STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance #O-23-009 AN ORDINANCE GRANTING A SPECIAL USE AND VARIATIONS RELATED TO THE CONSTRUCTION AND USE OF A PARKING LOT LOCATED AT 227 E. IRVING PARK ROAD

Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 20th day of April, 2023

SEAL SEAL

Lynn Curiale, City Clerk

Ordinance #O-23-009

AN ORDINANCE GRANTING A SPECIAL USE AND VARIATIONS RELATED TO THE CONSTRUCTION AND USE OF A PARKING LOT LOCATED AT 227 E. IRVING PARK ROAD

Passed:

April 20, 2023

Published in Pamphlet Form:

April 21, 2023

I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of #O-23-009

AN ORDINANCE GRANTING A SPECIAL USE AND VARIATIONS RELATED TO THE CONSTRUCTION AND USE OF A PARKING LOT LOCATED AT 227 E. IRVING PARK ROAD

Passed and approved by the City Council of the City of Wood Dale on April 20, 2023 and hereby published in pamphlet on April 21, 2023.

CORPORATE M

Lynn Curiale, City Clerk

ORDINANCE NO. O-23-009

AN ORDINANCE GRANTING A SPECIAL USE AND VARIATIONS RELATED TO THE CONSTRUCTION AND USE OF A PARKING LOT LOCATED AT 227 E. IRVING PARK ROAD

WHEREAS, the City of Wood Dale ("City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code and the Code of Ordinances of the City of Wood Dale ("City Code"), to regulate properties located within the municipal boundaries of the City; and

WHEREAS, in furtherance of this authorization, the City has adopted a Unified Development Ordinance ("UDO"), codified in Chapter 17 of the City Code, which sets forth regulations regarding the use of property within the City; and

WHEREAS, the UDO provides for regulations concerning permitted specials uses, lot area and street transition requirements in the City's Town Center Business ("TCB") District; and

WHEREAS, the Petitioner, SBR Real Estate Investments, LLC, (the "Applicant") applied for a special use permit for construction and use of a parking lot located on 227 E. Irving Park Rd (the "Property") as well as variations from the City's land use regulations in the City's TCB District concerning lot coverage and street transition and related to the proposed parking lot; and

WHEREAS, on March 20, 2023, the Community Development Commission held a public hearing on the proposed requests for zoning relief in Case No. CDC-2023-0001 following the necessary publication of a legal notice pursuant thereto, as required by law and the City Code; and

WHEREAS, following said hearing, the request for zoning relief did not receive the requisite affirmative vote of the Community Development Commission; accordingly, under the UDO the Community Development Commission has recommended denial of the Applicant's requests for zoning relief; and

WHEREAS, the proposed requests for zoning relief; recommendation of the Community Development Commission; and Findings of Fact and Staff recommendation set forth in the Staff Report relative to Case No. CDC-2023-0001, dated March 20, 2023, attached hereto and incorporated herein by reference as Exhibit A, have been considered by the Planning, Zoning and Building Committee of the City Council of the City of Wood Dale, and the Planning, Zoning and Building Committee of the City Council has recommended unanimous approval of the Applicant's requests for zoning relief; and

WHEREAS, the City Council of the City of Wood Dale has reviewed the matter herein and has determined that granting the Applicant's requests for a special use permit and variances in Case No. CDC-2023-0001 are in the best interests of the health, safety and welfare of the citizens

of the City of Wood Dale.

PASSED this 20th day of April, 2023

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: Applicant, in Case No. CDC-2023-0001, is granted a special use permit for the construction and use of a parking lot on 227 E. Irving Park Rd., which use is limited as an accessory use to the existing uses of the buildings on the zoning lot.

SECTION THREE: Concerning the construction and use of the proposed parking lot, Applicant, in Case No. CDC-2023-0001, is granted a variance from section 17.502.C.3.b on the UDO to allow for a 2.5' street transition and Applicant is further granted a variance from section 17.403.A of the UDO to allow for a zoning lot area 13,991 sq. ft.

SECTION FOUR: That all ordinances or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION FIVE: That the City Clerk of the City of Wood Dale is hereby directed to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION SIX: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

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AYES:
NAYS:
ABSENT:()
APPROVED this 20th day of April, 2023
SIGNED: Annunciato Pulice Annunciato Pulice, Mayor
ATTEST: Wyale Lynn Curiale, City Clerk
Published in pamphlet form , 2023

CITY OF WOOD DALE

Community Development



DATE:

March 20, 2023

TO:

Community Development Commission

FROM:

Gosia Pociecha, AICP, Senior Planner

SUBJECT:

Case No. CDC-2023-0001, Special Use for Parking Lot and Zoning

Variations, 227 E Irving Park Road (Sweet Baby Rays)

REQUEST

An application has been filed by Duce Raymond representing the SBR Events Group for a Special Use for a parking lot and Zoning Variations related to lot area and street transition to permit the construction of a parking lot at 227 E Irving Park Road, Wood Dale, Illinois.

PROPERTY INFORMATION

Site Address:

227 E Irving Park Road

PIN:

03-15-104-016 and 03-15-104-017

Property Size:

0.32 Acres (approx. 13,991 square feet)

Existing Land Use: Future Land Use:

Retail/Commercial Retail/Commercial

Existing Zoning:

TCB, Town Center Business

Surrounding Zoning & Land Use

North:

R-4 (Medium Density Single-Family) & Single Family Residential

South:

TCB (Town Center Business) & Retail/Commercial

East:

TCB (Town Center Business) & Retail/Commercial

West:

TCB (Town Center Business) & Retail/Commercial

ANALYSIS

Submittals

The analysis and recommendation provided within this memo are based on the following documents, which are on file in the Community Development Department and attached as

- Public Hearing Application
- Petitioner's Narrative/Cover Letter (Exhibit A)
- Responses to Special Use and Site Plan Review Standards (Exhibit B)

Page 1 of 10

- Responses to Variation Standards (Exhibit C)
- Plat of Survey (Exhibit D)
- Site Plan (Exhibit E)
- Preliminary Engineering Plans (Exhibit F)
- Photometric Plan (Exhibit G)
- Landscape Plan (Exhibit H)
- Owner's Authorization
- Proof of ownership

Project Description

The subject property is located at 227 E. Irving Park Road at the intersection with Cedar Avenue (see map below). The property, approximately 0.32 acres in size, consists of two parcels and is zoned TCB, Town Center Business. Currently the subject property is vacant (see Plat of Survey in Exhibit D). SBR Real Estate Investments, LLC is the property owner.

The subject property and the parcels adjacent to the east are all under common ownership; there are a total of seven parcels. The properties adjacent to the east of subject property are improved with surface parking and two buildings: one housing the catering business (235 E. Irving Park Rd) and the other houses the Sweet Baby Rays restaurant (249 E. Irving Park Rd).

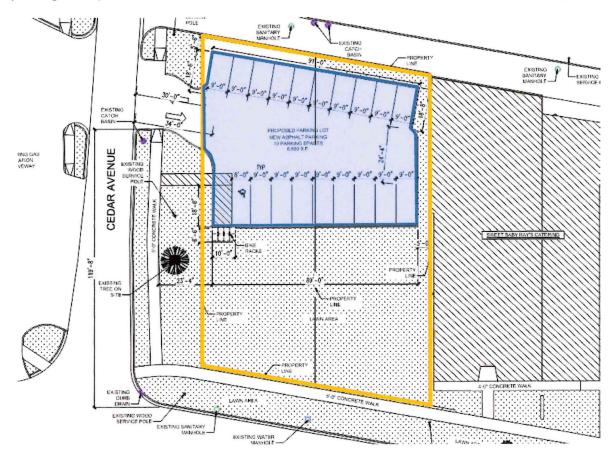


The photograph below depicts the existing vacant site (also see Exhibit D for the Plat of Survey). City records indicate that the subject property used to contain a single-family residence on the western parcel along Cedar Ave. The property was purchased by the applicant in 2007 and the structure was demolished in 2016 to accommodate future development.



Source: Google Streetview, June 2022

The intent of the petitioner is to construct a parking lot that would serve Sweet Baby Ray's catering operation (See below & Exhibit E for site plan). Per the applicant's statement, the parking lot expansion is needed to accommodate an increase in the number of employees.



Page 3 of 10

Compliance with the Comprehensive Plan

The subject property is designated as Retail/Commercial in the Future Land Use Plan of the Comprehensive Plan. This Land Use Category intends to maintain a wide range of retail, restaurant and personal/business service uses, including small office uses and hotels. The proposed parking lot is intended to serve the existing catering business which fits the general description of Retail/commercial category; therefore, the request is consistent with the Comprehensive Plan.

The proposed development will help the City in achieving Goal 4, Objective 2: Keep Wood Dale diverse by managing development to create a balanced mix of land uses, promoting economic vitality and sustainable quality of life. While no change in use is proposed by this petition, the proposed parking lot construction would fill a vacant space at a major thoroughfare. The proposed parking lot would also assist the growing business to meet its needs.

Compliance with the Unified Development Ordinance

Allowable Uses

The subject site is located within the TCB, Town Center Business district established to provide and maintain areas for commercial and mixed-use development. The intent is to provide a central area for various retail, office, governmental, institutional, public, residential and cultural activities. This district is generally located within a ten (10) minute walk from the City's Metra train station near the intersection of Irving Park Road and Wood Dale Road.

Per the land use Table 4-5 in the UDO, use such as a parking lot/garage as a principal use on a property in the TCB zoning district is permitted only upon consideration as a Special Use. In each case, the impact of such use upon neighboring land and of the public need for such a use at the particular location is considered. As such, the applicant has requested an approval of a Special Use to construct a parking lot at 227 E Irving Park Road. Due to the request for a Special Use, an administrative Site Plan Review is also required.

Lot Development Standards

The following table summarizes the lot development standards for the TCB zoning district and how the development meets those code requirements. Note that regulations in **bold and underlined** indicate where variation will be required.

Lot Development Standard	Required/Allowed	Proposed
Minimum Lot Area (sq. ft)	20,000 sq. ft	<u>13,991 sq. ft</u>
Minimum Lot Width at front yard line (ft)	100 ft	100 ft
Minimum Lot Depth	120 ft	141.50 ft
Minimum Front Yard Setback (ft)	60 ft	60 ft *
Min. Front Yard Parking Setback (ft)	8 ft	60 ft
Minimum Side Yard Setback (ft)	5 ft	5 ft *
Minimum Corner Side Yard Setback (ft)	5 ft	5 ft *
Minimum Rear Yard Setback (ft)	25 ft	25 ft *
Maximum Lot Coverage	80%	47.17%
Maximum Building Height (ft)	50 ft	50 ft *

*Marked values represent the minimums that would need to be met. No construction of any structures is currently being proposed.

Zoning Lot

The subject property consists of two parcels. Lot consolidation was discussed during the application process. However, the property owners do not wish to consolidate at this time, as they have not yet decided what they wish to do with all the lots in the future. Per the UDO, the two parcels can be considered a zoning lot designated by its owner or developer as a tract to be used, developed or built upon as a unit.

Combined area of the subject zoning lot equals 13,991 sq. ft, which does not meet the 20,000 sq. ft minimum lot area required in the TCB district. As such, the applicants are seeking a zoning variation for reduction of the minimum lot area in Sec. 17.403.A to enable this development.

Parking

A total of 19 parking spaces are proposed on-site. The UDO parking regulations require a 30 ft transition space between the right-of-way and the first parking space to accommodate sufficient circulation and to provide queuing space for cars exiting the parking lot. The proposed location and layout of the parking lot is not able to accommodate the 30 ft transition space from the property line.

The applicants have submitted a site plan showing that the distance between the first parking space and the curb cut on Cedar Ave is 30 ft, however per the Municipal Code definition, the right-of-way starts at the property line and not the street line. The petitioners are seeking a zoning variation to reduce the 30 ft street transition requirement to approx. 2.5 feet per Sec. 17.502.C.3.b.

Site Plan Review

Site plan review in accordance with Sec. 17.206 of the UDO has been conducted by staff. The proposed development, subject to Special Use approval, is not expected to have an unwarranted to unreasonable effect on the surrounding property or public utilities. Per initial engineering review, the proposal is not expected to create unreasonable drainage or erosion problems. The project will be subject to complete plan review and code compliance during the permitting process.

Neighborhood Comment

Notice was provided to adjacent property owners in accordance with Section 17.202.E of the UDO. A public hearing sign was placed at the subject property and a public hearing notice published in Daily Herald on March 3rd, 2023. Staff did not receive any inquiries regarding the petition as of writing of this memo.

Findings of Fact

Special Use Standards

The Community Development Commission may recommend approval of a Special Use if evidence is presented to establish that the application meets the standards found in

Chapter 17, Article II, Section 17.205.B.5 of the Municipal Code. The applicant has provided responses to the standards in Exhibit B and Exhibit C. The standards are as follows (*staff comments italicized*):

Code and Plan Purposes. The proposed use and development will be in harmony
with the general and specific purposes for which this UDO was enacted and for
which the regulations of the district in question were established and with the
general purpose and intent of The City of Wood Dale Comprehensive Land Use
Plan.

Response: The proposed use and development are in harmony with the purpose and intent of the UDO, the Town Center Business (TCB) zoning district and the Comprehensive Plan. The proposed parking lot development with its new landscaping will enhance the aesthetic value by redeveloping a currently underutilized parcel within the TCB district. Given that this property is highly visible, the redevelopment will be beneficial to enhance the area and perhaps spur further redevelopment. The proposed use will also benefit the existing business by providing additional parking to accommodate the growing number of employees.

2. <u>No Undue Adverse Impact</u>. The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.

Response: The proposed use is conforming to the zoning district and will not have a substantial or undue effect on adjacent property, the character of the area or public health, safety and general welfare. The proposal calls for construction of a parking lot in a commercial zoning district. Further, the proposed parking lot will add new landscaping throughout the site. Drainage for the site will be fully reviewed by City Engineers during the permitting phase, however, review of preliminary plans did not note any major concerns.

3. <u>No Interference with Surrounding Development</u>. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

Response: The surrounding properties can continue to be used in the same manner as they are today or in accordance with the applicable zoning regulations. The development of the subject property is in line with the surrounding district and existing development.

4. <u>Adequate Public Facilities</u>. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

Response: The proposal calls for redevelopment of a parcel that was previously developed as a single family residence but is current vacant. While the use of the

property will change, the property is served or has access to adequate existing public utilities and services.

5. <u>No Traffic Congestion</u>. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

Response: The proposed development is not expected to cause have a negative effect on traffic congestion. Per the applicant, the intent of the parking lot is to provide more parking spaces for employees. Due to set working hours, it is not expected that there will be a lot of movement on site. The existing street network can accommodate the additional traffic from the proposed project.

6. <u>No Destruction of Significant Features</u>. The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.

Response: As noted previously, the intent is to develop an underutilized vacant parcel in an established commercial district. Based on City records, the parcel was occupied for a single-family residence which was demolished in 2016. There is no record of natural, scenic or historic features on the subject property.

7. <u>Compliance with Standards</u>. The proposed use and development complies with all additional standards imposed on it by the particular provision of this UDO authorizing such use.

Response: The proposed development complies with the provisions of the UDO with the exception of the requested variations listed above in this memo. Responses to the Variation Standards are evaluated below.

8. <u>Public Benefit</u>. Whether, and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Response: The subject property has been vacant for multiple years. The proposed development seeks to construct a parking lot that would be used by employees. This would alleviate parking issues for the growing business and leave more spaces available for patrons of the catering business and restaurant. The additional on-site parking would also alleviate the need for employees to park along the neighboring residential street.

 Mitigation of Adverse Impacts. Whether, and to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping and screening.

Response: The proposed parking lot has been designed minimize adverse effects on immediate vicinity. The parking lot is significantly set back from Irving Park Road

frontage and separated from the residential district on the north by an alley. There is also new landscaping proposed to provide site perimeter and parking screening.

Variation Standards

No variation shall be authorized by the City Council unless the Community Development Commission shall find evidence establishing the following general standards and criteria, found in Chapter 17, Article II, Section 17.204.C.6 of the Municipal Code. Applicant's responses to standards are attached in Exhibit C to this memo. The standards are as follows (staff comments italicized):

General Standard. No variation will be granted pursuant to this Section 17.204.C.6
unless the applicant will establish that carrying out the strict letter of the provisions of
this UDO would create a particular hardship or a practical difficultly. Such a showing
will require proof that the variation being sought satisfies each of the standards set
forth in this Subsection.

Response: See responses to standards below.

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

Response: The subject property consists of two parcels acquired the current owners in 2007. As previously noted, the property owners also own the parcels adjacent to the east, which are improved with two separate buildings. The subject property is vacant but was previously improved with a single-family residence that was demolished. After demolition the two parcels stayed vacant. The proposed improvements include construction of a parking lot on the vacant site, however, the subject property does not meet the minimum lot size for the TCB zoning district. The unique physical condition of the site is related to the site being subdivided prior to the purchase by current owners and existence of building on the parcel adjacent to the east.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this UDO, for which no compensation was paid.

Response: The physical condition of the subject lots has not been created by the current owners. The site was originally developed prior to adoption of the current

- UDO. As noted above, current owners have acquired the subject property in 2007. After demolition of the single-family residence, the site has remained vacant and has not been subdivided or developed.
- 4. <u>Denied Substantial Rights</u>. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
 - Response: Per the applicant's responses to standards, carrying out of the strict letter of the provisions would deprive them of rights to provide support and service to the collective properties that are in need of more parking spaces.
- 5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship will not be a prerequisite to the grant of an authorized variation. Response: The requested variations could be applicable to other properties subdivided and developed in the same district around the same time as subject property. The petitioners are requesting the variations to allow construction of parking on lot that does not meet the lot area. Per the applicant's statement, the requested variations are needed to allow expansion of the parking lot to meet business needs which could be applicable to other business owners and are not a special privilege.
- 6. <u>Code and Plan Purposes.</u> The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this UDO and the provision from which a variation is sought were enacted or the general purpose and intent of The City of Wood Dale Comprehensive Land Use Plan.
 - Response: The variation request is consistent with the general purpose and intent of the UDO and the Comprehensive Plan. The property is located within an established commercial district and will continue to be used for commercial use compatible with the zoning district. The request also supports goals and objectives of the Comprehensive Plan including support for economic development.
- 7. <u>Essential Character of the Area.</u> The variation would not result in a use or development on the subject property that:
 - a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity;

- b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity;
- Would substantially increase congestion in the public streets due to traffic or parking;
- d. Would unduly increase the danger of flood or fire;
- e. Would unduly tax public utilities and facilities in the area; or
- f. Would endanger the public health and safety.

Response: The variations are not expected to result in a use or development that would affect any of the items listed above. The intent of the applicant is to construct a parking lot on a vacant property. Except for the variations sought in this application, the parking lot will be required to meet building code, fire code, zoning, engineering and stormwater requirements.

8. <u>No Other Remedy.</u> There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Response: As is noted above, the applicant is seeking the zoning relief to accommodate construction of a parking lot. This is driven by economic growth and need for additional parking for employees. The property will be used to support a commercial use which is consistent with the surrounding area.

RECOMMENDATION

The Community Development Department finds that the request for a Special Use and Zoning Variations to construct a parking lot is compatible with surrounding zoning and land use classifications, meets the requirements in the Unified Development Ordinance and is consistent with the City's Comprehensive Plan. Based on the above considerations, staff recommends that the Community Development Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the proposed Special Use and Zoning Variations meet the standards of approval and are consistent with the UDO and Comprehensive Plan; and, therefore, I move that the Community Development Commission adopt the findings of fact included within the staff memo dated March 20, 2023 as the findings of the Community Development Commission, and recommend to the City Council approval of the Special Use and Zoning Variations request to construct a parking lot at 227 E Irving Park Road in Case No. CDC-2023-0001.

(Yes vote would be to approve; No vote would be to deny)

5105 Tollview Dr., Suite 201, Rolling Meadows, IL 60008
Ph. (224) 318-2140 – Email: skopalle@mrvarch.com

CDC-2023-0001 Exhibit A

February 27, 2023

Gosia Pociecha Senior Planner City of Wood Dale 404 N. Wood Dale Road Wood Dale, IL 60191

Re: 227 E Irving Park Road Wood Dale, IL 60191

Dear Ms. Pociecha,

This is our resubmittal for the City of Wood Dale Community Development Department, on behalf of our client Duce Raymond and Bryan Opiela, for a special use permit towards the parking lot expansion for Sweet Baby Rays. As mentioned in the previous submittals the purpose of this parking lot expansion is to provide additional parking spaces for Sweet Baby Ray's catering location in Wood Dale. With the increase in the employees, this expansion of the parking lot is necessary. The parking lot will be located on lot 18 and 19. We are pursuing a special use for the approval to proceed with the parking lot.

In the previous submittals, we have provided all the necessary documents that are need for the special use permit. This submittal will include all the items that are being asked in the review letter 2 from February 16th and a response letter addressing to all the comments in the review letter. Please use the table below as a guide to all the submission materials in the packet in order.

Submission Materials:	Prepared By:	Date:
Narrative/Cover Letter	MRV Architects	02-27-23
Response Letter	MRV Architects	02-27-23
Development Review & Annexation Application	MRV Architects	02-27-23
Revised responses to Standards for Approval for Special Use and Disapproval for Site Plan Review	MRV Architects	02-27-23
Photometric Plan	MRV Architects	02-27-23

Please review these documents and let us know if there is anything that needs to be clarified or if there is anything else you need. Free feel to contact me at skopalle@mrvarch.com with any questions or comments.

Sincerely,

Shravani Kopalle. Project Architect, MRV Architects, INC.

CDC-2023-0001 Exhibit B

5105 Tollview Dr., Suite 201, Rolling Meadows, IL 60008 Ph. (224) 318-2140 – Email: skopalle@mrvarch.com

February 27th, 2023

Gosia Pociecha Senior Planner City of Wood Dale 404 N. Wood Dale Road Wood Dale, IL 60191

Dear Ms. Pociecha,

Please see this document as our point-by-point responses to special use standards and site plan review standards for special use permit for the parking lot expansion on 227 E. Irving Park Road, Wood Dale, IL.

RESPONSES TO SPECIAL USE STANDARDS

General Standards. No special use permit will be recommended or granted pursuant to Article 2 Section 17.205.B.5 unless the applicant will establish that:

- 1. <u>Code and Plan Purposes.</u> The proposed use and development will be in harmony with the general and specific purposes for which this UDO was enacted and for which the regulations of the district in question were established and with the general purpose and intent of The City of Wood Dale Comprehensive Land Use Plan.
 - <u>Response</u>: Yes, the proposed use and development will be in harmony with the general and specific purposes for which this UDO was enacted and for which the regulations of the district in question were establishes and with the general purpose and intent of the City of Wood Dale Comprehensive Land Use Plan.
- 2. <u>No Undue Adverse Impact.</u> The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.
 - <u>Response:</u> This proposed use will not have substantial or undue adverse effect upon the adjacent property, the character of the area or the public health, safety, and general welfare as it is just adding asphalt parking spaces to an open lot.
- 3. <u>No Interference with Surrounding Development.</u> The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.
 - <u>Response:</u> The expansion of the parking lot will not have any interference with the surrounding development. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

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- 4. <u>Adequate Public Facilities</u>. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.
 - <u>Response:</u> The parking lot will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the corporation will provide adequately for such services.
- 5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

 Response: The expansion of the parking lot will not cause undue traffic congestion nor draw significant amount of traffic through the residential streets.
- 6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.

 Response: The expansion of the parking lot will not result in the destruction, loss, or damage of natural, scenic or historic feature of significant importance.
- 7. <u>Compliance with Standards</u>. The proposed use and development comply with all additional standards imposed on it by the particular provision of this UDO authorizing such use.

 <u>Response</u>: The expansion of the parking lot will comply with all additional standards imposed on it by the particular provision of this UDO authorizing special use.
- 8. <u>Public Benefit</u>. Whether, and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.
 - <u>Response</u>: The proposal of a parking lot expansion is because of the increased capacity of employees at SBR events. This parking lot will be used by the employees. This is in the interest of public convenience as there won't be any parking/traffic congestion on the streets from the increased number of vehicles from the increase of employees at SBR. With this addition of the parking lot, they will have space to park their vehicles, instead of on the streets.
- 9. <u>Mitigation of Adverse Impacts</u>. Whether, and to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping and screening.
 - <u>Response:</u> All steps possible have been taken to minimize any adverse effects of the parking lot on the immediate vicinity through site design, landscaping, and screening.

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SITE PLAN REVIEW STANDARDS

- 1. <u>Standards.</u> The Development Administrator and the City Council will not disapprove a site plan submitted pursuant to this Section except on the basis of specific written findings directed to one or more of the following standards:
 - a. The application is incomplete in specified particulars or contains or reveals violations of this UDO or other applicable regulations that the applicant has, after written request, failed or refused to supply or correct.
 - <u>Response:</u> The application doesn't contain or reveal violations of the UDO or other applicable regulations that the applicant has failed or refused to supply or correct.
 - b. The application is submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, and the applicant has failed to secure approval of that application.
 - <u>Response:</u> The application is not submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, and the applicant has not failed to secure approval of that application.
 - c. The site plan fails to adequately meet specified standards required by this UDO with respect to the proposed use or development, including special use standards where applicable
 - <u>Response:</u> The site plan of the parking lot meets specified standards require by the UDO with respect to the proposed use or development, including special use standards where applicable.
 - d. The proposed site plan interferes with easements or rights-of-way.

 <u>Response:</u> We understand that the right of way begins at the property line and not the curb line, however the 30' transition space from the property line will significantly impact the number of parking spaces. For this reason, we are requesting a relief from this requirement as a variation.
 - e. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property.
 - <u>Response:</u> The parking lot/proposed site plan is not unreasonably injurious or detrimental to the use and enjoyment of surrounding property. The parking lot doesn't interfere or disturb the adjacent/surrounding properties.
 - f. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably create hazards to safety on or off site or disjointed or inefficient pedestrian or vehicular circulation path on or off site.

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<u>Response:</u> The parking lot does not create undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably create hazards to safety on or off site or disjointed or inefficient pedestrian or vehicular circulation path on or off site. The site plan of this parking lot expansion is designed so there will not be any traffic congestion and will have a smooth circulation.

- g. The screening of the site does not provide adequate shielding from or for nearby uses.

 Response: The screening of the parking lot does provide adequate shieling from/for nearby uses/buildings.
- h. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactory integrate the site into the overall existing and planned drainage system serving the city.
 - <u>Response:</u> The parking lot/proposed site plan does not create unreasonable drainage or erosion problems or fails to fully and satisfactory integrate the site into the overall existing and planned drainage system serving the city.
- i. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactory integrate site utilities into the overall existing and planned utility systems serving the city.

 Response: The parking lot/proposed site plan does not place unwarranted or unreasonable burdens on specified utility systems serving the site or area or does not fail to fully and satisfactory integrate site utilities into the overall existing and planned utility systems serving the city.
- j. The proposed site plan does not provide for required public uses designated on the Official Map. k.
 <u>Response:</u> The proposed site plan does provide for required public uses designated on the Official Map k.
- k. The proposed site plan otherwise adversely affects the public health, safety or general welfare.
 - <u>Response:</u> The parking lot/proposed site does not adversely affect the public health, safety, or general welfare.

Alternative Approaches. In citing any of the foregoing standards, other than those of Article 2 Section 17.206.E.1.a and 17.206.E.1.b, as the basis for disapproving a site plan, the Development Administrator or the City Council may suggest alternative site plan approaches that could be developed to avoid the specified deficiency or may state the reasons why such deficiency cannot be avoided consistent with the applicant's objectives.

<u>Response:</u> There are no deficiencies in the site plan but if the Development administrator or the city council may suggest alternative site plan, the applicant will submit an alternative site

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plan that is developed to avoid specified deficiencies or state the reasons why such deficiencies cannot be avoided consistent with the applicant's objectives.

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CDC-2023-0001 Exhibit C

February 2nd,2023

Gosia Pociecha Senior Planner City of Wood Dale 404 N. Wood Dale Road Wood Dale, IL 60191

Dear Ms. Pociecha,

Please see this document as our point-by-point revised responses to Standards for Zoning Variations towards the parking lot expansion on 227 E. Irving Park Road, Wood Dale, IL

RESPONSES TO STANDARDS FOR APPROVAL:

VARIATION STANDARDS

No variation shall be authorized by the City Council unless the Community Development Commission shall find evidence establishing the following general standards.

- General Standard. No variation will be granted pursuant to this Section 17.204.C.6 unless the applicant will establish that carrying out the strict letter of the provisions of this UDO would create a particular hardship or a practical difficulty. Such a showing will require proof that the variation being sought satisfies each of the standards set forth in this Subsection.
 Response: The lot that the parking lot is being proposed on is already established and is serving the adjacent lot where SBR events is located. For these reasons, the lot size can not be changed. Due to this, we are requesting a variation of the lot area in the Development Review & Annexation Application.
- 2. <u>Unique Physical Condition.</u> The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to an inherit in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot
 - <u>Response</u>: The lot/property, where the parking lot expansions is being proposed, is exceptional compared to other lots to the same provision by reason of a unique physical condition as it is an expansion of a parking lot in Town Center Business district. This parking lot expansion is more than a mere inconvenience to the owner as it is to accommodate the rise in employees at the business "SBR events" on the adjacent lot.
- 3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this UDO, for which no compensation was paid.

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<u>Response:</u> The unique physical condition is not self-created. It has been an open lot not used for anything and was just a lawn area. This open lot will be turned into a parking lot for SBR events.

- 4. <u>Denied Substantial Rights:</u> The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

 <u>Response:</u> If substantial rights are denied, we won't have the ability to provide support and service to the collective properties that are in need of more parking spaces/parking lot expansion.
- 5. Not merely Special Privilege: The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, not merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardships will not be a prerequisite to the grant of an authorized variation.
 - <u>Response:</u> The expansion of the parking lot is not merely a special privilege. With the increased capacity of employees, SBR events is working with non-sufficient parking. This parking lot is a need and not doing it will give adequate parking for the employees.
- 6. <u>Code and Plan Purposes</u>: The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this UDO and the provisions from which a variation is sought were enacted or the general purpose and intent the City of Wood Dale Comprehensive Land Use Plan.

 Response: The expansion of the parking lot will not result in the development of the property
 - Response: The expansion of the parking lot will not result in the development of the property that would not be in harmony with the general and specific purposes and intent of the City of Wood Dale Comprehensive Land Use Plan.
- 7. <u>Essential Character of the Area:</u> The variation would not result in a use or development on the subject property that:
 - a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity;
 - <u>Response:</u> The expansion of the parking lot will not be detrimental to the public welfare or materially be injurious to the enjoyment, use, development value of the property or improvements permitted in the vicinity.
 - b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity;
 - <u>Response</u>: The expansion of the parking lot will not materially impair an adequate supply of light and air to the properties and improvements in the vicinity. With the addition of the parking to this lot, we will be adding more light fixtures that will give more light to the property.
 - c. Would substantially increase congestion in the public streets due to traffic or parking;

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<u>Response:</u> The expansion of the parking lot will not substantially increase congestion in the public streets due to traffic or parking.

- d. Would unduly increase the danger of floor or fire;

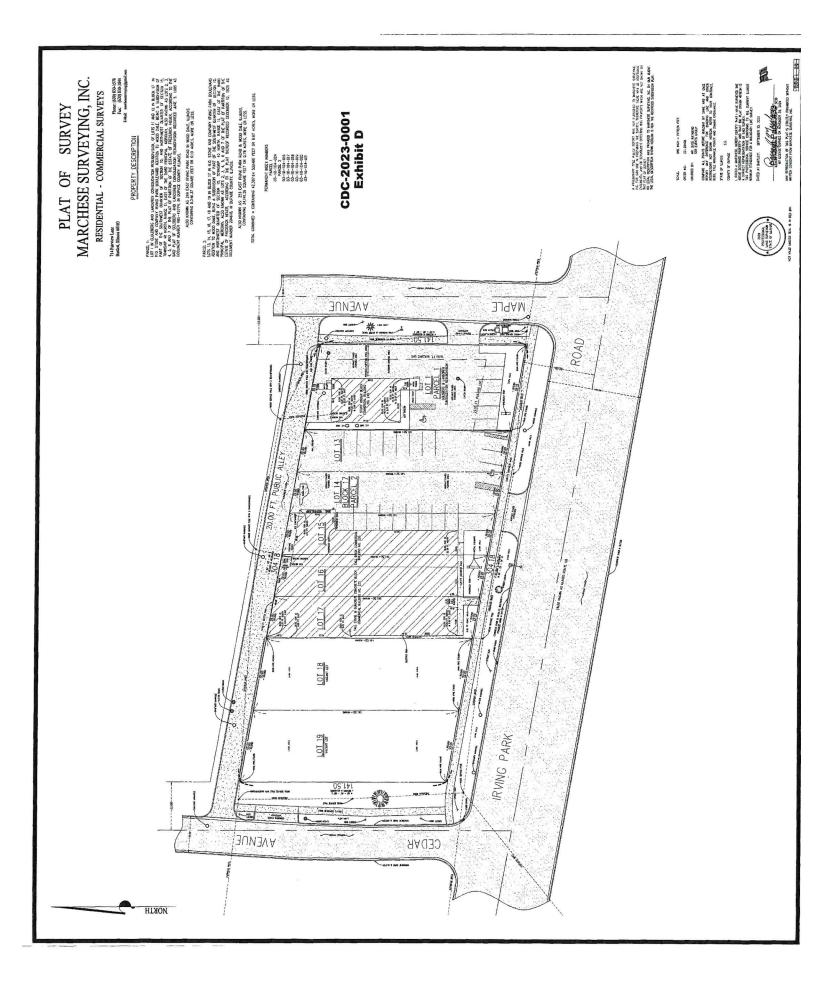
 <u>Response:</u> The expansion of the parking lot will not unduly increase the danger of floor or fire
- e. Would unduly tax public utilities and facilities in the area; or <u>Response</u>: The expansion of the parking lot will not unduly tax public utilities and facilities in the area as this parking lot is for a private entity.
- f. Would endanger the public health and safety.

 <u>Response:</u> The expansion of the parking lot will not endanger the public health and safety.
- 8. <u>No Other Remedy.</u> There is no means other than the requested variation by which the alleged hardships or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

<u>Response:</u> Two business are currently working with non-sufficient parking with the increase capacity of employees. This expansion of the parking lot is based on a need. Not doing it will give adequate parking for the employees of SBR events.

Please feel free to reply or call with any questions you may have.

Sincerely, Shravani Kopalle Project Architect MRV Architects, INC.



SBR EVENTS GROUP

227 E IRVING PARK ROAD WOOD DALE, IL 60191 PROPOSED PARKING LOT **EXPANSION**

ARCHITECTS, INC





PROJECT DIRECTORY

ARCHITECTURAL

LOT COVERAGE CALCULATIONS

NB) GENERAL CONTRACTOR TO PAY FOR ALL SCAVENGER SERVICES. AND WILL BE RESPONSIBLE FOR TRENDALAL OF DERING ACCULALATED BY EACH TRADE. HILL THADE WILL REEP THE JOB SITE CL THAT SAFE AT ALL THESE ALGING WITH A BROOM FIRST AT THE EIR OF BACH WORKING DAY.

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vią SITE SAFETY. EACH CONTRACTON WAL ABIDE BY LOCAL AREA STALIDARDS AND RELATED OSHA PROFESSIONAD CHRONICATION AND RESPETY FOR INBEROPPEESS ON THE TO SAFETY AND THE PROFESSIONAD CHRONICATION AND ALL BY THE DIMENSIS BY THE OMNERS. OBTEMAC, CONTINUACION AND THE TITLE DANANCED UNINE, SEL THIS REQUEST CON ALCOHOLIST ON INAMESE CAREED ON PROPERTY DANANCE THIS PROCEST CONTRIBUTION WHISE OF THIS PROJECT.

11) ALL SUBCONTRACTORS WILL PROVIDE A CERTIFICATE OF INSURANCE TO THE OWNER PRIOR TO STAR WORK OUT HAS PROJECT, HOTE: CERTIFICATE PRISURANCE CARRINOT BE TERMINATED OR CANCEL WITHOUT 10 DAYS PRIOR WRITTEN HOTTET TO THE OWNER.

10. VERITY ALL DIMENSIONS IN THE FIELD PRIOR TO ORDCRING. CUTING ANDIOR INSTALLING MATE. SOURCH OR EGUIPHITH, IN THE EVENT OF ANY DISCREPANCIES, CONTACT THE ARCHITECT BEFOR PROCEEDING WITH THAT WORK. 3) ALL CONTRACTORS VALL GUARANTEE ALL LABOR AND MATERIALS FOR A PERIOD OF ONE YEAR OF ISSUE OF FIVAL OCCUPANCY PERMIT ANDICR AT THE FIVAL PAYOUT FROM DYMER. BY LAYOUT ALL PARTITIONS BEFORE BEGINNING CONSTRUCTION TO PREVENT ERRORS BY DIS-DRYWALL PARTITIONS WILL BE INSTALLED AS NOTED ON THE DAWANGS. 7) ALL NATERIALS USED WILL BE NEW AND BEAR U.L. LABELS WHERE REQUIRED IN E.M.A. STANDARDS.

51 ALL CONTRACTORS WALL PROVIDE ADEQUATE BRACING ANDORS SHORING TO HISLINE STRUCTURAL STRUCTURAL SERVENT SEE STRUCTURAL WALLS FITER WALL ASSENDED. SETC. DIRBING THE CONSTRUCTION FINES OF THIS PROJECT.

12). NO SUBSTITUTIONS OF ANY MID FOR MATERIALS SPECIFED ON THESE CONSTRUCTION DOCUMENT MATERIAL STREET SUBSTITUTIONS WILL BE MADE, INSEE SPEROVEDIN WRITHING STREET MAINSTITUTIONS WILL BE MADE, INSEE SPEROVED BY THE MAINSTITUT OF ORIGINAL.

LOT COVERAGE = 47.17% OT COVERAGE = (6,600/13,991) X 100 = 47,17 TOTAL LOT AREA
TOTAL FOOTPRINT AREA LOT 18 AREA LOT 19 AREA

24) CONTRACTOR TO PROTECT EXISTING CONSTRUCTION AND RESTORE ALL FINISH SURFACES TO THEIR ORIGINAL CONDITION WHERE DAMAGED.

22) CONTRACTOR IS RESPONSIBLE FOR COORDWATERS ALL ARCHITECTURAL, MECHANACAL, TELEPHON ELECTIVICAL, MECHANACAL, TELEPHON ELECTIVICAL, (INCLUDING LIGHTED CLEARANCES FOR INSTALL THAT REQUIRED CLEARANCES FOR INSTALL THON ALD MANIFEMANCE OF ALL EQUIPHERT ARE PROVIDED.

19) DO NOT SCALE DRAWINGS

PROJECT DIRECTORY

OVMER

1) ALL WORK TO COMPLY TO THE ILLIMOIS / FEDERAL ACCESSIBILITY CODE AS ESTABLISHED BY THE STATE. ILLIMOIS AND THE CITY OF WOOD DALE.

GENERAL NOTES

MOOD DALE, IL 60191 227 E IRVING PARK ROAD, PARKING LOT EXPANSION

CODE REVIEW

AUTHORITY

ARCHITECT'S SEAL

PARKING LOT EXPANSION SBR EVENTS 227 E IRVING PARK ROAD WOOD DALE, IL 60191

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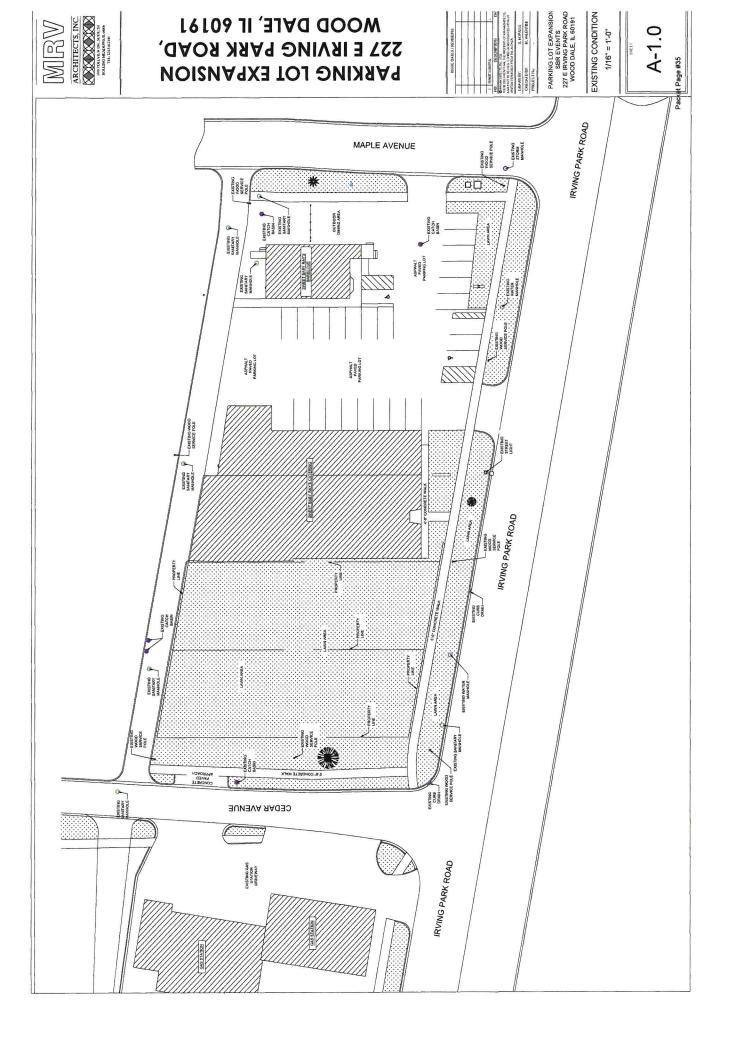
COVER SHEET

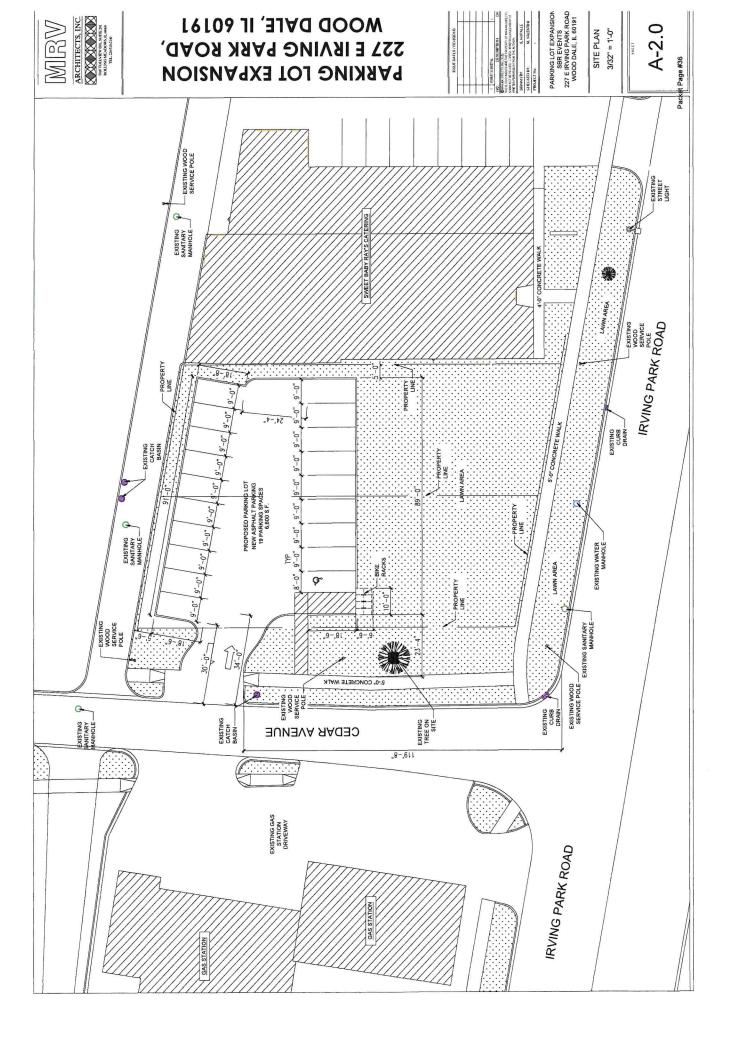
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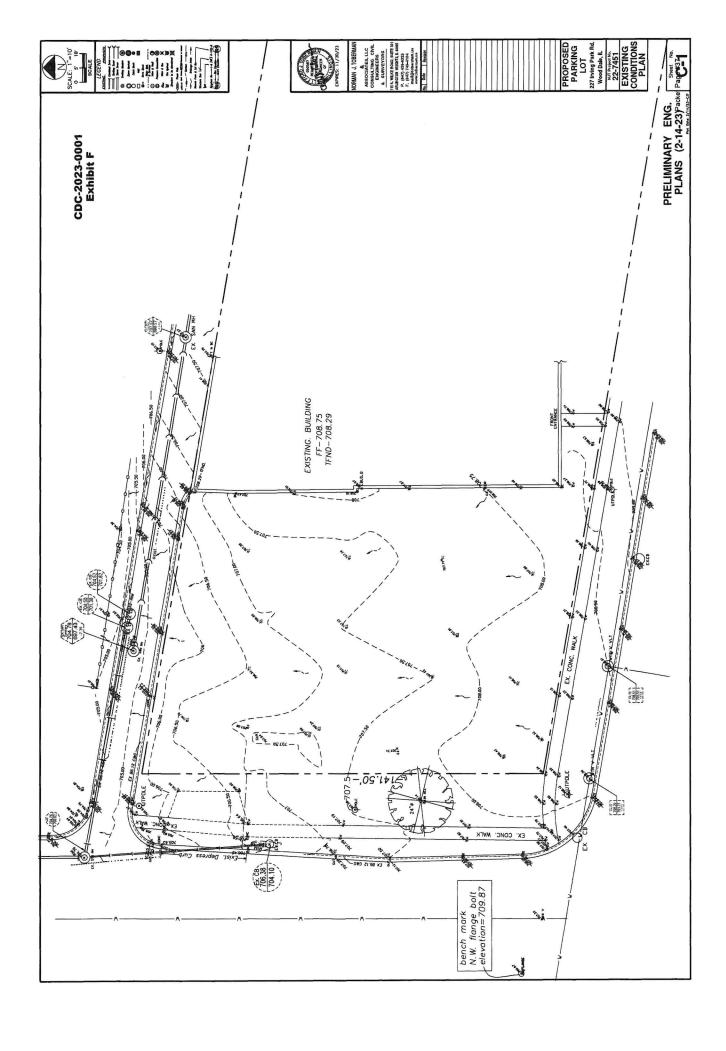
PROFESSIONAL DESIGN FIRM LLINGIS REGISTRATION NO. 184,0070 EXPIRATION DATE: 04/30/2024 ARCHITECT ALINOIS REGISTRATION NO. 0013 EXPIRATION DATE: 11/30/24

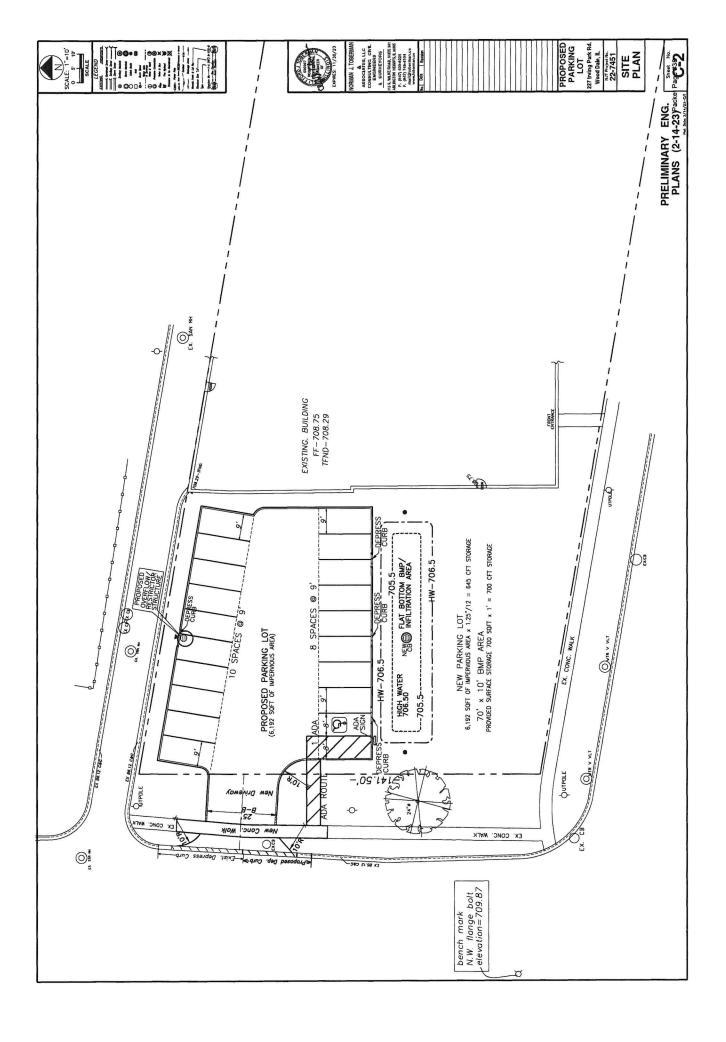
HHS PROJECT WILL COMPLY WITH ADA TITLE II JALL PROGRAMS, SERVICES AND ACTIVITIES TO BE MADE ACCESSIBLE TO AND USABLE BY PEOPLE WITH DISABIL! THIS PROJECT WILL COMPLY WITH IAG SECTION 400 510 PUBLIC FACILITIES ALTERATIONS

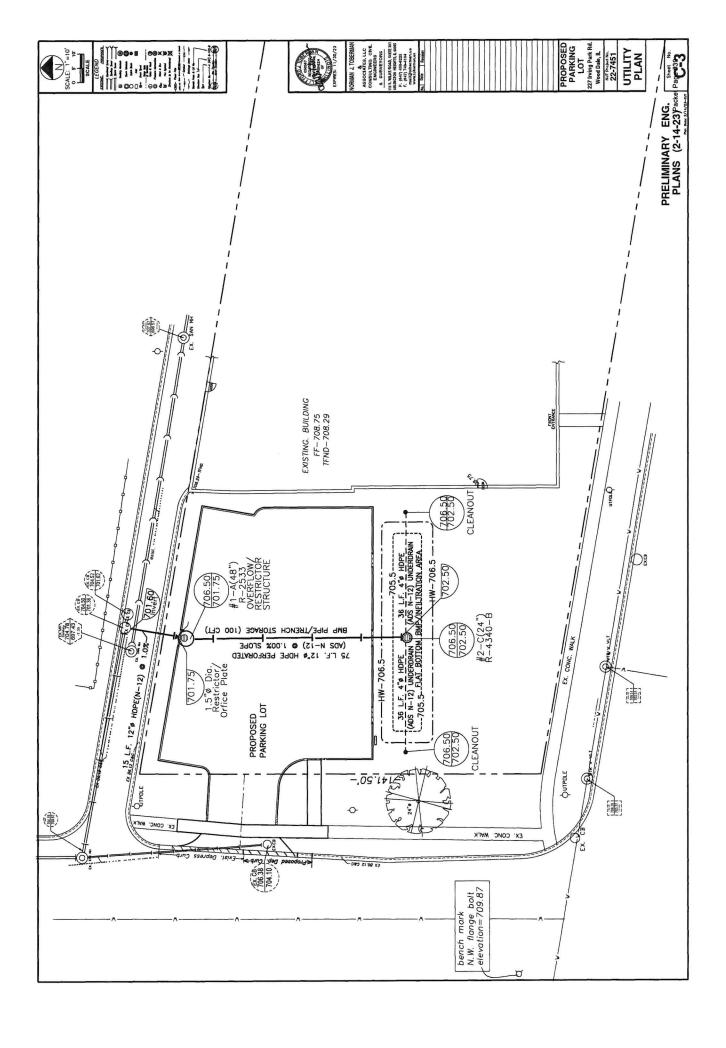
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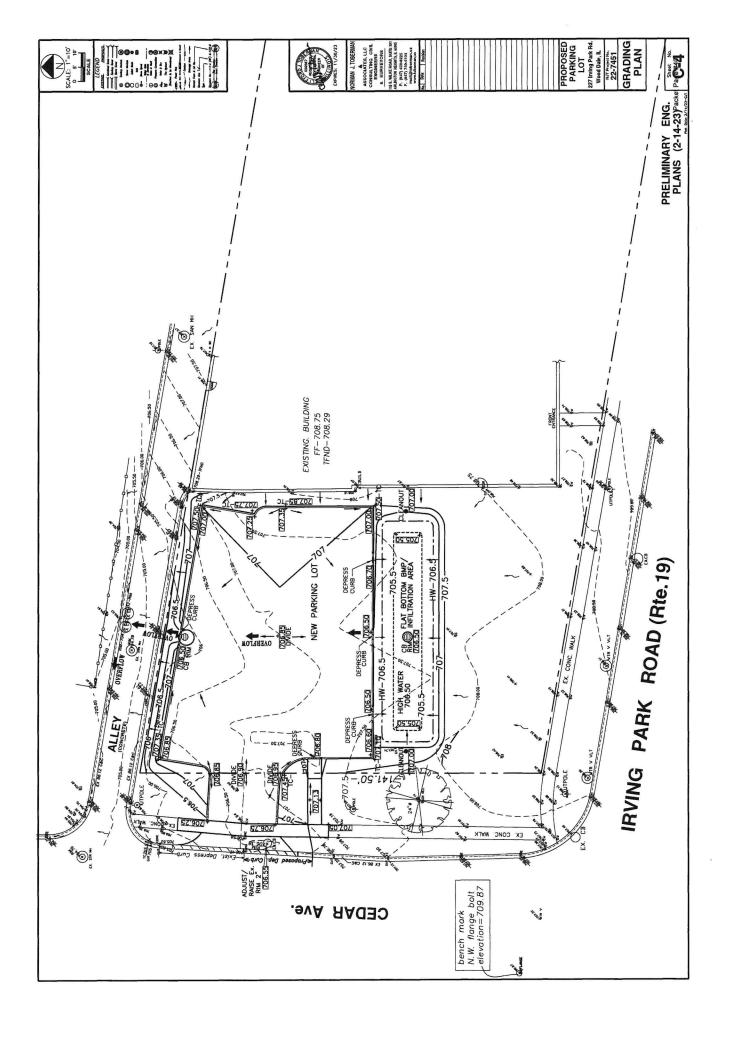


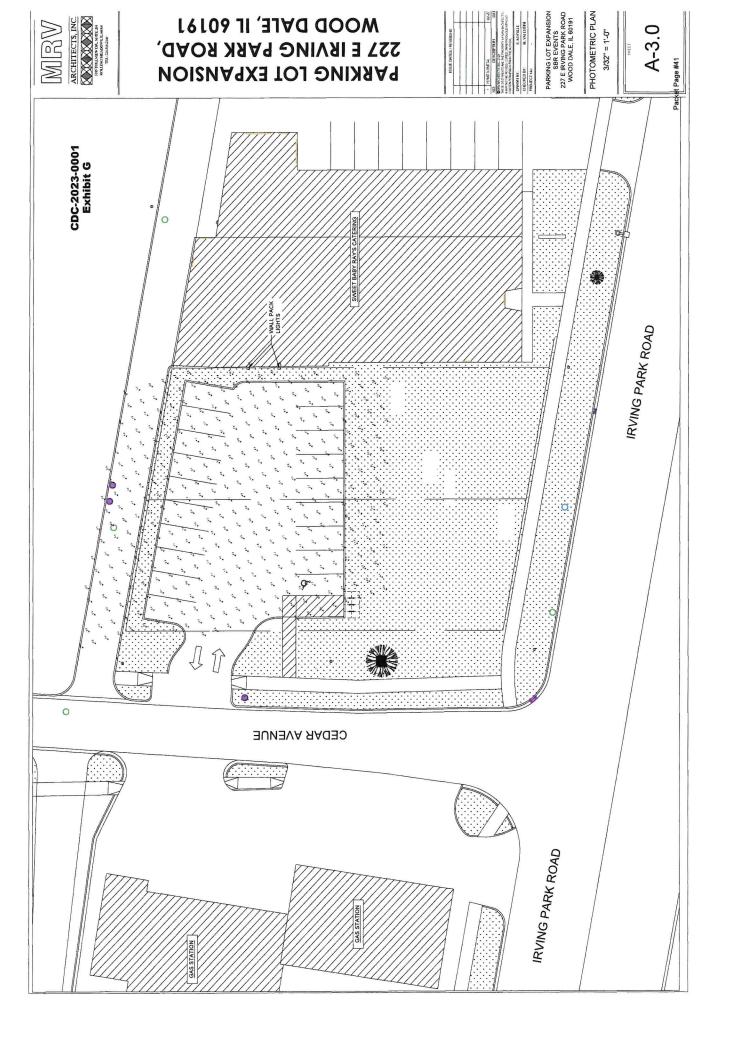


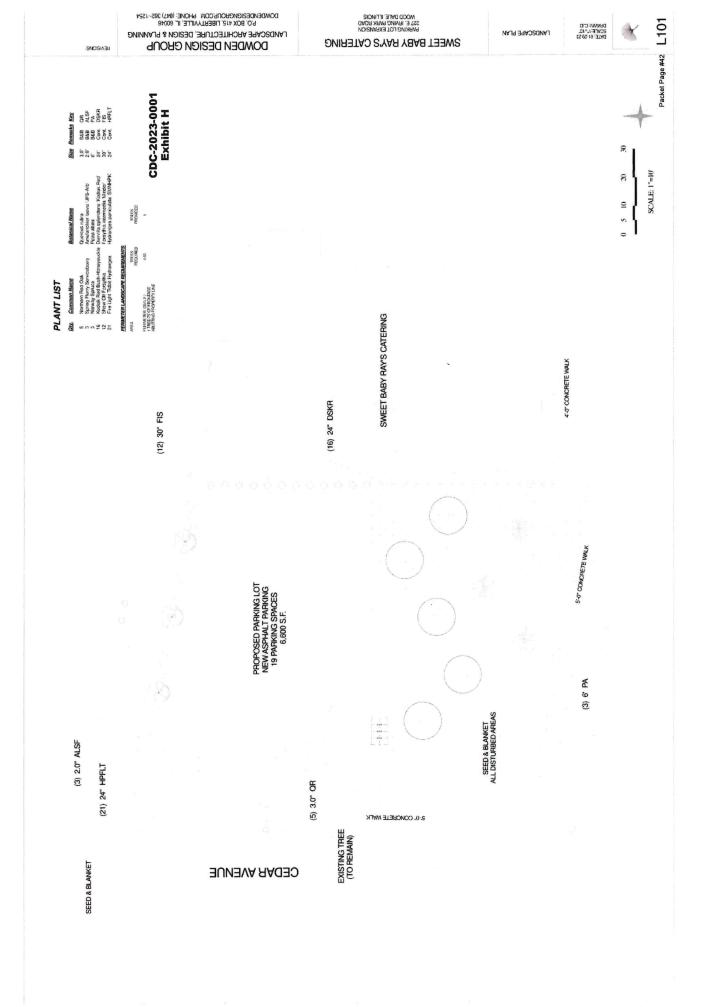










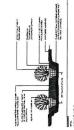


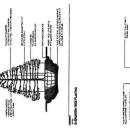
LANDSCAPE PLAN

SWEET BABY RAYS CATERING

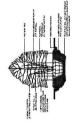
REVISIONS

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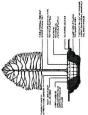


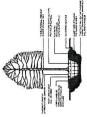












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13	13) Bare root plants shall not be allowed.

13) Bare root plants shall not be allowed.	 All planted areas and landscaped islands shall receive a tour bank mulch.
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17.79%	JACKPOT KENTUCKY BLUEGRASS	85%	ORWA
16.11%	EVEREST KENTUCKY BLUEGRASS	85%	OR
9.98%	FIESTA 4 PERENNIAL RYEGRASS	%06	Z
9.37%	HANCOCK PERENNIAL RYEGRASS	%06	NN
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