



City of Des Plaines
Community Development
Planning & Zoning Division
1420 Miner Street
Des Plaines, IL 60016
Tel: 847-391-5306
Fax: 847-827-2196

MEMORANDUM

Date: November 28, 2012

To: Michael G. Bartholomew, MCP, LEED AP, City Manager
Alexander Dambach, AICP, PP, Director of Community and Economic
Development

From: Scott Mangum, AICP, Senior Planner *SM*

Subject: Zoning Ordinance Map Amendment, 1345 Golf Road/16 Mary Street, 12-068-MAP

Issue: The petitioner is requesting an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the property from the C-2 Limited Office Commercial Zoning District to the C-3 General Commercial Zoning District.

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

General Information

Petitioner: Michael Van Slambrouck/MBV Properties, LLC, 16 Mary Street,
Des Plaines, IL 60016

Address: 1345 Golf Road/16 Mary Street

PIN: 09-17-200-039-0000

Case Number: 12-068-MAP

Existing Land Use: Multi tenant building

Existing Zoning: C-2, Limited Office Commercial

Street Classification: The adjacent section of Golf Road is listed as an arterial in the
Comprehensive Plan. Mary Street and Redeker Road are local
streets.

Comprehensive Plan: The Comprehensive Plan recommends Community Commercial uses for the site.

The applicant, Michael Van Slambrouck/MBV Properties, has applied to change the zoning of the lot at 1345 Golf Road/16 Mary Street from C-2, Limited Office Commercial, to C-3, General Commercial. The approximately 96,800 square foot (2.2 acres) lot has frontage on Golf Road (280 feet), Mary Street (345 feet), and Redeker Road (280 feet). An approximately 27,369 square foot, one story, brick commercial building with multiple tenant spaces is present in addition to a Commercial Mobile Radio Service Tower. Eight parking spaces are located between Golf Road and the building while 24 parking spaces are located in front of the building on the Mary Street frontage.

The applicant has requested the rezoning from the more restrictive C-2 Zoning District to the less restrictive C-3 Zoning District in order to be able to attract a wider range of tenants. The building is currently occupied with a printing company, trade contactor (landscaping), and office/warehouse space. The list of allowable uses in the C-2 Districts is limited, with the goal of the district being "to preserve existing office development and provide locations for the development of new office locations." Whereas, the purpose of the C-3 General Commercial District is "to accommodate a variety of businesses in locations to serve the community of Des Plaines."

Generally, the area to the north of the subject property is developed with office uses including Holy Family Medical Center. Additionally, an office building is located at the southwest corner of Golf and River Roads. The properties to the south of the subject property are developed with more intense industrial uses and are zoned M-1, Limited Manufacturing. The properties to the east and west along Golf Road are also located within the C-2 zoning district. The property located at 6 N. River Road (northwest corner of Redeker and River Roads) was rezoned from C-2 to C-3 earlier this year.

Both the 2007 Comprehensive Plan and Five Corners Redevelopment Plan for TIF #4 contemplate large format retail commercial development in the area. The C-3 Zoning District is more compatible with this type of development.

Standards for a Zoning Map Amendment

To analyze this map amendment request, the standards for amendments contained in Section 3.7-5 of the Zoning Ordinance were used. Following is a discussion of those standards:

A. Whether the proposed amendment is consistent with the goals, objectives, and policies contained in the Comprehensive Plan.

The 2007 City of Des Plaines Comprehensive Plan recommends Community Commercial uses for these sites. The C-3 zoning district permits a number of commercial uses by right and allows other more intense commercial uses with a conditional use permit.

B. Whether the proposed amendment is compatible with the current conditions and the overall character of existing developments in the immediate area.

The current conditions around the site include a variety of commercial and industrial uses including offices to the north and east. Adjacent uses to the south are more intense and industrial in nature. The proposed zoning change would be more compatible with the properties to the south, but could introduce uses that would be less compatible with the office buildings to the north.

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

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

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

The existing building could be reused with a greater number of commercial uses; however, some of the more intense uses may be less compatible with the existing office developments that are encouraged in the adjacent C-2 Zoning District. The C-2 and C-3 zoning district bulk requirements are identical so the map amendment would not affect the scale of building that could occur on the site.

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

The proposed map amendment to reclassify the properties to C-3, General Commercial is compatible with the Comprehensive plan. The size of the parcel involved in the request is not large enough to accommodate a development of a size that would produce a significant amount of growth.

Recommendations: At its November 26, 2012 meeting, the Plan Commission *recommended* (4-0) that the City Council *approve*, the above-mentioned map amendment from the C-2 zoning district to C-3 zoning district. Under Section 3.7-4-D of the Zoning Ordinance (Amendments) the City Council has the final authority on the proposal.

Based on the above analysis, the Community Development Department recommends approval of the requested zoning map amendment to change the zoning classification to C-3, General Commercial. Staff recommends that the property should be classified into a zoning district that is in greater conformance with the Comprehensive Plan.

Staff requests that this item be placed on the Committee of the Whole agenda at the December 17, 2012 City Council meeting.

Attachments:

Attachment 1: Petitioner's Map Amendment Application and supporting documentation

Attachment 2: Location Map

Attachment 3: Site and Context Photos

Attachment 4: Commercial Use Matrix

Attachment 5: Draft Minutes of the November 26, 2012 Plan Commission Hearing

Attachment 6: Letter from Plan Commission to the Mayor

Exhibits:

Exhibit A: Plat of Survey for 1345 Golf Road/16 Mary Street prepared by Gremley & Biedermann, and dated April 4, 2004.

Exhibit B: Site Plan for 1345 Golf Road/16 Mary Street submitted by MBV Properties, LLC, and dated October 29, 2012.

Exhibit C: Map of Current Zoning Classifications

CITY OF DES PLAINES
PLAN COMMISSION
1420 MINER STREET
DES PLAINES, IL 60016

MAP/TEXT AMENDMENT APPLICATION

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Address of Property 1345 Golf Rd. Case # 12-068 MAP
Property Located in: Floodplain Yes No Floodway Yes No
Fee Paid/Receipt Number 1524 Amount 220⁰⁰ Date 10-26-12
Date Legal Notice Published (Journal & Topics Newspaper) _____
Scheduled Hearing Date 11-26-2012 at 7:00 P.M. in Room 101, City Hall
Action by Plan Commission/City Council _____

1. Address of Property 1345 GOLF RD / 116 Mary St, Des Plaines, 60016
2. An Amendment is requested to the City of Des Plaines Zoning Ordinance to change Map
as follows: (Map or Text)

3. A Map Amendment is requested to change the present zoning district from C2
(Present Zoning District)
to C3 on the following described property (fill in or attach legal description).
(Proposed Zoning District) description is on attached/enclosed
Trustee's Deed from our 4/23/04 closing

4. A Text Amendment is requested to revise / add / delete _____ as follows:
(Circle One) (Section/Paragraph)

5. Property Index Number 09-17-200-039-0000 AND 09-17-200-126-0000
(From a recent tax bill or township assessor's office)

6. Present Use of Property Printing Company, Landscaper Yard, & Office/Warehouse
7. Present Zoning District of Property C-2 Limited Office Commercial
(Zoning District)

Attachment 1

8. Proposed Use (i.e., garage, room additions, etc...) Same as Present Use
9. Name of Applicant(s) Michael Van Slambroek / MBV Properties, LLC
10. Address of Applicant(s) 16 Mary Street, Des Plaines, IL 60016
11. Telephone Number of Applicant(s) (847) 649-0333
12. Property Interest of Applicant(s) Owner
13. Name of Owner(s) (if different from applicant) _____
14. Address of Owner (s) (if different from applicant) _____
15. Telephone Number of Owner(s) (if different from applicant) (____) _____
16. Name(s) of Trust Beneficiary(ies) * n/a
17. Address(es) of Trust Beneficiary(ies) n/a
18. Name of Contact Person Michael Van Slambroek
19. Telephone Number of Contact Person (847) 649-0333
20. Address of Contact Person MBV Properties, LLC 16 Mary St, Des Plaines, IL 60016-3407
21. Complete Attached "Statement by Applicant"

* All applications involving property held by a land trust must be signed by the trust officer of the institution holding the trust as the owner of the property. Additionally, the trust beneficiary(ies) and his (their) current address(es) must be disclosed on the application form. The application must also be accompanied by the following:

1. Certified copy of the trust agreement;
2. A letter from the trustee certifying that the beneficiary(ies) as shown on the application are correct and disclosing any beneficiary changes or lack thereof during the 12 months immediately preceding the filing of this application.

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) consent to the entry in or upon the premises described in this application by any authorized official of the City of Des Plaines, Illinois, for the purpose of posting, maintaining, and removing such notices as may be required.

Michael J. Van Slambroek
Signature of Applicant or Authorized Agent

Oct 26, 2012
Date

Michael J. Van Slambroek
Signature of Owner

Oct 26, 2012
Date

STATEMENT BY APPLICANT

ADDRESS OF PROPERTY 1345 Golf Rd / 16 Mary St. **CASE NUMBER** _____

A statement containing all the circumstances, factors, and arguments that the petitioner offers in support of the proposed amendment, including an explanation of how the petition satisfies each of the standards set forth in Article 3, Section 3.7-5 (Standard for Amendments);

- A. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the City Council;

Yes, a change from restrictive C-2 zoning to C-3 Commercial zoning is consistent with the City's long range land use Plan of March 2007.

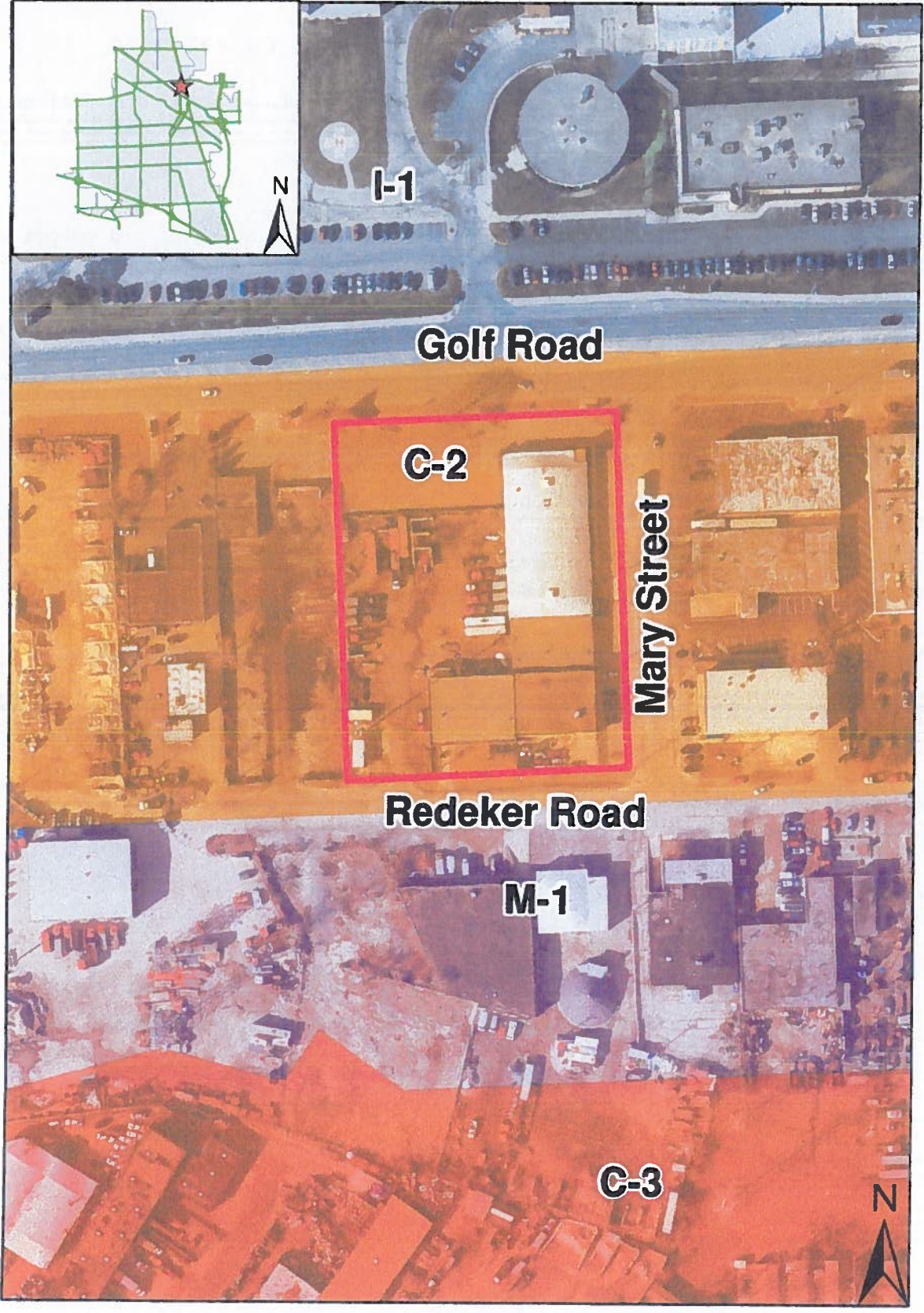
- B. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;

Yes, although we believe that M-2 or M-1 (our zoning previous to 1995) would also be consistent with the immediate vicinity - and more conducive to helping bring businesses into the City, we are requesting C-3 because it is also consistent with the City's Land Use Plan and other businesses in the vicinity.

- C. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property;

We believe it is appropriate and will not place additional burden on public facilities and services available to this area.

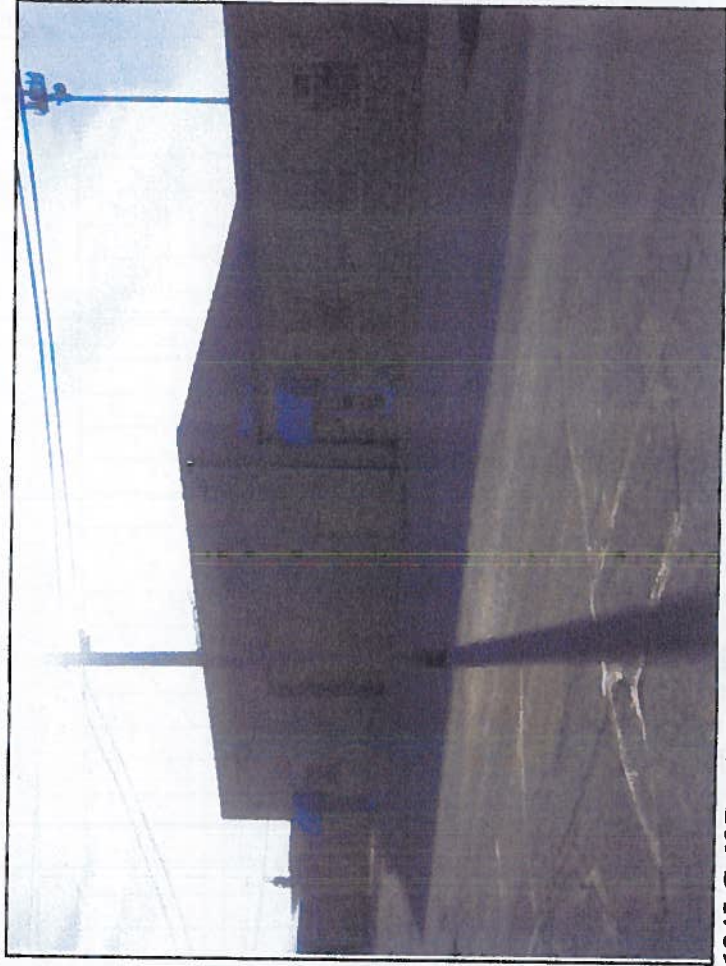
Attachment 2, Location Map - 1345 Golf Road/16 Mary Street



Attachment 3



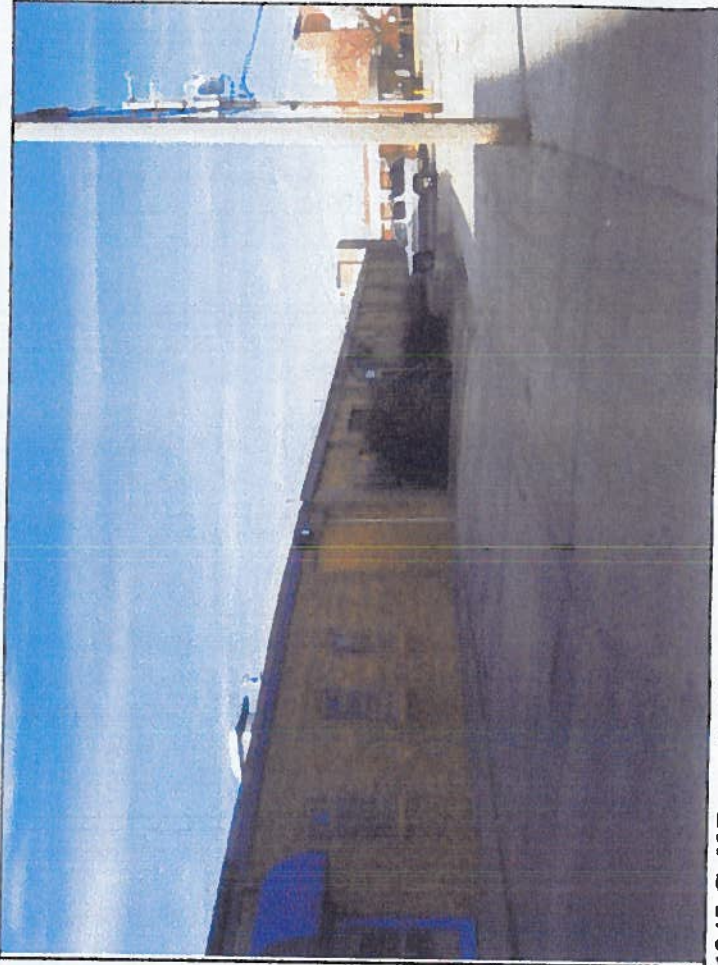
1345 Golf Road/16 Mary Street – Golf Road Frontage



1345 Golf Road/16 Mary Street – Mary Street & Redeker Road



1345 Golf Road/16 Mary Street – Redeker Road Frontage



1345 Golf Road/16 Mary Street – Mary Street Frontage

Table 7.3.1 Commercial District Use Matrix

Uses	C-1	C-2	C-3	C-4	C-5	C-6
Accessory uses and structures	P	P	P	P	P	P(z-1-10)
Animal clinic	C		P	C	C	
Animal hospital			P			
Assisted living facility			C		C ⁽³⁾	
Auto body repair			C			
Auto service repair			P		P	
Auto filling station			P ⁽⁴⁾	P ⁽⁴⁾	P ⁽⁴⁾	
Bed and Breakfast	C					
Car wash			P ⁽⁵⁾	C ⁽⁵⁾		
Child care center	C	C	C(z-21-11)	C	P	
Child care center with accessory dwelling unit (Z-3-11)	C ⁽⁸⁾					
Casino						P(z-1-10)
Commercial antenna		C		C		
Commercial indoor recreation			P	P	P	
Commercial indoor recreation – dance halls			C	C		
Commercial outdoor recreation		C	C			
Commercial parking garage			C ⁽⁹⁾		P	
Commercial parking lot			P		P	
Commercial shopping center				P		
Congregate housing			C	C	C ⁽³⁾	
Convenience mart fueling station			C ⁽⁴⁾	C ⁽⁴⁾	C ⁽⁴⁾	
Convenience retail store	P		P	P	P	
Cultural facility			P	C	P	
Currency exchange (ord. Z-34-06)			C	P	P	
Domestic pet service			C _{(a)(b)(c)}			
Drive-through facility			C ₍₂₎	C ₍₂₎	C ₍₂₎	
Dry cleaners w/plants on premises			P		P ₍₇₎	
Dwellings, multiple family					P ₍₃₎	
Financial institutions		C	P	P	P	
Firearm sales	C	C	P		P	
Funeral homes	C	C	P		P	
Grocery retail			P	P	P	
Hotels		C	P	C	P	P(z-1-10)
Leasing/Rental agents, vehicles			P		P	
Leasing/Rental agents, equipment			C	C		
Libraries, public	P		P	P	P	
Libraries, private	C	P	P	P	P	
Massage parlors			C	C	C	
Media broadcast stations			P		P	
Media print establishments		P	P		P	
Motor Vehicle sales			C ₍₅₎	P		
Municipal government		P			P	
Motels		C	P	C		
Offices	C	P	P		P	
Parks	P		P	P	P	
Payday Loan Businesses or Agencies			C			

(a) All Domestic Pet Services shall be at least 300 feet from any residential dwelling, unless both the owner and occupant of the residential dwelling consent to the same; the applicant shall furnish such consent in writing.

- (b) Outdoor kennels are not allowed.
- (c) Outdoor runs are allowed.

Table 7.3. Commercial Districts Use Matrix continued							(Z-1-10)
Uses	C-1	C-2	C-3	C-4	C-5	C-6	
Pharmacies/Drug Stores	P		P	P	P		
Places of Worship		C	C		P ⁽¹⁾		
Planned developments	C	C	C	C	C	C	
Post office		C	P	P	P		
Public transportation centers			P		P		
Public utilities		P	P	P	P		
Residential care homes							
	Large	C					
	Small	P					
Restaurants							
	Class A		C ⁽⁶⁾	P	P	P	
	Class B		C	C	C		
Retail goods establishments			P	P	P	C	
Retail service establishments	P	C	P	P	P	C	
Rooming and boarding houses					C ⁽³⁾		
Schools, commercial		C	C		C		
Schools, public - elementary and high school			P		C		
Schools, private - elementary and high school			P		C		
Specialty food stores	P	P	P	P	P		
Studios, artist, dance and music	P	P	P		P		
Taverns and lounges	C	C ⁽⁶⁾	P	P	P	P	
Trade Contractors (Z-21-12)			C				
Transitional treatment facility					C		
Wholesale goods establishments			C	C			

P = Permitted Use

C = Conditional Use Permit Required

- (1) On sites of one acre or more.
- (2) When an accessory use only.
- (3) When above the first floor only.
- (4) On sites of 20,000 square feet or more.
- (5) On sites of 25,000 square feet or more. For proposed sites of less than 25,000 square feet but more than 22,000 square feet, the City Council may consider additional factors, including but not limited to, traffic, economic and other conditions of the area, or proposed business and site plan issues in considering whether to grant a Conditional Use for a used car business of less than 25,000 square feet but more than 22,000 square feet.
- (6) When located on the ground floor/level and incorporated within, or accessory to, an office/hotel use.
- (7) Where the dry cleaning establishment has a floor area greater than 1,500 square feet. (Z-37-06)
- (8) Where the dwelling unit is located on the same lot of record as, and subordinate to, the Child Care Center and the Child Care Center proprietor resides in the dwelling unit. (Z-3-11)
- (9) When located south of Touhy Avenue. (ord. Z-10-12)



DES PLAINES PLAN COMMISSION
November 26, 2012
MINUTES

The Des Plaines Plan Commission held its regularly scheduled meeting on Monday, November 26, 2012, at 7:00 P.M., in Room 102, City Council Chambers, of the Des Plaines Civic Center.

PLAN COMMISSION

PRESENT: Bar, Lane, Niemotka, Yi
ABSENT: Perez

Also present was Senior Planner, Scott Mangum, Department of Community and Economic Development.

Chairman Niemotka called the meeting to order at 7:00 P.M.

Chairman Niemotka sought a motion to approve the July 9, 2012 minutes and the October 8, 2012 minutes. Commissioner Lane so moved seconded by Commissioner Yi.

AYES: Lane, Niemotka, Yi
NAYES: None

Commissioner Bar was not present for the motion.

MOTION CARRIED

NEW BUSINESS

Chairman Niemotka read a summary of the matter on the Agenda.

Case Number 12-068-MAP

Address: 1345 Golf Road/16 Mary Street

Request: The petitioner is requesting an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the property from the C-2 Limited Office Commercial Zoning District to the C-3 General Commercial Zoning District.

Petitioner: Michael Van Slambrouck/MBV Properties, LLC
16 Mary Street, 60016

The following individuals were sworn in:

Michael Van Slambrouck, MBV Properties, LLC, 16 Mary Street, Des Plaines, IL 60016

Petitioner Van Slambrouck introduced himself and explained his request to the Commission. The area is more industrial in nature and the C-3 zoning district would allow additional uses. The building is developed with two docks with overhead doors, warehouse, and office space, and is generally not conducive to uses allowed in the C-2 zoning district.

Chairman Niemotka asked what the percentage of the property is leased.

Petitioner said 55% is leased.

Chairman Niemotka asked Petitioner if he was confident that he could lease more of the building with the zoning change.

Petitioner said it is a timing thing and prospective tenants do not want to wait and want to make decisions quickly.

Chairman Niemotka asked Mr. Mangum to read the applicable staff report into record, as follows:

Issue: The petitioner is requesting an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the property from the C-2 Limited Office Commercial Zoning District to the C-3 General Commercial Zoning District.

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

General Information

Petitioner: Michael Van Slambrouck/MBV Properties, LLC, 16 Mary Street, Des Plaines, IL 60016

Address: 1345 Golf Road/16 Mary Street

PIN: 09-17-200-039-0000

Case Number: 12-068-MAP

Existing Land Use: Multi tenant building

Existing Zoning: C-2, Limited Office Commercial

Street Classification: The adjacent section of Gold Road is listed as an arterial in the Comprehensive Plan. Mary Street and Redeker Road are local streets.

Comprehensive Plan: The Comprehensive Plan recommends a Community Commercial use for the site.

The applicant, Michael Van Slambrouck/MBV Properties, has applied to change the zoning of the lot at 1345 Golf Road/16 Mary Street from C-2, Limited Office Commercial, to C-3, General Commercial. The approximately 96,800 square foot (2.2 acres) lot has frontage on Golf Road (280 feet), Mary Street (345 feet), and Redeker Road (280 feet). An approximately 27,369 square foot, one story, brick commercial building with multiple tenant spaces is present in addition to a Commercial Mobile Radio Service Tower. Eight parking spaces are located between Golf Road and the building while 24 parking spaces are located in front of the building on the Mary Street frontage.

The applicant has requested the rezoning from the more restrictive C-2 Zoning District to the less restrictive C-3 Zoning District in order to be able to attract a wider range of tenants. The building is currently occupied with a printing company, trade contactor (landscaping), and office/warehouse space. The list of allowable uses in the C-2 Districts is limited, with the goal of the district being "to preserve existing office development and provide locations for the development of new office locations." Whereas, the purpose of the C-3 General Commercial District is "to accommodate a variety of businesses in locations to serve the community of Des Plaines."

Generally, the area to the north of the subject property is developed with office uses including Holy Family Medical Center. Additionally, an office building is located at the southwest corner of Golf and River Roads. The properties to the south of the subject property are developed with more intense industrial uses and are zoned M-1, Limited Manufacturing. The properties to the east and west along Golf Road are also located within the C-2 zoning district. The property located at 6 N. River Road (northwest corner of Redeker and River Roads) was rezoned from C-2 to C-3 earlier this year.

Both the 2007 Comprehensive Plan and Five Corners Redevelopment Plan for TIF #4 contemplate large format retail commercial development in the area. The C-3 Zoning District is more compatible with this type of development.

Standards for a Zoning Map Amendment

To analyze this map amendment request, the standards for amendments contained in Section 3.7-5 of the Zoning Ordinance were used. Following is a discussion of those standards:

A. Whether the proposed amendment is consistent with the goals, objectives, and policies contained in the Comprehensive Plan.

The 2007 City of Des Plaines Comprehensive Plan recommends Community Commercial uses for these sites. The C-3 zoning district permits a number of commercial uses by right and allows other more intense commercial uses with a conditional use permit.

B. Whether the proposed amendment is compatible with the current conditions and the overall character of existing developments in the immediate area.

The current conditions around the site include a variety of commercial and industrial uses including offices to the north and east. Adjacent uses to the south are more intense and industrial in nature. The proposed zoning change would be more compatible with the properties to the south, but could introduce uses that would be less compatible with the office buildings to the north.

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

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

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

The existing building could be reused with a greater number of commercial uses; however, some of the more intense uses may be less compatible with the existing office developments that are encouraged in the adjacent C-2 Zoning District. The C-2 and C-3 zoning district bulk requirements are identical so the map amendment would not affect the scale of building that could occur on the site.

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

The proposed map amendment to reclassify the properties to C-3, General Commercial is compatible with the Comprehensive plan. The size of the parcel involved in the request is not large enough to accommodate a development of a size that would produce a significant amount of growth.

Recommendation:

Based on the above analysis, the Community Development Department recommends approval of the requested zoning map amendment to change the zoning classification to C-3, General Commercial. Staff recommends that the property should be classified into a zoning district that is in greater conformance with the Comprehensive Plan.

Planning Commission Procedure

Under Section 3.7-4-C of the Zoning Ordinance (Amendments) the Planning Commission has the authority to make a recommendation for approval, approval with modification, or disapproval of the above-mentioned map amendment. The City Council has the final authority on the proposal.

Chairman Niemotka asked if the Commissioners had any questions; there were none.

Chairman Niemotka asked if there was anyone in the audience that had any questions; there were none.

Case #12-068-MAP

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A motion was made by Commissioner Lane seconded by Commissioner Bar to recommend approval of an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the property from the C-2 Limited Office Commercial Zoning District to the C-3 General Commercial Zoning District.

AYES: Bar, Lane, Niemotka, Yi

NAYS: None

MOTION CARRIED

The meeting was adjourned at 7:08 p.m. by unanimous voice vote.

Sincerely,

Robert Niemotka, Chairman
Des Plaines Plan Commission

cc: City Officials
Aldermen
Plan Commission
Petitioner



**City of Des Plaines
Community Development
Planning & Zoning Division**

1420 Miner Street
Des Plaines, IL 60016
Tel: 847-391-5306
Fax: 847-827-2196

November 26, 2012

Mayor Moylan and Des Plaines City Council
CITY OF DES PLAINES

Subject: Zoning Board of Appeals Case # 12-068-MAP
1345 Golf Road/16 Mary Street

RE: Request to change the existing zoning classification from the C-2 Limited Office Commercial Zoning District to the C-3 General Commercial Zoning District.

Honorable Mayor and Members of the Des Plaines City Council:

The Plan Commission met on November 26, 2012 to consider the above petition.

The Plan Commission submits the following:

1. Mr. Michael VanSlambrouck, petitioner, presented the pertinent facts.
2. The Community and Economic Development Department recommended approval of the Map Amendment.
3. The Plan Commission recommended (4-0) *granting approval* for the Map Amendment.

Respectfully submitted,

Robert Niemotka (with initials in a circle)

Robert Niemotka
Des Plaines Plan Commission, Chairman

cc: City Officials
Aldermen
Zoning Board of Appeals Commissioners
Petitioners
Recording Secretary
File

Attachment 6

GREMLEY & BIEDERMANN

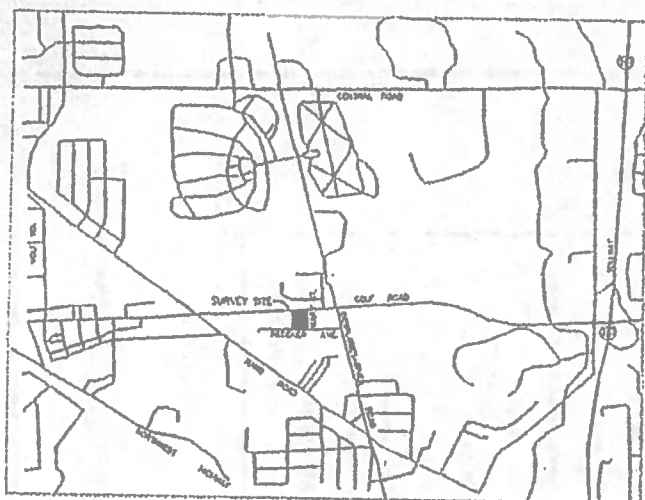
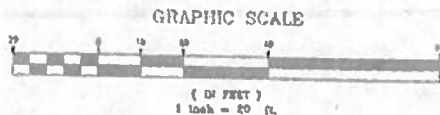
1-2042 ILL. 04-021718
PROFESSIONAL LAND SURVEYORS

4548 NORTH ELSTON AVENUE, CHICAGO, IL 60630
TELEPHONE: (773) 685-5002 FAX: (773) 266-4194 EMAIL: INFO@PLCS-SURVEY.COM

ALTA/ACSM Land Title Survey

LOT 2, 3 AND 4 (EXCEPT THE WEST 20.00 FEET THEREOF) IN REDEKER'S GARDEN ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOT 6 AND 7 (EXCEPT THE SOUTH 4 ACRES THEREOF) IN REDEKER'S ESTATES SUBDIVISION OF PARTS OF SECTION 8, 9, 16 AND 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

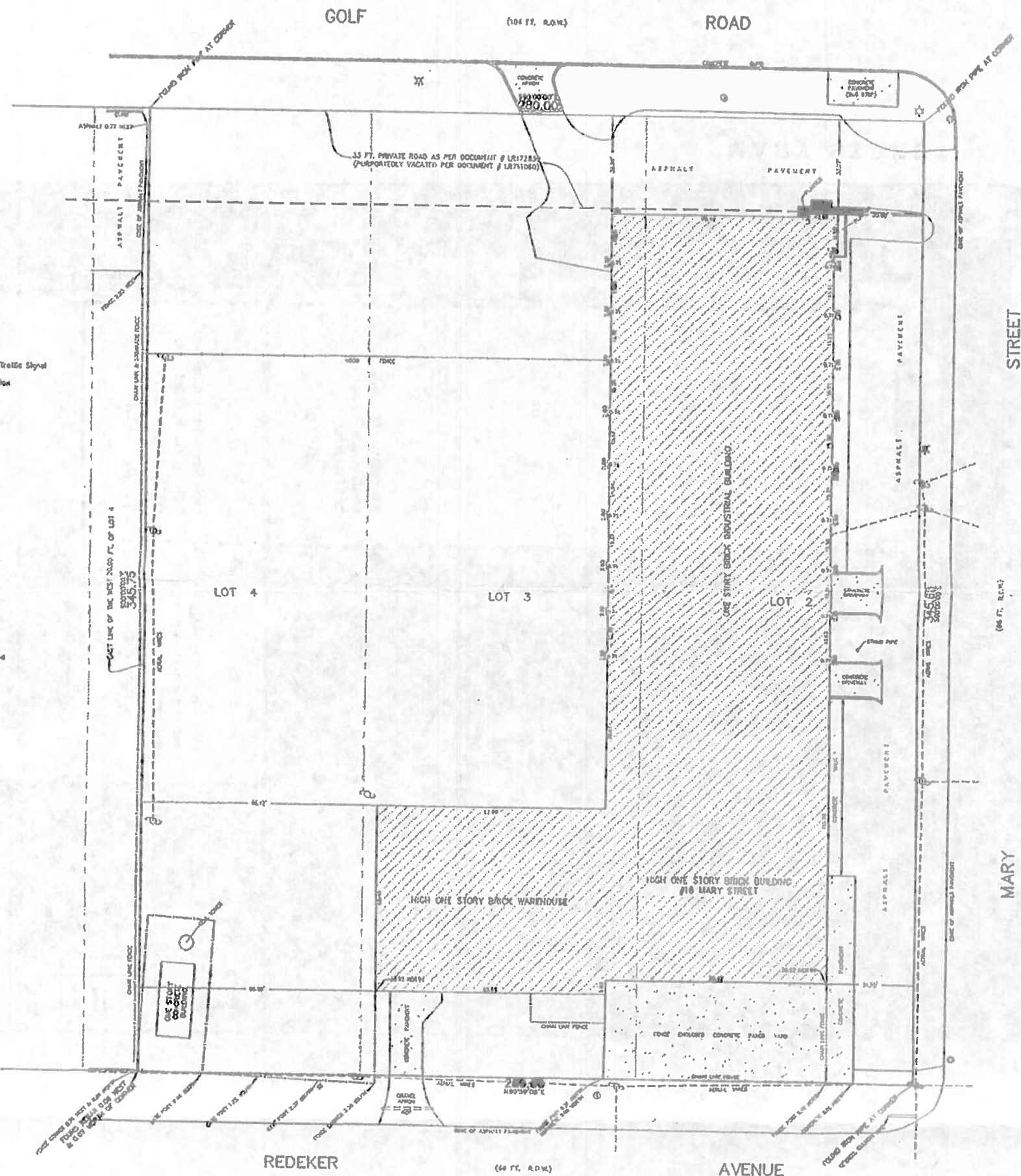
PROPERTY AREA: 96,000 SQ.FT. OR 2.22 ACRES



VICINITY MAP (NOT TO SCALE)

Legend:

- Storm Int
- Storm CB
- Storm Inlet
- Storm Inlet
- Sew Int
- Sew Clean Out
- Water Valve Vault
- Water Int
- Water Buffalo Box
- Water Hand Hole
- Water Meter
- Water Fire Hydrant
- Telephone Int
- Telephone Vault
- Telephone Pedestal
- Public Telephone
- Communication Pedestal
- Utility Pole
- Electric Meter
- Electric Int
- Electric Vault
- Electric Meter
- Electric Pad
- Electric Pedestal
- Electric Light Pole
- Electric Traffic Signal
- Electric Light Pole with Traffic Signal
- Electric Traffic Control Box
- Electric Traffic Vault
- Gas Buffalo Box
- Gas Hand Hole
- Gas Water
- Gas Valve
- Gas Int
- Gas Vault
- Gas Buffalo Box
- Gas TV Pedestal
- Tree - Deciduous
- Tree - Evergreen
- Fencing Water
- Sign Post
- Mail Box
- Bumper Post
- Dry Anchor
- Soil Boring
- Monumentation Found
- Monumentation Established
- Unidentified Markers
- Jetty Sprinkler
- Hose Connection
- Fire Alarm
- Flag Pole



PROPERTY IS WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN, AS PER INSURANCE RATE MAP COOK COUNTY, ILLINOIS, COMMUNITY PANEL NO. 17031C 02177 EFFECTIVE DATE: NOVEMBER 6, 2000.

NOTE: IN REGARDS TO ADJOINING PROPERTY OWNERS, NAMES WERE NOT SHOWN AS THEY WERE NOT FURNISHED AS SPECIFIED IN ALTA/ACSM REQUIREMENTS OF 1999.

REGARDING MATTERS OF PUBLIC RECORD WE HAVE RELIED UPON CHICAGO TITLE INSURANCE COMPANY COMMITMENT ORDER NO. 1409 875053895 NWA EFFECTIVE DATE: AUGUST 22, 2003

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by some and at once report any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plot refer to your abstract, deed, contract, title policy and local building fire regulations.

NO dimensions shall be assumed by scale measurement upon this plot.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2004 "All Rights Reserved"

State of Illinois
County of Cook

This is to certify to Chicago Title Insurance Company and Fifth Third Bank that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements and Classifications for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 1, 2, 3, 4, 7A, 8, 9, 10 and 11A of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and ACSM and in effect on the date of this certification, undersigned further certifies that the Positional Uncertainties resulting from the survey measurements made on the survey do not exceed the allowable Positional Tolerance.

Field measurements completed on March 30, 2004.

Signed on 4-5-04

By: *[Signature]*

Professional Illinois Land Surveyor No. 2677

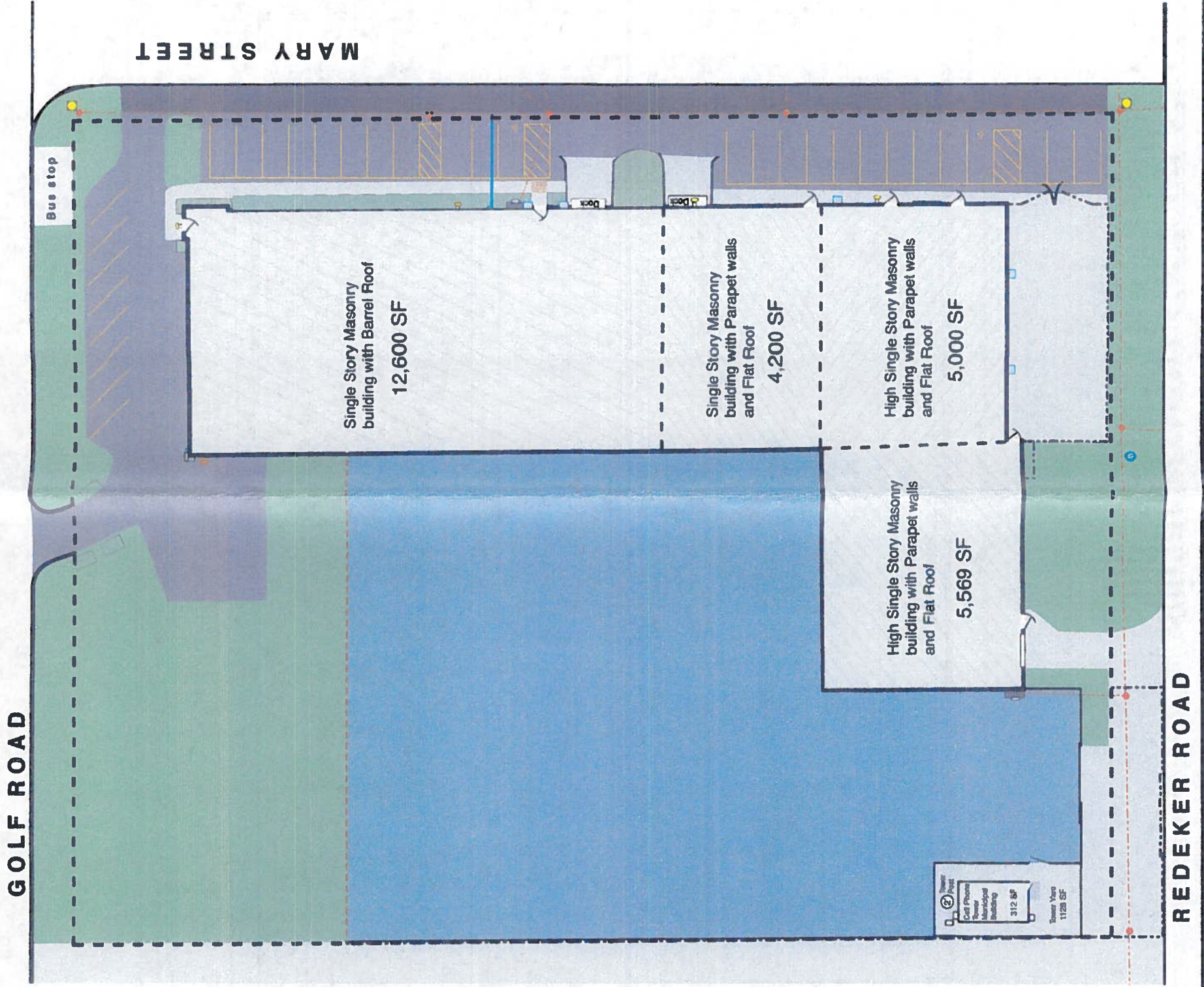
My License Expires November 30, 2004
This professional service conforms to the current Illinois minimum standards for an ALTA survey.



CHECKED BY: JUDITH VERBA & COLANDRO APPROVE: MRS GOLF ROAD GREMLEY & BIEDERMANN 4548 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE: (773) 685-5002 FAX: (773) 266-4194 EMAIL: INFO@PLCS-SURVEY.COM	DATE: MARCH 30, 2004 SCALE: 1"=40' ± SHEET NO: 1 OF 1
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Site Plan
MBV Properties, LLC
1345 Golf Road
16 Mary Street
10-29-12

Property Index Number 09-17-200-126-000 Vol 189
 09-17-200-039-000 Vol 189

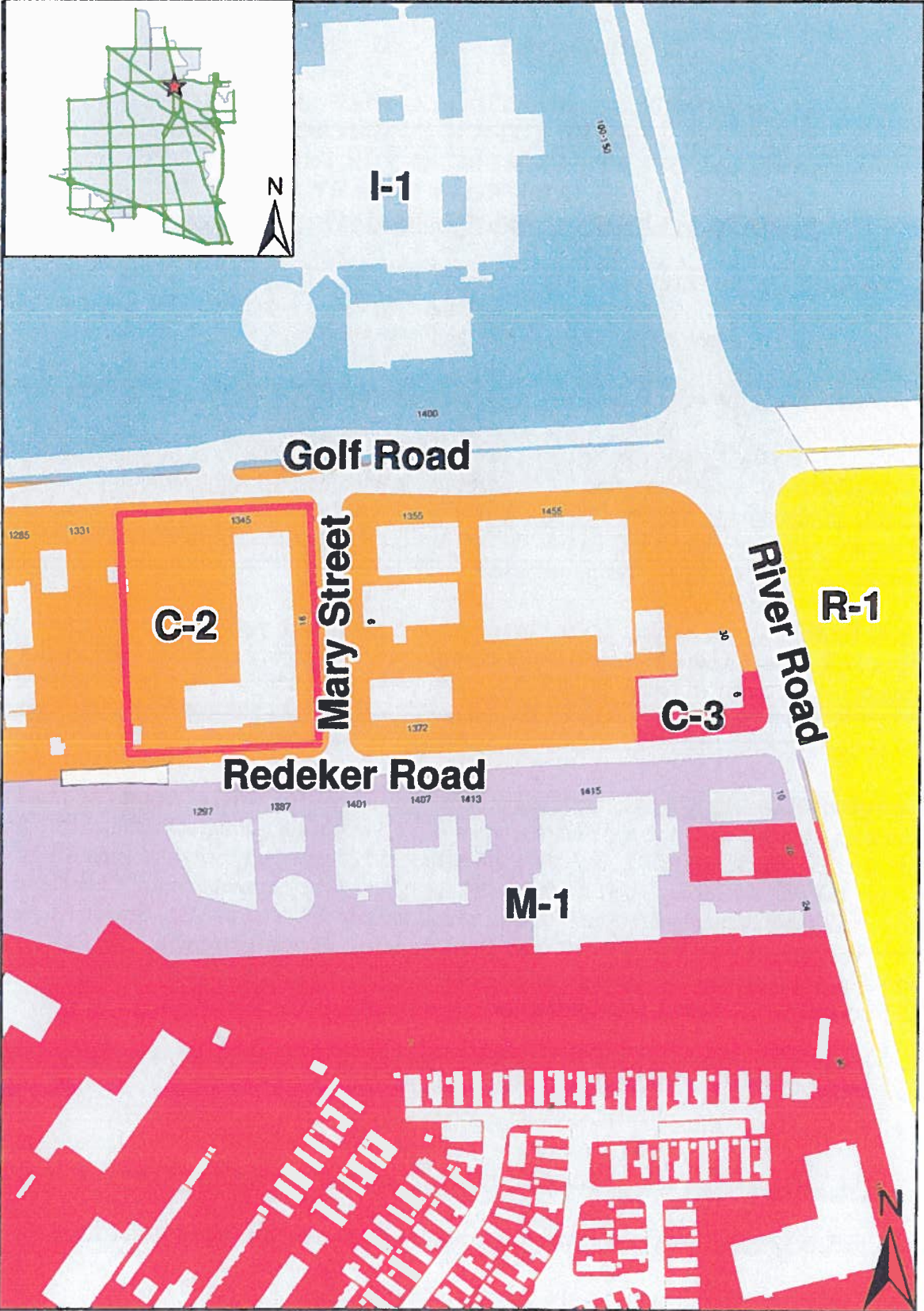


Landscapers Yard Storage and Parking	Power lines, Telephone lines
Grass Area	Sewer Manhole
Shrubbery	Water lines
Side walks, Driveway	Sprinkler System Valve/Connection
Parking lot	Scupper Boxes
Monolithic curb 6' x 16"	Fire Hydrant
Sidewalk 4' x 6"	Gas lines
City Easement	Electrical service
Telephone Poles	Parking lot lights
Chain Link Fence	DOT Street Light
	Cell Phone Tower 2' Diameter Base

Graphic Scale
 1 inch = 40 ft. (in feet)

R

Exhibit C, Current Zoning Map - 1345 Golf Road/16 Mary Street



CITY OF DES PLAINES

ORDINANCE Z - 33 - 12

AN ORDINANCE GRANTING A MAP AMENDMENT FROM C-2, LIMITED OFFICE COMMERCIAL TO C-3, GENERAL OFFICE COMMERCIAL FOR THE PROPERTY LOCATED AT 1345 GOLF ROAD/16 MARY STREET, DES PLAINES, ILLINOIS. (CASE #12-068-MAP)

WHEREAS, the Petitioner, MBV Properties, LLC, requested a public hearing to consider the reclassification of the property located at 6 N. River Road from C-2, Limited Office Commercial to C-3, General Office Commercial; and

WHEREAS, the subject property is presently zoned C-2, Limited Office Commercial; and

WHEREAS, a public hearing was held by the Plan Commission on November 26, 2012 pursuant to publication in the Des Plaines Journal on November 9, 2012 and notice was mailed to all property owners within 300 feet of the subject property of the consideration of the Map Amendment so proposed by the Petitioner; and

WHEREAS, said hearing of the Plan Commission was held pursuant to notice published as required by law, wherein competent testimony and evidence was given, and said Plan Commission filed a written report of such testimony, evidence, a copy of the minutes of the Plan Commission, and the Plan Commission's favorable recommendation thereon, to the City Council on November 26, 2012; and

WHEREAS, the City Council has studied the respective written reports of the Plan Commission, together with the applicable standards set forth in the Zoning Ordinance, the Staff Report dated November 28, 2012, including the Map Amendment Application completed by the Petitioner, the Plat of Survey, the Site Plan, and the Map of the Current Zoning Classification, together with the exhibits to the Staff Report, which include a Location Map, Site and Context Photos, the Commercial Use Matrix, the Draft Minutes of the November 26, 2012 Plan Commission Hearing and the Letter from the Plan Commission to the Mayor and City Council, which form part of the basis for this ordinance;

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

SECTION 1: That the recitals set forth above are incorporated herein by reference and made a part hereof, the same constituting the factual basis for this Map Amendment. After reviewing the supporting documents, the City Council finds that:

- A. The proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan;
- B. The proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;
- C. The proposed amendment is appropriate considering the adequacy of the public facilities and services available to this subject property;
- D. The proposed amendment will not have an adverse effect on the value of the properties throughout the jurisdiction; and
- E. The proposed amendment reflects responsible standards for development and growth.

Accordingly, the City Council finds that the provisions of Section 3.7-5 of the Zoning Code on Standards for Amendment are met.

SECTION 2: That said Map Amendment of C-2, Limited Office Commercial to C-3, General Office Commercial for the property located at 1345 Golf Road/16 Mary Street, legally described below, is hereby approved.

SECTION 3: That the property which is the subject of this Ordinance is legally described as follows:

LOT 2, 3 AND 4 (EXCEPT THE WEST 20.00 FEET THEREOF) IN REDEKER'S GARDEN ADDITION TO DES PLAINES, BEING A SUBDIVISION OF LOT 6 AND 7 (EXCEPT THE SOUTH 4 ACRES THEREOF) IN REDEKER ESTATES SUBDIVISION OF PARTS 8, 9 16 AND 17, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 09-17-200-039-0000 09-17-200-126-0000

SECTION 4: The subject property is hereby rezoned from its existing C-2, Limited Office Commercial to C-3, General Office Commercial, as shown on the Plat of Survey prepared by Gremley & Biedermann, Inc., dated April 4, 2007, a copy of which is attached hereto and made a part hereof as Exhibit "A," the Site Plan for 1345 Golf Road/16 Mary Street submitted by MBV Properties, LLC, dated October 29, 2012, a copy of which is attached hereto and made a part hereof as Exhibit "B," and the Map of the Current Zoning Classifications, a copy of which is attached hereto and made a part hereof as Exhibit "C."

SECTION 5: This Ordinance changes the zoning of the property. However, any subsequent development is subject to the usual and customary applications for Conditional Use or of development and permit as may be applicable. The terms of this Ordinance shall be binding upon the owner of the property, its grantees, assigns and successors in interest to the subject property, including grantees and assigns of the owner.

SECTION 6: That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the language or any provisions of this Ordinance shall be fined not less than Seventy-five Dollars (\$75.00) or more than Seven Hundred and Fifty Dollars (\$750.00) for each offense. Each and every day that a violation of the Ordinance is allowed to remain in effect shall constitute a complete and separate offense. In addition, the appropriate authorities of the City may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. That any person, firm or corporation violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs.

SECTION 7: If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 8: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this _____ day of _____, 2012

APPROVED this _____ day of _____, 2012

VOTE: Ayes _____ Nays _____ Absent _____

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this
_____ day of _____, 2012

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel

Legal\Ord\Z\Map Amendment 1345 Golf Road-16 Mary St