerald Norbert Mizwicki
<b>MEMBERS ABSENT:</b>	Sharon Otteman Lisa Griffin Agostino Filippone Walter Szymczak
<b>STAFF MEMBERS PRESENT</b>	Connor Harmon, Development Planner Consuelo Arguilles, Deputy Director of Community Development
<b>INTERESTED PARTIES:</b>	None

Chairman Donnelly called the meeting to order at 7:24 pm. Commissioner Beattie made a motion seconded by Commissioner Mizwicki to approve the minutes from the Planning and Zoning Commission meeting on January 9, 2020. The minutes were approved 4-0. Chairman Donnelly introduced case, PZ-25-19: 215 N. Westgate Road as a final plat of subdivision. This case is Village Board final.

Mr. Harmon gave a brief description of the Subject Property. Mr. Harmon explained the Subject Property's existing conditions and that the Petitioner is proposing to subdivide the property in half. He stated that the project requires Village Board approval and a recommendation from the Planning and Zoning Commission because the plat is subdividing the property and dedicating easements.

Mr. Harmon explained that the subdivision would render the existing garage slab and a portion of the circular driveway nonconforming. He stated that staff is requiring both the existing slab and portion of nonconforming driveway be removed within six months of approval and restored to its natural conditions. He stated that the remainder of structures on the proposed southern property meet the bulk requirements of the Village Code for the R-1 Single-Family Residence District.

Mr. Harmon stated that staff finds that the proposed subdivision is consistent with the Village

Comprehensive Plan and meets all applicable requirements of the Village Code. Therefore, staff recommends that the Planning and Zoning Commission make a motion to adopt staff's findings as the findings of the Planning and Zoning Commission and recommend approval of the following motion:

"A plat of subdivision titled "Manella's Westgate Resubdivision", subject to the following conditions:

1. The existing detached garage slab and the driveway serving it shall be demolished and returned to its natural condition within six (6) months after recording of the plat, otherwise the plat shall be considered null and void."

Mr. Harmon stated that the Village Board's decision is final for this case.

Mrs. Arguilles stated that the Petitioner is not present for the public hearing and offered to answer any questions that the Commissioners had.

Commissioner Beattie asked if the rest of the structures on the property were allowed to stay other than the flatwork that is required to be removed. Mr. Harmon clarified that only the flatwork and existing slab would be required to be removed and all other structures would remain. Mr. Beattie asked if the remaining structures meet the zoning requirements of the district. Mr. Harmon stated that the rest of the structures meet all zoning requirements.

Commissioner Mizwicki asked if the proposed subdivision is consistent with other lots in the area. Mr. Harmon stated the lot immediately to the north is consistent with existing conditions, while other surrounding lots are consistent with what is proposed.

Hearing no further comments Chairman Donnelly closed the hearing and asked for a motion.

Commissioner Beattie made a motion seconded by Commissioner Fitzgerald to approve:

"A plat of subdivision titled "Manella's Westgate Resubdivision", subject to the following conditions:

1. The existing detached garage slab and the driveway serving it shall be demolished and returned to its natural condition within six (6) months after recording of the plat, otherwise the plat shall be considered null and void."

UPON ROLL CALL      AYES: Fitzgerald, Beattie, Mizwicki, Donnelly  
NAYS: None

A vote of 4-0 was taken with a positive recommendation to the Village Board.

After hearing two further cases, Commissioner Beattie made a motion seconded by Commissioner Fitzgerald and the meeting was adjourned at 7:55 PM.



Jason C. Shallcross, AICP  
Development Review Planner



## Item Cover Page

**Subject**

**PZ-06-20 / 1052 Center Drive / Conditional Use for a  
Massage Therapy Establishment**

Meeting

June 11, 2020 - MOUNT PROSPECT PLANNING AND ZONING  
COMMISSION -

Category

**APPROVAL OF MINUTES**

Type

Action Item

**Information****Alternatives****Staff Recommendation**

ATTACHMENTS:

[PZ-06-20 Minutes.pdf](#)



**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING & ZONING COMMISSION**

<b>CASE NO. PZ-06-20</b>	Hearing Date: March 12, 2020
<b>PROPERTY ADDRESS:</b>	1052 Center Drive
<b>PETITIONER:</b>	PCRK Group
<b>PUBLICATION DATE:</b>	February 26, 2020
<b>REQUEST:</b>	CU: Massage Therapy Establishment
<b>MEMBERS PRESENT:</b>	William Beattie Thomas Fitzgerald Norbert Mizwicki Joseph Donnelly
<b>MEMBERS ABSENT:</b>	Lisa Griffin Sharon Otteman Agostino Filippone Walter Szymczak
<b>STAFF MEMBERS PRESENT</b>	Connor Harmon - Development Planner Consuelo Arguilles- Deputy Director of Community Development
<b>INTERESTED PARTIES:</b>	Renee Busch, Massage Envy

Commissioner Beattie called the meeting to order at 7:24 pm. Commissioner Beattie made a motion seconded by Commissioner Mizwicki to approve the minutes from the Planning and Zoning Commission meetings on January 9, 2020. The minutes were approved 4-0. Commissioner Beattie introduced case, PZ-06-20 1052 Center Drive as a Conditional Use to allow a massage therapy establishment. This case is Village Board final.

Mr. Harmon gave a brief description of the Subject Property and explained the proposed massage therapy establishment is already existing and a change of ownership is proposed. Mr. Harmon explained that when a new owner takes over an existing massage therapy establishment, the current Conditional Use is null and void. Mr. Harmon further explained that since the previous owner was operating before the code was amended to include massage therapy regulations, the previous owner did not have a Conditional Use. In any case, the new owner is required to obtain a new Conditional Use to operate a massage therapy establishment.

Mr. Harmon stated information about the floor plan, and existing hours of operation. Mr. Harmon stated that no exterior or interior changes will be made, and existing operations will remain the same. Mr. Harmon stated that Staff has reviewed the Petitioner's request for a massage therapy establishment and feels that it meets the standards for a conditional use.

Mr. Harmon stated that Staff finds that the conditional use complies with the standards as listed in the Zoning Ordinance and that granting such a request would be in the best interest of the Village. Staff recommends that the Planning & Zoning Commission make a motion to adopt staff's findings as the findings of the Planning and Zoning Commission and recommends approval of the following motion:

"To approve:

1. A conditional use to operate a massage therapy establishment at 1052 Center Drive."

He stated the Village Board's decision is final.

There was some general discussion of why a conditional use was needed and if anything is changing from what is existing. Mr. Harmon stated there are no changes occurring, only a change of ownership from the buyer and seller, since this is a franchise location.

Commissioner Beattie swore in Renee Busch of Massage Envy.

Ms. Busch stated that no changes will be occurring, and that PCRK Group owns over 1,200 locations throughout the country.

Hearing no further comments Commissioner Beattie closed the hearing and asked for a motion. Commissioner Fitzgerald made a motion seconded by Commissioner Beattie to approve the following motion:

1. A conditional use to operate a massage therapy establishment at 1052 Center Drive.

UPON ROLL CALL      AYES: Donnelly, Fitzgerald, Beattie, Mizwicki  
                              NAYS: None

The motion was approved 4-0 with a positive recommendation to the Village Board.

After hearing one additional case, Commissioner Beattie made a motion seconded by Commissioner Fitzgerald and the meeting was adjourned at 7:55 pm.

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Connor Harmon  
 Development Planner



## Item Cover Page

**Subject** **PZ-07-20 / 215 Can Dota Avenue / Variation to the Side Yard Setback / Village Board Final**

**Meeting** June 11, 2020 - MOUNT PROSPECT PLANNING AND ZONING COMMISSION -

**Category** **NEW BUSINESS**

**Type** Action Item

### **Information**

The Petitioner, Megan Bennett, proposes to construct a new, larger attached two car garage in place of the existing attached one car garage. The property currently has a 9' 4" setback while a 7' 6" required side yard setback per the R-1 Single Family Residential zoning district. The proposal would encroach into the required interior side yard setback by five feet (5'), resulting in a two and a half foot (2.5') proposed setback. The table below outlines the existing and proposed bulk regulations to the R-1 Single Family Residential District:

<b>Bulk Requirements</b>	<b>R-1 Code Requirements</b>	<b>Existing</b>	<b>Proposed</b>
Structure Setback			
Front (W)	Min. 30'	30.35'	No Change
Interior Side (N)	Min. 7.5'	9.4'	2.5'
Interior Side (S)	Min. 7.5'	7.9'	No Change
Rear (E)	Min. 25'	61.6'	No Change
Lot Coverage	Max. 45%	35.1%	35.7%
FAR	Max. 0.5	0.21	0.22

In reviewing this request, staff analyzed the surrounding neighborhood to determine if the Subject property was unique. Of the twelve nearby properties researched, four have existing non-conforming side

yard setbacks, however those four are inches within setback compliance. Additionally, the Public Works Department has significant concerns on lot line drainage of the Subject Property and adjacent property to the north. The Petitioner may construct a detached garage in the rear by permit approval, and avoid creating any non-conformity.

Staff has received five letters of support for the variation request, including the owner of the neighboring property which would be most affected by the setback encroachment (213 Can Dota Avenue).

### **Alternatives**

1. To recommend denial of the following motion:
  1. A variation to allow a two and a half foot (2.5') side yard setback for 215 Can Dota Avenue, as shown on the plans created by Distinctive Home Renovations, Inc., dated March 18, 2020.
2. Action at discretion of the Planning & Zoning Commission.

This case is Village Board final.

### **Staff Recommendation**

Denial of the following motion:

1. A variation to allow a 2.5' side yard setback for 215 Can Dota Avenue, as shown on the plans created by Distinctive Home Renovations, Inc., dated March 18, 2020.

### **ATTACHMENTS:**

[Letters of Support.pdf](#)

[Plans.pdf](#)

[Administrative Content.pdf](#)

March 27, 2020

To the Mount Prospect Zoning Board

We are Brad and Laura Traviolia at 218 S Wa Pella and live behind Ed and Megan Bennett. We are writing this letter to show our support of Ed and Megan Bennett's intent to widen their garage to fit two cars. Since they moved in last Summer, they have been great neighbors. They are respectful, inclusive, and we can tell care about us and the neighborhood. We believe having a 2-car garage will increase the value of their home, our neighborhood and would be a strong investment. Their proposed project benefits the community without affecting anyone's use of property or interfering with the view of our backyard space. It's important to note that the 5-6 houses whose backyards back into each other are all open, without fences. Preserving this openness is important so we would prefer that Ed and Megan simply widen their garage vs. opting for a detached rear garage.

Thank you,

*Brad Traviolia*  
*Laura Traviolia*

Brad and Laura Traviolia

March 27, 2020

To the Mount Prospect Zoning Board

We are Jerry and Kathy Thiel at 219 South Can Dota Ave. We are neighbors with Ed and Megan Bennett as we also own the home right next door to them at 213 South Can Dota Avenue (our daughter is currently living in the home). We have known them for just over a year since they moved in last Summer, and it has been an absolute pleasure getting to know them. They are very committed to our neighborhood and taking care of us. By way of example, they kept our driveway and sidewalk clear of snow, have cooked meals for us, and invited us to their family gatherings. We have discussed their desire to widen their garage and feel that it would benefit their family and improve the value of the overall neighborhood. Furthermore, it would not impede on the living situation at 213 South Can Dota and as such, we are in support of their proposed project.

Thank you,

A handwritten signature in black ink that reads "Gerald W Thiel". The signature is written in a cursive style with a large, stylized 'G' and 'T'.

Jerry and Kathy Thiel

March 27, 2020


To the Mount Prospect Zoning Board

We, Brad and Libby Bullock, have lived at 214 South Wa Pella with our four kids for 11 years. Our backyard backs up to Ed and Megan's backyard. With the exception of one house, all the homes in our vicinity have an open concept yard, meaning no fences or large obstructions. Growing up, our kids played freely amongst all these yards, creating what felt like a football field in which to throw a football and run around. The openness creates strong community and a sense of a social/neighborly atmosphere where impromptu gatherings and BBQs are not infrequent!

We are in support of improvements that increase neighboring home values without taking away from the aesthetics of the neighborhood or infringe upon a neighbor's property use. And we believe the proposal to widen their 1-car garage would bring this economic benefit to the community and would not hinder the view of our backyard.

Furthermore, Ed and Megan have proven to be kind, considerate neighbors and we support them in this effort.

Thank you,



Brad and Libby Bullock

March 27, 2020

To the Mount Prospect Zoning Board

Ed and Megan have lived next door for just over a year, when they moved to the neighborhood last Summer. They are two of the most hard working, young people we've met as they are constantly making improvements to the interior of their home and have done an outstanding job over the last couple months beautifying the landscaping around their home. They continually watch over us and make sure we are safe and doing well. Taking care of their home and the neighbors is something that is clearly important to them.

They have approached us about their intent to widen their existing garage structure and we are in full support of this project because it will provide the necessary space for their family and will increase the value of not only their home, but our surrounding community. Most of the houses on our block have 2-car garages and they should be able to benefit from that additional space too. It does not impede on anyone's view nor day-to-day property use.

Thank you,

*William R. Brusco*  
*Maxine Brusco*

Bill and Maxine Brusco



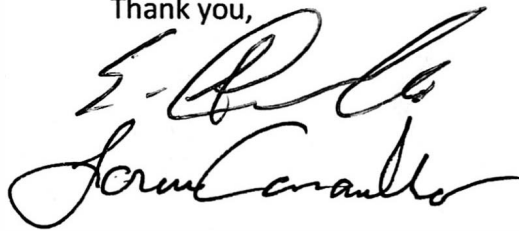
March 27, 2020

To the Mount Prospect Zoning Board

Our names are Eric and Lori Caravello and we live at 212 S Wa Pella Ave. behind Ed and Megan Bennett. We are aware of their desire to expand their 1-car garage to a 2- car garage and are writing to show our support. Not only will this create value to their home, it will improve the value of the neighborhood that is in the need of more homes with 2-car garages. It is a wise investment to increase the number of houses with multiple car garages in Mount Prospect, especially in cases like this where adding it would not affect the aesthetics or impede on property use. We believe widening the current structure with a detached garage in the rear of their property would be intrusive to the open flow of the backyards in our area. Also, creating a 2<sup>nd</sup> driveway on the southside of their home would impair the village's ability to access the utility lines, and would not look as pleasing visually.

Ed and Megan have been great neighbors and we support them in this project.

Thank you,

A handwritten signature in black ink, appearing to read "Eric and Lori Caravello", written in a cursive style.

Eric and Lori Caravello

# EXACTA

ILLINOIS SURVEYORS, INC.



PROPERTY ADDRESS: 215 CAN DOTA AVENUE, MOUNT PROSPECT, ILLINOIS 60056

SURVEY NUMBER: 1805.5166

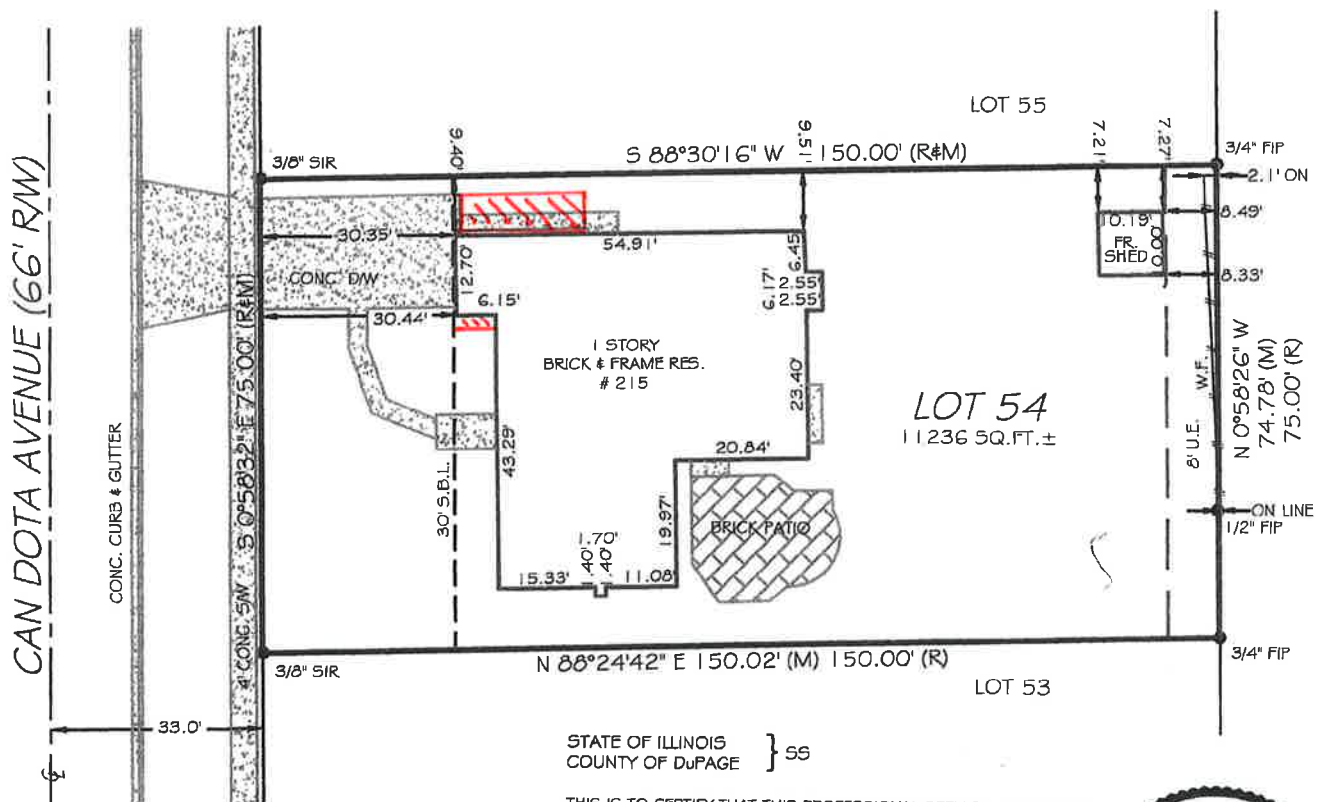
FIELD WORK DATE: 6/5/2018

REVISION DATE(S): (REV.D 6/6/2018)

18055166

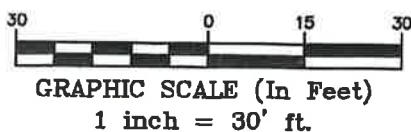
BOUNDARY SURVEY  
COOK COUNTY

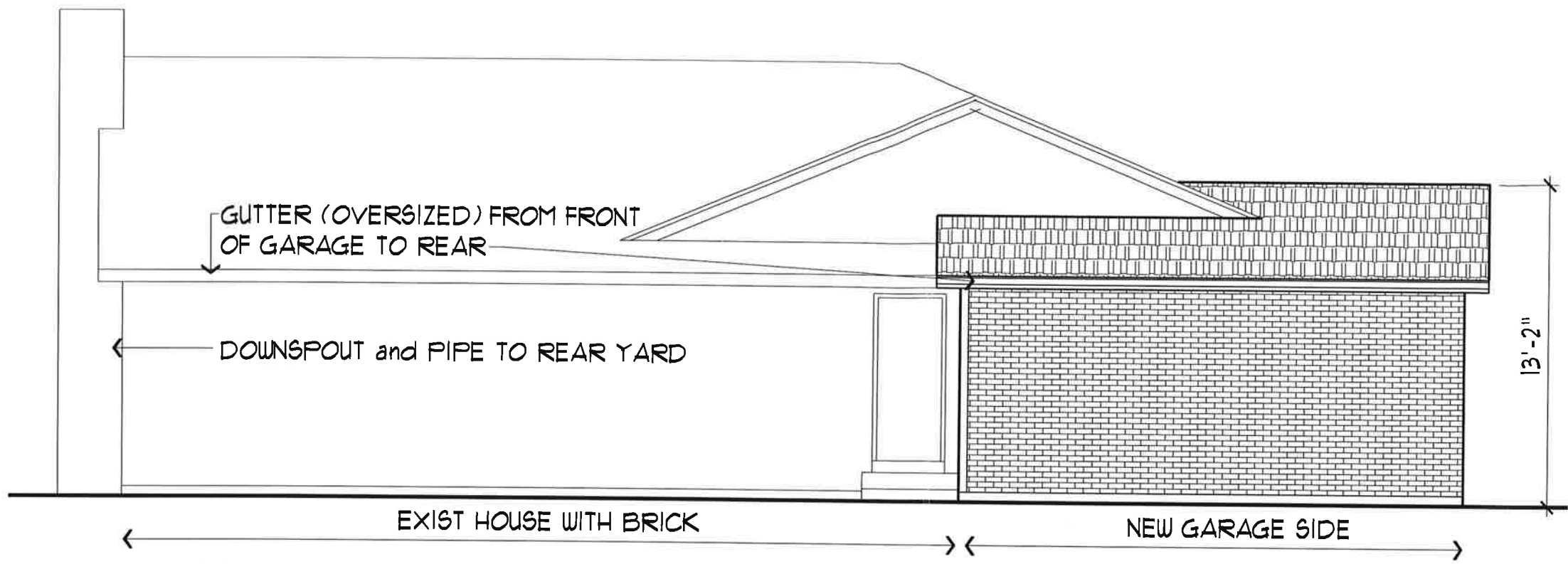
LOT 54 IN ALFINI'S FIRST ADDITION TO MOUNT PROSPECT BEING A SUBDIVISION OF PART OF THE SOUTH 990 FEET OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND PART OF THE SOUTH 990 FEET OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON DECEMBER 2, 1953 AS DOCUMENT NO. 1496955 IN COOK COUNTY, ILLINOIS.



THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL THIS 6TH DAY OF JUNE, 2018 AT 312 S. HALE STREET IN WHEATON, IL 60187.

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971  
LICENSE EXPIRES 11/30/2018  
EXACTA LAND SURVEYORS LB# 5763

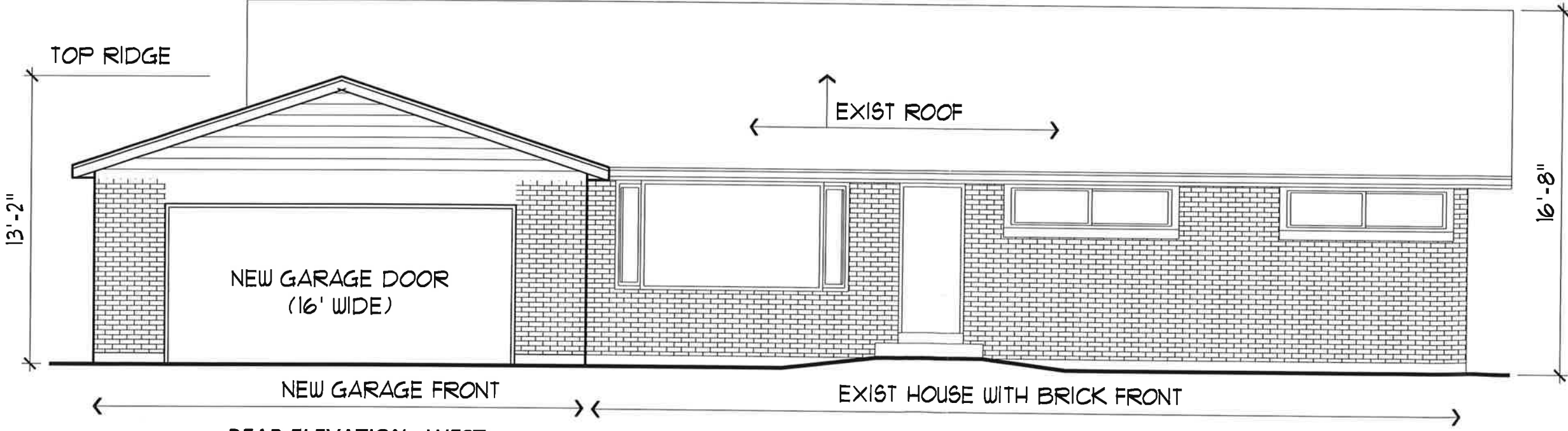




SIDE ELEVATION - NORTH



RIDGE EXISTS

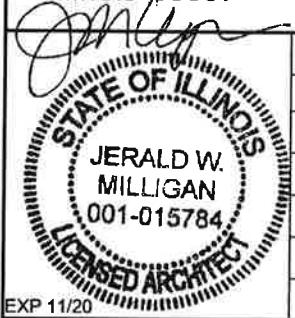


REAR ELEVATION - WEST



# DISTINCTIVE HOME RENOVATIONS, INC.

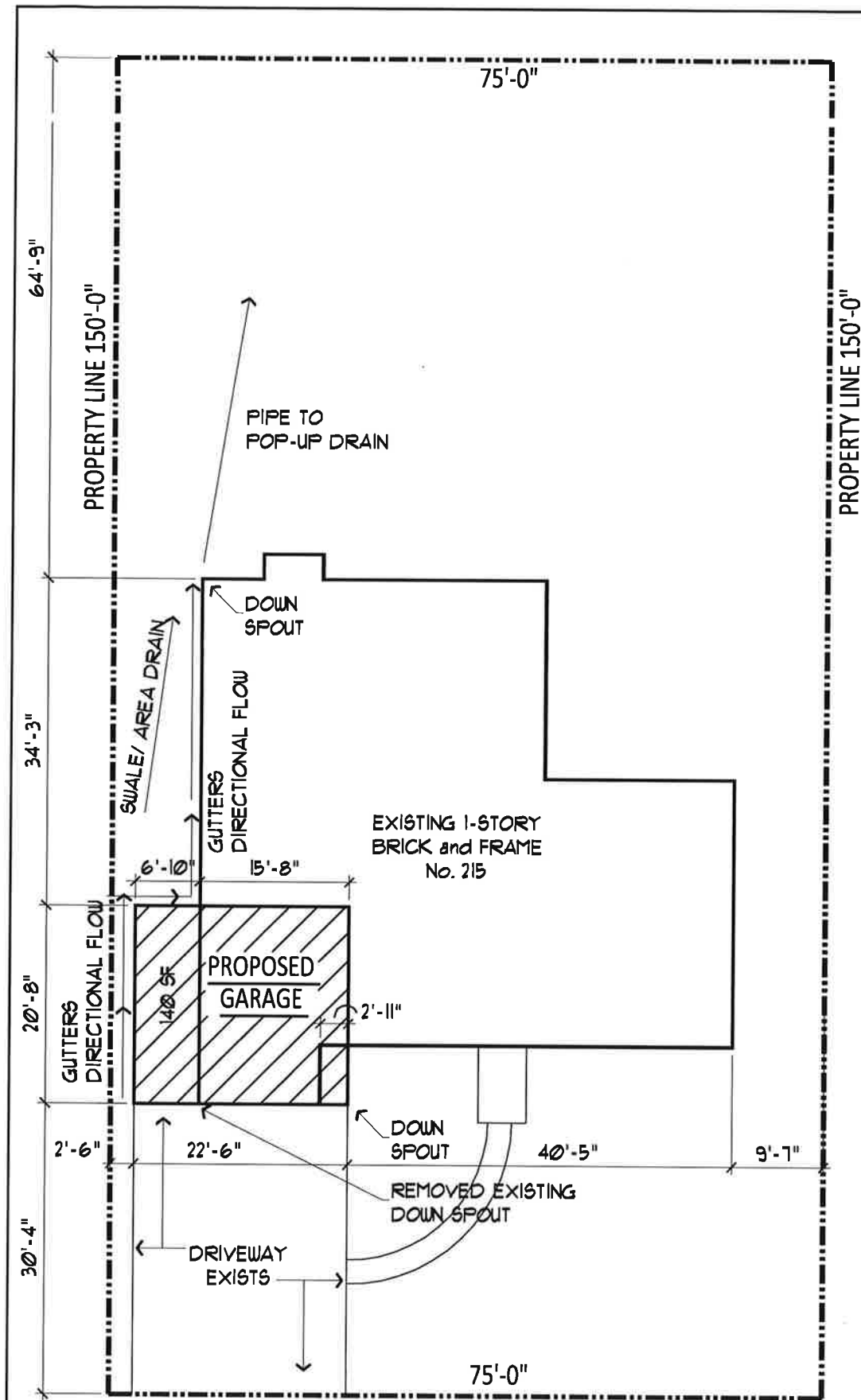
1848 Maine Drive - Elk Grove Village  
Illinois 60007 (847)352-1800



1		PRELIM
2	3/ 18 /20	OWNER APPVD
3		ZONING
4		PERMIT

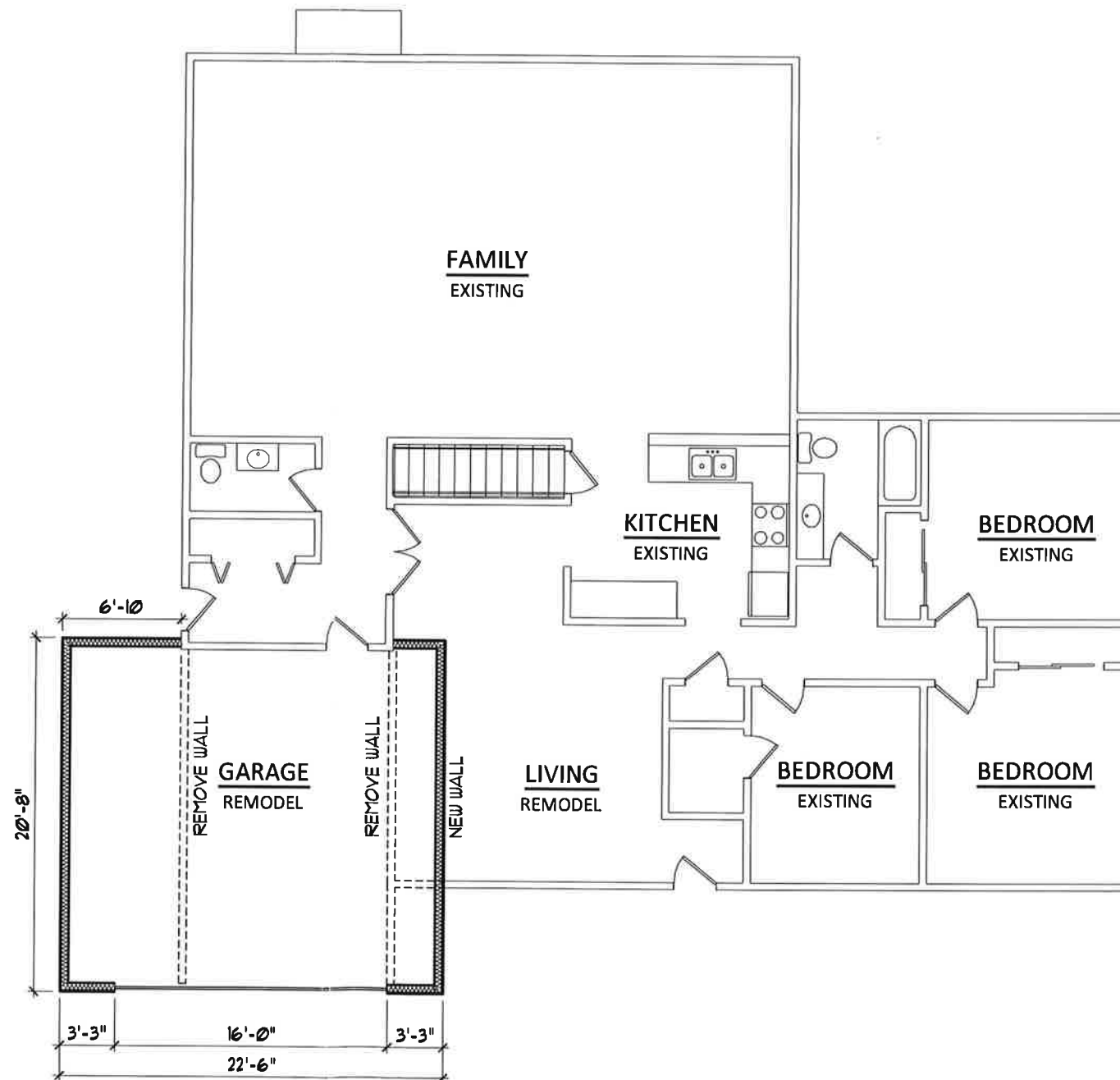
BENNETT RESIDENCE  
1-STORY GARAGE ADDITION

215 CAN DOTA AVENUE MT. PROSPECT  
(847)123-4567 DOB No. N/A



# SITE PLAN

SCALE 1/16" = 1'-0"



# PROPOSED ADDITION

## DISTINCTIVE HOME RENOVATIONS, INC.

1848 Maine Drive - Elk Grove Village  
Illinois 60007 (847)352-1800



EXP 11/20

1		PRELIM
2	3/ 18 /20	OWNER APPVD
3		ZONING
4		PERMIT

## BENNETT RESIDENCE 1-STORY GARAGE ADDITION

215 CAN DOTA AVENUE MT. PROSPECT  
(847)123-4567 DOB No. N/A

1

200203-1





**STAFF REPORT FROM THE DEPARTMENT OF** Community Development

William J. Cooney, AICP  
Director of Community Development

Connor Harmon  
Development Planner

**DATE:** June 4<sup>th</sup>, 2020

**CASE NUMBER**

PZ-07-20

**PUBLIC HEARING DATE**

June 11, 2020

**APPLICANT/PROPERTY OWNER**

Megan Bennett

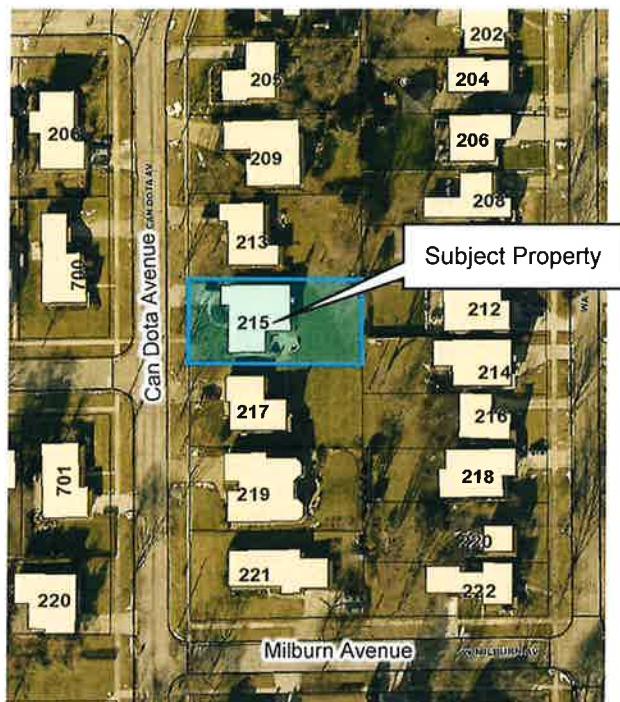
**PROPERTY ADDRESS/LOCATION**

215 Can Dota Avenue

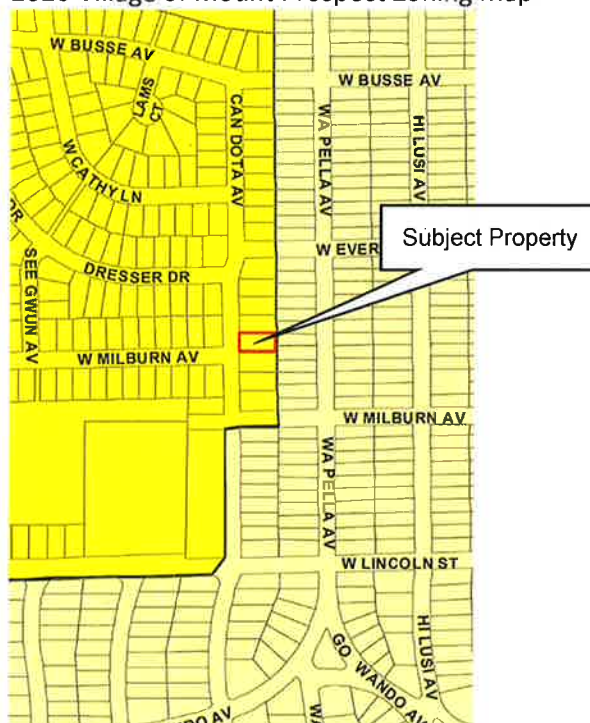
**BRIEF SUMMARY OF REQUEST**

The Petitioner is seeking variation to the required side yard setback at 215 Can Dota Avenue (Subject Property) to construct a two car attached garage with related improvements.

2017 Aerial Image



2020 Village of Mount Prospect Zoning Map



**EXISTING ZONING**

R-1 Single Family Residential

**EXISTING LAND USE/SITE IMPROVEMENTS**

Detached Single Family Residential

**SURROUNDING ZONING & LAND USE**

North: R-1 Single Family Residential  
East: R-A Single Family Residential  
South: R-1 Single Family Residential  
West: R-1 Single Family Residential

**SIZE OF PROPERTY**

0.26 Acres

**STAFF RECOMMENDATION**

APPROVE

APPROVE WITH CONDITIONS

DENY

## DISCUSSION OF STAFF RECOMMENDATION

### BACKGROUND/PROPERTY HISTORY

The Subject Property was annexed into the Village in 1925, with subsequent building permits issued for improvements to the property since, including an addition to the home in 1999 and construction of a new shed in 2003.

### PROPOSAL

The Petitioner proposes to construct a two car attached garage in place of an existing one car attached garage on the principle structure. The property currently has a seven and a half foot (7.5') required side yard setback per the R-1 Single Family Residential zoning district. The proposal would encroach into the required interior side yard setback by five feet (5'), resulting in a two and a half foot (2.5') proposed setback. A variation to deviate from the current setback standards set forth in the R-1 Single Family Residential section of the Village Code is required. The table below outlines the existing and proposed bulk regulations to the R-1 Single Family Residential district:

Bulk Requirements	R-1 Code Requirements	Existing	Proposed
<b>Structure Setback</b>			
<b>Front (W)</b>	Min. 30'	30.35'	No change
<b>Interior Side (N)</b>	Min. 7.5'	9.4'	2.5'
<b>Interior Side (S)</b>	Min. 7.5'	7.9'	No change
<b>Rear (E)</b>	Min. 25'	61.6'	No change
<b>Lot Coverage</b>	Max. 45%	35.1%	35.7%
<b>FAR</b>	Max. 0.5	0.21	0.22

### VARIATION STANDARDS

The standards for a variation are listed in Section 14.203.C.9 of the Village Zoning Ordinance and include seven specific findings that must be made in order to approve a variation. The following list is a summary of these findings:

- A hardship due to the physical surroundings, shape, or topographical conditions of a specific property not generally applicable to other properties in the same zoning district and not created by any person presently having an interest in the property;
- Lack of desire to increase financial gain; and
- Protection of the public welfare, other property, and neighborhood character.

Per the Petitioner, drainage on the subject property as well as neighboring properties creates considerable flooding concerns as is, and constructing a detached garage and accompanying driveway instead of an addition to the existing attached garage would worsen the situation. Similarly, the Petitioner considered several alternatives to the proposal, and states that all alternatives create significant impervious surface increases that would increase flooding concerns. The Petitioner further states that they would like to

protect the open, green area in their back yard for aesthetic and recreation purposes. The Petitioner provided five letters of support for the variation request, including the owner of the neighboring property which would be most affected by the setback encroachment (213 Can Dota Avenue).

In reviewing this request, staff analyzed the surrounding neighborhood to determine if the Subject property was unique. Of the twelve properties (on the same block and one block north of the Subject Property that are zoned R-1) researched near the Subject Property, seven have lot widths between seventy and seventy five and a half feet (70' and 75 ½'), including the properties adjacent to the Subject Property. Three properties have lot widths of sixty five feet (65'), and two properties, which are corner lots, have lot widths of eighty feet (80'). Of those twelve properties, four are existing non-conforming, with each setback non-conformity being inches within setback compliance. The Petitioner may construct a detached garage in the rear by permit approval, and avoid creating any non-conformity. Additionally, If a fence were erected on the property via permit approval, maintaining the two and a half feet (2.5') of pervious surface would prove difficult.

The Public Works Department has determined the variation request could compromise drainage at the property lines for the Subject Property and surrounding properties. The existing drainage patterns are from west to east, along the side yard. A flow path is needed in the side yard to ensure the flow of water is maintainable, and reducing the path to two and a half feet (2.5'), including a one foot (1') eave that comes within eighteen inches of the property line, could compromise the drainage flow. Typically, a minimum of five feet (5') is desired. There also does not appear to be any way for downspouts to be installed that would comply with applicable Village Codes based on the variation request. All downspouts are to discharge at least five feet (5') from any property line, within five feet (5') of the foundation, and must be directed toward the front or back.

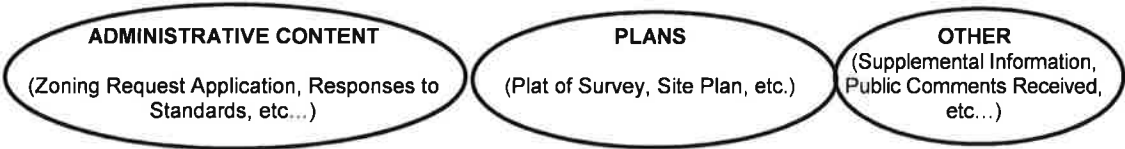
STAFF RECOMMENDATION

Staff finds that the standards for variation have not been met. Based on these findings, staff recommends that the Planning and Zoning Commission make a motion to adopt staff’s findings as the findings of the Planning and Zoning Commission and recommend denial of the following motion:

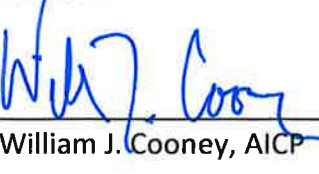
- 1. A variation to allow a two and a half foot (2.5') side yard setback for 215 Can Dota Avenue, as shown on plans created by Distinctive Home Renovations, Inc., dated March 18, 2020.

The Village Board’s decision is final for this case.

ATTACHMENTS:



I concur:

  
William J. Cooney, AICP

Village of Mount Prospect  
Community Development Department  
S. Emerson Street  
Mount Prospect, Illinois 60056  
Phone: (847) 818-5328

## Zoning Request Application

### Official Use Only (To be completed by Village Staff)

Case Number: P&Z - \_\_\_\_\_ Date of Submission: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Project Name/Address: \_\_\_\_\_

### I. Subject Property

Address(es): 215 S. Can Dota Avenue

Zoning District (s): R7 Property Area (Sq.Ft. and/or Acreage): Lot 54 = 11,236 sq ft

Parcel Index Number(s) (PIN(s)): 08-11-210-014-0000

### II. Zoning Request(s) (Check all that apply)

☐ Conditional Use: For \_\_\_\_\_

☒ Variation(s): To side yard setback

☐ Zoning Map Amendment: Rezone From \_\_\_\_\_ To \_\_\_\_\_

☐ Zoning Text Amendment: Section(s) \_\_\_\_\_

☐ Other: \_\_\_\_\_

### III. Summary of Proposal (use separate sheet if necessary)

See attached

### IV. Applicant (all correspondence will be sent to the applicant)

Name: Megan Bennett Corporation: \_\_\_\_\_

Address: 215 S. Can Dota Avenue

City, State, ZIP Code: Mount Prospect IL 60056

Phone: 847-894-7467 Email: m1bennett9317@gmail.com

Interest in Property: owner  
(e.g. owner, buyer, developer, lessee, architect, etc...)



<b>V. Property Owner</b>	
<input checked="" type="checkbox"/> Check if Same as Applicant	
Name: _____	Corporation: _____
Address: _____	
City, State, ZIP Code: _____	
Phone: _____	Email: _____

In consideration of the information contained in this petition as well as all supporting documentation, it is requested that approval be given to this request. The applicant is the owner or authorized representative of the owner of the property. The petitioner and the owner of the property grant employees of the Village of Mount Prospect and their agent's permission to enter on the property during reasonable hours for visual inspection of the subject property.

I hereby affirm that all information provided herein and in all materials submitted in association with this application are true and accurate to the best of my knowledge.

Applicant: Megan Bennett Date: 3-29-20  
 (Signature)  
Megan Bennett  
 (Print or Type Name)

If applicant is not property owner:

I hereby designate the applicant to act as my agent for the purpose of seeking the zoning request(s) described in this application and the associated supporting material.

Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Signature)  
 \_\_\_\_\_  
 (Print or Type Name)

# Affidavit of Ownership

COUNTY OF COOK )

STATE OF ILLINOIS )

I, Megan Bennett, under oath, state that I am  
(print name)

- ☐ the sole owner of the property  
☒ an owner of the property  
☐ an authorized officer for the owner of the property

commonly described as 215 S. Canoga Avenue, Mount Prospect IL 60056  
(property address and PIN)

and that such property is owned by Megan Bennett as of this date.  
(print name)

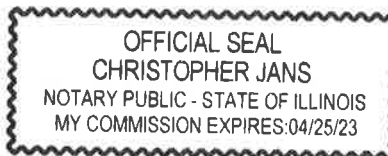
Megan Bennett 3-26-20  
Signature

Subscribed and sworn to before

me this 26<sup>th</sup> day of

March, 2020.

Christopher Jans  
Notary Public



## OVERVIEW - PAYMENTS

Property Index Number (PIN): 08-11-210-014-0000

[BEGIN A NEW SEARCH](#)

[Scroll down for more information](#)



**Property Location:**  
215 S CAN-DOTA AVE  
MOUNT PROSPECT, IL 60056-3040

**Mailing Information:**  
EDWARD BENNETT  
215 S CAN DOTA AVE  
MT PROSPECT, IL 60056-3040

[Update Your Information](#)

## Are Your Taxes Paid?

**Tax Year 2018 (billed in 2019) Total Amount Billed: \$4,849.55**

### 1st INSTALLMENT - Tax Year 2018

Original Billed Amount: \$4,849.55  
Due Date: 03/01/2019  
Tax: \$0.00  
Interest: \$0.00  
Last Payment Received: \$0.00  
Date Received:  
Current Amount Due: \$0.00

### 2nd INSTALLMENT - Tax Year 2018

Original Billed Amount: \$0.00  
Due Date: 08/01/2019  
Tax: \$0.00  
Interest: \$0.00  
Last Payment Received: \$0.00  
Date Received:  
Current Amount Due: \$0.00

**Total Amount Due: \$0.00**

**Tax Year 2019 (billed in 2020) Total Amount Billed: \$4,754.17**

### 1st INSTALLMENT - Tax Year 2019

Original Billed Amount: \$4,754.17  
Due Date: 03/03/2020  
Tax: \$4,754.17  
Interest: \$142.62  
Last Payment Received: \$0.00  
Date Received:  
Current Amount Due: \$4,896.79

**Total Amount Due: \$4,896.79**

[Pay Now](#)

About payments:

- Payments are recorded the date they are received. They appear on the website about three business days later.
- The current amount due is as of Monday, April 13, 2020. Questions about payments? Contact Us.
- To find out if taxes for this PIN are delinquent for Tax Year 2017 and earlier, search the Cook County Clerk's records.

**PREPARED BY:**

James A. Marino, P.C.  
4401 N. Cumberland, Suite 1109  
Chicago, IL 60636

**MAIL TAX BILL TO:**

Megan Bennett and Edward Bennett  
215 S. Can-Dota Ave.  
Mt. Prospect, IL 60056

**MAIL RECORDED DEED TO:**

Dennis M. Nolan  
Attorney at Law  
221 W. Railroad Avenue  
Bartlett, Illinois 60103

180361200158

**TENANCY BY THE ENTIRETY WARRANTY DEED**  
Statutory (Illinois)

THE GRANTOR(S), Anthony F. Molini and Tina M. Molini, married to each other, of the City of Mount Prospect, State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations, in hand paid, CONVEY(S) AND WARRANT(S) to

Edward Bennett and Megan Bennett, married to each other, of 125 S. Green St., Apt. 409A, Chicago, Illinois 60607,

not as Tenants in Common nor as Joint Tenants but as Tenants by the Entirety, all right, title, and interest in the following described real estate situated in the County of COOK, State of Illinois, to wit:

Lot 64 in Alini's First Addition to Mount Prospect being a subdivision of part of the South 990 feet of the West 1/2 of the Northeast 1/4 and part of the South 990 feet of the East 1/2 of the Northwest 1/4 of Section 11, Township 41 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois on December 2, 1963 as Document No. 1498955 in Cook County, Illinois.

Permanent Index Number(s): 08-11-310-014-0000

Property Address: 215 S. Can-Dota Ave., Mt. Prospect, IL 60056

Subject, however, to the general taxes for the year of 2017 and thereafter, and all covenants, restrictions, and conditions of record, applicable zoning laws, ordinances, and other governmental regulations.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemptions Laws of the State of Illinois.

TO HAVE AND TO HOLD said premises not as JOINT TENANTS or TENANTS IN COMMON, but as TENANTS BY THE ENTIRETY forever.

Dated this 10<sup>TH</sup> day of JUNE, 18



STATE OF WISCONSIN  
COUNTY OF DADE

EXP 1/4/2022

ATG FORM 4011  
© ATG (12/07)

Doc#: 1817118067 Fee: \$55.00

Karen A. Tolson

Cook County Recorder of Deeds

Date: 06/20/2018 11:26 AM Pg. 1 of 2

Dec ID 20180501684234

ST/CO Stamp 0-000-816-416 ST Tax \$470.00 CO Tax \$235.00

Anthony F. Molini  
Anthony F. Molini

Tina M. Molini  
Tina M. Molini

Attorney's Title Guaranty Fund, Inc.  
1 S Wacker Dr Ste 2400  
Chicago IL 60601-4650  
Recording Department

FOR USE RE ALL STATES  
Page 1 of 2



STATE OF WISCONSIN )  
COUNTY OF DANE ) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Anthony F. Molini and Tina M. Molini, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she/they signed, sealed and delivered the said instrument, as his/her/their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

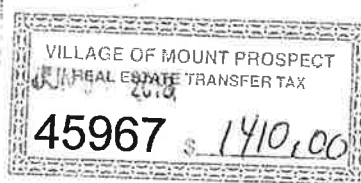
Given under my hand and notarial seal, this 6<sup>TH</sup> day of JUNE, 18

M. Armstrong

Notary Public

My commission expires: 1/4/2022

Exempt under the provisions of paragraph \_\_\_\_\_



Letter of Intent  
Proposal Summarizing Request for Variance  
215 S. Can Dota Avenue, Mount Prospect, IL 60056

We are Edward and Megan Bennett and we own the house at 215 S. Can Dota Avenue. Megan grew up in Arlington Heights and spent many years playing sports in and around Mount Prospect. All of Megan's family still resides in the area. Ed is an Army veteran and originally from New York. We've owned our home for nearly two years and love the neighborhood. However, as our family grows so does our need for space.

This Letter of Intent summarizes our proposal for our request for variance to the side yard setback requirement. Our intention is to widen our existing garage to accommodate two cars. The proposed new garage is 22.5 feet wide. Based on the current zoning, the side yard setback requirement is 7.5 feet (not more than 10% of the lot width). In an effort to provide greater setback between the house on the north side of the proposed new garage, we are requesting a variance to permit the construction of this expanded garage.

Our planned design protects the integrity of our neighborhood's character and does not create any hazards or harm to the surrounding properties. We have openly discussed our plans with our neighbors and have been met with enthusiasm and their support. To evidence this, we have four letters from our bordering neighbors, including the owner of the house directly north of us, expressing their endorsement.

We have considered several alternatives to try and stay within the code. The options include:

1. Rear detached garage on the north side of the property
2. Rear detached garage on the south side of the property
3. Attached garage on the south side of the property

Each of these alternatives have significant adverse effects that made them not viable solutions for us, our neighbors, nor the environment. Below summarizes these impacts:

**Alternative #1**

- a. Creates 1,620 square feet of impervious area for both the lengthy driveway and two-car garage. During heavy rains, there is already considerable flooding in the northeast corner of our backyard (impacting 210 and 212 S. WaPella homes). Adding this volume of rigid concrete will worsen the drainage situation as there is a larger structure in place of the existing shed and the driveway will act as a dam to block drainage flow in the north/south direction.
- b. Reduces the natural light and ventilation of our neighbor's rear yards
- c. Reduces security for our family and our neighborhood's properties
- d. Would require the existing garage to be converted to living space
- e. Estimated cost: \$131,000

### Alternative #2

- a. Same impacts as alternative #1, plus
- f. The site is also in a position with near alignment with Milburn Avenue. As such, a proposed driveway on this side put maneuvering vehicles at a disadvantage and would require visibility in three (3) directions.
- g. Building a garage in this location tremendously disrupts the natural flow and openness of the ours and our neighbor's backyards. Currently, it is unimposing and a place where many of the neighborhood children run and play as if it's one large "football field". This garage would impede on that atmosphere.
- h. Estimated cost: \$141,000

### Alternative #3

- a. Same impact as "e" above
- b. Requires complete re-design of the interior of the house as all bedrooms are currently situated on the south side of the house. We would need to re-locate the mudroom and garage entry way to create a flow that made sense inside the home.
- c. Estimated cost: >\$180,000 (includes restoration of the north side of house)

Furthermore, upon visual inspection, over 50% of the homes on Can Dota Avenue have 2-car garages, suggesting that 2-car garages are important and will continue to be important to families in the future. We are expecting our first child this Summer, both plan to be working parents where two cars will be important, and intend to live and invest in this home for many years to come. The improvements include adding a traditional master bedroom, master bathroom, and enhancing the patio. Granting this variance will allow us to deeply invest in our home and create a long-term investment for Mount Prospect. We will not increase our *personal* financial wealth, but know this will improve the overall property value and neighborhood value.

Thank you for your time and we appreciate your consideration.

Ed and Megan Bennett

The block contains two handwritten signatures in black ink. The top signature is 'Ed Bennett' and the bottom signature is 'Megan Bennett'. Both are written in a cursive, flowing style.

**Variation** - A variation from the zoning regulations shall not be granted or recommended for approval by the Planning and Zoning Commission unless findings of fact based on evidence are made in each specific case that affirm the following standards:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a specific hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations was to be applied;

*If the regulation was to be applied, then we would be forced to lay a concrete driveway, either on the north or south side of the house, extending into the backyard towards a rear-detached garage. If positioned on the north side, the current drainage situation would worsen. Currently, any moderate-to-heavy rainfall creates significant pooling of water on the northeast side of our backyard, creating increased risk of mold, root decay, structural damage to our shed and the neighbors shed, and erosion to name a few. These issues will only exacerbate if steps are not taken to mitigate them.*

*If we positioned the detached garage on the south side, we would create a dangerous sight-risk as drivers backing out would be backing out into a T-intersection (Can Dota and Milburn), vs. just north/south traffic from Can Dota Avenue.*

*The safest and most environmentally friendly way to expand our garage would be to widen our existing one.*

2. The conditions upon which an application for a variation are based are unique to the property for which the variation is sought and are not generally applicable to other property within the same zoning classification;

*The current drainage conditions on the northside of our home and backyard are in poor condition. Granting this variance would allow us the opportunity to address and reverse many of these factors, bringing safer and more environmentally friendly conditions to our neighborhood.*

*Another factor to consider is that we live at an intersection (Can Dota and Milburn Avenues) which creates additional traffic and hazards for someone reversing on the south side of our home (if we were to place a rear detached garage on the south side of the house).*

3. The purpose of the variation is not based primarily upon a desire to increase financial gain;

*We will not gain any financial benefit. We are not using this additional space for commercial purposes. Our motivation is strictly to improve the property,*



*surrounding neighborhood, and to ensure Mount Prospect continues to be a desirable place to settle and raise their families.*

4. The alleged difficulty or hardship is caused by this Chapter and has not been created by any person presently having an interest in the property;

*We have not changed anything about the property to have created this situation. We are trying to improve the situation in which we bought the property.*

5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

*We have obtained letters of support from our neighbors, including the ones directly impacted at 213 S. Can Dota Avenue. Our plans will not create any dangers nor risks to public health or welfare. Furthermore, our plans include purposeful designs to improve the poor current drainage situation. If anything, our neighborhood will be better off after our improvements are made.*

6. The granting of the variation will not alter the essential character of the neighborhood; and

*Our architectural plans preserve the character of the neighborhood and the current style of homes surrounding us. Please see our design plans, herein.*

7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

*Currently, our backyard and that of four other homes backs up together to create one large open field of play yard. Allowing our proposed variation will protect the openness and current aesthetic of backyards. There will be no detrimental impact to light or air supply and no impact whatsoever to the street congestion or public safety. As noted above, our drainage situation will actually improve and be a welcomed and valuable benefit to us and the neighbors currently affected by standing rainwater.*

# EXACTA

ILLINOIS SURVEYORS, INC.



PROPERTY ADDRESS: 215 CAN DOTA AVENUE, MOUNT PROSPECT, ILLINOIS 60056

SURVEY NUMBER: 1805.5166

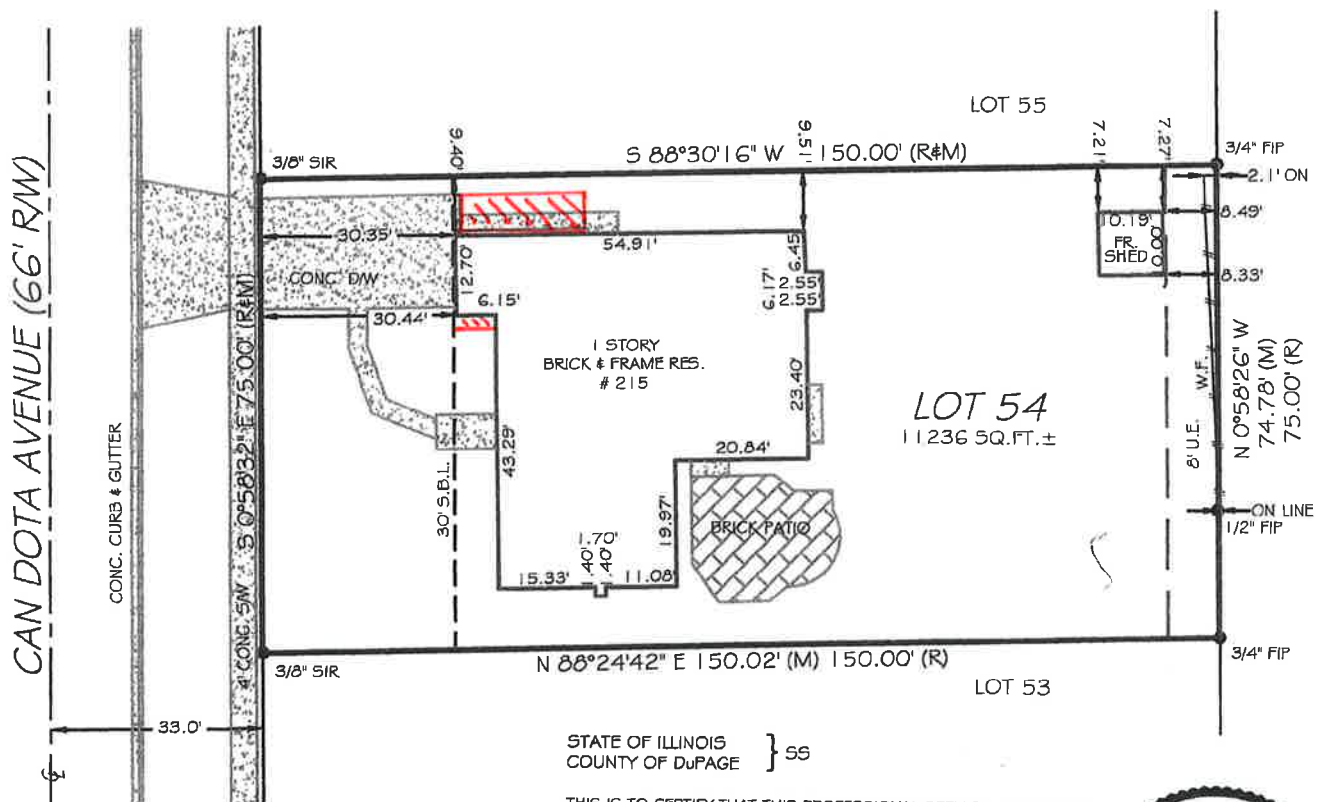
FIELD WORK DATE: 6/5/2018

REVISION DATE(S): (REV.D 6/6/2018)

18055166

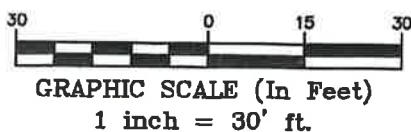
BOUNDARY SURVEY  
COOK COUNTY

LOT 54 IN ALFINI'S FIRST ADDITION TO MOUNT PROSPECT BEING A SUBDIVISION OF PART OF THE SOUTH 990 FEET OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND PART OF THE SOUTH 990 FEET OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON DECEMBER 2, 1953 AS DOCUMENT NO. 1496955 IN COOK COUNTY, ILLINOIS.



THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL THIS 6TH DAY OF JUNE, 2018 AT 312 S. HALE STREET IN WHEATON, IL 60187.

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971  
LICENSE EXPIRES 11/30/2018  
EXACTA LAND SURVEYORS LB# 5763



LOT 54 IN ALFINI'S FIRST ADDITION TO MOUNT PROSPECT BEING A SUBDIVISION OF PART OF THE SOUTH 990 FEET OF THE WEST  $\frac{1}{2}$  OF THE NORTHEAST  $\frac{1}{4}$  AND PART OF THE SOUTH 990 FEET OF THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON DECEMBER 2, 1953 AS DOCUMENT NO. 1496955 IN COOK COUNTY, ILLINOIS.



## Item Cover Page

<b>Subject</b>	<b>PZ-09-20 / 2 W. Northwest Highway / Off-Site Parking Agreement</b>
Meeting	June 11, 2020 - MOUNT PROSPECT PLANNING AND ZONING COMMISSION -
Category	<b>NEW BUSINESS</b>
Type	Action Item

### **Information**

The Petitioner, MIG of Mount Prospect, LLC, is proposing to construct a new commercial building at 2 W. Northwest Highway (the Subject Property) to be leased by JP Morgan Chase Bank, NA for the purpose of operating a bank.

The Subject Property currently consists of a restaurant, open space, and a parking lot with related improvements. Ownership of the property has been secured by a local developer looking to construct a bank with related improvements. All existing structures are to be removed. Aside from the proposed commercial building, other planned improvements include a right-in, right-out access onto Northwest Highway and a reconfigured parking lot. All aspects of the proposed development meet the zoning code requirements except for the amount of on-site parking stalls provided.

The Zoning Code requires four (4) parking spaces be provided for every one-thousand (1,000) square feet of floor area in excess of two-thousand five-hundred (2,500) square feet in the core central commercial area. At 4,196 square feet, the proposed building would require seven (7) parking stalls. However, the Petitioner believes that as many as seventeen (17) parking stalls are needed to accommodate staff at any one time. Therefore, the Petitioner is requesting approval of a parking agreement between the Village of Mount Prospect and JP Morgan Chase Bank, NA to secure seventeen (17) parking stalls within one thousand (1,000) feet of the Subject Property.

Staff believes that entering into the proposed agreement is in the best interest of the village. If approved, the agreement would ensure that all surface-level parking stalls in the immediate area around the Subject Property remain free and available for public use. Additionally, approving this agreement and constructing the proposed bank on the Subject Property secures a relocation of Chase Bank out of 111 E. Busse Road, making the property available for redevelopment as part of the Block 56 proposal.

Staff supports the proposed parking agreement and has not received any public comment on this case.

### **Alternatives**

1. Recommend approval of an off-site parking agreement to secure seventeen (17) parking stalls within one thousand (1,000) feet of the Subject Property to be used by JP Morgan Chase Bank, NA for the purpose of operating a bank at 2 W. Northwest Highway.
2. Action at discretion of the Planning & Zoning Commission

### **Staff Recommendation**

To recommend approval of an off-site parking agreement to secure seventeen (17) parking stalls within one thousand (1,000) feet of the Subject Property to be used by JP Morgan Chase Bank, NA for the purpose of operating a bank at 2 W. Northwest Highway.

### **ATTACHMENTS:**

[Administrative Content.pdf](#)  
[Plans.pdf](#)



**STAFF REPORT FROM THE DEPARTMENT OF** Community Development

William J. Cooney, AICP  
Director of Community Development

Jason C. Shallcross, AICP  
Senior Planner

**DATE:** June 4<sup>th</sup>, 2020

**CASE NUMBER**

PZ-09-20

**PUBLIC HEARING DATE**

June 11, 2020

**APPLICANT/PROPERTY OWNER**

MIG of Mount Prospect, LLC/ATG Trust Company  
and the Village of Mount Prospect

**PROPERTY ADDRESS/LOCATION**

2 W. Northwest Highway, 6 W. Northwest  
Highway, 108 S. Main Street, 110 S. Main Street

**BRIEF SUMMARY OF REQUEST**

The Petitioner is seeking review and approval of a parking agreement to secure seventeen (17) parking stalls at the Emerson Street Parking Deck for a proposed bank to be constructed at the northwest corner of Northwest Highway and Main Street.

2017 Aerial Image



2020 Village of Mount Prospect Zoning Map



**EXISTING ZONING**

B-5C Core  
Central  
Commercial

**EXISTING LAND USE/SITE IMPROVEMENTS**

Commercial  
Restaurant and parking lot

**SURROUNDING ZONING & LAND USE**

North: B-5C Core Central Commercial  
East: B-5C Core Central Commercial  
South: B-5 Central Commercial District  
West: B-5C Core Central Commercial

**SIZE OF PROPERTY**

0.163 Acres

**STAFF RECOMMENDATION**

APPROVE

APPROVE WITH CONDITIONS

DENY



## DISCUSSION OF STAFF RECOMMENDATION

### BACKGROUND/PROPERTY HISTORY

The Subject Property currently consists of a restaurant, open space, and a parking lot with related improvements. Ownership of the property has been secured by a local developer looking to construct a bank with related improvements.

### PROPOSAL

The Petitioner proposes to construct a bank on the subject property. All existing structures are to be removed. Additional proposed site improvements include a right-in, right-out access onto Northwest Highway and a reconfigured parking lot. All aspects of the proposed development meet the zoning code requirements except for the amount of on-site parking stalls provided.

The Zoning Code requires 4 parking spaces be provided for every 1,000 square feet of floor area in excess of 2,500 square feet in the core central commercial area. At 4,196 square feet, the proposed bank would require seven (7) parking stalls. However, the Petitioner believes that as many as seventeen (17) parking stalls are needed for staff at any one time. Therefore, the Petitioner is requesting approval of a parking agreement between the Village of Mount Prospect and JP Morgan Chase Bank, NA, to secure seventeen (17) parking stalls within one thousand (1,000) feet of the Subject Property.

Staff believes that entering into the proposed agreement is in the best interest of the village. If approved, the agreement would ensure that all surface-level parking stalls in the immediate area around the Subject Property remain free and available for public use. Additionally, approving this agreement and constructing the proposed bank on the Subject Property secures a relocation of Chase Bank out of 111 E. Busse Road, making the property available for redevelopment as part of the Block 56 proposal. Staff supports the proposed parking agreement.

## STAFF RECOMMENDATION

Staff finds that the proposed parking agreement satisfies all of the necessary requirements of Article XXII, Section 14.2202(E): General Provisions. Based on these findings, staff recommends that the Planning and Zoning Commission make a motion to adopt staff's findings as the findings of the Planning and Zoning Commission and recommend approval of the following motion:

1. A parking agreement to secure seventeen (17) parking stalls within one thousand (1,000) feet of the Subject Property to be used by JP Morgan Chase Bank, NA for the purpose of operating a bank at 2 W. Northwest Highway.

The Village Board's decision is final for this case.

#### ATTACHMENTS:

##### ADMINISTRATIVE CONTENT

(Zoning Request Application, Responses to Standards, etc...)

##### PLANS

(Plat of Survey, Site Plan, etc.)

##### OTHER

(Supplemental Information, Public Comments Received, etc...)

I concur:



---

William J. Cooney, AICP

Director of Community Development





Village of Mount Prospect  
Community Development Department  
50 S. Emerson Street  
Mount Prospect, Illinois 60056  
Phone: (847) 818-5328

## Plat Application

### Official Use Only (To be completed by Village Staff)

Case Number: P&Z - \_\_\_\_\_ - \_\_\_\_\_ Date of Submission: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Plat Name/Address: \_\_\_\_\_

### I. Subject Property

Address(es) 2 W Northwest Hwy, Property Area (Sq.Ft./ Acres): 0.17 acres

Parcel Index Number(s) (PIN(s)): 08-12-107-018-0000 & 08-12-107-019-0000

### II. Plat Information

Type(s): ☐ Subdivision/Resubdivision ☒ Consolidation ☐ Dedication ☐ Vacation  
☐ Easement ☐ Annexation ☐ Condominium ☐ Other: \_\_\_\_\_

Title(s): \_\_\_\_\_

Summary of Plat(s) and any Variation/Code Exception(s) requested: \_\_\_\_\_  
Land site of approximately 0.17 acres within the Development, located in the northwest corner of Northwest Hwy.  
and Route 83 in Mount Prospect.

### III. Applicant (all correspondence will be sent to the applicant)

Name/Corporation: Spiro Angelos / MIG of Mount Prospect, LLC Interest in Property: Developer/Buyer

Address: 180 N La Salle Street Suite 2108, Chicago, IL 60601

Phone: (312) 726-0531 Email: spiro.angelos@aol.com

In consideration of the information contained in this petition and all supporting documentation, it is requested that approval be given to this request. The applicant is the owner or authorized representative of the owner of the subject property. The petitioner and the owner of the property grant employees of the Village of Mount Prospect and their agent's permission to enter on the property during reasonable hours for visual inspection of the subject property. Applicant hereby affirms that all information provided herein and in all materials submitted in association with this application are true and accurate.

Applicant Signature:  Date: 5.15.2020

### IV. Property Owner ☐ Check if Same as Applicant

Name/Corporation ATG Trust Company, as t/u/t #L006-103

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I hereby designate the applicant to act as my agent for the purpose of seeking the plat request(s) described in this application and the associated supporting material.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

COUNTY OF COOK )  
STATE OF ILLINOIS )

☐ the sole owner of the property  
☐ an owner of the property  
☐ an authorized officer for the owner of the property

and that such property is owned by \_\_\_\_\_ as of this date.  
(print name)

me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

2



Bill Cooney  
Director of Community Development  
Village of Mount Prospect  
50 S. Emerson Street  
Mount Prospect, IL 60056

May 18, 2020

Re: Project narrative for the Property at 2 W Northwest Hwy, Mount Prospect, IL (formal address TBD)

Dear Mr. Cooney,

This letter is to detail our application for PZC approval to build a new single-story 4,214 SF freestanding retail banking center with two off-site drive-up ATMs.

The proposed JPMC development will be located at the northwest corner of IL Route 83 (Main Street) and IL Route 14 (Northwest Highway) in downtown Mount Prospect, IL. The proposed Chase Bank building and associated parking lot will be located on the 0.61-acre piece of land which currently consists of a Submarine Express restaurant, public parking lots, vacant parcels, and a public alley. Brick pavers will be utilized in aspects of this project, including the public sidewalks, to match the aesthetics of the downtown area.

In addition, there will be two offsite improvement areas located on Village-owned property. To the northwest of the Chase Bank Site, public parking stalls will be added to an existing village-owned vacant parcel. Approximately 2 blocks to the southeast of the Chase Bank Site, 2 ATMs will be installed in the Village ROW of College Drive in addition to several public parking stalls. This section of College Drive currently functions as a public parking lot but will be reconfigured to accommodate the ATMs.

The proposed grading at the parking lot/building pad will mimic existing site conditions and convey all captured stormwater runoff towards the northeast. Storm sewer throughout the site will convey runoff to a Contech CMP underground volume control facility located under the northern parking lot. Contech systems are designed for a 75-year design life. The underground volume control facility will outfall to the combined sewer in Busse Avenue.

The design intent of the proposed Chase Bank is to compliment the surrounding architecture of the recent commercial and residential developments in the downtown area. The proposed Banking Center is comprised of smooth cast Savanna Stone (limestone color), "midnight black" brick, "platinum" brick and aluminum composite panels along with a black anodized storefront system. All the exterior cladding options are modern finishes and are long lasting cladding materials that will mesh well with the development growth of the area. Additionally, the proposed floor to ceiling glazing was incorporated to provide connectivity to the retail customers navigating the area and pedestrians traversing the adjacent public thoroughfares.

The proposed schedule has construction commencing by November 2020 (pending regulatory approvals) and an anticipated occupancy date of June 2021.



**Parties Involved:**

Applicant

Spiro Angelos  
MIG of Mount Prospect, LLC

Architect of Record

Timothy Meseck  
The Architects Partnership, LTD (TAP)

Property Owner

ATG Trust Company, as t/u/t #L006-103

Purchaser

Spiro Angelos  
MIG of Mount Prospect, LLC

Landscape Architect

Craig Most  
TERRA Engineering, Ltd.

Civil Engineer

Tom Tom Szafranski,  
Kimley-Horn

Ground Lessee

Jon Krissoff  
obo JPMChase Bank, NA

**Type of Business:**

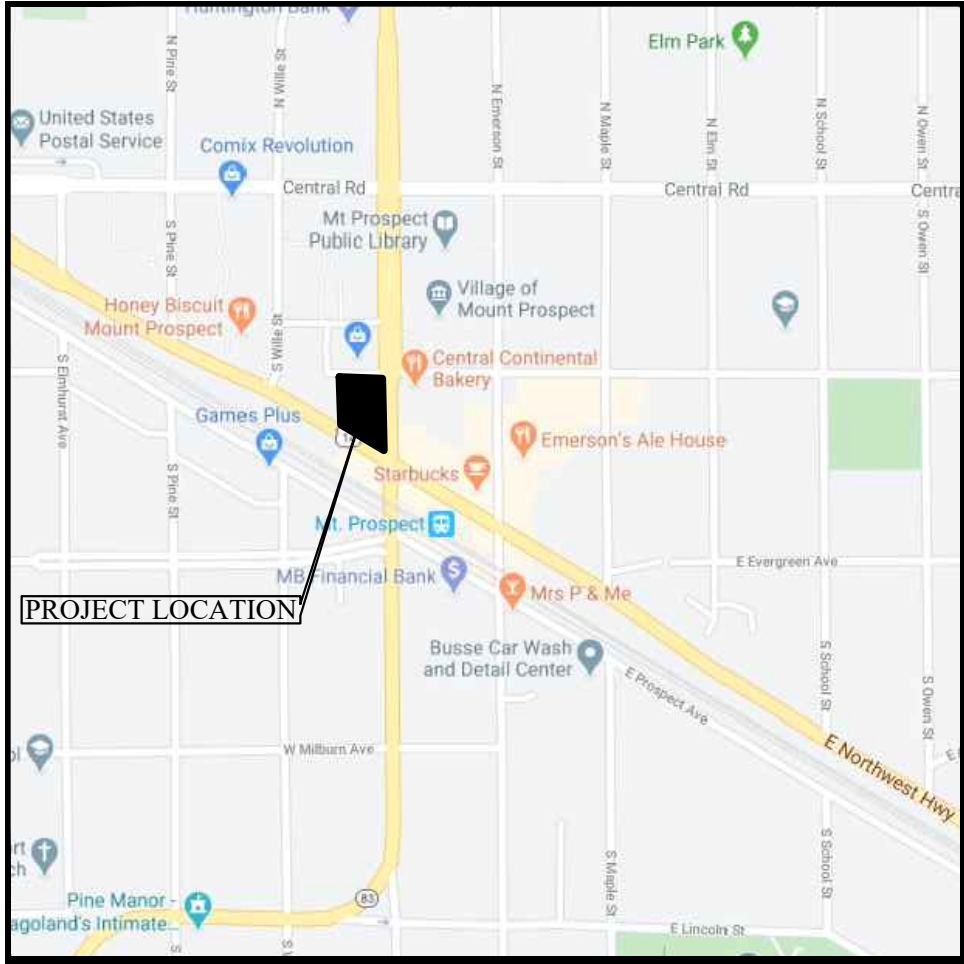
The type of business is a retail banking center with a drive-through service lane for use of an automatic teller machine (ATM). The hours of operation will be Monday – Friday 9 AM – 6 PM and Saturday 9 AM – 2 PM. The total number of employees and any one time will be eight. The eight employees will consist of (1) teller, (1) lead teller, (2) bankers, (1) branch manager, (1) mortgage loan offices, (1) financial advisor and (1) business banker.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy R. Meseck'. The signature is fluid and cursive, with a long horizontal line extending from the top of the first letter.

Timothy R. Meseck  
The Architects Partnership, LTD.





VICINITY MAP  
NO SCALE

SCHEDULE B EXCEPTIONS

SHOWN OR NOTED HEREON

11 EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY, AN ILLINOIS CORPORATION, ITS SUCCESSORS AND ASSIGNS, RECORDED JUNE 22, 1982 AS DOCUMENT 26267819, AND THE TERMS AND CONDITIONS THEREOF.

(AFFECTS WEST 5 FEET OF PARCEL 1)

THE FOLLOWING SCHEDULE B EXCEPTIONS ARE NOT SURVEY RELATED AND THEREFORE NOT SHOWN: PART ONE NUMBERS 1, 2, 3, 4, 5 AND 6, PART TWO NUMBERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14 AND 15

NOTES

1. THIS SURVEY IS BASED ON THE LEGAL DESCRIPTIONS AND EASEMENTS OF RECORD AS IDENTIFIED IN TITLE COMMITMENT NUMBER NCS-1002314-CH2 ISSUED BY CHICAGO TITLE INSURANCE COMPANY, RECEIVED APRIL 27, 2020, HAVING AN EFFECTIVE DATE OF FEBRUARY 5, 2020.
2. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83 (2011), ZONE 1201 (ILLINOIS EAST)
3. THIS SITE FALLS WITHIN THIS SITE FALLS WITHIN "OTHER AREAS: ZONE X" (AREA OF MINIMAL FLOOD HAZARD) AS DEFINED BY THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 170129 J (MAP NUMBER 170310208J), HAVING AN EFFECTIVE DATE OF AUGUST 19, 2008
4. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR TOPOGRAPHIC SURVEY, AND IS BASED ON FIELD WORK PERFORMED ON 03/11/2020.
5. THE SURVEYOR CONTACTED J.U.L.L.E. (JOINT UTILITY LOCATING INFORMATION FOR EXCAVATORS) FOR AN ON-SITE LOCATE WHICH WAS ASSIGNED A DIG NUMBER OF A058 1442. THE UTILITIES AS MARKED ON-SITE AT THE TIME OF THE SURVEY ARE SHOWN HEREON. ADDITIONALLY, THE SURVEYOR CONTACTED J.U.L.L.E. FOR A DESIGN STAGE REQUEST FOR THIS SITE WHICH WAS ASSIGNED A DIG NUMBER OF X058 1198. INQUIRIES WERE SENT OUT TO THE VARIOUS UTILITY COMPANIES REQUESTING MAPS AND/OR ATLASES OF THEIR RESPECTIVE FACILITIES. THE INFORMATION RECEIVED TO DATE IS SHOWN HEREON.
6. IN ACCORDANCE WITH TABLE A ITEMS 6(A) AND 6(B), A ZONING REPORT OR LETTER WAS NOT PROVIDED TO THE SURVEYOR FOR REVIEW.
7. IN ACCORDANCE WITH TABLE A ITEM 10, NO PARTY WALLS WERE OBSERVED ALONG PROPERTY LINES CONTIGUOUS WITH ADJOINING PROPERTIES.
8. IN ACCORDANCE WITH TABLE A ITEM 16, NO OBSERVED EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
9. IN ACCORDANCE WITH TABLE A ITEM 17, NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES BASED ON INFORMATION RECEIVED FROM THE CONTROLLING JURISDICTION AT THE TIME OF THE SURVEY. NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
10. IN ACCORDANCE WITH TABLE A ITEMS 18, NO OBSERVED EVIDENCE OF WETLAND DELINEATION MARKINGS AT THE TIME OF THE SURVEY.

LEGEND

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

ABBREVIATIONS

O.D.I.P. = OUTSIDE DIAMETER IRON PIPE  
TF = TOP OF FOUNDATION  
FF = FINISHED FLOOR  
FES = FLARED END SECTION  
VCP = VITRIFIED CLAY PIPE  
DIP = DUCTILE IRON PIPE  
PVC = POLYVINYL CHLORIDE  
RCP = REINFORCED CONCRETE PIPE  
CMP = CORRUGATED METAL PIPE  
(R) = RECORD BEARING OR DISTANCE  
(M) = MEASURED BEARING OR DISTANCE  
(C) = CALCULATED BEARING OR DISTANCE  
(D) = DEED BEARING OR DISTANCE  
A = ARC LENGTH  
R = RADIUS  
CH = CHORD  
CB = CHORD BEARING  
B.S.L. = BUILDING SETBACK LINE  
U.E. = UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT  
P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT

LINE LEGEND

- LIMITS OF LAND PER
- LEGAL DESCRIPTION
- ADJACENT LAND
- PARCEL LINE
- EASEMENT LINE
- CENTERLINE
- BUILDING SETBACK LINE
- SECTION LINE

UTILITY CONTACTS

Cable  
Comcast — Martha Gieras  
224-229-5862  
Martha.gieras@comcast.com  
Electric  
ComEd  
630-576-7094  
Gas  
Nicor Gas  
gasmap@nicor.com  
Communications  
AT&T  
91629@att.com  
AT&T Transmission — Kenneth Colwell  
630-383-9249  
Kcl298@att.com  
Wide Open West — Paul Flinkow  
630-536-3339  
Paul.flinkow@wowinc.com  
Level 3 (CenturyLink)  
nationalrelo@centurylink.com  
MCI  
Investigations@verizon.com  
Water / Sanitary / Storm  
Village of Mt. Prospect — Donna Brown  
847-870-5640  
dbrown@mountprospect.org

ALTA/NSPS LAND TITLE  
AND TOPOGRAPHIC SURVEY

PARCEL 1:  
LOT 3, IN JOHN MEYN'S SUBDIVISION OF PART OF BLOCK 16 OF MOUNT PROSPECT, IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:  
THAT PART OF LOT 1 LYING WEST OF A LINE DRAWN FROM THE NORTHWEST CORNER OF SAID LOT TO A POINT IN THE SOUTH LINE OF SAID LOT 1, THAT IS 3 1/4 INCHES EAST OF THE SOUTHWEST CORNER OF SAID LOT; AND LOT 2 IN JOHN MEYN'S SUBDIVISION OF PART OF BLOCK 16 OF MOUNT PROSPECT, IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:  
LOT 1 IN KELVIK'S RESUBDIVISION IN MOUNT PROSPECT, BEING A RESUBDIVISION OF THE EAST 50 FEET OF BLOCK 16, EXCEPT THE NORTH 59.29 FEET THEREOF, IN MOUNT PROSPECT, A SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

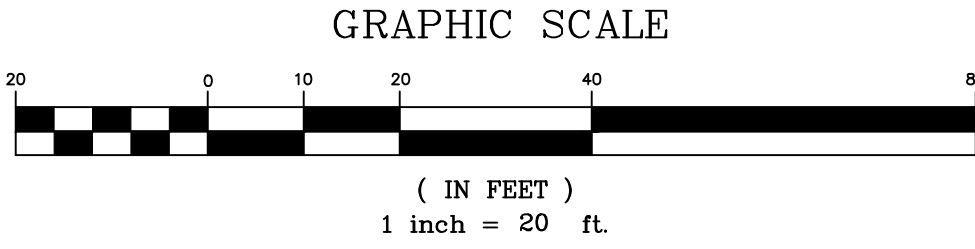
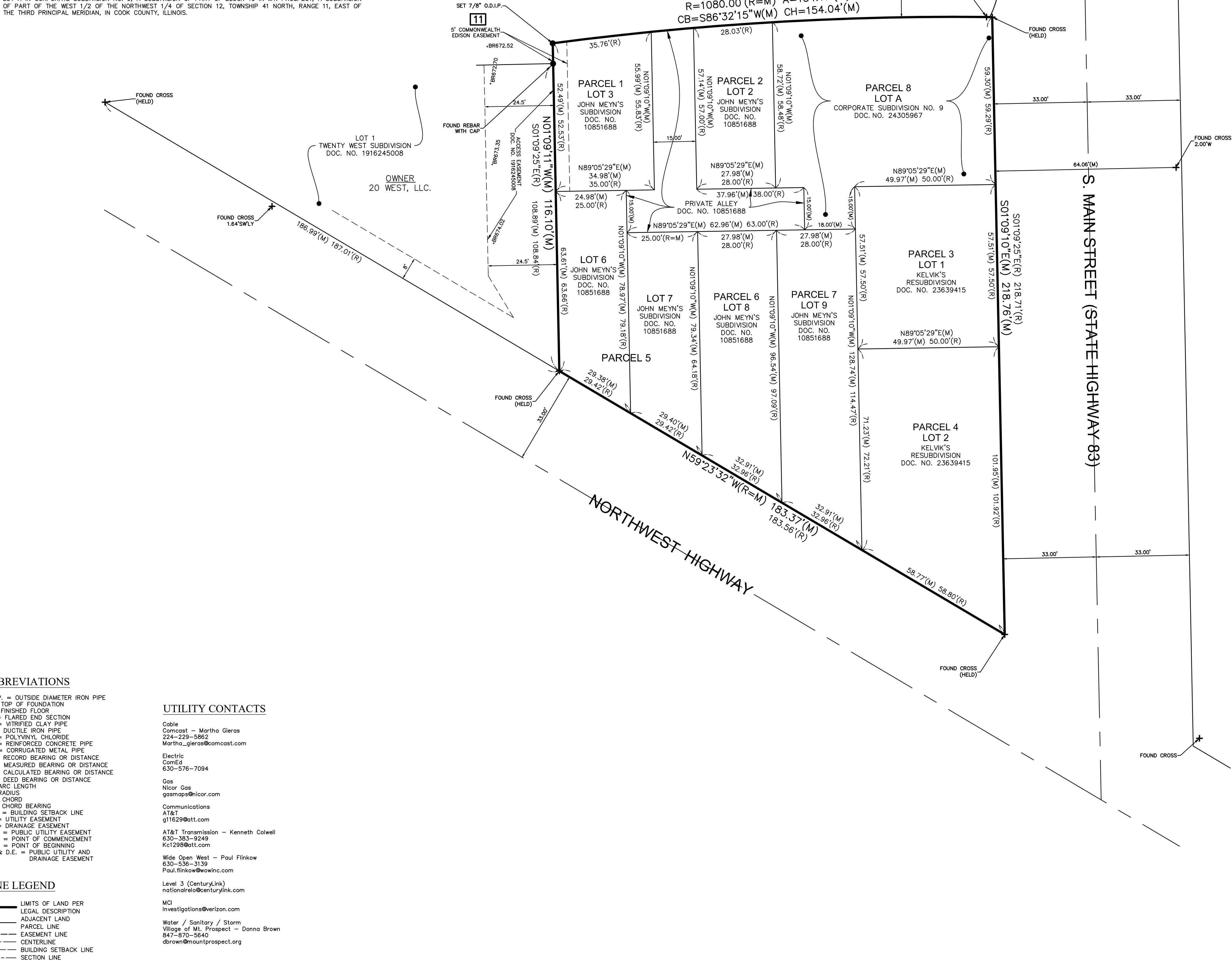
PARCEL 4:  
LOT 2 IN KELVIK'S RESUBDIVISION IN MT. PROSPECT, BEING A RESUBDIVISION OF THE EAST 50 FEET OF BLOCK 16 (EXCEPT THE NORTH 59.29 FEET THEREOF) IN MT. PROSPECT, A SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:  
LOTS 6 AND 7 IN JOHN MEYN'S SUBDIVISION OF PART OF BLOCK 16 OF MOUNT PROSPECT, IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 6:  
LOT 8 IN MEYN'S SUBDIVISION OF PART OF BLOCK 16 IN MOUNT PROSPECT, IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 7:  
LOT 9 IN JOHN MEYN'S SUBDIVISION OF PART OF BLOCK 16 OF MOUNT PROSPECT, IN THE WEST 1/2 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 8:  
LOT A IN CORPORATE SUBDIVISION NO. 9, A SUBDIVISION OF PART OF BLOCK 16 IN MT. PROSPECT, A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



AREA SUMMARY  
(TO HEAVY LINES)  
26,398 SQUARE FEET  
OR  
0.606 ACRES  
(BASED ON MEASURED VALUES)

STRIPED PARKING DATA  
REGULAR SPACES = 29  
ACCESSIBLE SPACES = 1  
TOTAL SPACES = 30

UTILITY STATEMENT  
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM VISIBLE FIELD EVIDENCE AND EXISTING DRAWINGS, MAPS AND RECORDS SUPPLIED TO SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES.

CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(B), 7(A), 7(B), 7(C), 8, 9, 10, 11, 13, 14, 16, 17, 18, 19 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MARCH 11, 2020.  
COMPASS SURVEYING LTD.  
PROFESSIONAL DESIGN FIRM  
LAND SURVEYOR CORPORATION NO. 184-002778  
LICENSE EXPIRES 4/30/2021  
DATE OF PLAT OR MAP: MARCH 24, 2020

BY: DAVID P. FLIPSKI  
IL PROFESSIONAL LAND SURVEYOR NO. 3352  
LICENSE EXPIRES 11/30/20

J:\PSDATA\2020 PROJECTS\20.0071\20.0071 LTS TOPO.DWG

Know what's below.  
Call before you dig.

DATE:	3-19-20	PC:	RWS	DRAWN BY:	BT	CHECKED BY:	SK	BOOK:	492	PG:	64-65
NO.	1.	DATE	4-17-20	BY	BT	REVISIONS					
ADD ADDITIONAL INFORMATION PER REVISED TITLE COMMITMENT											
	2.										

CLIENT

**Kimley»Horn**

© 2017 KIMLEY-HORN AND ASSOCIATES, INC.  
1001 WARRENVILLE ROAD, SUITE 350,  
AURORA, IL 60502  
PHONE: 630-487-5550  
WWW.KIMLEY-HORN.COM

PROJECT

CHASE BANK  
MT. PROSPECT, IL

COMPASS SURVEYING LTD.

ALTA SURVEYS & TOPOGRAPHY • CONSTRUCTION STAKING

2631 GINGER WOODS PARKWAY, STE. 100  
AURORA, IL 60502  
PHONE: (630) 820-9100 FAX: (630) 820-7030 EMAIL: ADMIN@CLSURVEYING.COM

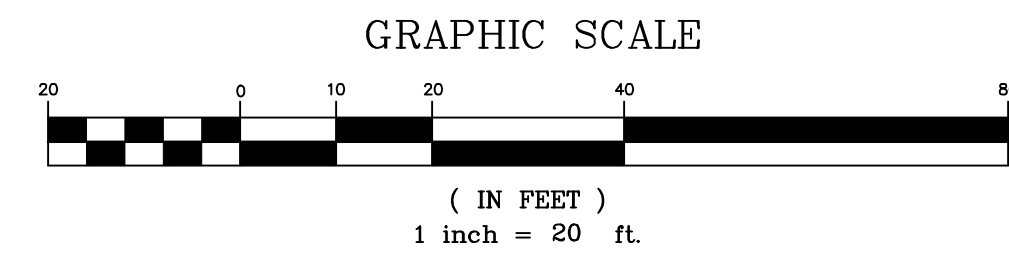
SCALE: 1" = 20'

1 OF 3

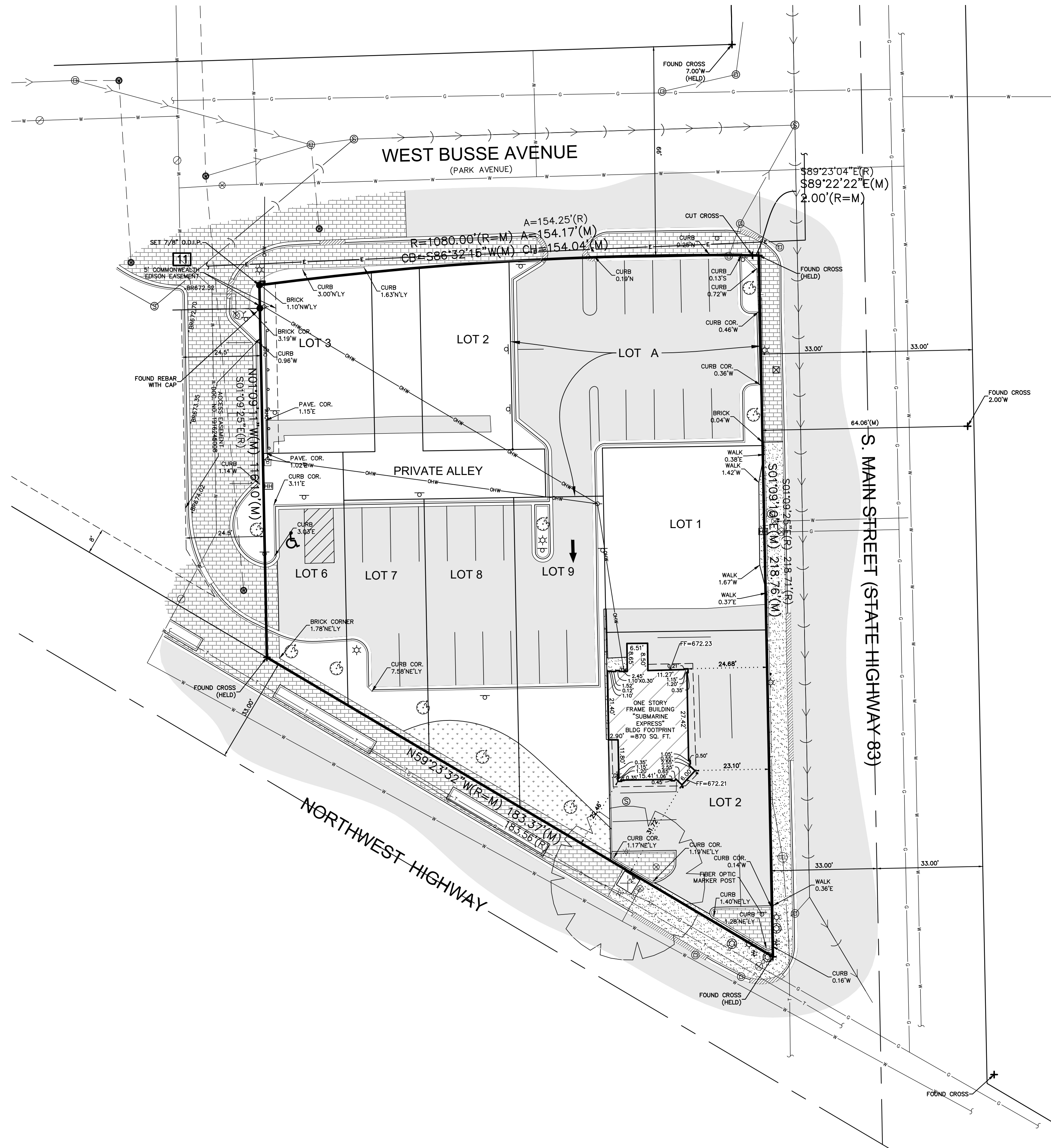
PROJ. NO.: 20.0071



# ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY



Know what's below.  
Call before you dig.



## UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM VISIBLE FIELD EVIDENCE AND EXISTING DRAWINGS, MAPS AND RECORDS SUPPLIED TO SURVEYOR. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES.

## LEGEND

- FOUND 7/8" O.D.I.P. UNLESS OTHERWISE NOTED (HELD LOCATION)
- CONCRETE MONUMENT
- ⊕ CROSS IN CONCRETE
- ⊙ MANHOLE
- ⊙ STORM STRUCTURE
- ⊙ SANITARY MANHOLE
- ⊙ CLEANOUT
- ▽ FLARED END SECTION
- ⊠ TRANSFORMER PAD
- ⊙ ELECTRIC MANHOLE
- ⊙ ELECTRIC BOX
- ⊙ ELECTRIC PEDESTAL
- ⊙ ELECTRIC MARKER
- ⊙ ELECTRIC METER
- ⊙ UTILITY POLE
- ⊙ UTILITY POLE W/LIGHT
- ⊙ UTILITY POLE W/TSF
- ⊙ GUY POLE
- ⊙ OVERHEAD TRAFFIC SIGNAL
- ⊙ TRAFFIC SIGNAL MANHOLE
- ⊙ LIGHT
- ⊙ LIGHT POLE
- ⊙ HAND HOLE
- ⊙ VALVE VAULT
- ⊙ FIRE HYDRANT
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ POST INDICATOR VALVE
- ⊙ SIAMESE WATER CONNECTION
- ⊙ WATER MARKER
- ⊙ WATER METER
- ⊙ VALVE BOX
- ⊙ B/BOX
- ⊙ TELEPHONE MANHOLE
- ⊙ TELEPHONE NETWORK INTERFACE
- ⊙ TELEPHONE MARKER
- ⊙ TELEPHONE PEDESTAL
- ⊙ CABLE TELEVISION PEDESTAL
- ⊙ GAS METER
- ⊙ GAS VALVE
- ⊙ GAS MARKER
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- ⊙ GATE POST
- ⊙ BOLLARD POLE
- ⊙ SIGN
- ⊙ FLAG POLE
- ⊙ MAILBOX
- ⊙ COMBINATION SEWER
- ⊙ SANITARY SEWER
- ⊙ STORM SEWER
- ⊙ WATER MAIN
- ⊙ GAS MAIN
- ⊙ ELECTRIC LINE
- ⊙ OVERHEAD WIRES
- ⊙ COMMUNICATION LINE
- ⊙ GUY POLE
- ⊙ CONIFEROUS TREE
- ⊙ W/APPROX. DIAMETER
- ⊙ DECIDUOUS TREE
- ⊙ W/APPROX. DIAMETER
- ⊙ NS-MULTI-STEM
- (DRIP LINE SHOWN IS APPROXIMATE)
- ⊕ ELEVATION
- BITUMINOUS PAVEMENT
- CONCRETE SURFACE
- DEPRESSED CURB
- GRAVEL SURFACE
- LANDSCAPE AREA
- STONE SURFACE
- DETECTABLE TACTILE WARNING SURFACE
- WOOD FENCE
- CHAIN LINK FENCE
- METAL FENCE
- METAL GUARDRAIL
- OVERHEAD TRAFFIC ARM

## ABBREVIATIONS

O.D.I.P. = OUTSIDE DIAMETER IRON PIPE  
TF = TOP OF FOUNDATION  
FF = FINISHED FLOOR  
FES = FLARED END SECTION  
VCP = VITRIFIED CLAY PIPE  
DIP = DUCTILE IRON PIPE  
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A = ARC LENGTH  
R = RADIUS  
CH = CHORD  
CB = CHORD BEARING  
B.S.L. = BUILDING SETBACK LINE  
U.E. = UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT  
P.U.E. = PUBLIC UTILITY EASEMENT  
P.O.C. = POINT OF COMMENCEMENT  
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P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT

## LINE LEGEND

— LIMITS OF LAND PER LEGAL DESCRIPTION  
— ADJACENT LAND  
— PARCEL LINE  
— EASEMENT LINE  
— CENTERLINE  
— BUILDING SETBACK LINE  
— SECTION LINE

CLIENT  
**Kimley»Horn**

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PHONE: 630-487-5550  
WWW.KIMLEY-HORN.COM

PROJECT  
CHASE BANK  
MT. PROSPECT, IL

**COMPASS**  
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ALTA SURVEYS & TOPOGRAPHY • CONSTRUCTION STAKING  
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AURORA, IL 60002  
PHONE: (630) 820-9100 FAX: (630) 820-7089 EMAIL: ADMIN@CLSURVEYING.COM

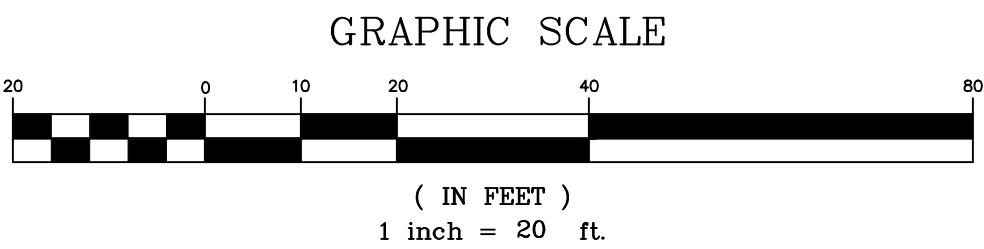
SCALE: 1" = 20'

2 OF 3

PROJ. No.: 20.0071

J:\PSDATA\2020 PROJECTS\20.0071\20.0071 LTS TOPO.DWG

# ALTA/NSPS LAND TITLE AND TOPOGRAPHIC SURVEY



Know what's below.  
Call before you dig.

## BENCHMARKS

**REFERENCE BENCHMARK:**  
BRISTEN 30 TOP SECURITY MONUMENT  
CONSISTING OF A 9/16" DIAMETER STAINLESS STEEL DATUM POINT LOCATED  
59.1 FEET EAST OF THE EDGE OF CURB OF NEW MIKE ROAD AND 14.8 FEET SOUTH  
OF THE BACK OF CURB OF THE WEST PARKING LOT OF THE SUNSET MEADOWS PARK  
AND 7.2 EAST OF THE EDGE OF PARK SIDE WALK.

## SITE BENCHMARKS:

**SITE BENCHMARK #1**  
EAST BONNET BOLT OF FIRE HYDRANT LOCATED AT THE NORTHWEST CORNER OF SITE  
ELEVATION = 675.61

**SITE BENCHMARK #2**  
CUT SQUARE ON EAST SIDE OF CONCRETE BASE OF LIGHT POLE  
ELEVATION = 671.04

## LEGEND

- FOUND 7/8" O.D.I.P. UNLESS OTHERWISE NOTED (HOLD LOCATION)
- CONCRETE MONUMENT
- ⊕ CROSS IN CONCRETE
- ⊙ MANHOLE
- ⊙ STORM STRUCTURE
- ⊙ SANITARY MANHOLE
- ⊙ CLEANOUT
- ▽ FLARED END SECTION
- ⊙ TRANSFORMER PAD
- ⊙ ELECTRIC MANHOLE
- ⊙ ELECTRIC BOX
- ⊙ ELECTRIC PEDESTAL
- ⊙ ELECTRIC MARKER
- ⊙ ELECTRIC METER
- ⊙ UTILITY POLE
- ⊙ UTILITY POLE W/LIGHT
- ⊙ UTILITY POLE W/TSF
- ⊙ GUY POLE
- ⊙ OVERHEAD TRAFFIC SIGNAL
- ⊙ TRAFFIC SIGNAL MANHOLE
- ⊙ LIGHT
- ⊙ LIGHT POLE
- ⊙ HAND HOLE
- ⊙ VALVE VAULT
- ⊙ FIRE HYDRANT
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ POST INDICATOR VALVE
- ⊙ SIAMENSE WATER CONNECTION
- ⊙ WATER MARKER
- ⊙ WATER METER
- ⊙ VALVE BOX
- ⊙ B/BOX
- ⊙ TELEPHONE MANHOLE
- ⊙ TELEPHONE NETWORK INTERFACE
- ⊙ TELEPHONE MARKER
- ⊙ TELEPHONE PEDESTAL
- ⊙ CABLE TELEVISION PEDESTAL
- ⊙ GAS METER
- ⊙ GAS VALVE
- ⊙ GAS MARKER
- ⊙ DOWN SPOUT
- ⊙ BORING HOLE
- ⊙ MONITORING WELL
- ⊙ GATE POST
- ⊙ BOLLARD POLE
- ⊙ SIGN
- ⊙ FLAG POLE
- ⊙ MAILBOX
- ⊙ COMBINATION SEWER
- ⊙ SANITARY SEWER
- ⊙ STORM SEWER
- ⊙ WATER MAIN
- ⊙ GAS MAIN
- ⊙ ELECTRIC LINE
- ⊙ OVERHEAD WIRES
- ⊙ COMMUNICATION LINE
- ⊙ GUY POLE
- ⊙ CONIFEROUS TREE W/APPROX. DIAMETER
- ⊙ DECIDUOUS TREE W/APPROX. DIAMETER
- ⊙ MULTI-STEM (DRIP LINE SHOWN IS APPROXIMATE)
- ⊙ BITUMINOUS PAVEMENT
- ⊙ CONCRETE SURFACE
- ⊙ DEPRESSED CURB
- ⊙ GRAVEL SURFACE
- ⊙ LANDSCAPE AREA
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- ⊙ METAL FENCE
- ⊙ METAL GUARDRAIL
- ⊙ OVERHEAD TRAFFIC ARM

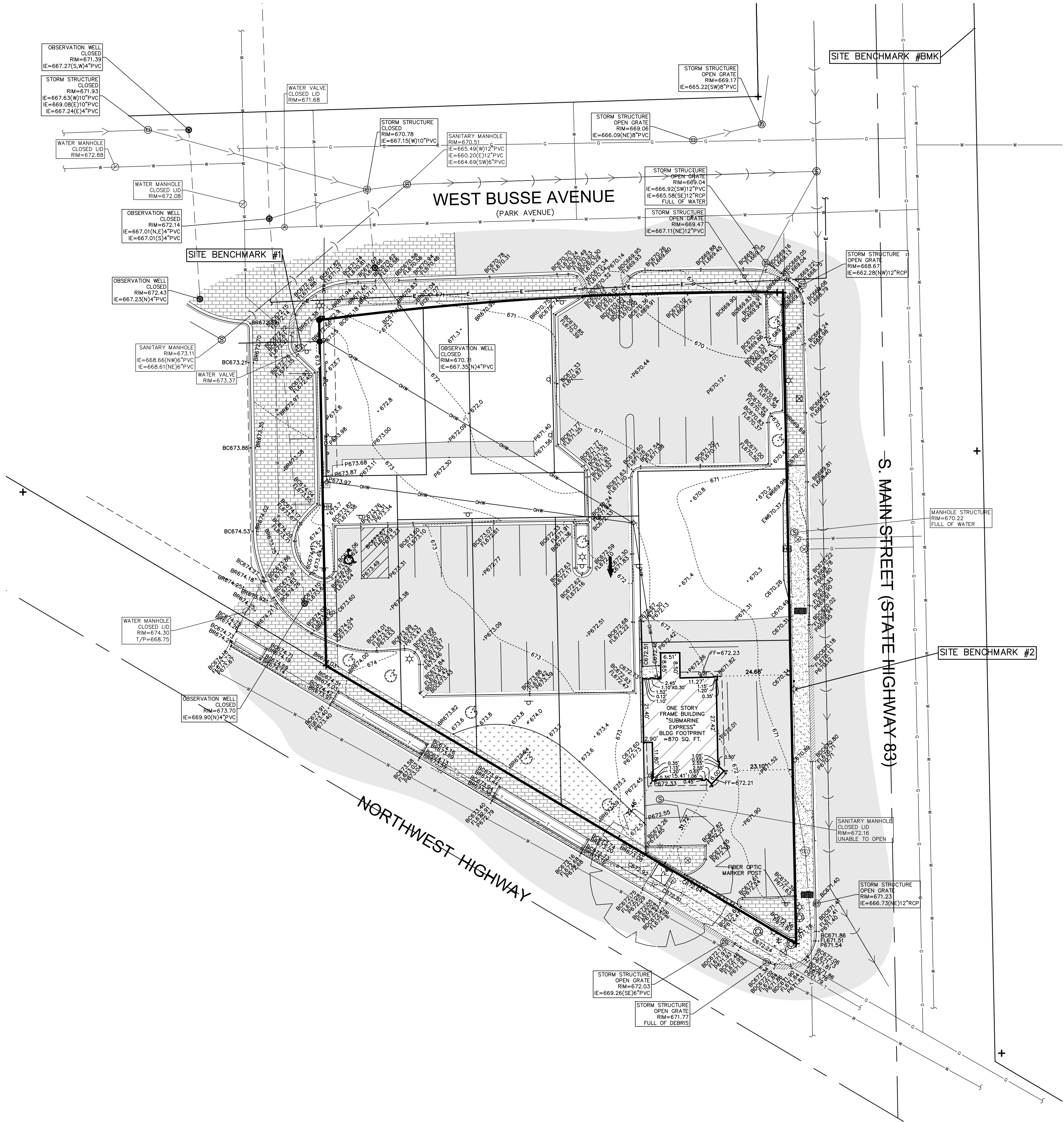
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P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT

BC = BACK OF CURB  
BDC = BACK OF DEPRESSED CURB  
FL = FLOW LINE  
C = CONCRETE  
P = PAVEMENT  
G = GRAVEL  
EW = EDGE OF WALK  
TW = TOP OF WALL  
TP = TOP OF PIPE  
IE = INVERT ELEVATION  
DS = DOWN SPOUT  
S.F. = SQUARE FEET  
SL = SHORE LINE  
TSF = TRANSFORMER  
B = PAVERS

## LINE LEGEND

—— LIMITS OF LAND PER  
—— LEGAL DESCRIPTION  
—— ADJACENT LAND  
—— PARCEL LINE  
—— EASEMENT LINE  
—— CENTERLINE  
—— BUILDING SETBACK LINE  
—— SECTION LINE  
—— EXISTING CONTOUR



## UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM  
VISIBLE FIELD EVIDENCE AND EXISTING DRAWINGS, MAPS AND  
RECORDS SUPPLIED TO SURVEYOR. THE SURVEYOR MAKES NO  
GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE  
ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR  
ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT  
THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION  
INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS  
POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS  
PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE HAS NOT  
PHYSICALLY LOCATED THE UNDERGROUND LINES.

DATE	BY	BOOK	PG	SK
3-19-20	PC	492	PQ	64-65
NO.	REV	DATE	BY	REVISIONS
1.		4-17-20	BT	ADD ADDITIONAL INFORMATION
2.		5-6-20	BT	PER REVISED TITLE COMMITMENT

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PROJECT  
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PHONE: (630) 830-9100 FAX: (630) 830-7030 EMAIL: ADMIN@CLSURVEYING.COM

SCALE: 1" = 20'

3 OF 3

PROJ. NO.: 20.0071



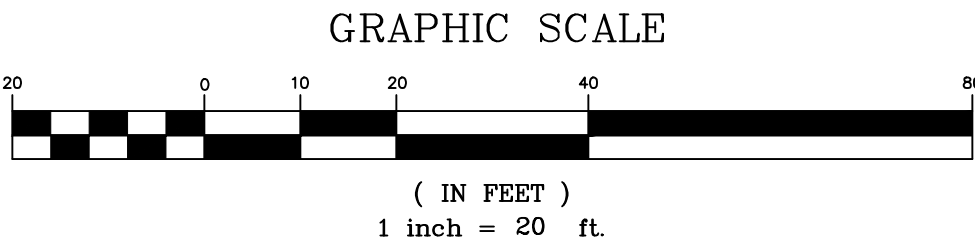
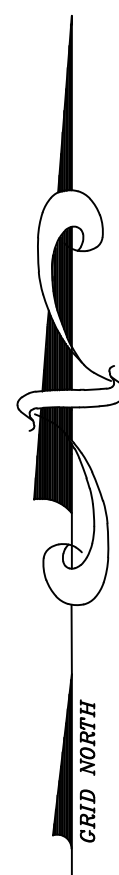




FINAL PLAT OF SUBDIVISION  
KELJIK'S RESUBDIVISION NO. 2

BEING A RESUBDIVISION IN THE NORTHWEST 1/4 OF SECTION  
12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 08-12-107-018  
08-12-107-019



AREA SUMMARY  
(TO HEAVY LINES)  
15,049 SQUARE FEET  
OR  
0.346 ACRES  
(BASED ON MEASURED VALUES)

AREA TABLE		
LOT NUMBER	SQUARE FOOT	ACRE
1	7082	0.163
2	7967	0.183

LEGEND

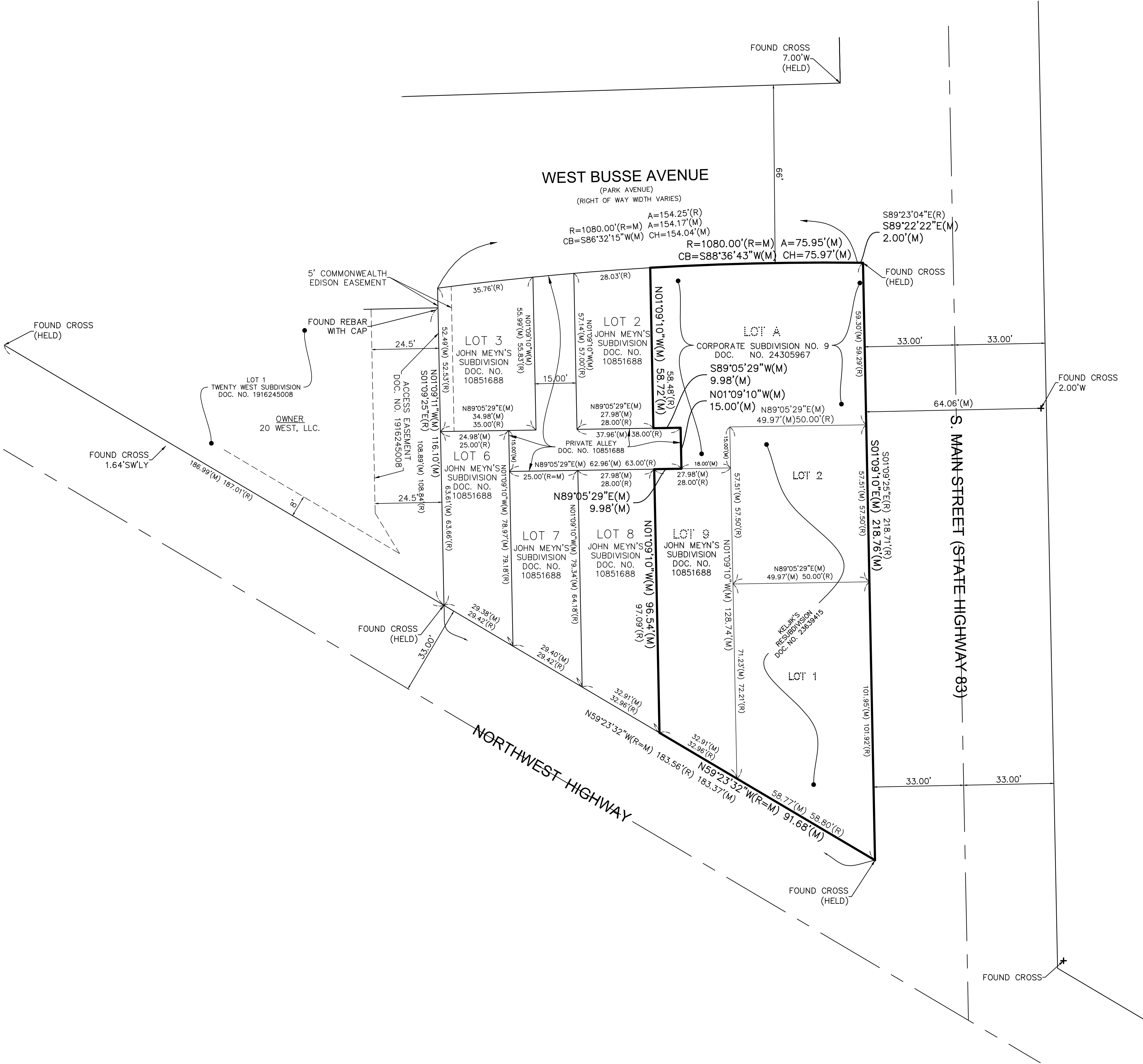
- SET 7/8" O.D.I.P. UNLESS OTHERWISE NOTED
- SET CONCRETE MONUMENT UNLESS OTHERWISE NOTED
- + SET CROSS IN CONCRETE UNLESS OTHERWISE NOTED

ABBREVIATIONS

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LINE LEGEND

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



AFTER RECORDING  
RETURN TO:  
COMPASS SURVEYING LTD.  
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AURORA, IL 60502

DATE: 5-2-20		PC RWS	DRAWN BY	BT	CHECKED BY	SK	BOOK	492	PG	64-65
NO.		REVISIONS				DATE		BY		
1.		PER CLIENT COMMENTS				05-18-20		RHM		
2.										

CLIENT  
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PROJECT  
KELJIK'S  
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MT. PROSPECT, IL

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SCALE: 1" = 20'

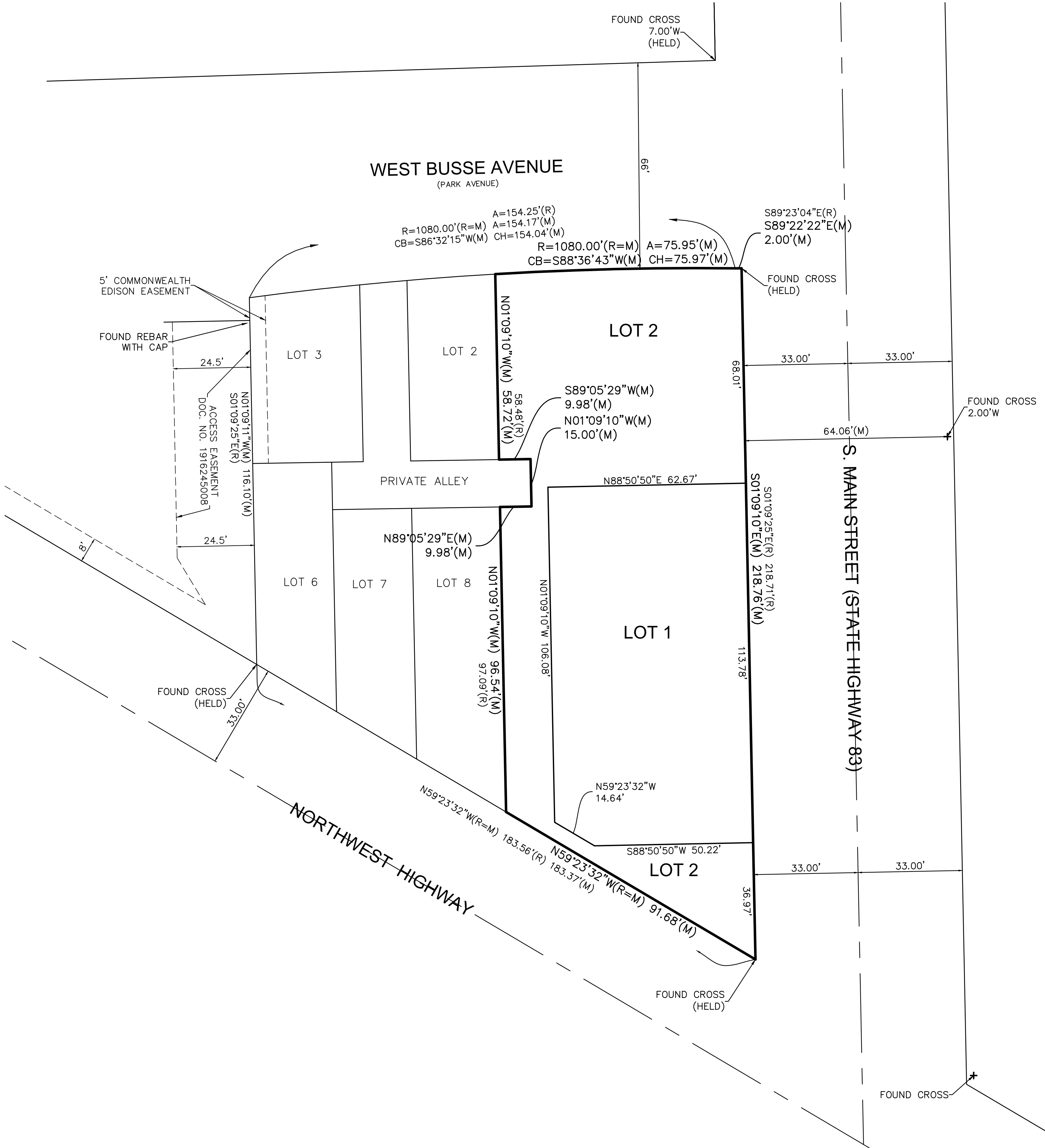
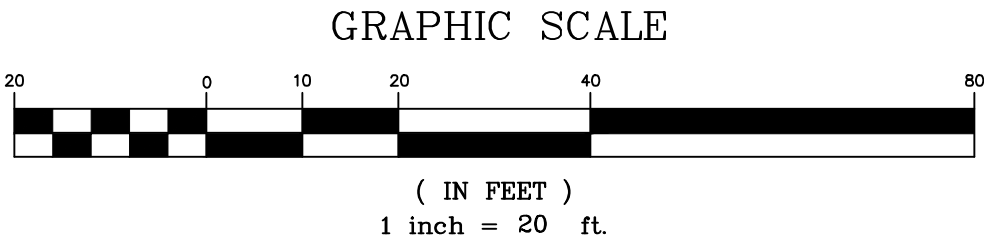
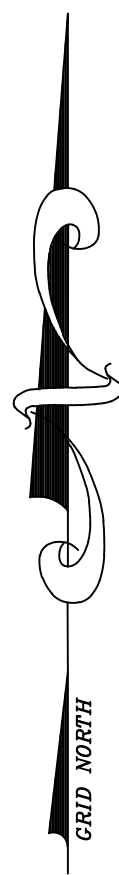
1 OF 3

PROJ. NO.: 20.0071-02

FINAL PLAT OF SUBDIVISION  
KELJIK'S RESUBDIVISION NO. 2

BEING A RESUBDIVISION IN THE NORTHWEST 1/4 OF SECTION  
12, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD  
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 08-12-107-018  
08-12-107-019



LEGEND

- SET 7/8" O.D.I.P.  
UNLESS OTHERWISE NOTED
- SET CONCRETE MONUMENT  
UNLESS OTHERWISE NOTED
- + SET CROSS IN CONCRETE  
UNLESS OTHERWISE NOTED

ABBREVIATIONS

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P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
P.U. & D.E. = PUBLIC UTILITY AND  
DRAINAGE EASEMENT

LINE LEGEND

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

DATE	BY	BOOK	PG	64-55
05-18-20	RHM			
NO.	REVISIONS	CHECKED BY	BT	DRAWN BY
1.	PER CLIENT COMMENTS			

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**PROJECT**  
KELJIK'S  
RESUBDIVISION NO. 2  
MT. PROSPECT, IL

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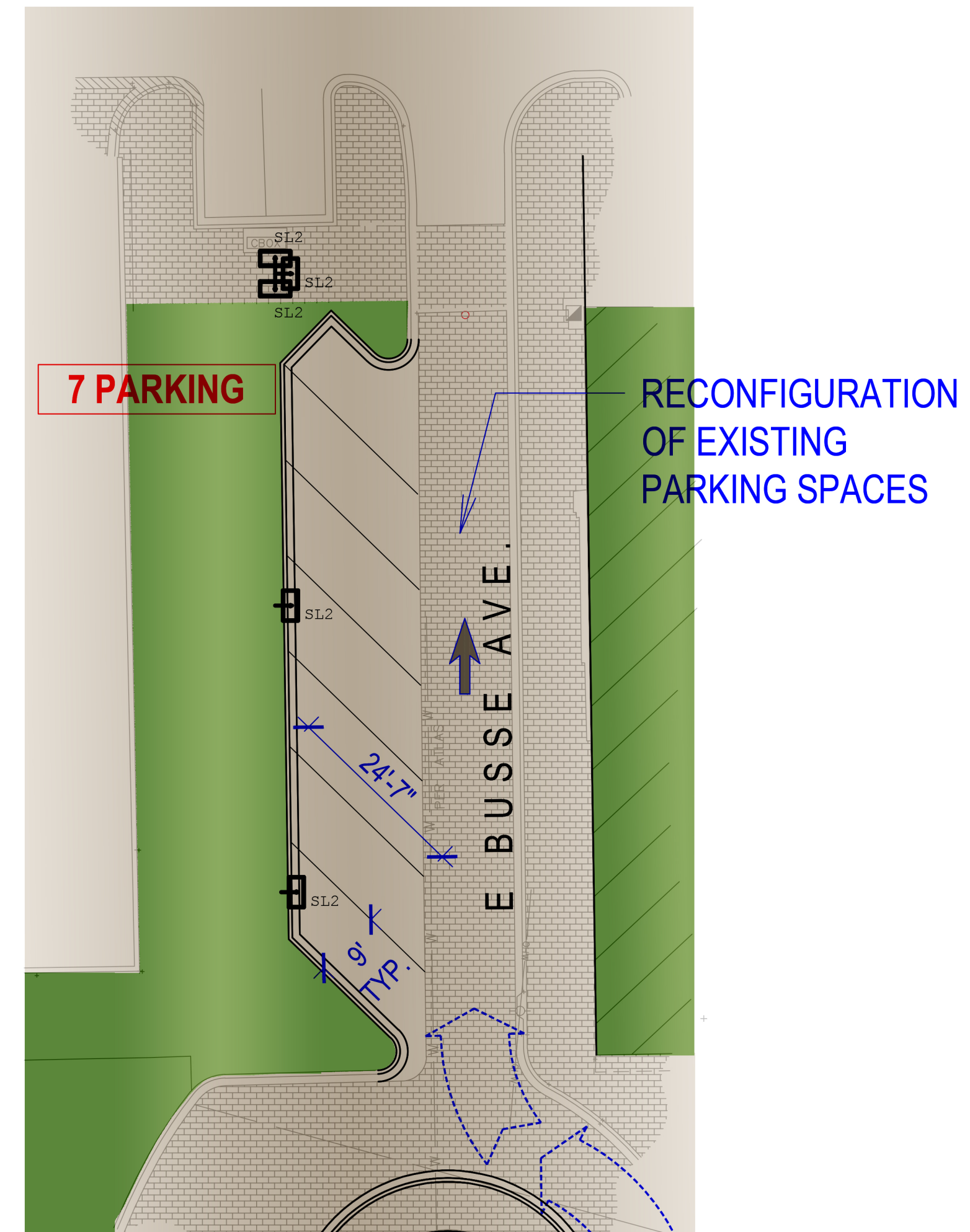
SCALE: 1" = 20'

2 OF 3

PROJ. NO.: 20.0071-02







## SITE INFORMATION

## ZONING

ZONING DATA IS BASED ON PARKING LOT  
AND BUILDING PARCEL FOOTPRINT ONLY.

PROPOSED CHASE PARCEL: CURRENT ZONING—C5C  
CENTRAL COMMERCIAL CORE.  
CUP WILL BE REQUIRED FOR DRIVE THROUGH

LOT AREA: 0.17 ACRES

GROSS BUILDING AREA: 4,196 SQ FT

BUILDING SETBACK:  
FRONT YARD  
REQUIRED: 1'  
PROPOSED: 7'-7"

SIDE YARD  
REQUIRED: 0  
PROPOSED: 63'-9"

REAR YARD  
REQUIRED: 0  
PROPOSED: 98'-3"

LANDSCAPING/PARKING SETBACK:

REQUIRED:  
FRONT: 10'  
SIDE YARD: 10'  
REAR YARD: 10'

PROPOSED:  
FRONT: 7'-7" (VARIANCE REQUIRED)  
SIDE YARD: 3'-1" (VARIANCE REQUIRED)  
REAR YARD: 0 (VARIANCE REQUIRED)

MAX BUILDING HEIGHT: 80'  
PROPOSED BUILDING HEIGHT: 21'-6"

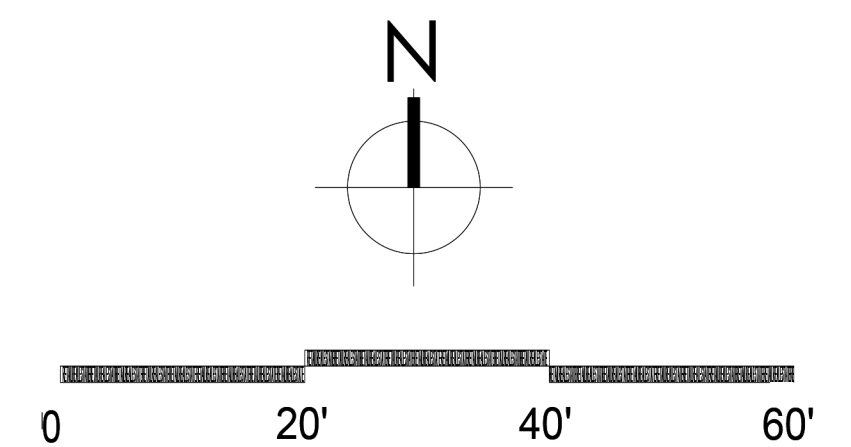
LOADING ZONE: N/A

CAR PARKING COUNT DATA:  
PARKING: 3/1000 SF  
PARKING REQUIRED = 15 (INCL. 1 ACCESSIBLE)  
PARKING PROVIDED = 45 (INCL. 2 ACCESSIBLE)  
\*SHARED PARKING WITH EXISTING DEVELOPMENT\*

DRIVE-THRU VEHICLE STACKING:

MINIMUM REQUIRED: 4 CARS  
PROPOSED STACKING: 4 CARS MIN

SEE CIVIL UTILITY PLAN FOR PAVED AREA AND IMPERVIOUS SURFACE AREA CALCULATIONS. IF REQUIRED.



MOUNT PROSPECT BUSSE RELO  
2 W NORTHWEST HWY.  
MOUNT PROSPECT, IL

# ARCHITECTURAL SITE PLAN

05.18.2020

Architect/Designer

The Architects Partnership  
200 South Michigan Avenue  
Chicago, IL 60604  
t: 312.583.9800  
f: 312.583.9890  
TAP Project Number: 20015





T.O. PARAPET  
+21'-6"  
 T.O. PARAPET  
+19'-4"  
 B.O. CANOPY  
+10'-0"  
 T.O. WINDOW & DOOR FRAMES  
+7'-4"  
 T.O. SLAB / FND.  
0'-0"  
 T.O. PUBLIC SIDE WALK  
-1'-10"



NORTH ELEVATION



STORE FRONT  
COLOR: CLEAR ALUM.



METAL CANOPY  
COLOR: SILVER "CHASE"



CLEAR GLASS



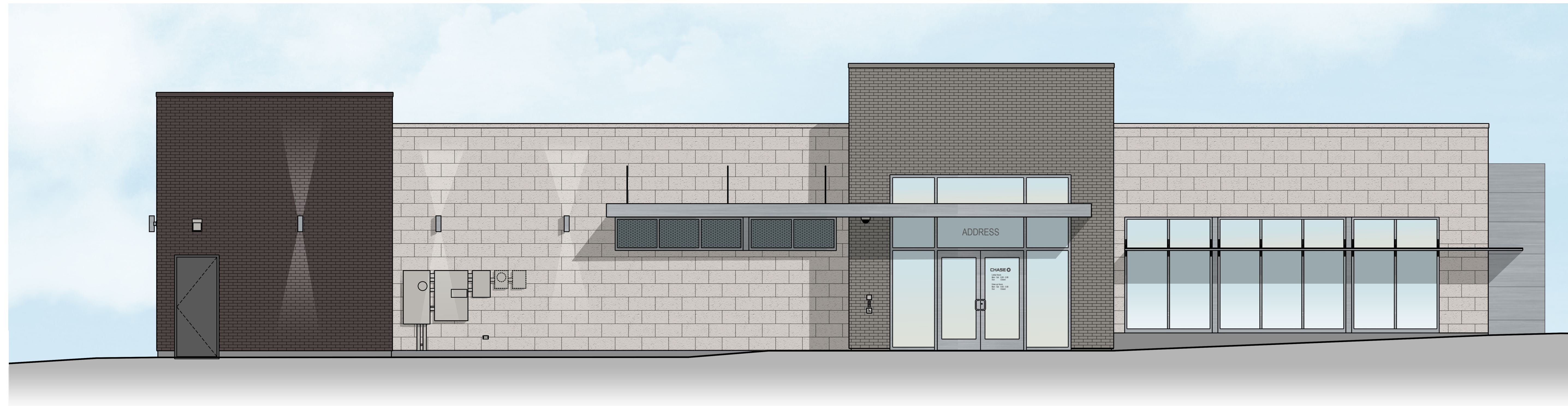
CAST STONE



BRICK  
COLOR: PLATINUM



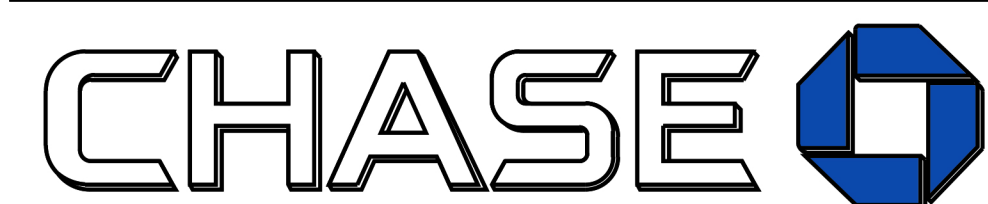
BRICK  
COLOR: MIDNIGHT



WEST ELEVATION

T.O. PARAPET  
+21'-6"  
 T.O. PARAPET  
+19'-4"  
 T.O. PARAPET  
+17'-0"  
 ACM ROOF EDGE  
+14'-4"  
 T.O. WINDOW OPENING  
+10'-0"  
 B.O. CANOPY  
+10'-0"  
 B.O. WINDOW OPENING  
+7'-6"  
 T.O. PUBLIC SIDE WALK  
+1'-4"  
 T.O. SLAB / FND.  
0'-0"

SCALE:  $\frac{1}{4}" = 1'$



MOUNT PROSPECT BUSSE RELO  
 2 W NORTHWEST HWY.  
 MOUNT PROSPECT, IL

## ARCHITECTURAL ELEVATIONS

05.18.2020

Architect/Designer  
 The Architects Partnership  
 200 South Michigan Avenue  
 Chicago, IL 60604  
 t: 312.583.9800  
 f: 312.583.9890  
 TAP Project Number: 20015



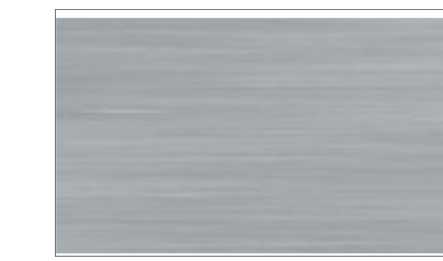




SOUTH ELEVATION



STORE FRONT  
COLOR: CLEAR ALUM.



METAL CANOPY  
COLOR: SILVER "CHASE"



CLEAR GLASS



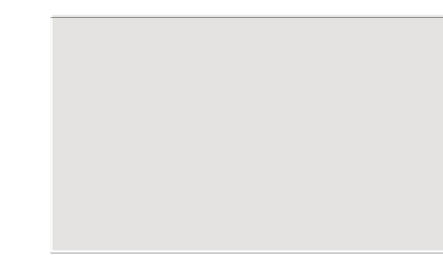
CAST STONE



BRICK  
COLOR: PLATINUM



BRICK  
COLOR: MIDNIGHT

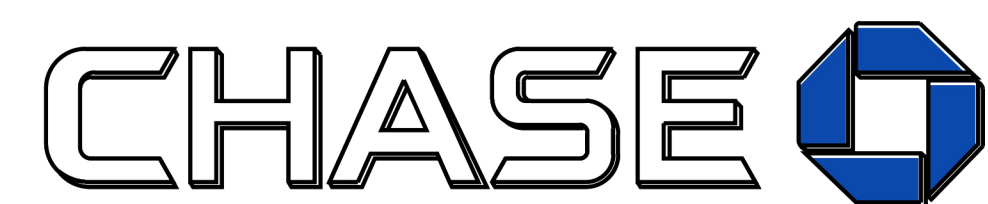


COLUMN  
"WHITE CLOUD"



EAST ELEVATION

SCALE:  $\frac{1}{4}" = 1'$



MOUNT PROSPECT BUSSE RELO  
2 W NORTHWEST HWY.  
MOUNT PROSPECT, IL

## ARCHITECTURAL ELEVATIONS

05.18.2020

Architect/Designer

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Chicago, IL 60604  
t: 312.583.9800  
f: 312.583.9890  
TAP Project Number: 20015







## Item Cover Page

<b>Subject</b>	<b>PZ-10-20 / 50 S. Emerson Street / Text Amendments / Village Board Final</b>
Meeting	June 11, 2020 - MOUNT PROSPECT PLANNING AND ZONING COMMISSION -
Category	<b>NEW BUSINESS</b>
Type	Action Item

### **Information**

To meet the strategic goals and needs of the community while fostering a business-friendly environment, the Community Development Department is recommending the following text amendments to the zoning ordinance of the Village Code:

#### ***Article III, Section 14.316: Unenclosed Porches in the Required Front Yard Setback***

The Zoning Ordinance requires administrative conditional use review and approval by the Director of Community Development for unenclosed porches encroaching no more than five feet (5') into the required front yard setback. In the last five (5) years, there have been sixteen (16) administrative conditional use requests for unenclosed porches. All sixteen (16) were approved without opposition from the public. As such, staff is recommending that improvements of this type instead be made permitted obstructions and their standards converted into additional requirements that still apply. Staff would ensure that all standards would be met, but it would take place as part of the building permit process instead of requiring conditional use approval. Thus, Section 14.316 of the Zoning Ordinance would be eliminated entirely, with select regulations being relocated to what is currently *Article III, Section 14.319: Permitted Obstructions*.

#### ***Article III, Section 14.317: Environmentally Sensitive***

### ***Development Techniques***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.316 of the Zoning Ordinance.

### ***Article III, Section 14.318: Fences and Walls***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.317 of the Zoning Ordinance.

### ***Article III, Section 14.319: Permitted Obstructions***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.318 of the Zoning Ordinance. Additionally, the applicable unenclosed porch regulations mentioned previously would be made part of this section. The permitted obstruction table would also be altered to reflect the inclusion of unenclosed porches as a permitted obstruction. The regulations carried over from *Article III, Section 14.316 Unenclosed Porches in the Required Front Yard Setback* would be placed in subsection 'C': *Additional Requirements for Permitted Obstructions*.

### ***Article III, Section 14.320: Vision Clearance***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.319 of the Zoning Ordinance.

### ***Article VI: Land Use Table I***

With unenclosed porches becoming a permitted obstruction and no longer requiring conditional use approval, it is no longer necessary to include unenclosed front porches in Land Use Table I of the Zoning Ordinance.

### ***Article VI: Land Use Table II***

Several updates are proposed for Land Use Table 2 of the Zoning Ordinance to meet the strategic goals and needs of



the community and foster a business-friendly environment in the community. First, the O/R Office Research District is proposed to be removed from the table entirely. With the last O/R zoned property in the village being rezoned to I-1 Limited Industrial in 2018, the zoning district should be removed from the Zoning Ordinance entirely.

New indoor amusement uses are constantly evolving and locating in vacant retail spaces. However, the village Zoning Ordinance does not have a relevant use in the land use table for these uses. Therefore, staff are proposing to broaden the current 'amusement establishment indoor only' use from being limited to coin operated machines operated by buttons, dials, and trigger devices to any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, bumper cars, and all games or operations similar thereto under whatever name they may indicate. Such definition does not include a bowling alley, a jukebox, or other coin operated music machine or a mechanical riding device. With this change, staff is also proposing to allow uses of these types in the B-3 and B-4 districts by right and in the B-5 and B-5C districts subject to conditional use approval due to parking concerns. The relevant definition change is proposed in *Article XXIV: Definitions*.

Per the Zoning Ordinance, archery ranges and shooting galleries are allowed in the B-4 and I-1 districts subject to conditional use approval. Staff are proposing to separate archery ranges from shooting galleries, instead creating a separate 'primitive weapon galleries' use and 'shooting galleries' uses. Primitive weapon galleries are becoming ever popular in today's business climate, especially with the creation of axe throwing leagues. Staff is proposing to allow primitive weapon galleries in the B-3 and B-4 districts as permitted uses and in the B-5, B-5C, and I-1 districts subject to conditional use approval. The location of shooting galleries would remain unchanged (allowed in the B-4 and I-1 districts subject to conditional use approval).

Per the Zoning Ordinance, automobile sales, new or used, on

parcels of any size is not allowed in the I-1 Limited Industrial District. Additionally, truck sales, rental, and repair is not allowed in the I-1 Limited Industrial District. However, several parcels annexed in the last five (5) years are affected by the flood plain and are thus largely undevelopable. Allowing the sale of automobiles and trucks on these parcels provides an avenue for these property owners to secure tenants while also complying with floodplain regulations. Staff are confident that allowing the sales of automobiles and trucks in the I-1 Limited Industrial District will not lead to these uses invading existing business parks and that our manufacturing base will be maintained. Therefore, staff is proposing to allow the sale of automobiles and truck sales, rental, and repair in the I-1 Limited Industrial District, subject to conditional use proposal.

Per the Zoning Ordinance, cartage and express facilities are allowed in the I-1 Limited Industrial District subject to conditional use approval. However, with the expansion of distribution centers and the industrial sector as a whole in the last decade, this use has been found to confuse both realtors and tenants looking to locate in the area. Cartage, often referred to as the 'last mile' of parcel shipping, is now largely part of any warehouse, distribution, and storage facility operation, which is a permitted use in Land Use Table 2. As such, staff does not believe it is necessary to include this use in the table any longer, clearing up confusion.

Land Use Table II contains several alcohol-related uses, however a few key uses made popular in the last decade are missing. Staff are proposing to allow both microbreweries and taprooms as permitted uses in the B-3, B-4, B-5, and B-5C zoning districts, with microbreweries also allowed as a conditional use in the I-1 Limited Industrial District.

The Zoning Ordinance does not address where vape shops or tobacco and vaping lounges are allowed to locate in the village. Staff are proposing to separate the tobacco/vape shop use from tobacco/vape lounges due to the amount of time patrons spend at each respective establishment. Tobacco/vape shops would remain permitted uses in the B-3 and B-4 zoning districts, but would no longer be permitted in the B-5 and B-5C districts. Tobacco/vape lounges, a new

use, would be allowed as a conditional use in the B-3 and B-4 zoning districts only. Definitions of tobacco/vape shops and tobacco/vape lounges are provided later in the chapter under *Article XXIV: Definitions*.

***Article IX, Section 14.905: Bulk Regulations (R-1 Single-Family Residence District) and Article X, Section 14.1005: Bulk Regulations (R-A Single-Family Residence District):***

Representing all of the single-family residence zoning districts in the village, these districts contain approximately 12,500 properties between them. Of those properties, more than 1,100 do not comply with the village's current twenty foot (20') exterior side yard setback requirement. That is, the principal structures on more than 1,100 properties in the village encroach into the required exterior side yard setback.

Most of these lots are located closer to the downtown area and are only about fifty feet (50') wide. Providing an exterior side yard setback of twenty feet (20) on one side and an interior side yard setback of five feet (5') on the opposite in the downtown district (R-A Single-Family Residence) leaves many property owners with a development envelope that is only twenty-five feet (25') wide. If the exterior side yard setback requirement was reduced from twenty feet (20') to ten feet (10'), only 181 properties in the village would have nonconformities because of the exterior side yard setback. Therefore, staff is recommending that the exterior side yard setback be reduced from twenty feet (20') to ten feet (10') in the R-1 Single-Family and R-A Single-Family Residence Districts.

***Article XX: O/R Office Research District***

As stated earlier in this report, the last O/R zoned parcel was amended to I-1 Limited Industrial in 2018. As such, this zoning district should be removed from the Zoning Ordinance entirely.

***Article XXII, Section 14.2204: Residential Driveways***

The maximum driveway width allowed for driveways serving two-car garages in the village is twenty-six feet (26'). For

three-car garages, driveways may be up to thirty-three feet (33') wide, but must taper to twenty-six feet (26') within the first eighteen feet (18') of the garage. This tapering requirement does not allow for one to park in front of the third stall because not enough room is provided before the driveway must taper to twenty-six feet (26'). Instead, it causes residents to turn in to and out of their third garage stall, which is not desirable. Further, it makes parking trailers and recreational vehicles in these stalls difficult to do without going off of the pavement into the grass.

Staff is proposing to remedy the situation by allowing a maximum width of thirty-three feet (33') within the first eighteen feet (18') of the garage so that residents are able to park in front of all three (3) garage stalls. Staff is simultaneously proposing that driveways be required to taper to twenty-six feet (26') within thirty feet (30') of the garage's front elevation. This provides an eighteen foot (18') parking space in front of the third garage stalls and twelve feet (12') of taper, which should provide the room necessary to easily pull into and out of the third garage stall. Lot coverage requirements will remain unchanged and still apply to all single-family residence properties in the village.

#### ***Article XXII, Section 14.2205: Accessible Parking Requirements***

The village amended the accessible parking requirements in 2016 to be in-line with requirements put forward by the State of Illinois in the Illinois Accessibility Code. However, the State of Illinois changed the Illinois Accessibility Code just last year. Staff is proposing to move away from providing specific language regarding accessible parking design and believes that the code should instead reference the Illinois Accessibility Code so that the parking regulations are always consistent with the state's regulations.

#### ***Article XXIV: Definitions***

As stated previously, staff is proposing several new definitions to facilitate the proposed amendments. They include alterations to the definition of amusement, shooting gallery, primitive weapon gallery, tobacco/vape shop, and tobacco/vape lounge.

### ***Chapter 11, Article 5: Bowling Alleys, Billiard Parlors, and Shooting Galleries***

Chapter 11 of the Village Code contains regulations regarding individual business types. Due to the proposed separation of primitive weapon uses from shooting galleries, Chapter 11 must also be updated. Staff is proposing that 'primitive weapon galleries' be made part of *Article 5: Bowling Alleys, Billiard Parlors, and Shooting Galleries*, and all associated regulations, fees, and inspections be consistent with shooting galleries as amended.

The proposed amendments to the Zoning Code would be applicable to the community as a whole and are not proposed in response to an individual parcel within the Village of Mount Prospect. The amendments are comprehensive in nature, and will have limited impact on creating additional nonconformities. While creating new uses and allowing other uses in different districts, the proposed amendments do not make the zoning ordinance more permissive as a whole. The majority of the proposed changes are intended to reflect current village objectives as outlined in the Comprehensive Plan and other accepted planning documents. The proposed amendments satisfy the standards for text amendments as required in the zoning code.

The proposed text amendments to the zoning code are contained in the attached documents. The proposed text amendments meet the standards contained in Section 14.203.D of the Zoning Ordinance. Based on these findings, staff recommends that the Planning and Zoning Commission make a recommendation to the Village Board to approve the following motion:

#### **Alternatives**

1. To approve the text amendments as outlined in the attached documents for case PZ-10-20 which amend both the Zoning (Chapter 14) and Merchants, Businesses,

Occupations, and Amusements (Chapter 11) regulations.  
2. Action at the discretion of the Planning and Zoning Commission.

**Staff Recommendation**

To recommend approval of the text amendments as outlined in the attached documents for case PZ-10-20 which amend both the Zoning (Chapter 14) and Merchants, Businesses, Occupations, and Amusements (Chapter 11) regulations.

ATTACHMENTS:

[2020 Code Changes - Redline.pdf](#)

[Administrative Content.pdf](#)

[2020 Code Changes - Final.pdf](#)

## CHAPTER 11 MERCHANTS, BUSINESSES, OCCUPATIONS AND AMUSEMENTS

### 11.102: RULES AND DEFINITIONS:

~~AMUSEMENT DEVICE: Any machine, game, table or device which is designed, intended or used as a test of skill or entertainment, and may be operated by the manipulation of buttons, dials, trigger devices or electrical impulses upon the insertion of a coin, or token, or the use of which is made available for any valuable consideration; and such amusement device shall include, but not be limited to, devices commonly known as pinball machines, video games, electronic games, pool or billiard tables and all games or operations similar thereto under whatever name they may be indicated.~~ Any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, and bumper cars, and all games or operations similar thereto under whatever name they may be indicated. Such definition does not include a bowling alley, a jukebox or other coin operated music machine or a mechanical ~~amusement~~-riding device.

GALLERY, SHOOTING: A place maintained for profit and to give patrons an opportunity to practice their skills at putting guns discharging projectiles of all kinds, ~~darts or other weapons~~ in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

GALLERY, PRIMITIVE WEAPON: A place maintained for profit and to give patrons an opportunity to practice their skills at putting bows and arrows, hand axes, and other primitive weapons in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

### 11.501: LICENSE REQUIRED:

No person shall operate or maintain a bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery open to the public, except in compliance with the provisions of this Article. It shall be unlawful for any person to operate or maintain a bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting gallery in the Village without first having applied for and obtained a business license from the Village Clerk as provided in Chapter 10 of this Code in order to operate such bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting gallery. (1981 Code)

### 11.502: LICENSE FEES:

A. Bowling alleys and billiard parlors shall be designated as Class I establishments and shall pay the annual fees as set forth in Article XXXIV of this Chapter.

B. Shooting or primitive weapon galleries shall pay the annual fees as set forth in Article XXXIV of this Chapter. (1981 Code; Ord. 3617, 3-4-1986)

### 11.503: CONDUCT:

A. All persons present upon the premises containing any bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery shall conduct themselves in an orderly manner so as not to disturb the peace and quiet of those premises by "disorderly conduct" as defined in this Code.

B. It shall be unlawful for any person to gamble, bet or permit any form of gambling or betting in or upon any premises used as a bowling alley or containing a billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery. (1981 Code)

#### 11.504: HOURS OF OPERATION:

A. It shall be unlawful for any person to keep open, operate or use any billiard table, pool table, bagatelle table, pigeonhole table and/or shooting [or primitive weapon](#) gallery in the Village between: the hours of one o'clock (1:00) A.M. and six o'clock (6:00) A.M. on Monday through Saturday, inclusive; and between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. on Sundays and on January 1, of each year.

B. It shall be unlawful for any person to keep open, operate or use any bowling alley in the Village between: the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. on each day of the year. (1981 Code)

#### 11.505: PLACE OF BUSINESS:

Nothing in this Article shall be construed so as to be in conflict with the Zoning Ordinance of the Village. (1981 Code)

#### 11.506: INSPECTIONS:

It shall be the duty of the Department of Community Development to inspect every establishment licensed under this Article as often as necessary to insure compliance with this Article and all other ordinances relating thereto. Furthermore, with respect to shooting [and primitive weapon](#) galleries, the above inspections shall make certain that targets are placed before a backstop of steel sufficiently thick to prevent any bullet, [projectile, or object](#) from piercing it, and so arranged that there shall be no danger from ricocheting bullets, [projectiles, or objects](#), or deflected pieces of [bullet](#)~~same~~. Failure of the owner or operator to so arrange such targets shall constitute a violation of this Code. (1981 Code; Ord. 3617, 3-4-1986)

#### 11.3410: OTHER FEES:

K. Shooting [and primitive weapon](#) galleries.

### Appendix A, DIVISION II – FEES, RATES, AND TAXES

#### Section 11.3410: OTHER FEES:

A.	Auctioneers	\$150.00	annually
		50.00	per month for any period less than 1 year
		25.00	per day, for any period less than 1 month
B.	Carnivals and circuses	150.00	per day, with a minimum fee of \$450.00 plus \$45.00 per hour ride inspection fee
C.	Concessions and sideshows	7.50	per day associated with a carnival or circus
D.	Coin in slot devices:		
	1. Amusement devices/pinball/electronic games	150.00	per machine annually or \$500.00 for a single business location; whichever is less
	2. Tobacco vending machines	150.00	per machine annually
	3. Jukeboxes	35.00	per machine annually
	4. \$0.01 to \$0.10 candy, gum and nuts	5.00	per machine annually



	5. All other coin in slot or reverse coin devices	20.00	per machine annually or \$250.00 for a single business location; whichever is less
E.	Food service vehicles	150.00	per vehicle annually
F.	Gold and silver merchants:		
	1. Itinerant	50.00	per day
	2. Permanent buyer, trader or exchanger	175.00	annually
	3. Permanent seller only	See class I establishments	
G.	Golf courses/golf driving ranges/miniature golf courses	150.00	annually
H.	Outdoor advertisers	225.00	annually
I.	Parking lot employee identification card	5.00	per card annually
J.	Towing services/wreckers	30.00	per towing truck annually
K.	Shooting <a href="#">and primitive weapon</a> galleries	150.00	annually
L.	Over the counter tobacco sales	50.00	annually
M.	Itinerant merchant/vendors:		
	1. Itinerant merchant, hawker, peddler, or transient or vendor	150.00	annually
		75.00	per month for any period less than 1 year; \$10.00 per day for any period less than 1 month
	2. Vending machine company	100.00	annually
	3. Itinerant retailer registration	20.00	per registration
N.	Promotional events	20.00	per permit
O.	Massage establishment	250.00	annually first year
		100.00	annually subsequent years

#### **~~14.316: UNENCLOSED PORCHES IN THE REQUIRED FRONT YARD SETBACK:~~**

~~—A.— Action By Director Of Community Development: The director of community development shall hear and decide as final administrative authority, petitions for unenclosed porches in the required front yard setback. Petitions which require review by the planning and zoning commission for additional relief shall be decided by the planning and zoning commission.~~

~~—B.— Petitions: With respect to petitions for unenclosed porches in the required front yard setback, the director of community development shall make findings of fact based on the petition and public input according to the following standards:~~

~~—1.— Whether a site line obstruction will be created.~~

~~—2.— Whether materials used in construction of the porch will be consistent with the remainder of the structure.~~

~~—3.— Whether the design blends with the existing structure and neighboring homes.~~

~~—4.— Whether the proposed porch is in character with the neighborhood.~~

~~—C.— Filing Of Applications: An application for an unenclosed front porch in the required front yard setback shall be filed with the director of community development on forms obtained from the community development department. Such form shall include all information necessary for processing the request, including, but not limited to, legal description of subject property, survey, site plan, description of building materials, appropriate proof of ownership or other authority to file the application. The application shall be filed with the appropriate fee as set forth in appendix A, division II of this code.~~

~~—D.— Hearings: Administrative hearings shall be held only for unenclosed porches in the required front yard setback and must be in compliance with the provisions of this section.~~

~~—1.— Upon receipt of an application for unenclosed porches in the required front yard setback, the director of community development shall review the application for completeness and assign a case number to the request.~~

~~—2.— For all applications for an unenclosed porch in the required front yard setback, the department of community development shall notify all owners of record of property lying within one hundred feet (100'), of the subject property. The applicant shall attest in writing that the list of property owners is true and accurate. The director of community development shall cause a copy of the public notice to be mailed to all property owners on the list no more than thirty (30) days nor less than seven (7) days prior to the hearing.~~

~~—3.— An administrative notice shall contain the case number assigned to the application, the address of the property, a brief statement on the nature of the request, the name and address of the property owner, the petitioner and their legal representative, and the date, time and location of the administrative hearing.~~

~~—4.— For all applications for unenclosed porches in the required front yard setback, the director of community development shall also cause one or more signs to be posted on the subject property.~~

~~—5.— The number and location of signs shall be determined by the director of community development.~~

~~—6.— The sign must be a minimum of thirty inches by thirty inches (30" x 30") in size, having letters a minimum of two inches (2") high, and contain the following information:~~

~~—a.— That an administrative hearing that affects the subject property will be held, with direction to interested members of the general public to call the community development department for further information concerning date, time and place and subject matter of said administrative hearing.~~

~~—b.— Any interested person may appear and be heard at the hearing and such appearance may be made in person, by agent (if a corporation), or in writing.~~

~~—E. Standards: No front porch in the required front yard shall be approved by the director of community development unless it is found:~~

~~—1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;~~

~~—2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located;~~

~~—3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;~~

~~—4. That the porch as designed is unenclosed and does not encroach more than five feet (5') into the required front yard;~~

~~—5. That no site line obstruction will be created;~~

~~—6. That building materials will be consistent with the remainder of the structure;~~

~~—7. That the design blends with the existing structure and neighboring homes; and~~

~~—8. That the proposed porch is in character with the neighborhood.~~

~~—F. Appeal Of Director Of Community Development Decision: Any individual may file an appeal of the decision of the director of community development regarding an administrative conditional use with the planning and zoning commission. Such appeal shall be filed with the director of community development within five (5) calendar days of the director's decision.~~

~~—G. Conditions And Guarantees: In all cases where an administrative conditional use is granted, and conditions regulating the use are established as described in subsection E of this section the director of community development shall require such evidence and guarantees as it may deem necessary as proof that the conditional use complies with all regulating conditions.~~

~~—H. Conditional Use Revocation:~~

~~—1. In any case where the construction of an approved front porch encroaching into the required front yard setback is not substantially underway, or building commenced within one year from the date of approval, and completed within eighteen (18) months, then, without further action by the village board, the conditional use or authorization shall be null and void.~~

~~—2. This conditional use may be revoked by the director of community development if the porch constructed on the site does not conform to the established conditions for approval. Any decisions by the director of community development may be appealed to the planning and zoning commission as prescribed in subsection 14.202B3 of this chapter. (Ord. 6286, 12-6-2016)~~

#### **14.3176: ENVIRONMENTALLY SENSITIVE DEVELOPMENT TECHNIQUES:**

#### **14.3187: FENCES AND WALLS:**

#### **14.3198: PERMITTED OBSTRUCTIONS:**

A. Permitted Obstructions In Required Yards: Permitted obstructions in the C-R District are regulated in article VII of this chapter. For all other zoning districts, the following regulations shall be applicable to structures located within the required yards. For structures located within the buildable area (outside of the required yards), bulk, lot coverage and other associated regulations within this chapter shall apply.

<b>Encroachments Permitted In Required Yards As Determined By The Building Setback Line</b>				
	<b>Front</b>	<b>Exterior Side</b>	<b>Side</b>	<b>Rear</b>
Arbors, not to exceed a width of 5', a depth of 3', and a height of 8', with a minimum setback of 3' from side lot lines			P	P
Boat slips, when adjacent to a navigable waterway				P
Central air conditioning units, generators, and similar mechanical equipment, subject to the requirements in subsection C of this section				P
Decorative outdoor structures, maximum footprint of 4 sq. ft., maximum of 2 structures per lot, with a maximum height of 8'	P	P	P	P
Driveways subject to the regulations noted in article XXII of this chapter	P	P	P	P
Eaves, gutters, chimneys, bay windows encroaching not more than 24", no closer than 12" to a lot line	P	P	P	P
Handicap ramps in side yards, encroaching no more than 50%			P	
Landscape terraces and retaining walls, subject to approval by the Engineering Division and issuance of a building permit	P	P	P	P
Maximum of 4 rain barrels per lot, up to 55 gallons in size each, subject to the requirements in subsection C of this section		P	P	P
Off street parking pads subject to the regulations noted in article XXII of this chapter			P	P
Open stoops and canopies no larger than 8' x 5', excluding steps	P	P	P	P
Outdoor storage cabinets, subject to requirements in subsection C of this section				P
Patios, balconies, and decks with a minimum setback of 15' from the rear lot line and outside the required side yard				P
Service walks, sidewalks, steps, and handicap ramps up to 8' in width	P	P		
Service walks, sidewalks, steps, and handicap ramps up to 3' in width			P	P
Sport courts with a minimum setback of 15' from the rear lot line and a minimum 5' from the side lot line, including associated equipment such as basketball standards				P
Stationary basketball standards, when adjacent to an existing driveway	P	P	P	P
Trellises, not to exceed 8' in height and a total width of 10', maximum of 2 structures per lot			P	P
<a href="#"><u>Unenclosed porches, not to encroach more than 5' into the required setback, excluding steps</u></a>	<u>P</u>			

B. Exceptions:

1. Lot Coverage And Floor Area Ratio: Permitted obstructions shall comply with requirements for "impervious surface" and floor area ratio as defined in this chapter with exception of outdoor storage cabinets, decorative outdoor structures, rain barrels, arbors and trellises.
2. Building Permits: A building permit is not required for the following permitted obstructions: outdoor storage cabinets, basketball standards, decorative outdoor structures, rain barrels, arbors and trellises, as defined in this chapter.
3. Number Permitted: Permitted obstructions as listed in this section shall not contribute to the total number of accessory structures permitted per lot as regulated in section 14.306 of this article.

C. Additional Requirements For Permitted Obstructions:

1. Rain Barrels: Rain barrels located in exterior side yards shall be screened via landscaped hedge. Rain barrels shall be equipped with a screen to prevent insect nesting and provide an overflow system to direct excess rainwater away from the primary building structure.
2. Mechanical Equipment: Central air conditioning units, generators and similar mechanical equipment shall be located on the rear elevation of any principal structure. If the units cannot be reasonably placed on the rear elevation because of operational reasons, such units may be placed in up to twenty five percent (25%) of a required side yard, provided such location does not result in exhaust discharge upon any adjoining building or vegetation. Documentation verifying that the units cannot be located at the rear of the structure shall be submitted by the installer and approved by the Director of Community Development. A screening plan which includes fencing or landscaping must be submitted with the permit and approved by the Director of Community Development.
3. Outdoor Storage Cabinets:
  - a. Number Permitted: A maximum of one (1) outdoor storage cabinet is permitted per lot.
  - b. Size: Outdoor storage cabinets shall not exceed one hundred (100) cubic feet in size, and shall not exceed a height of seven feet (7').
  - c. Location: Outdoor storage cabinets shall not be located in a required front or exterior side yard. On lots fifty five feet (55') in width or less, outdoor storage cabinets shall be set back three feet (3') from any interior side or rear lot line. On lots greater in width than fifty five feet (55'), outdoor storage cabinets shall be set back five feet (5') from any interior side or rear lot line. (Ord. 6286, 12-6-2016)
4. Unenclosed Porches:
  - a. No site line obstruction shall be created;
  - b. Building materials shall be consistent with the remainder of the structure;
  - c. The design shall blend with the existing structure and neighboring homes; and
  - d. The porch shall be in character with the neighborhood.

**14.32019: VISION CLEARANCE:**

## 14.604: LAND USE TABLES:

LAND USE TABLE 1  
RESIDENTIAL AND RECREATIONAL ZONING DISTRICTS

Land Use	C-R	R-X	R-1	R-A	R-2	R-3	R-4
Accessory structures	P	P	P	P	P	P	P
Accessory structures greater than 30 feet in height	C						
Assisted living facility when approved as part of a PUD						C	C
Attached single-family homes					P		
Churches, synagogues, mosques, or other houses of worship		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Churches, synagogues, mosques, or other houses of worship planned unit developments		C	C	C	C	C	
Circular/dual frontage driveways		C	C	C	C		
Colleges and universities		C	C	C	C		
Community centers	C						
Conservatories	C						
Convalescent homes/nursing homes							C
Cultural institutions		C	C	C	C		
Daycare center		C	C	C	C	C	
Daycare home		P	P	P	P	P	P
Detention or retention facilities	C						
Dormitory accommodations		C	C	C	C	C	
Elementary schools		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Family community residence (located at least 1,000 feet from another family community residence)		P	P	P	P	P	P
Family community residence (located within 1,000 feet of another family community residence)		C	C	C	C	C	C
Foster care homes		P	P	P	P	P	P
Garages for parking of commercial vehicles				C	C		
Golf courses	P						
Group community residence		C	C	C	C	C	C
High schools		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Home occupations		P	P	P	P	P	P
Libraries		C	C	C	C	C	

Lighted ball fields	C						
More than 1 garage		C	C	C	C		
Multi-family dwellings						P	P
Municipal buildings		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Museums	C	C	C	C	C	C	
Nature preservation areas	P						
Parks and playgrounds	P						
Personal wireless service facilities, structure mounted	P	P	P	P	P	P	P
Planned unit developments	C						
Private or parochial schools		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Public recreational facilities							P
Recreational complexes	C						
Rehabilitation homes		C	C	C	C	C	C
Residential planned unit developments		C	C	C	C	C	
Senior housing when approved as part of a PUD						C	C
Single-family detached dwellings		P	P	P	P	P	
Studios	C						
Tennis courts, swimming pools, volleyball courts, and similar recreational facilities	P						
Two-family dwellings					P	P	
<del>Unenclosed front porches attached to a single-family residence</del>		€	€	€	€	€	€
Unlighted ball fields	P						

LAND USE TABLE 2  
COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Land Use	B-1	B-2	B-3	B-4	B-5	B-5C	<del>Q-R</del>	I-1	I-3
Accessory structures	P	P	P	P	P	P	<del>P</del>	P	P
Accessory uses (10 percent retail of permitted uses)								P	
Amusement establishment			C	C					
Amusement establishment indoor only			<del>C</del> P	P	C	C			
Animal daycare center and kennels			C	C	C	C			
Animal hospital and veterinary clinics			C	C	C	C			
Antique shops			P	P	P	P			

<del>Archery ranges, shooting galleries</del>				€				€	
Art and school supply stores			P	P	P	P			
Art and woodcraft studios			P	P	P	P			
Art, sculptor, and composer studios			P	P	P	P			
Art shops or galleries (not auction rooms)			P	P	P	P			
Automobile accessory stores			P	P	P	P			
Automobile fueling stations			C	P	C	C		C	
Automobile garages				P	C	C		C	
Automobile leasing/rental agencies	P		P	P					
Automobile maintenance and service center			C	P	C	C		C	
Automobile sales, new or used (with 2 acres or less)				C				<u>C</u>	
Automobile sales, new or used (with over 2 acres)			C	P	C	C		<u>C</u>	
Bakeries		P	P	P	P	P		P	
Banks and financial institutions		C	P	P	P	P	P		
Banquet halls			P	P					
Barber and beauty shops		P	P	P	P	P			
Bicycle sales, rental and repair			P	P	P	P			
Billiard and pool halls			C	C	C	C			
Boat showroom, sales and repair				C					
Bowling alleys			P	P	P	P			
Brewpub		P	P	P	P	P	€	C	
Business machine sales			P	P	P	P			
Camera and photo supply stores, film developing			P	P	P	P			
Candy and ice cream stores		P	P	P	P	P			
Car wash			C	P	C	C		C	
Carpet and rug stores, retail sales			P	P	P	P			
<del>Cartage and express facilities</del>								€	
Catering services			C		C	C			
Children's recreation centers			P	P	P	P			
China and glassware stores			P	P	P	P			
Clothing and apparel retail stores		P	P	P	P	P			
Clothing and costume rental stores			P	P	P	P			
Clubs and lodges	C		P	P	P	P			
Coin and philatelic stores		P	P	P	P	P			
Colleges and universities			C	C	C	C			
Commercial greenhouses and nurseries				P					
Compost collection facility								C	C



Computer offices and facilities	P		P	P	P	P	P	P	
Computer sales, service and accessories			P	P	P	P			
Concrete fabrication								C	
Contractors', architects' and engineers' offices	P		P	P	P	P		P	
Contractors', architects' and engineers' storage yards								C	
Contractors' showrooms			P	P	P	P			
Convenience stores		P	P	P	P	P			
Convention and exhibition halls			C	C					
Cosmetology schools			P	P	P	P		C	
Craft distillery		P	P	P	P	P	P	P	
Dairy products, retail sales			P	P	P	P			
Dance and music academies/studios	P	P	P	P	P	P			
Daycare centers	C	C	C	C	C	C		C	
Department stores			P	P	P	P			
Drive-through and drive-in establishment			C	C	C	C			
Driving schools	C	P	P	P	P				
Drugstore/pharmacy		P	P	P	P	P			
Dry cleaning and laundry establishment		P	P	P	P	P			
Dry cleaning plants								P	
Dwelling units, located above the first floor			C		P	P			
Dwelling units on ground floor					C	C			
Exterminating services								P	
Floor covering store			P	P	P	P			
Florist		P	P	P	P	P			
Food store, grocery store, meat market and delicatessen		P	P	P	P	P			
Funeral homes	C				C	C			
Furniture store			P	P	P	P			
Furrier shops			P	P	P	P			
Gift shop		P	P	P	P	P			
Hardware store		P	P	P	P	P			
Health services, clubs, recreation centers, or gymnasiums			P	P	P	P			
Hearing aid stores			P	P	P	P			
Heliports							€	C	
Home improvement center (no outdoor storage)			P	P	P	P			
Home improvement center with outdoor storage			C	C					

Hospitals	C								
Hotels and motels			C	C	P	P	P		
Household electrical appliance stores			P	P	P	P			
Interior decorating shops			P	P	P	P			
Jewelry stores			P	P	P	P			
Lamp and lighting fixture stores			P	P	P	P			
Laundries								P	
Laundromat, automatic, self- service only		P	P	P	P	P			
Lawn and garden equipment and supply			P	P	P	P			
Leather goods and luggage stores			P	P	P	P			
Libraries		P	P	P	P	P			
Light assembly and repair							P	P	
Liquor stores, packaged goods			P	P	P	P			
Locksmith shop			P	P	P	P			
Machinery sales				C					
Mail order, catalog stores			P	P	P	P			
Mail order houses								P	
Manufacturing, heavy								C	
Manufacturing, light								P	
Martial arts school			P	P	P	P			
Massage establishments			C	C	C	C			
Medical or dental offices	P		P	P	P	P		P	
<a href="#">Microbreweries</a>			<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>		<a href="#">C</a>	
Miniwarehouse								P	P
Motorcycle, snowmobile, or personal watercraft sales				C					
Municipal buildings			P	P	P	P	P	P	
Museums		P	P	P	P	P			
Music stores			P	P	P	P			
Musical instrument sales and repair			P	P	P	P			
Office machine sales and servicing			P	P	P	P			
Office supply stores			P	P	P	P			
Offices, business and professional	P	P	P	P	P	P	P	P	
Optical, orthopedic and medical appliance sales			P	P	P	P			
Outside display and sales					C	C			
Outside service areas					C	C			
Paint and wallpaper stores			P	P	P	P			
Parking lots, other than accessory parking	C		C	P	C	C		P	

Party supply stores			P	P	P	P			
Personal wireless service facilities	P	P	P	P	P	P	P	P	P
Pet shops and grooming establishments			P	P	P	P			
Petroleum tank farm and related accessory uses								C	
Photo developing and image transfer			P	P	P	P			
Photography studios			P	P	P	P			
Picture framing			P	P	P	P			
Planned unit developments	C	C	C	C	C	C	C	C	C
Plastics processing								C	
Post office			P	P	P	P			
<a href="#">Primitive weapon galleries</a>			<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>		<u>C</u>	
Printing and duplicating			P	P	P	P			
Printing and publishing establishments								P	
Public utility and service uses				C	C	C	C	P	
Public works and park district storage yards and related facilities								P	
Radio and television stations, studios and towers			C	P	C	C		P	
Recycling collection centers								C	P
Religious institutions	C								
Repair, rental and servicing of any article of which is permitted use in the district			P	P	P	P			
Research laboratories and testing facilities							P	P	
Restaurants		P	P	P	P	P	C	C	
Restaurants, including entertainment and dancing			P	P	P	P	C		
Secondhand stores and rummage shops			P	P	P	P			
Shoe stores			P	P	P	P			
<a href="#">Shooting galleries</a>				<u>C</u>				<u>C</u>	
Sporting goods stores			P	P	P	P			
Sports training and teaching establishments			C	C				C	
Stadiums, auditoriums and arenas				C				C	
Tailor shops		P	P	P	P	P			
Tanning salon		P	P	P	P	P			
<a href="#">Taprooms</a>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
Taverns and cocktail lounges			P	P	P	P			
Taxi dispatch centers			C	C				P	
Theaters			P	P	P	P			
Theaters, drive-in				C					

Ticket agencies			P	P	P	P			
Tobacco/ <u>Vape</u> shops			P	P	<del>P</del>	<del>P</del>			
<u>Tobacco/Vape Lounges</u>			<u>C</u>	<u>C</u>					
Towing agencies								P	
Toy shops			P	P	P	P			
Trade or vocational schools (excluding cosmetology)				P				C	
Trailer and camper sales and rental				C					
Transfer stations for refuse disposal								C	P
Travel agencies	P		P	P	P	P			
Truck sales, rental and repair				C				<u>C</u>	
Tutoring center			P	P	P	P			
Unique use	C	C	C	C	C	C	<del>C</del>	C	C
Warehouse, distribution and storage facilities							<del>P</del>	P	
Watchman's quarters			P	P	P	P		P	
Wholesale establishment							<del>P</del>	P	

**14.905: BULK REGULATIONS:**

B. Yard Requirements: Any building or structure hereafter constructed or relocated in the R-1 district shall maintain minimum yards as follows:

1. All permitted and conditional uses for residential:

Front yard	30	feet
Interior side yard	10	percent of lot width or 10 feet whichever is less
Exterior side yard	<del>2</del> 10	feet
Rear yard	25	feet

2. All permitted and conditional uses for nonresidential:

Front yard	30	feet
Interior side yard	10	feet minimum, but not less than $\frac{1}{2}$ the height of the principal building
Exterior side yard	<del>2</del> 10	feet
Rear yard	Shall be equal to the height of the principal building or structure but not less than 25 feet	

**14.1005: BULK REGULATIONS:**

B. Yard Requirements: Any building or structure hereafter constructed or relocated in the R-A district shall maintain minimum yards as follows:

1. All permitted and conditional uses for residential:

Front yard	30	feet
Interior side yard	5	feet
Exterior side yard	<del>2</del> 10	feet
Rear yard	25	feet

2. All other permitted and conditional uses for nonresidential:

Front yard	30	feet
Interior side yard	10	feet minimum, but not less than $\frac{1}{2}$ the height of the principal building
Exterior side yard	<del>2</del> 10	feet
Rear yard	Shall be equal to the height of the principal building or structure but not less than 25 feet	

## ARTICLE XX

### O/R OFFICE RESEARCH DISTRICT

#### SECTION:

~~14.2001: Purpose~~

~~14.2002: Permitted Uses~~

~~14.2003: Conditional Uses~~

~~14.2004: Bulk Regulations~~

#### ~~14.2001: PURPOSE:~~

~~The O/R office research district is intended as an area for corporate or headquarters office development, and laboratories, research or product development facilities. Accessory uses such as warehousing, assembly or repair are allowed with permitted uses. The district is expected to encourage development with a high level of excellence in site planning, landscaping and architecture. (Ord. 4590, 9-21-1993)~~

#### ~~14.2002: PERMITTED USES:~~

~~Land uses shall be permitted within the O/R office research district in accordance with the provisions listed in section 14.604 of this chapter. (Ord. 5751, 8-4-2009)~~

#### ~~14.2003: CONDITIONAL USES:~~

~~Land uses shall be allowed by conditional use within the O/R office research district in accordance with the provisions listed in section 14.604 of this chapter. (Ord. 5751, 8-4-2009)~~

#### ~~14.2004: BULK REGULATIONS:~~

~~—A. Yard Requirements: All buildings in the O/R district shall meet the following setback requirements:~~

~~——1. Front Yard: Any building or structure hereinafter erected shall be located not less than thirty feet (30'), plus one foot (1') for every two feet (2') of building height over twenty feet (20'), from the front lot line (primary frontage). If berming, grade differences and landscaped screening is provided, as approved by the community development director, parking may be permitted in all but the first thirty feet (30') of the required front yard.~~

~~——2. Minimum Side Yards:~~

~~——a. Interior Side Yard: Any building or structure hereinafter erected shall be located not less than ten feet (10'), plus one foot (1') for every two feet (2') of building height over twenty feet (20'), from any interior side lot line. If parking or loading facilities or access drives are to be located in a side yard, such facility or drive shall be located a minimum of ten feet (10') from the side lot line, which area shall be properly screened.~~

~~——b. Exterior Side Yard: Any building or structure hereinafter erected shall be located not less than thirty feet (30'), plus one foot (1') for every two feet (2') of building height over twenty feet (20'), from any exterior side lot line. If parking or loading facilities or access drives are to be located in a side yard, such facility or drive shall be located a minimum of thirty feet (30') from the side lot line, which area shall be properly screened.~~

~~——3. Minimum Rear Yard: Any building or structure hereinafter erected shall be located not less than twenty feet (20'), plus one foot (1') for every two feet (2') of building height over twenty feet (20'), from a rear lot line; if parking or loading facilities or access drives are to be located in a rear lot line. If parking or loading facilities or access drives are to be located in a rear yard, such facility or drive shall be located a minimum of thirty feet (30') from rear or exterior lot line, or ten feet (10') from an interior rear lot line, which area shall be properly screened.~~

~~—4. Parking: All surface off street parking and loading areas shall be set back a minimum of ten feet (10') from each property line.~~

~~—B. Building Height: The maximum height of any building in the O/R district shall not exceed sixty feet (60').~~

~~—C. Minimum Lot Area And Maximum Lot Coverage: Minimum lot area, if a separate lot, and building site area if a planned unit development, shall be one acre. The total area of all buildings, structures and parking lots in the O/R district shall be no more than eighty percent (80%) of the total land area.~~

~~—D. Transitional Yards: Where side or rear lot lines coincide with lot lines of property in a residential district a transitional yard of not less than thirty feet (30') shall be provided for any building of thirty feet (30') or lesser height above grade and one foot (1') for each foot of building height for any building in excess of thirty feet (30') in height. If parking or loading facilities or access drives are to be located in a transitional side or rear yard, such facility or drive shall be located a minimum of twenty five feet (25') from the lot line, which area shall be properly screened.~~

~~—E. Restrictions On Office/Research Uses: The design and operation of the uses in the O/R district shall conform to the following requirements:~~

~~—1. Floor area devoted to product assembly and repair shall not exceed thirty percent (30%) of the gross floor area of the facility.~~

~~—2. Floor area devoted to warehouse, distribution, and storage facilities shall not exceed fifty percent (50%) of the gross floor area of the facility.~~

~~—3. No outside storage of material or products shall be permitted. (Ord. 4590, 9-21-1993; amd. Ord. 5173, 3-6-2001; Ord. 5751, 8-4-2009)~~

#### **14.2204: RESIDENTIAL DRIVEWAYS:**

A. Driveways: All single-family and attached single-family driveways shall conform to the

6. Attached Garages: Driveways serving attached garages shall not exceed twenty-six feet (26') in width unless otherwise regulated elsewhere in this chapter.

b. Driveways Serving Three Car Attached Garages: Driveways serving three (3) car attached garages may be the same width as the garage, not to exceed a maximum width of thirty three feet (33'); within the first eighteen feet (18') of the garage's front elevation, and shall taper to a width no greater than twenty-six feet (26') within thirty feet (30') of the garage's front elevation. ~~and shall be tapered to a width no greater than twenty six feet (26') within eighteen feet (18') of the garage's front elevation.~~

7. Detached Garages: Driveways serving detached garages shall not exceed twenty-six feet (26') in width unless otherwise regulated elsewhere in this chapter.

b. Driveways Serving Detached Garages: Driveways serving detached garages may be the same width as the garage not to exceed a maximum width of thirty three feet (33') within the first eighteen feet (18') of the garage's front elevation, and shall taper to a width no greater than twenty-six feet (26') within thirty feet (30') of the garage's front elevation. ~~and shall be tapered to a width no greater than twenty six feet (26') within eighteen feet (18') of the garage's front elevation.~~ Maximum measurement shall be taken from garage's edge farthest from the side lot line, running parallel to the garage facade.

#### **14.2205: ACCESSIBLE PARKING REQUIREMENTS:**

Accessible parking spaces shall be provided in compliance with the Illinois Accessibility Code, as amended from time to time, and all additional governing codes and applicable laws.

A. Size And Markings: Accessible stall dimensions, striping, and access aisles shall be consistent with the Illinois Accessibility Code. ~~Each accessible parking stall shall measure sixteen feet (16') wide, including either an eight-foot (8') wide or five-foot (5') wide diagonally striped access aisle. The access aisle shall be located on either side of the vehicle space except for angled parking spaces, which shall have the access aisle located on the passenger side of the vehicle space. Adjacent accessible parking spaces cannot share access aisles. The standard length of accessible parking stalls shall be the same as all other parking stalls.~~

#### **ARTICLE XXIV DEFINITIONS**

##### **14.2401: PURPOSE:**

~~AMUSEMENT DEVICE: Any machine, game, table or device which is designed, intended or used as a test of skill and may be operated by the public upon insertion of coin, or token, or the use of which is made available for any viable consideration and is operated by the manipulation of buttons, dials, trigger devices or electrical impulses.~~ Any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, bumper cars, and all games or operations similar thereto under whatever name they may be indicate. Such definition does not include a bowling alley, a jukebox or other coin operated music machine or a mechanical riding device.

GALLERY, SHOOTING: A place maintained for profit and to give patrons an opportunity to practice their skills at putting guns discharging projectiles of all kinds in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

GALLERY, PRIMITIVE WEAPON: A place maintained for profit and to give patrons an opportunity to practice their skills at putting bows and arrows, hand axes, and other primitive weapons in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

TOBACCO/VAPE SHOP: A retail establishment which offers the sale or distribution of tobacco, smokeless tobacco, or alternative nicotine products. "Retail" means the sale of commodities in small quantities directly to the ultimate customer.

TOBACCO/VAPE LOUNGE: An establishment where patrons share or smoke alternative nicotine products or shisha (flavored tobacco). Tobacco and Vape Lounges must abide by all regulations set forth by the State of Illinois.



VILLAGE OF MOUNT PROSPECT 50 S. Emerson Street, Mount Prospect, IL 60056

**STAFF REPORT FROM THE DEPARTMENT OF** Community Development

William J. Cooney, AICP  
Director of Community Development

Jason C. Shallcross, AICP  
Senior Planner



**DATE:** June 4<sup>th</sup>, 2020

**CASE NUMBER**

PZ-10-20

**PUBLIC HEARING DATE**

June 11, 2020

**APPLICANT/PROPERTY OWNER**

Village of Mount Prospect

**PROPERTY ADDRESS/LOCATION**

50 South Emerson Street

**BRIEF SUMMARY OF REQUEST**

To meet the strategic goals and needs of the community while fostering a business-friendly environment, the Community Development Department is recommending several text amendments to the zoning ordinance of the Village Code.

**STAFF RECOMMENDATION**

APPROVE

APPROVE WITH CONDITIONS

DENY

**DISCUSSION OF STAFF RECOMMENDATION**

**PROPOSAL**

To meet the strategic goals and needs of the community while fostering a business-friendly environment, the Community Development Department is recommending the following text amendments to the zoning ordinance of the Village Code:

***Article III, Section 14.316: Unenclosed Porches in the Required Front Yard Setback***

The Zoning Ordinance requires administrative conditional use review and approval by the Director of Community Development for unenclosed porches encroaching no more than five feet (5') into the required front yard setback. In the last five (5) years, there have been sixteen (16) administrative conditional use requests for unenclosed porches. All sixteen (16) were approved without opposition from the public. As such, staff is recommending that improvements of this type instead be made permitted obstructions and their standards converted into additional requirements that still apply. Staff would ensure that all standards would be met, but it would take place as part of the building permit process instead of requiring conditional use approval. Thus, Section 14.316 of the Zoning Ordinance would be eliminated entirely, with select regulations being relocated to what is currently *Article III, Section 14.319: Permitted Obstructions*.

***Article III, Section 14.317: Environmentally Sensitive Development Techniques***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.316 of the Zoning Ordinance.

***Article III, Section 14.318: Fences and Walls***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.317 of the Zoning Ordinance.

### ***Article III, Section 14.319: Permitted Obstructions***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.318 of the Zoning Ordinance. Additionally, the applicable unenclosed porch regulations mentioned previously would be made part of this section. The permitted obstruction table would also be altered to reflect the inclusion of unenclosed porches as a permitted obstruction. The regulations carried over from *Article III, Section 14.316 Unenclosed Porches in the Required Front Yard Setback* would be placed in subsection 'C': *Additional Requirements for Permitted Obstructions*.

### ***Article III, Section 14.320: Vision Clearance***

With the elimination of Section 14.316 of the Zoning Ordinance, this section would be renumbered as Section 14.319 of the Zoning Ordinance.

### ***Article VI: Land Use Table I***

With unenclosed porches becoming a permitted obstruction and no longer requiring conditional use approval, it is no longer necessary to include unenclosed front porches in Land Use Table I of the Zoning Ordinance.

### ***Article VI: Land Use Table II***

Several updates are proposed for Land Use Table 2 of the Zoning Ordinance to meet the strategic goals and needs of the community and foster a business-friendly environment in the community. First, the O/R Office Research District is proposed to be removed from the table entirely. With the last O/R zoned property in the village being rezoned to I-1 Limited Industrial in 2018, the zoning district should be removed from the Zoning Ordinance entirely.

New indoor amusement uses are constantly evolving and locating in vacant retail spaces. However, the village Zoning Ordinance does not have a relevant use in the land use table for these uses. Therefore, staff are proposing to broaden the current 'amusement establishment indoor only' use from being limited to coin operated machines operated by buttons, dials, and trigger devices to any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, bumper cars, and all games or operations similar thereto under whatever name they may indicate. Such definition does not include a bowling alley, a jukebox, or other coin operated music machine or a mechanical riding device. With this change, staff is also proposing to allow uses of these types in the B-3 and B-4 districts by right and in the B-5 and B-5C districts subject to conditional use approval due to parking concerns. The relevant definition change is proposed in *Article XXIV: Definitions*.

Per the Zoning Ordinance, archery ranges and shooting galleries are allowed in the B-4 and I-1 districts subject to conditional use approval. Staff are proposing to separate archery ranges from shooting galleries, instead creating a separate 'primitive weapon galleries' use and 'shooting galleries' uses. Primitive weapon galleries are becoming ever popular in today's business climate, especially with the creation of axe throwing leagues. Staff is proposing to allow primitive weapon galleries in the B-3 and B-4 districts as permitted uses and in the B-5, B-5C, and I-1 districts subject to conditional use approval. The location of shooting galleries would remain unchanged (allowed in the B-4 and I-1 districts subject to conditional use approval).

Per the Zoning Ordinance, automobile sales, new or used, on parcels of any size is not allowed in the I-1 Limited Industrial District. Additionally, truck sales, rental, and repair is not allowed in the I-1 Limited Industrial District. However, several parcels annexed in the last five (5) years are affected by the flood plain

and are thus largely undevelopable. Allowing the sale of automobiles and trucks on these parcels provides an avenue for these property owners to secure tenants while also complying with floodplain regulations. Staff are confident that allowing the sales of automobiles and trucks in the I-1 Limited Industrial District will not lead to these uses invading existing business parks and that our manufacturing base will be maintained. Therefore, staff is proposing to allow the sale of automobiles and truck sales, rental, and repair in the I-1 Limited Industrial District, subject to conditional use proposal.

Per the Zoning Ordinance, cartage and express facilities are allowed in the I-1 Limited Industrial District subject to conditional use approval. However, with the expansion of distribution centers and the industrial sector as a whole in the last decade, this use has been found to confuse both realtors and tenants looking to locate in the area. Cartage, often referred to as the 'last mile' of parcel shipping, is now largely part of any warehouse, distribution, and storage facility operation, which is a permitted use in Land Use Table 2. As such, staff does not believe it is necessary to include this use in the table any longer, clearing up confusion.

Land Use Table II contains several alcohol-related uses, however a few key uses made popular in the last decade are missing. Staff are proposing to allow both microbreweries and taprooms as permitted uses in the B-3, B-4, B-5, and B-5C zoning districts, with microbreweries also allowed as a conditional use in the I-1 Limited Industrial District.

The Zoning Ordinance does not address where vape shops or tobacco and vaping lounges are allowed to locate in the village. Staff are proposing to separate the tobacco/vape shop use from tobacco/vape lounges due to the amount of time patrons spend at each respective establishment. Tobacco/vape shops would remain permitted uses in the B-3 and B-4 zoning districts, but would no longer be permitted in the B-5 and B-5C districts. Tobacco/vape lounges, a new use, would be allowed as a conditional use in the B-3 and B-4 zoning districts only. Definitions of tobacco/vape shops and tobacco/vape lounges are provided later in the chapter under *Article XXIV: Definitions*.

***Article IX, Section 14.905: Bulk Regulations (R-1 Single-Family Residence District) and Article X, Section 14.1005: Bulk Regulations (R-A Single-Family Residence District):***

Representing all of the single-family residence zoning districts in the village, these districts contain approximately 12,500 properties between them. Of those properties, more than 1,100 do not comply with the village's current twenty foot (20') exterior side yard setback requirement. That is, the principal structures on more than 1,100 properties in the village encroach into the required exterior side yard setback.

Most of these lots are located closer to the downtown area and are only about fifty feet (50') wide. Providing an exterior side yard setback of twenty feet (20) on one side and an interior side yard setback of five feet (5') on the opposite in the downtown district (R-A Single-Family Residence) leaves many property owners with a development envelope that is only twenty-five feet (25') wide. If the exterior side yard setback requirement was reduced from twenty feet (20') to ten feet (10'), only 181 properties in the village would have nonconformities because of the exterior side yard setback. Therefore, staff is recommending that the exterior side yard setback be reduced from twenty feet (20') to ten feet (10') in the R-1 Single-Family and R-A Single-Family Residence Districts.

***Article XX: O/R Office Research District***

As stated earlier in this report, the last O/R zoned parcel was amended to I-1 Limited Industrial in 2018. As such, this zoning district should be removed from the Zoning Ordinance entirely.

**Article XXII, Section 14.2204: Residential Driveways**

The maximum driveway width allowed for driveways serving two-car garages in the village is twenty-six feet (26'). For three-car garages, driveways may be up to thirty-three feet (33') wide, but must taper to twenty-six feet (26') within the first eighteen feet (18') of the garage. This tapering requirement does not allow for one to park in front of the third stall because not enough room is provided before the driveway must taper to twenty-six feet (26'). Instead, it causes residents to turn in to and out of their third garage stall, which is not desirable. Further, it makes parking trailers and recreational vehicles in these stalls difficult to do without going off of the pavement into the grass.

Staff is proposing to remedy the situation by allowing a maximum width of thirty-three feet (33') within the first eighteen feet (18') of the garage so that residents are able to park in front of all three (3) garage stalls. Staff is simultaneously proposing that driveways be required to taper to twenty-six feet (26') within thirty feet (30') of the garage's front elevation. This provides an eighteen foot (18') parking space in front of the third garage stalls and twelve feet (12') of taper, which should provide the room necessary to easily pull into and out of the third garage stall. Lot coverage requirements will remain unchanged and still apply to all single-family residence properties in the village.

**Article XXII, Section 14.2205: Accessible Parking Requirements**

The village amended the accessible parking requirements in 2016 to be in-line with requirements put forward by the State of Illinois in the Illinois Accessibility Code. However, the State of Illinois changed the Illinois Accessibility Code just last year. Staff is proposing to move away from providing specific language regarding accessible parking design and believes that the code should instead reference the Illinois Accessibility Code so that the parking regulations are always consistent with the state's regulations.

**Article XXIV: Definitions**

As stated previously, staff is proposing several new definitions to facilitate the proposed amendments. They include alterations to the definition of amusement, shooting gallery, primitive weapon gallery, tobacco/vape shop, and tobacco/vape lounge.

**Chapter 11, Article 5: Bowling Alleys, Billiard Parlors, and Shooting Galleries**

Chapter 11 of the Village Code contains regulations regarding individual business types. Due to the proposed separation of primitive weapon uses from shooting galleries, Chapter 11 must also be updated. Staff is proposing that 'primitive weapon galleries' be made part of *Article 5: Bowling Alleys, Billiard Parlors, and Shooting Galleries*, and all associated regulations, fees, and inspections be consistent with shooting galleries as amended.

**Standards for Text Amendments**

The standards for text amendments are listed in Section 14.203.D of the Village Zoning Ordinance for the Planning and Zoning Commission to consider. The standards are:

- The general applicability of the amendment to the community, rather than an individual parcel;
- Consistency of the amendment with objectives of the Zoning Code and Comprehensive Plan;
- The degree to which the amendment would create non-conformity;
- The degree to which the amendment would make the Zoning Code more permissive; and
- Consistency of the amendment with Village policy as established by previous rulings.

The proposed amendments to the Zoning Code would be applicable to the community as a whole and are not proposed in response to an individual parcel within the Village of Mount Prospect. The amendments are comprehensive in nature, and will have limited impact on creating additional nonconformities. While creating new uses and allowing other uses in different zoning districts, the proposed amendments do not make the zoning ordinance more permissive as a whole. The majority of the proposed changes are intended to reflect current Village objectives as outlined in the Comprehensive Plan and other accepted planning documents. The proposed amendments satisfy the standards for text amendments as required in the zoning code.

## STAFF RECOMMENDATION

The proposed text amendments to the zoning code are contained in the attached documents. Modifications to each of the chapters are indicated as **deletions**, **additions**, and **relocations of existing regulations**. The proposed text amendments meet the standards contained in Section 14.203.D of the Zoning Ordinance. Based on these findings, staff recommends that the Planning and Zoning Commission make a recommendation to the Village Board to **approve** the following motion:

1. "To approve the text amendments as outlined in the attached documents for case PZ-10-20 which should perform certain amendments to the text of both the Village's Zoning and Merchants, Businesses, Occupations, and Amusements regulations."

The Village Board's decision is final for this case.

### ATTACHMENTS:

#### ADMINISTRATIVE CONTENT

(Zoning Request Application, Responses to Standards, etc...)

#### PLANS

(Plat of Survey, Site Plan, etc.)

#### OTHER

(Supplemental Information, Public Comments Received, etc...)

I concur:



William J. Cooney, AICP  
Director of Community Development



Village of Mount Prospect  
Community Development Department  
50 S. Emerson Street  
Mount Prospect, Illinois 60056  
Phone: (847) 818-5328

## Zoning Request Application

### Official Use Only (To be completed by Village Staff)

Case Number: P&Z - 10 - 20 Date of Submission: \_\_\_\_\_ Hearing Date: 6/11/2020  
Project Name/Address: Zoning Code Text Amendments

### I. Subject Property

Address(es): Village of Mount Prospect Zoning Code  
Zoning District (s): \_\_\_\_\_ Property Area (Sq.Ft. and/or Acreage): \_\_\_\_\_  
Parcel Index Number(s) (PIN(s)): \_\_\_\_\_

### II. Zoning Request(s) (Check all that apply)

- ☐ Conditional Use: For \_\_\_\_\_  
☐ Variation(s): To \_\_\_\_\_  
☐ Zoning Map Amendment: Rezone From \_\_\_\_\_ To \_\_\_\_\_  
☒ Zoning Text Amendment: Section(s) See Amendments ~~Rezone~~  
☐ Other: \_\_\_\_\_

### III. Summary of Proposal (use separate sheet if necessary)

Amendments to permitted obstructions, unenclosed porches, both land use tables, R-1 + R-A Bulk Regulations, elimination of O/R Zoning District, residential driveways, parking, definitions, + Chapter 11 Business Licensing

### IV. Applicant (all correspondence will be sent to the applicant)

Name: William J. Cooney Corporation: Village of Mount Prospect  
Address: 50 S. Emerson Street  
City, State, ZIP Code: Mount Prospect, IL 60056  
Phone: 847-818-5328 Email: comdev@mountprospect.org  
Interest in Property: Director, Community Development  
(e.g. owner, buyer, developer, lessee, architect, etc...)



<b>V. Property Owner</b>	
<input type="checkbox"/> Check if Same as Applicant <i>N/A</i>	
Name: _____	Corporation: _____
Address: _____	
City, State, ZIP Code: _____	
Phone: _____	Email: _____

In consideration of the information contained in this petition as well as all supporting documentation, it is requested that approval be given to this request. The applicant is the owner or authorized representative of the owner of the property. The petitioner and the owner of the property grant employees of the Village of Mount Prospect and their agent's permission to enter on the property during reasonable hours for visual inspection of the subject property.

I hereby affirm that all information provided herein and in all materials submitted in association with this application are true and accurate to the best of my knowledge.

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Signature)  
 \_\_\_\_\_  
 (Print or Type Name)

If applicant is not property owner:

I hereby designate the applicant to act as my agent for the purpose of seeking the zoning request(s) described in this application and the associated supporting material.

Property Owner: *N/A* Date: *6/4/20*  
 (Signature) \_\_\_\_\_  
 (Print or Type Name) *William J. Cooney*

## **CHAPTER 11**

### **MERCHANTS, BUSINESSES, OCCUPATIONS AND AMUSEMENTS**

#### **11.102: RULES AND DEFINITIONS:**

**AMUSEMENT:** Any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, and bumper cars, and all games or operations similar thereto under whatever name they may be indicated. Such definition does not include a bowling alley, a jukebox or other coin operated music machine or a mechanical riding device.

**GALLERY, SHOOTING:** A place maintained for profit and to give patrons an opportunity to practice their skills at putting guns discharging projectiles of all kinds in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

**GALLERY, PRIMITIVE WEAPON:** A place maintained for profit and to give patrons an opportunity to practice their skills at putting bows and arrows, hand axes, and other primitive weapons in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

#### **11.501: LICENSE REQUIRED:**

No person shall operate or maintain a bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery open to the public, except in compliance with the provisions of this Article. It shall be unlawful for any person to operate or maintain a bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting gallery in the Village without first having applied for and obtained a business license from the Village Clerk as provided in Chapter 10 of this Code in order to operate such bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting gallery. (1981 Code)

#### **11.502: LICENSE FEES:**

A. Bowling alleys and billiard parlors shall be designated as Class I establishments and shall pay the annual fees as set forth in Article XXXIV of this Chapter.

B. Shooting or primitive weapon galleries shall pay the annual fees as set forth in Article XXXIV of this Chapter. (1981 Code; Ord. 3617, 3-4-1986)

#### **11.503: CONDUCT:**

A. All persons present upon the premises containing any bowling alley, billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery shall conduct themselves in an orderly manner so as not to disturb the peace and quiet of those premises by "disorderly conduct" as defined in this Code.

B. It shall be unlawful for any person to gamble, bet or permit any form of gambling or betting in or upon any premises used as a bowling alley or containing a billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery. (1981 Code)

#### **11.504: HOURS OF OPERATION:**

A. It shall be unlawful for any person to keep open, operate or use any billiard table, pool table, bagatelle table, pigeonhole table and/or shooting or primitive weapon gallery in the Village between: the hours of one o'clock (1:00) A.M. and six o'clock (6:00) A.M. on Monday through



Saturday, inclusive; and between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. on Sundays and on January 1, of each year.

B. It shall be unlawful for any person to keep open, operate or use any bowling alley in the Village between: the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. on each day of the year. (1981 Code)

#### **11.505: PLACE OF BUSINESS:**

Nothing in this Article shall be construed so as to be in conflict with the Zoning Ordinance of the Village. (1981 Code)

#### **11.506: INSPECTIONS:**

It shall be the duty of the Department of Community Development to inspect every establishment licensed under this Article as often as necessary to insure compliance with this Article and all other ordinances relating thereto. Furthermore, with respect to shooting and primitive weapon galleries, the above inspections shall make certain that targets are placed before a backstop of steel sufficiently thick to prevent any bullet, projectile, or object from piercing it, and so arranged that there shall be no danger from ricocheting bullets, projectiles, or objects, or deflected pieces of same. Failure of the owner or operator to so arrange such targets shall constitute a violation of this Code. (1981 Code; Ord. 3617, 3-4-1986)

#### **11.3410: OTHER FEES:**

K. Shooting and primitive weapon galleries.

### **Appendix A, DIVISION II – FEES, RATES, AND TAXES**

#### **Section 11.3410: OTHER FEES:**

A.	Auctioneers	\$150.00	annually
		50.00	per month for any period less than 1 year
B.	Carnivals and circuses	25.00	per day, for any period less than 1 month
		150.00	per day, with a minimum fee of \$450.00 plus \$45.00 per hour ride inspection fee
C.	Concessions and sideshows	7.50	per day associated with a carnival or circus
D.	Coin in slot devices:		
	1. Amusement devices/pinball/electronic games	150.00	per machine annually or \$500.00 for a single business location; whichever is less
	2. Tobacco vending machines	150.00	per machine annually
	3. Jukeboxes	35.00	per machine annually
	4. \$0.01 to \$0.10 candy, gum and nuts	5.00	per machine annually
	5. All other coin in slot or reverse coin devices	20.00	per machine annually or \$250.00 for a single business location; whichever is less
E.	Food service vehicles	150.00	per vehicle annually
F.	Gold and silver merchants:		
	1. Itinerant	50.00	per day

	2. Permanent buyer, trader or exchanger	175.00	annually
	3. Permanent seller only	See class I establishments	
G.	Golf courses/golf driving ranges/miniature golf courses	150.00	annually
H.	Outdoor advertisers	225.00	annually
I.	Parking lot employee identification card	5.00	per card annually
J.	Towing services/wreckers	30.00	per towing truck annually
K.	Shooting and primitive weapon galleries	150.00	annually
L.	Over the counter tobacco sales	50.00	annually
M.	Itinerant merchant/vendors:		
	1. Itinerant merchant, hawker, peddler, or transient or vendor	150.00	annually
		75.00	per month for any period less than 1 year; \$10.00 per day for any period less than 1 month
	2. Vending machine company	100.00	annually
	3. Itinerant retailer registration	20.00	per registration
N.	Promotional events	20.00	per permit
O.	Massage establishment	250.00	annually first year
		100.00	annually subsequent years

**14.316: ENVIRONMENTALLY SENSITIVE DEVELOPMENT TECHNIQUES:****14.317: FENCES AND WALLS:****14.318: PERMITTED OBSTRUCTIONS:**

A. Permitted Obstructions In Required Yards: Permitted obstructions in the C-R District are regulated in article VII of this chapter. For all other zoning districts, the following regulations shall be applicable to structures located within the required yards. For structures located within the buildable area (outside of the required yards), bulk, lot coverage and other associated regulations within this chapter shall apply.

<b>Encroachments Permitted In Required Yards As Determined By The Building Setback Line</b>				
	<b>Front</b>	<b>Exterior Side</b>	<b>Side</b>	<b>Rear</b>
Arbors, not to exceed a width of 5', a depth of 3', and a height of 8', with a minimum setback of 3' from side lot lines			P	P
Boat slips, when adjacent to a navigable waterway				P
Central air conditioning units, generators, and similar mechanical equipment, subject to the requirements in subsection C of this section				P
Decorative outdoor structures, maximum footprint of 4 sq. ft., maximum of 2 structures per lot, with a maximum height of 8'	P	P	P	P
Driveways subject to the regulations noted in article XXII of this chapter	P	P	P	P
Eaves, gutters, chimneys, bay windows encroaching not more than 24", no closer than 12" to a lot line	P	P	P	P
Handicap ramps in side yards, encroaching no more than 50%			P	
Landscape terraces and retaining walls, subject to approval by the Engineering Division and issuance of a building permit	P	P	P	P
Maximum of 4 rain barrels per lot, up to 55 gallons in size each, subject to the requirements in subsection C of this section		P	P	P
Off street parking pads subject to the regulations noted in article XXII of this chapter			P	P
Open stoops and canopies no larger than 8' x 5', excluding steps	P	P	P	P
Outdoor storage cabinets, subject to requirements in subsection C of this section				P
Patios, balconies, and decks with a minimum setback of 15' from the rear lot line and outside the required side yard				P
Service walks, sidewalks, steps, and handicap ramps up to 8' in width	P	P		
Service walks, sidewalks, steps, and handicap ramps up to 3' in width			P	P
Sport courts with a minimum setback of 15' from the rear lot line and a minimum 5' from the side lot line, including associated equipment such as basketball standards				P

Stationary basketball standards, when adjacent to an existing driveway	P	P	P	P
Trellises, not to exceed 8' in height and a total width of 10', maximum of 2 structures per lot			P	P
Unenclosed porches, not to encroach more than 5' into the required setback, excluding steps	P			

**B. Exceptions:**

1. Lot Coverage And Floor Area Ratio: Permitted obstructions shall comply with requirements for "impervious surface" and floor area ratio as defined in this chapter with exception of outdoor storage cabinets, decorative outdoor structures, rain barrels, arbors and trellises.
2. Building Permits: A building permit is not required for the following permitted obstructions: outdoor storage cabinets, basketball standards, decorative outdoor structures, rain barrels, arbors and trellises, as defined in this chapter.
3. Number Permitted: Permitted obstructions as listed in this section shall not contribute to the total number of accessory structures permitted per lot as regulated in section 14.306 of this article.

**C. Additional Requirements For Permitted Obstructions:**

1. Rain Barrels: Rain barrels located in exterior side yards shall be screened via landscaped hedge. Rain barrels shall be equipped with a screen to prevent insect nesting and provide an overflow system to direct excess rainwater away from the primary building structure.
2. Mechanical Equipment: Central air conditioning units, generators and similar mechanical equipment shall be located on the rear elevation of any principal structure. If the units cannot be reasonably placed on the rear elevation because of operational reasons, such units may be placed in up to twenty five percent (25%) of a required side yard, provided such location does not result in exhaust discharge upon any adjoining building or vegetation. Documentation verifying that the units cannot be located at the rear of the structure shall be submitted by the installer and approved by the Director of Community Development. A screening plan which includes fencing or landscaping must be submitted with the permit and approved by the Director of Community Development.
3. Outdoor Storage Cabinets:
  - a. Number Permitted: A maximum of one (1) outdoor storage cabinet is permitted per lot.
  - b. Size: Outdoor storage cabinets shall not exceed one hundred (100) cubic feet in size, and shall not exceed a height of seven feet (7').
  - c. Location: Outdoor storage cabinets shall not be located in a required front or exterior side yard. On lots fifty five feet (55') in width or less, outdoor storage cabinets shall be set back three feet (3') from any interior side or rear lot line. On lots greater in width than fifty five feet (55'), outdoor storage cabinets shall be set back five feet (5') from any interior side or rear lot line. (Ord. 6286, 12-6-2016)
4. Unenclosed Porches:
  - a. No site line obstruction shall be created;
  - b. Building materials shall be consistent with the remainder of the structure;
  - c. The design shall blend with the existing structure and neighboring homes; and
  - d. The porch shall be in character with the neighborhood.

**14.319: VISION CLEARANCE:**

## 14.604: LAND USE TABLES:

LAND USE TABLE 1  
RESIDENTIAL AND RECREATIONAL ZONING DISTRICTS

Land Use	C-R	R-X	R-1	R-A	R-2	R-3	R-4
Accessory structures	P	P	P	P	P	P	P
Accessory structures greater than 30 feet in height	C						
Assisted living facility when approved as part of a PUD						C	C
Attached single-family homes					P		
Churches, synagogues, mosques, or other houses of worship		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Churches, synagogues, mosques, or other houses of worship planned unit developments		C	C	C	C	C	
Circular/dual frontage driveways		C	C	C	C		
Colleges and universities		C	C	C	C		
Community centers	C						
Conservatories	C						
Convalescent homes/nursing homes							C
Cultural institutions		C	C	C	C		
Daycare center		C	C	C	C	C	
Daycare home		P	P	P	P	P	P
Detention or retention facilities	C						
Dormitory accommodations		C	C	C	C	C	
Elementary schools		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Family community residence (located at least 1,000 feet from another family community residence)		P	P	P	P	P	P
Family community residence (located within 1,000 feet of another family community residence)		C	C	C	C	C	C
Foster care homes		P	P	P	P	P	P
Garages for parking of commercial vehicles				C	C		
Golf courses	P						
Group community residence		C	C	C	C	C	C
High schools		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Home occupations		P	P	P	P	P	P
Libraries		C	C	C	C	C	

Lighted ball fields	C						
More than 1 garage		C	C	C	C		
Multi-family dwellings						P	P
Municipal buildings		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Museums	C	C	C	C	C	C	
Nature preservation areas	P						
Parks and playgrounds	P						
Personal wireless service facilities, structure mounted	P	P	P	P	P	P	P
Planned unit developments	C						
Private or parochial schools		P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	
Public recreational facilities							P
Recreational complexes	C						
Rehabilitation homes		C	C	C	C	C	C
Residential planned unit developments		C	C	C	C	C	
Senior housing when approved as part of a PUD						C	C
Single-family detached dwellings		P	P	P	P	P	
Studios	C						
Tennis courts, swimming pools, volleyball courts, and similar recreational facilities	P						
Two-family dwellings					P	P	
Unlighted ball fields	P						

LAND USE TABLE 2  
COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Land Use	B-1	B-2	B-3	B-4	B-5	B-5C		I-1	I-3
Accessory structures	P	P	P	P	P	P		P	P
Accessory uses (10 percent retail of permitted uses)								P	
Amusement establishment			C	C					
Amusement establishment indoor only			P	P	C	C			
Animal daycare center and kennels			C	C	C	C			
Animal hospital and veterinary clinics			C	C	C	C			
Antique shops			P	P	P	P			
Art and school supply stores			P	P	P	P			

Art and woodcraft studios			P	P	P	P			
Art, sculptor, and composer studios			P	P	P	P			
Art shops or galleries (not auction rooms)			P	P	P	P			
Automobile accessory stores			P	P	P	P			
Automobile fueling stations			C	P	C	C		C	
Automobile garages				P	C	C		C	
Automobile leasing/rental agencies	P		P	P					
Automobile maintenance and service center			C	P	C	C		C	
Automobile sales, new or used (with 2 acres or less)				C				C	
Automobile sales, new or used (with over 2 acres)			C	P	C	C		C	
Bakeries		P	P	P	P	P		P	
Banks and financial institutions		C	P	P	P	P			
Banquet halls			P	P					
Barber and beauty shops		P	P	P	P	P			
Bicycle sales, rental and repair			P	P	P	P			
Billiard and pool halls			C	C	C	C			
Boat showroom, sales and repair				C					
Bowling alleys			P	P	P	P			
Brewpub		P	P	P	P	P		C	
Business machine sales			P	P	P	P			
Camera and photo supply stores, film developing			P	P	P	P			
Candy and ice cream stores		P	P	P	P	P			
Car wash			C	P	C	C		C	
Carpet and rug stores, retail sales			P	P	P	P			
Catering services			C		C	C			
Children's recreation centers			P	P	P	P			
China and glassware stores			P	P	P	P			
Clothing and apparel retail stores		P	P	P	P	P			
Clothing and costume rental stores			P	P	P	P			
Clubs and lodges	C		P	P	P	P			
Coin and philatelic stores		P	P	P	P	P			
Colleges and universities			C	C	C	C			
Commercial greenhouses and nurseries				P					
Compost collection facility								C	C
Computer offices and facilities	P		P	P	P	P		P	
Computer sales, service and accessories			P	P	P	P			
Concrete fabrication								C	

Contractors', architects' and engineers' offices	P		P	P	P	P		P	
Contractors', architects' and engineers' storage yards								C	
Contractors' showrooms			P	P	P	P			
Convenience stores		P	P	P	P	P			
Convention and exhibition halls			C	C					
Cosmetology schools			P	P	P	P		C	
Craft distillery		P	P	P	P	P		P	
Dairy products, retail sales			P	P	P	P			
Dance and music academies/studios	P	P	P	P	P	P			
Daycare centers	C	C	C	C	C	C		C	
Department stores			P	P	P	P			
Drive-through and drive-in establishment			C	C	C	C			
Driving schools	C	P	P	P	P				
Drugstore/pharmacy		P	P	P	P	P			
Dry cleaning and laundry establishment		P	P	P	P	P			
Dry cleaning plants								P	
Dwelling units, located above the first floor			C		P	P			
Dwelling units on ground floor					C	C			
Exterminating services								P	
Floor covering store			P	P	P	P			
Florist		P	P	P	P	P			
Food store, grocery store, meat market and delicatessen		P	P	P	P	P			
Funeral homes	C				C	C			
Furniture store			P	P	P	P			
Furrier shops			P	P	P	P			
Gift shop		P	P	P	P	P			
Hardware store		P	P	P	P	P			
Health services, clubs, recreation centers, or gymnasiums			P	P	P	P			
Hearing aid stores			P	P	P	P			
Heliports								C	
Home improvement center (no outdoor storage)			P	P	P	P			
Home improvement center with outdoor storage			C	C					
Hospitals	C								
Hotels and motels			C	C	P	P			
Household electrical appliance stores			P	P	P	P			
Interior decorating shops			P	P	P	P			



Jewelry stores			P	P	P	P			
Lamp and lighting fixture stores			P	P	P	P			
Laundries								P	
Laundromat, automatic, self- service only		P	P	P	P	P			
Lawn and garden equipment and supply			P	P	P	P			
Leather goods and luggage stores			P	P	P	P			
Libraries		P	P	P	P	P			
Light assembly and repair								P	
Liquor stores, packaged goods			P	P	P	P			
Locksmith shop			P	P	P	P			
Machinery sales				C					
Mail order, catalog stores			P	P	P	P			
Mail order houses								P	
Manufacturing, heavy								C	
Manufacturing, light								P	
Martial arts school			P	P	P	P			
Massage establishments			C	C	C	C			
Medical or dental offices	P		P	P	P	P		P	
Microbreweries			P	P	P	P		C	
Miniwarehouse								P	P
Motorcycle, snowmobile, or personal watercraft sales				C					
Municipal buildings			P	P	P	P		P	
Museums		P	P	P	P	P			
Music stores			P	P	P	P			
Musical instrument sales and repair			P	P	P	P			
Office machine sales and servicing			P	P	P	P			
Office supply stores			P	P	P	P			
Offices, business and professional	P	P	P	P	P	P		P	
Optical, orthopedic and medical appliance sales			P	P	P	P			
Outside display and sales					C	C			
Outside service areas					C	C			
Paint and wallpaper stores			P	P	P	P			
Parking lots, other than accessory parking	C		C	P	C	C		P	
Party supply stores			P	P	P	P			
Personal wireless service facilities	P	P	P	P	P	P		P	P
Pet shops and grooming establishments			P	P	P	P			
Petroleum tank farm and related accessory uses								C	
Photo developing and image transfer			P	P	P	P			

Photography studios			P	P	P	P			
Picture framing			P	P	P	P			
Planned unit developments	C	C	C	C	C	C		C	C
Plastics processing								C	
Post office			P	P	P	P			
Primitive weapon galleries			P	P	C	C		C	
Printing and duplicating			P	P	P	P			
Printing and publishing establishments								P	
Public utility and service uses				C	C	C		P	
Public works and park district storage yards and related facilities								P	
Radio and television stations, studios and towers			C	P	C	C		P	
Recycling collection centers								C	P
Religious institutions	C								
Repair, rental and servicing of any article of which is permitted use in the district			P	P	P	P			
Research laboratories and testing facilities								P	
Restaurants		P	P	P	P	P		C	
Restaurants, including entertainment and dancing			P	P	P	P			
Secondhand stores and rummage shops			P	P	P	P			
Shoe stores			P	P	P	P			
Shooting galleries				C				C	
Sporting goods stores			P	P	P	P			
Sports training and teaching establishments			C	C				C	
Stadiums, auditoriums and arenas				C				C	
Tailor shops		P	P	P	P	P			
Tanning salon		P	P	P	P	P			
Taprooms			P	P	P	P			
Taverns and cocktail lounges			P	P	P	P			
Taxi dispatch centers			C	C				P	
Theaters			P	P	P	P			
Theaters, drive-in				C					
Ticket agencies			P	P	P	P			
Tobacco/Vape shops			P	P					
Tobacco/Vape Lounges			C	C					
Towing agencies								P	
Toy shops			P	P	P	P			
Trade or vocational schools (excluding cosmetology)				P				C	

Trailer and camper sales and rental				C					
Transfer stations for refuse disposal								C	P
Travel agencies	P		P	P	P	P			
Truck sales, rental and repair				C				C	
Tutoring center			P	P	P	P			
Unique use	C	C	C	C	C	C		C	C
Warehouse, distribution and storage facilities								P	
Watchman's quarters			P	P	P	P		P	
Wholesale establishment								P	

**14.905: BULK REGULATIONS:**

B. Yard Requirements: Any building or structure hereafter constructed or relocated in the R-1 district shall maintain minimum yards as follows:

1. All permitted and conditional uses for residential:

Front yard	30	feet
Interior side yard	10	percent of lot width or 10 feet whichever is less
Exterior side yard	10	feet
Rear yard	25	feet

2. All permitted and conditional uses for nonresidential:

Front yard	30	feet
Interior side yard	10	feet minimum, but not less than $\frac{1}{2}$ the height of the principal building
Exterior side yard	10	feet
Rear yard	Shall be equal to the height of the principal building or structure but not less than 25 feet	

**14.1005: BULK REGULATIONS:**

B. Yard Requirements: Any building or structure hereafter constructed or relocated in the R-A district shall maintain minimum yards as follows:

1. All permitted and conditional uses for residential:

Front yard	30	feet
Interior side yard	5	feet
Exterior side yard	10	feet
Rear yard	25	feet

2. All other permitted and conditional uses for nonresidential:

Front yard	30	feet
Interior side yard	10	feet minimum, but not less than $\frac{1}{2}$ the height of the principal building
Exterior side yard	10	feet
Rear yard	Shall be equal to the height of the principal building or structure but not less than 25 feet	

**ARTICLE XX**  
**O/R OFFICE RESEARCH DISTRICT**

**14.2204: RESIDENTIAL DRIVEWAYS:**

A. Driveways: All single-family and attached single-family driveways shall conform to the

6. Attached Garages: Driveways serving attached garages shall not exceed twenty-six feet (26') in width unless otherwise regulated elsewhere in this chapter.

b. Driveways Serving Three Car Attached Garages: Driveways serving three (3) car attached garages may be the same width as the garage, not to exceed a maximum width of thirty three feet (33') within the first eighteen feet (18') of the garage's front elevation, and shall taper to a width no greater than twenty-six feet (26') within thirty feet (30') of the garage's front elevation.

7. Detached Garages: Driveways serving detached garages shall not exceed twenty-six feet (26') in width unless otherwise regulated elsewhere in this chapter.

b. Driveways Serving Detached Garages: Driveways serving detached garages may be the same width as the garage not to exceed a maximum width of thirty three feet (33') within the first eighteen feet (18') of the garage's front elevation, and shall taper to a width no greater than twenty-six feet (26') within thirty feet (30') of the garage's front elevation. Maximum measurement shall be taken from garage's edge farthest from the side lot line, running parallel to the garage facade.

**14.2205: ACCESSIBLE PARKING REQUIREMENTS:**

Accessible parking spaces shall be provided in compliance with the Illinois Accessibility Code, as amended from time to time, and all additional governing codes and applicable laws.

A. Size and Markings: Accessible stall dimensions, striping, and access aisles shall be consistent with the Illinois Accessibility Code.

**ARTICLE XXIV DEFINITIONS**

**14.2401: PURPOSE:**

AMUSEMENT: Any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, bumper cars, and all games or operations similar thereto under whatever name they may be indicate. Such definition does not include a bowling alley, a jukebox or other coin operated music machine or a mechanical riding device.

GALLERY, SHOOTING: A place maintained for profit and to give patrons an opportunity to practice their skills at putting guns discharging projectiles of all kinds in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

GALLERY, PRIMITIVE WEAPON: A place maintained for profit and to give patrons an opportunity to practice their skills at putting bows and arrows, hand axes, and other primitive weapons in line with a target or object so as to hit same, whether for a score or a prize as in a contest.

TOBACCO/VAPE SHOP: A retail establishment which offers the sale or distribution of tobacco, smokeless tobacco, or alternative nicotine products. "Retail" means the sale of commodities in small quantities directly to the ultimate customer.

TOBACCO/VAPE LOUNGE: An establishment where patrons share or smoke alternative nicotine products or shisha (flavored tobacco). Tobacco and Vape Lounges must abide by all regulations set forth by the State of Illinois.