

ORDINANCE NO. O-24-16

AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE PROSPECT CROSSING SHOPPING PLAZA AT 1217-1297 NORTH RAND ROAD AND AMENDING LIST OF PERMITTED USES, APPROVING A RESUBDIVISION CREATING 2 BUILDABLE OUT LOTS AND CERTAIN VARIATIONS FOR SIGNAGE AND PARKING REDUCTION

(PZBA Case #24-06)

WHEREAS, on November 17, 1988, the City of Prospect Heights approved a Planned Unit Development (hereinafter "PUD") for a commercial shopping plaza at 1219-1297 N. Rand Road, commonly known as Prospect Crossing (hereinafter "Property"), by adoption of Ordinance O-88-36; and

WHEREAS, the PUD originally included an approved site plan for the Property; and

WHEREAS, the PUD originally included a list of permitted uses for the Property; and

WHEREAS, the City Council has amended the PUD from time to time upon the petition of the owners or tenants at the Property; and

WHEREAS, Manny Rafidia, (hereinafter "Petitioner"), owner of 1217-1297 N. Rand Road, filed a petition to amend the PUD list of permitted uses to add "Drive-through restaurants"; and

WHEREAS, the Petitioner has filed a petition to amend the PUD for a subdivision of Lot 1 of the Prospect Crossing Subdivision creating Lot 3 and Lot 4 for the purpose of future development of drive-through restaurants; and

WHEREAS, the Petitioner also filed a petition for variations to allow one additional secondary wall sign for each future restaurant building use on Lots 3 & 4; and

WHEREAS, the Petitioner also filed a petition for a reduction in required parking off-street parking from 975 parking spaces to 933 parking spaces; and

WHEREAS, the Plan/Zoning Board of Appeals has found the petitions meet the standards for a PUD Amendment and the standards for Variations and has recommended that the City Council approve the amendments to the PUD with Conditions and the Variations; and

WHEREAS, the Mayor and City Council have reviewed the documents pertinent to the application and the recommendations of the Plan/Zoning Board of Appeals and determined that the standards for a PUD and Variations have been met;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

Section 1. The City Council hereby finds and determines that the facts set forth in the preamble hereto are true and correct and hereby incorporates same as part of this Ordinance.

Section 2. That the report and recommendation of the PZBA is concurred in and the Petitioner's application for amendments to the PUD with Conditions and for Variations to reduce the required number of off-street parking spaces and to increase the number of secondary wall signs.

Section 3. Ordinance O-88-36 approving a Planned Unit Development for the property located at 1219-1297 North Rand Road, legally described in Exhibit A, as amended, is hereby further amended to add "Drive-Through Restaurants" to the list of permitted uses.

Section 4. Ordinance O-88-36 approving a Planned Unit Development for the property located at 1219-1297 North Rand Road, legally described in Exhibit A, as amended, is hereby further amended by the Prospect Crossing P.U.D. Resubdivision of Lot 1 of the Prospect Crossing Subdivision into Lots 1, 3 and 4 respectively as described in Exhibit B.

Section 5. The requested Variations are hereby granted to allow a:

- 1) Reduction in the required off-street parking from 975 parking spaces (5.27/1,000 sf.) to 933 parking spaces (5/1,000 sf.) a 42 space reduction as shown in Exhibit C.
- 2) Increase the number of allowed secondary wall signs from 1 to 2 for each new out lot building.

Section 6. The amendments to the PUD and the Variations are subject to the following additional conditions:

1. At such time the petitioner secures a contract to develop either Lot 3 or Lot 4 in the Prospect Crossing PUD Resubdivision the property owner will submit revised site plans, traffic circulation and traffic study for engineering approval.
2. At time of building permit application for Lot 3 and Lot 4 respectively building exterior elevation and signage plans for end user will be required.

Section 7. This Ordinance and all exhibits attached hereto shall be recorded at the Cook County Recorder of Deeds at the expense of the Petitioner, and the amendment to the PUD shall run with the land.

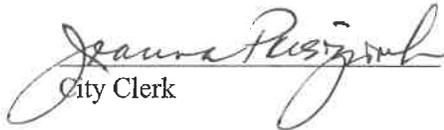
Section 8. This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED and APPROVED this 24th day of June, 2024



Patrick Ludvigsen, Mayor

ATTEST:



City Clerk

AYES: Cameron, Anderson, Morgan-Adams, Dash, Delick

NAYS: None

ABSENT: None

Published in pamphlet form: June 25th, 2024



EXHIBIT A

LOT 1 AND LOT 2 IN PROSPECT CROSSING P.U.D. SUBDIVISION OF LOT 1-A IN PROSPECT CROSSING CONSOLIDATION IN THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 11, 1990 AS DOCUMENT NUMBER 90018171, AND FILED JANUARY 11, 1990 AS DOCUMENT LR3853044, ALL IN COOK COUNTY, ILLINOIS.

PIN #03-21-301-031-0000 and #03-21-301-032-0000

Commonly known as Prospect Crossing Shopping Center.

EXHIBIT B

PROSPECT CROSSING P.U.D. RESUBDIVISION

Prepared by Michael E. Palma, Land Surveyor
Dated May 20, 2024

20-24-15 Ex. B

REVISED
EXHIBIT
4
11/20/24

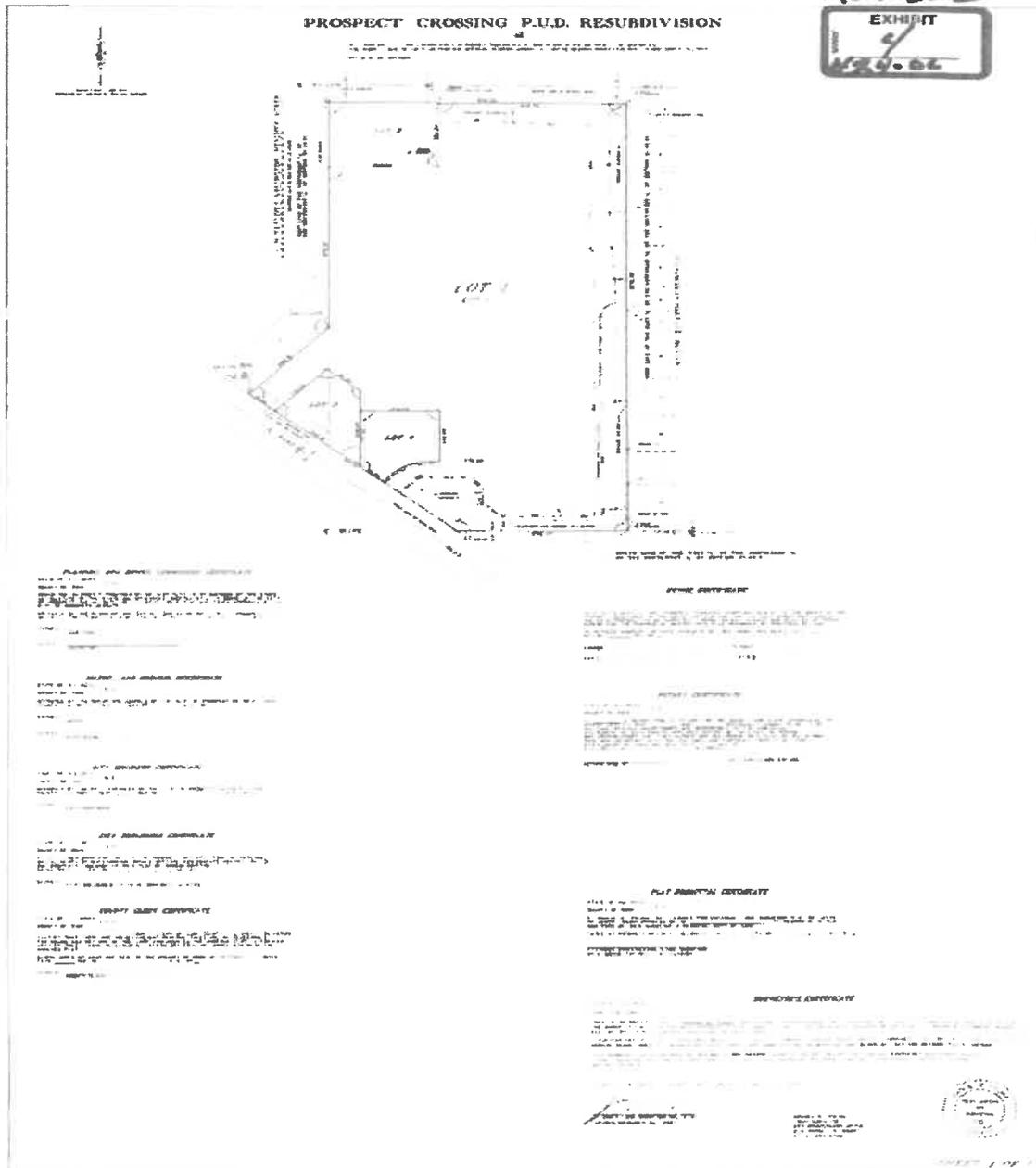
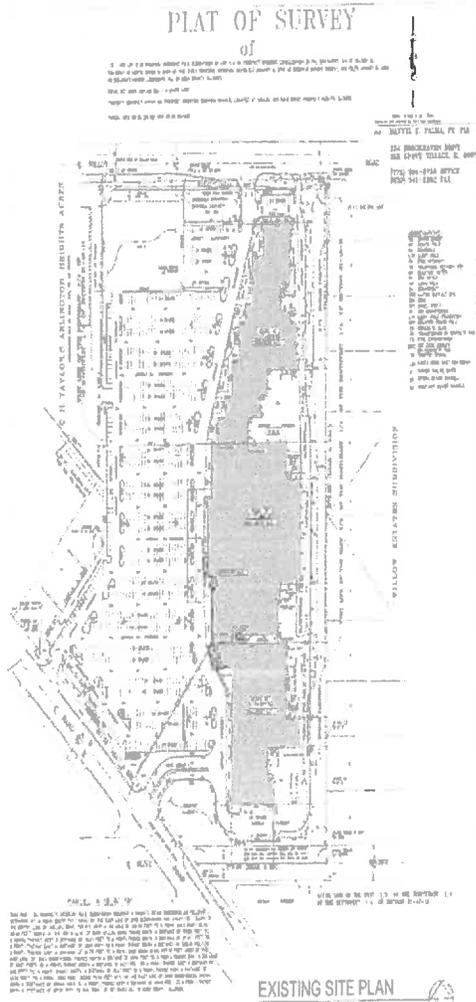


EXHIBIT C

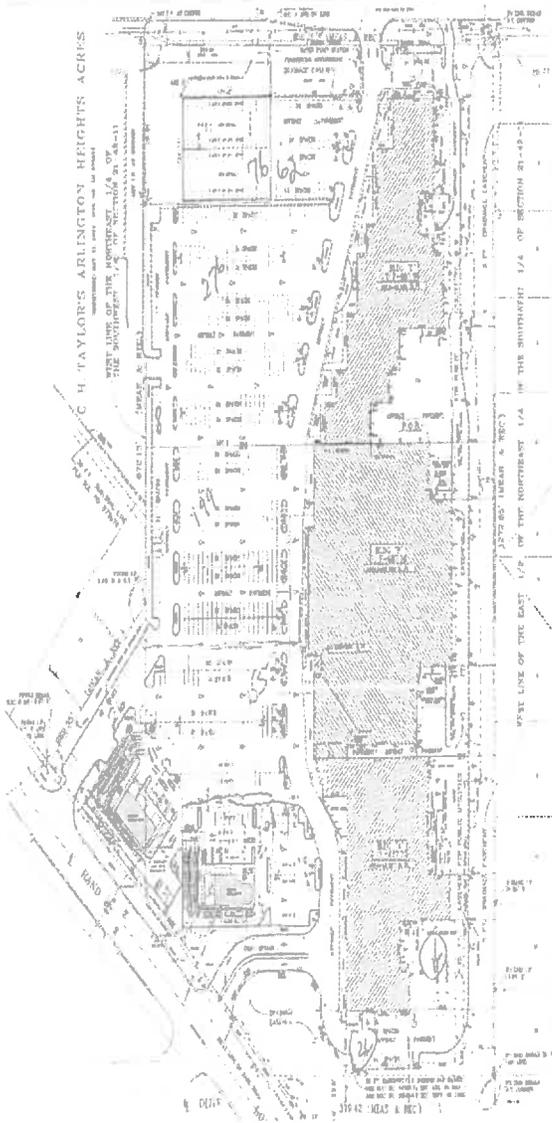
PARKING SITE PLAN COMPARISON

PREPARED BY MAT CONSTRUCTION

Dated June 3, 2024



EXISTING SITE PLAN



PROPOSED SITE PLAN

PROPOSED BUILDING AND SITE INFORMATION		
DESCRIPTION	PROVIDED	REMARKS
EXISTING PARKING SPACES TOTAL	915	
PROVIDED PARKING SPACES WITH PROPOSED DEVELOPMENT	933	

MAT CONSTRUCTION
 Construction & Inspection Services
 1788 05-875 | mat@matconstruction.com

PROPOSED DEVELOPMENT
 A1 PROSPECT CROSSING SHOPPING CENTER

SITE PLAN

SCALE: AS SHOWN

A1



City of Prospect Heights

Department of Building & Zoning
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: June 4, 2024

To: Mayor Ludvigsen and City Council

From: Daniel A. Peterson, Director of Building & Development

Subject: Ordinance #O-24-16 Approving PUD Amendments and Certain Variations
ZBA Case No. 24-06 PUD – Request for a PUD Amendments and Variations –
1217 - 1299 N. Rand Road, Prospect Crossing Shopping Center

Please be advised that Manny Rafidia, owner Prospect Crossing shopping center is seeking an amendments to PUD Ordinance # O-88-36 per section 5-11-12 of the City of Prospect Heights Zoning Code. On May 22, 2024 the PZBA conducted a public hearing to consider Amendments to PUD Ordinance #O-88-36 and variation requests. Mr. Rafidia requested the following approvals.

- 1) Amend the list of approved uses to include drive-through restaurants
- 2) Plat of Subdivision to create two out lot parcels for future development
- 3) Reduction in total off street parking for the PUD
- 4) Increase the number of allowed secondary walls signs from 1 to 2 for the new out lots

After hearing testimony and deliberations the PZBA members voted 5-0 to approve the PUD amendments with the following conditions.

1. At such time the petitioner secures a contract to develop either Lot 3 or Lot 4 in the Prospect Crossing PUD Resubdivision the property owner will submit revised site plans, traffic circulation and traffic study for engineering approval.
2. At time of building permit application for Lot 3 and Lot 4 respectively building exterior elevation and signage plans for end user will be required.

Staff concurs with the PZBA recommendation.

Please contact me should you have any questions regarding this application.

Recommendation: First Reading of Ordinance #O-24-16 Approving PUD Amendments and Certain Variations for the Property Commonly Known as Prospect Crossing Shopping Center 1217-1297 N. Rand Road, Prospect Heights, IL 60070



City of Prospect Heights

Department of Building & Zoning
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: May 13, 2024

To: Chairman Kempa and Planning/Zoning Board Commissioners

From: Daniel A. Peterson, Director of Building & Development

Subject: ZBA Case No. 24-06 PUD – Request for a PUD Amendments and Variations – 1215 - 1299 N. Rand Road, Prospect Crossing Shopping Center

Please be advised that Manny Rafidia, owner Prospect Crossing shopping center is seeking an amendments to PUD Ordinance # O-88-36 and section 5-11-12 of the City of Prospect Heights Zoning Code; 1) amend list of approved uses to include drive-through restaurants; 2) Plat of Subdivision to create two out lot parcels for future development; 3) Reduction in total Off Street parking for the PUD; and 4) Increase the number of allowed secondary walls signs from 1 to 2 for the new out lots on the property commonly known as 1215 - 1299 N. Rand Road, Prospect Heights, Illinois, in the City's B-4 General Services PUD District.

A public hearing has been scheduled and noticed for Wednesday May 22, 2024 at 7:00 pm at the next regular meeting of the Plan Zoning Board of Appeals.

Please contact me should you have any questions regarding this application.

Thank you.

Memorandum

To: Prospect Heights Mayor and City Council

From: Maciej Kempa – Chairman, Plan / Zoning Board of Appeals

Date: June 5, 2024

Subject: Recommendation
Case No. ZBA – 24-06 PUD Amendments & Variations
Applicant: Manny Rafidia, Owner, Prospect Crossing Shopping Center
Property Address: 1217-1297 N. Rand Rd.
Hearing Date: May 22, 2024

I. Purpose

Conduct a public hearing regarding an application for Amendments to PUD Ordinance #O-88-36 and Variations to Section 5-8-6 Schedule of Off-Street Parking and Section 5-9-3 B2c of the City of Prospect Heights Zoning Code.

Requested Relief:

- 1) Amend the list of approved uses to include drive-through restaurants
- 2) Plat of Subdivision to create two out lot parcels for future development
- 3) Reduction in total off street parking for the PUD
- 4) Increase the number of allowed secondary walls signs from 1 to 2 for the new out lots

II. Comments and Testimonies

Director Peterson provided a brief description of the request. He highlighted the proposed subdivision will provide new retail development within the community by creating 2 new out lots at the shopping center. He summarized the variation requests.

Mr. Rafidia testified to the conditions at the center and believes the proposed development will bring a national fast food retailers to the area. He stated he has a LOI from a national retailer already on one of the sites. He testified that the vacancy rate at the mall was approximately 500 sq. ft. The 11,000 sq. ft. of the vacant furniture store is under contract for a seafood restaurant and a second retailer. Mr. Rafidia stated that the parking variation would be finalized after reviewing the contract with Tony's. He believes that even with the reduction of spaces being lost to the new out lot buildings there will be plenty of parking and if need he has the open lot along Willow to expand parking if needed. He also testified that the additional wall signage would be beneficial in marketing for the right end users for the new development sites.

Mr. Wajih Alkayed, Mgr. Omat Construction, provided testimony describing the proposed two lot subdivision. He explained the modeling was based upon the requirements of national retail restaurants for their site development. He explained how the traffic flow would work, necessity for double stacking and parking lot reconfiguration.

Commissioner Saewert had concerns about traffic flow accessing the drive through lanes without a dedicated drive isle. She expressed concern about possible conflict with parked vehicles and the movements.

Commissioner Patel expressed concern regarding the off-set parking isle and access to the restaurants from the Olive St. entrance.

Mr. Alkayed addressed both commissioners concerns. He also indicated that a full traffic analysis will be prepared and submitted for engineering approval as part of the permitting process.

Commissioner Saewert requested that the owner of the property review all leases and meet with Tony's Finer Foods to ensure there is no conflict with visibility of signage and parking with the requested variation.

Mr. Rafidia stated that Tony's has the electronic message sign that will not be impacted and the wall signage is higher than the height of the proposed buildings. He would verify the parking requirements and ensure there are no conflicts. He also stated that if necessary they could construct additional parking for the center on the vacant lot 2 along the Willow Rd. northern lot line.

Mr. Mariusz Fulta, Stratford, Prospect Heights, Testified that he supports the proposal and believes it will be positive to bring retail businesses to the City.

III. Board and Staff Comments

Commissioners Saewert commented that based upon the proposed site plan that the drive though lanes, back of the buildings, front Rand Road and that end users shall provide quality exterior architectural finishes.

Commissioner Saewert asked if the end users would have to come back to the PZBA for approvals.

Director Peterson indicated that if the PUD amendment to add "Drive-Through Restaurants" as a permitted use would not require the end users to file for a special use like other restaurants.

Chairman Kempa clarified that a condition requiring traffic study for City Engineer approval would be appropriate prior to building permit issuance. Director affirmed that this would be an appropriate condition of approval.

IV. Decisions and Findings

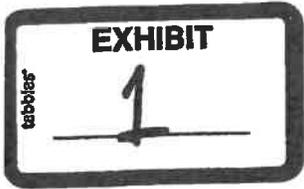
After reviewing the application packet, testimony and deliberation the PZBA finds that the application satisfies the standards for amending the existing PUD listed in Section 5-11-12 and 5-11-3, granting of the requested variations for reduction in off-street parking per Section 5-8-6 and increase in secondary wall signage per 5-9-3 B2.

Chairman Kempa asked for a motion to accept into the record the evidence presented and finding of fact for PZBA Case #24-06. There was positive motion and second and approved by 5-0 vote.

Chairman Kempa asked for four separate motions and 5-0 votes to recommend to the City Council approval of PZBA Case #24-06 to amend Ordinance O-88-36 by:

1. Add "Drive-Through Restaurants" to the list of permitted uses.
2. Approve the Prospect Crossing PUD Resubdivision creating 2 out lot development lots.
3. Granting a variation to reduce the required off-street parking. (See revised proposed Site Plan)
4. Granting a variation to increase the number of secondary walls signs for Lot 3 and Lot 4 with condition that the owner provide exterior elevations including signage and traffic study.

Respectfully Submitted



FOR OFFICE USE ONLY:
 FEE PAID _____
 DATE _____
 RECV'D BY _____
 CASE # _____
 MEETING DATE _____

**PLAN/ZONING BOARD OF APPEALS
 APPLICATION**

Special use (\$400)
 Variation (\$150)
 Text Amendment (\$300)

Map Amendment (Refer to Ord. 0-03-18)
 Subdivision/PUD (Refer to Ord. 0-03-18)
 Lot Consolidation (Refer to Ord. 0-03-18)
 Appearance Review

In addition to the application fee a refundable deposit not <\$500 nor >\$5,000 shall be required for all zoning applications to offset the direct costs of the application incurred by the City. If costs exceed the available escrow balance applicant will be required to replenish account. If balance remains the money will be refunded or applied to any building permit cost. (Refer to Ord. 0-18-06: 5-10-7(D))

APPLICANT: Manny Rafidia
 ADDRESS: PO Box 338, Itasca, IL 60143

PHONE: 847-921-9200

E-MAIL: tscrmadison@gmail.com

ADDRESS OF SUBJECT PROPERTY: 1215-1299 North Rand Road, Arlington Heights, IL 60004

PROPERTY IS LOCATED IN THE B4-PUD ZONING DISTRICT.

APPLICABLE SECTION OF ORDINANCE: 5-11-12: Amendment of Plan Unit Development 0-88-06

DESCRIPTION OF REQUEST: SUB-DIVIDE THE EXISTING LOT FOR FUTURE DEVELOPMENT

Are there any covenants, conditions, restrictions or floodplain issues concerning type of improvements, setbacks, area or height requirements, occupancy or use limitations, etc. placed on the property and now of record: YES _____ NO

If yes, please describe: _____

Has the property been the subject of previous or pending administrative legislative or court action: YES _____ NO If yes, give details: _____

The follow items MUST be submitted at time of filing:

1. Application (12 copies)
2. Plat of Survey (12 copies) - must be drawn to scale and indicate the location of the proposed addition or construction and must contain the legal description of the property, along with additional information to support the application. (12 copies) *Note - please include one copy for file no longer than 11x17.
3. Proof of Ownership (1 copy)
4. Letter indicating Hardship (for variations only 12 copies)
5. Application Fee (cash or check made payable to: City of Prospect Heights)
6. Notice to Property Owners (1 copy) - will be supplied to you by the City of Prospect Heights.
7. List of Property Owners (1 copy) for Notice to Property Owners mailing - will be supplied to you by the City of Prospect Heights.

4/18/24
 Date:

Signature of Applicant



April 17, 2024

Project description

Project name	Proposed Subdivision at Prospect Crossing Shopping Center
Project address	1215-1299 North Rand Road, Arlington Heights, IL 60004
Owner	CR Congress, LLC, a Delaware limited liability company
Owner's address	PO Box 338, Itasca, IL 60143
Applicant/Contact	Manny Rafidia, Managing Member. Tel (847) 921-9200 Email: tscrmadison@gmail.com
Index Number	03-21-301-031-0000
Existing "Lot 1" area	788,776.5 Square Feet (18.1 Acres)
Proposed "Lot 2" area	29,276.969 Square Feet (0.672 Acres)
Proposed "Lot 3" area	30,765.037 Square Feet (0.706 Acres)
Total existing parking count	1,000
New "Lot 1" parking count	824
New "Lot 2" parking count	11
New "Lot 3" parking count	22
Total new parking count	857
Existing building (A,B,C) area	180,234 Square Feet
Proposed building "2" area	2,450 Square Feet
Proposed building "3" area	2,497 Square Feet

Proposed work

1. Improve the land efficiency.

There are currently 1,000 parking spaces provided for the use of the shopping center, which is more than what guests use daily. This results in a big section of the South parking area being mostly empty. Our intention with the proposed subdivision is to facilitate future development while adhering to the principles of smart land use planning.

2. Enhance site appeal.

Currently, the South/West parking area looks deserted since it is mostly unused. We are proposing dividing the existing lot and creating two new lots facing Rand Rd, and two proposed state-of-the-art stand-alone buildings equipped with drive-through aisles that would potentially attract nationally recognized businesses. This would improve the overall image of that area and create a new attraction point.

Requested approval

I kindly request your support in approving the proposed subdivision as designed and shown in the provided subdivision plat of survey and proposed site plan. I believe that the new subdivision and development would contribute positively to the existing businesses and to the whole neighborhood. We will maintain ownership of the whole development after the proposed subdivision.

Thank you in advance for your consideration.

Applicant/

Manny Rafidia, Managing Member
Tel (847) 921-9200
tscrmadison@gmail.com



Prospect Heights zoning ordinance standards for variations.

Meeting Prospect Heights Standards for Variations with regards to the proposed subdivision.

1. The special condition and circumstances of this property relate to the fact that a significant number of the existing parking spaces are not being used. The South/West section of the existing parking lot is mostly empty. We believe that constructing the two new buildings in that part of the lot would be a better use of the land and would enhance the overall business environment.
2. There are no possibilities for the existing shopping center building to expand, even though the size of the lot is big enough and would be sufficient to provide enough parking spaces per code. The proposed subdivision would facilitate the expansion of business.
3. These limitations on expansion were created by the way the existing shopping center was built to reach maximum size, and by the fact that the lot is big enough for an increase in business footprint.
4. The proposed development will not be detrimental to the public welfare or injurious to other property because all existing businesses will operate the same way they do now. The site traffic, number of parking spaces, drainage, and driveways will all remain the same. The neighborhood character will not be affected by any of the proposed buildings since the proposed buildings have the same occupancy as all surrounding businesses.
5. All required setbacks, parking requirements, building heights, traffic, site lighting, storm water management would comply with all applicable codes. The proposed buildings will not affect any of the existing surrounding buildings or business negatively.
6. There are no previous zoning provisions on this property that would affect or interfere with this proposed development.

24-136

PLAT OF SURVEY

LOT 1 AND LOT 2 IN PROSPECT CROSSING P.L.D. SUBDIVISION OF LOT 1-4 IN PROSPECT CROSSING DEVELOPMENT IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JANUARY 11, 1950 AS DOCUMENT NUMBER 90287A, AND FILED JANUARY 11, 1950 AS DOCUMENT NUMBER LR353044, ALL IN COOK COUNTY, ILLINOIS.

TOTAL NET AREA: 334,400 SQ. FT. = 7.6155 ACRE

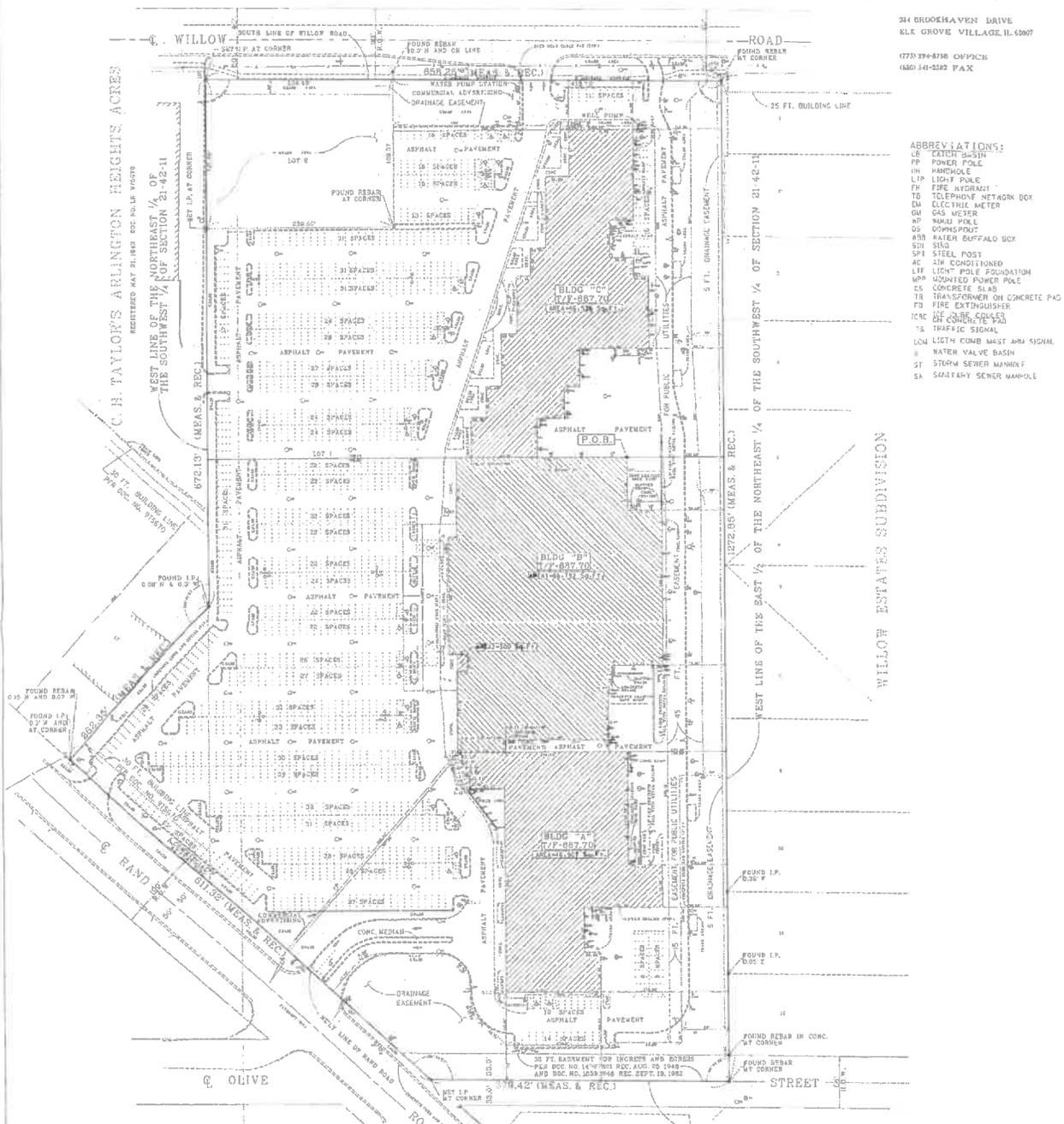
PROPERTY COMMONLY KNOWN AS: PROSPECT CROSSING SHOPPING CENTER, LOCATED AT WILLOW AND RAND ROADS, PROSPECT HEIGHTS, ILLINOIS.

PARCEL NO'S: 03-21-571-031 AND 03-21-501-032

Scale: 1 Inch = 40' Feet
Distances are marked in feet and decimals
BY: MANUEL E. PALMA, P.E., P.L.S.

24 BROOKHAVEN DRIVE
BLK GROVE VILLAGE, IL 60007
(773) 374-8758 OFF/PHONE
(630) 541-5282 FAX

- ABBREVIATIONS:
- CB CATCH BASIN
 - FP POWER POLE
 - HM HATCHOLE
 - LTP LIGHT POLE
 - FW FIRE HYDRANT
 - TD TELEPHONE NETWORK BOX
 - EM ELECTRIC METER
 - MS GAS METER
 - WP WOOD POLE
 - GS GROUNDSPROUT
 - RB WATER BUFFER BOX
 - SDI SIGN
 - SP STEEL POST
 - AC AIR CONDITIONED
 - LFP LIGHT POLE FOUNDATION
 - WPP MOUNTED POWER POLE
 - CS CONCRETE SLAB
 - TR TRANSFORMER ON CONCRETE PAD
 - FE FIRE EXTINGUISHER
 - CCN CONC. CONCRETE
 - CCS CONC. CURB
 - TS TRAFFIC SIGNAL
 - LCM LIGHT COMB MAST AND SIGNAL
 - WV WATER VALVE BASIN
 - ST STORM SEWER MANHOLE
 - SA SANITARY SEWER MANHOLE



PARCEL A (BLDG "B")

THAT PART IN PROSPECT CROSSING P.L.D. SUBDIVISION DOCUMENT # 9001871, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 122.52 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION AND 419.49 FEET SOUTH OF THE SOUTH LINE OF WILLOW ROAD; THENCE WEST A DISTANCE OF 215.94 FEET TO A POINT; SAID POINT BEING 481.41 FEET SOUTH OF THE SOUTH LINE OF SAID WILLOW ROAD; THENCE SOUTH A DISTANCE OF 95.25 FEET TO A POINT; THENCE WEST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH A DISTANCE OF 153.07 FEET TO A POINT; THENCE EAST A DISTANCE OF 10.02 FEET TO A POINT; THENCE SOUTH A DISTANCE OF 123.88 FEET TO A POINT; THENCE EAST A DISTANCE OF 64.75 FEET TO A POINT; SAID POINT BEING 217.91 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION; THENCE NORTH A DISTANCE OF 15.96 FEET TO A POINT; THENCE EAST A DISTANCE OF 62.17 FEET TO A POINT; THENCE NORTH A DISTANCE OF 30.67 FEET TO A POINT; THENCE EAST A DISTANCE OF 4.58 FEET TO A POINT; THENCE NORTH A DISTANCE OF 10.67 FEET TO A POINT; THENCE EAST A DISTANCE OF 62.33 FEET TO A POINT; SAID POINT BEING 78.42 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION; THENCE NORTH A DISTANCE OF 190.63 FEET TO A POINT; THENCE WEST A DISTANCE OF 93.04 FEET TO A POINT; THENCE NORTH A DISTANCE OF 67.32 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

NOTES:

- a) Utility data other than physical evidence visible on the ground is shown as per records on hand from private and public sources as indicated and should be assumed to be approximate.
- b) Compare all points before building by some and at once report any difference. For building and easement lines and other restrictions not shown herein, refer to your contract, deed contract or zoning ordinance.

Ordered by DR Congress, LLC
Field work done: 11/02/2012

SITE BENCH MARK

FM-1
ARROWHEAD ON FIRE HYDRANT AT NORTHEAST CORNER OF WATERMAIN ROAD AND OLD WILLOW ROAD.
ELEVATION = 634.59

FM-2
ARROWHEAD ON FIRE HYDRANT AT NORTHWEST CORNER OF WATERMAIN ROAD AND OLIVE STREET.
ELEVATION = 683.40

REFERENCE: PROSPECT CROSSING P.L.D. SUBDIVISION
MARCUS CONSULTANTS, INC.
MARCH 21, 1993

STATE OF ILLINOIS
COUNTY OF COOK

MANUEL E. PALMA, a Illinois Professional Land Surveyor,
hereby certifies that a survey has been made, at and under my direction,
of the property described above, and that the survey hereon shown
is a correct representation of said survey and conforms to the current
Illinois minimum standards for a boundary survey.

24 Grove Village, Illinois, November 09, A.D. 2012

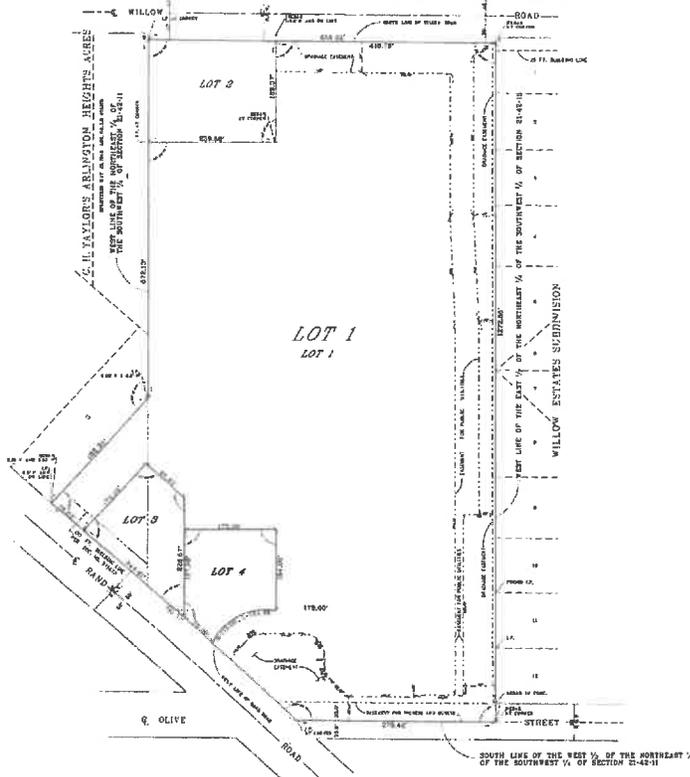
(Signature)
Manuel E. Palma, Professional Land Surveyor
Certificate No. 2135
Expiration date: 11-30-2012



EXHIBIT
6
1/24/06

PROSPECT CROSSING P.U.D. RESUBDIVISION

LOT 1, UNITS 1 & 2, LAND A RESUBDIVISION IN PROSPECT CROSSING P.U.D. SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS. PLAN 03-01-001-0000



PLANNING AND ZONING COMMISSION CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
UNDER THE AUTHORITY PROVIDED BY AS ILLS. 24/115 AS AMENDED BY THE STATE
LEGISLATURE OF THE STATE AND OTHERWISE APPROVED BY CITY BOARD OF THE CITY
OF PROSPECT HEIGHTS, ILLINOIS, THIS PLAN HAS GIVEN APPROVAL BY THE
CITY OF PROSPECT HEIGHTS.
APPROVED BY THE PLANNING AND ZONING COMMISSION THE CITY OF PROSPECT
HEIGHTS, COOK COUNTY, ILLINOIS, THIS _____ DAY OF _____, 20____.
SIGNED: _____
ATTEST: SECRETARY _____

WATER AND SEWER CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
APPROVED BY THE WATER AND SEWER BOARD OF THE CITY OF PROSPECT HEIGHTS, COOK
COUNTY, ILLINOIS, THIS _____ DAY OF _____, 20____.
SIGNED: WATER _____
ATTEST: CITY CLERK _____

CITY ENGINEER CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
APPROVED BY THE CITY ENGINEER OF THE CITY OF PROSPECT HEIGHTS, COOK
COUNTY, ILLINOIS, THIS _____ DAY OF _____, 20____.
SIGNED: CITY ENGINEER _____

CITY TREASURER CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
I, CITY TREASURER FOR THE CITY OF PROSPECT HEIGHTS, FIND NO DEFERRED
INSTALLMENTS OF OUTSTANDING SPECIAL ASSESSMENTS AGAINST ANY OF
THE LOTS DESCRIBED IN THIS PLAN OR CONVEYANCE.
SIGNED: CITY TREASURER, CITY OF PROSPECT HEIGHTS _____

COUNTY CLERK CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
I, COUNTY CLERK FOR THE COUNTY OF COOK COUNTY, ILLINOIS, DO HEREBY
CERTIFY THAT THE COUNTY CLERK OF COOK COUNTY, ILLINOIS, HAS RECEIVED
CERTIFIED TRUE AND CORRECT COPIES OF THE LOTS DESCRIBED IN THE ABOVE PLAN. I THEREBY
CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE
ABOVE PLAN.
GIVEN UNDER MY HAND AND SEAL OF THE COUNTY OF COOK AT CHICAGO, ILLINOIS,
THIS _____ DAY OF _____, 20____.
SIGNED: COUNTY CLERK _____

OWNER CERTIFICATE
THIS IS TO CERTIFY THAT PROSPECT CROSSING SHOPPING CENTER IS THE OWNER OF THE
PROPERTY DESCRIBED IN THE ABOVE CERTIFICATE AND THAT ITS OWNER HEREBY
HEREBY CERTIFIES THAT THE ABOVE CERTIFICATE IS TRUE AND CORRECT AND
WARRANTS FOR THE PURCHASE OF SAID LOT 1 AS PROVIDED BY LAW.
IN WITNESS WHEREOF, HE HAS HEREUNTO SET OUR HANDS AND SEALS THIS
_____ DAY OF _____, 20____.
SIGNED: _____
TITLED: _____

POTARY CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
I, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO
HEREBY CERTIFY THAT _____ PERSONALLY APPEARED TO ME TO BE
THE SAID PERSON WHOSE NAME AND ADDRESS ARE SET FORTH IN THE FOREGOING
INSTRUMENT AS SUCH PERSONS APPEARED BEFORE ME THIS DAY OF _____
AND PERSONALLY MADE THE VERIFICATION AND DECLARED THAT HE IS THE SAID
OWNER AND SIGNER OF SAID INSTRUMENT AND THAT HE HAS RECEIVED ALL
STATUTORY FEES AND SEALS THIS _____ DAY OF _____, 20____.
SIGNED: _____ NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

PLAT SUBMITTAL CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
I, _____ AN ILLINOIS PROFESSIONAL LAND SURVEYOR, PLAN NO. _____,
DO HEREBY SUBMIT THIS PLAN TO THE COUNTY CLERK OF COOK COUNTY, ILLINOIS,
TO RECORD THIS PLAN.
DATED AT PROSPECT HEIGHTS, ILLINOIS, THIS _____ DAY OF _____, 20____.
I HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF ILLINOIS.
MY LICENSE EXPIRES: 11/30/2024.

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF COOK) S.S.
THIS IS TO CERTIFY THAT I, _____ AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND PLATTED FOR
THE ABOVE OF LOT 1 IN PROSPECT CROSSING P.U.D. SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY.
I HEREBY CERTIFY THAT SAID LOTS HAVE BEEN SET AT MEAL LOT CORNERS, EXCEPT WHERE CONCRETE MONUMENTS ARE INDICATED, AND THAT THE PLAT
HEREON CORRECTLY REPRESENTS SAID SURVEY AND SUBDIVISION. DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
THIS PROPERTY IS IN AN AREA OF MINIMAL FLOOD HAZARD ZONE 21 AS SET FORTH BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S
FLOOD INSURANCE RATE MAP OF COOK COUNTY, ILLINOIS AND INCORPORATED HEREIN UNDER FEDERAL FLOOD INSURANCE POLICY NO. _____,
MAP NOT PRINTED.

DATED AT ELK GROVE, ILLINOIS, THIS 20TH DAY OF MAY, 4. 0. 2024.

ILLINOIS LAND SURVEYOR NO. 3735
EXPIRES NOVEMBER 30, 2024
MANUEL E. PALMA
LAND SURVEYOR
224 BROOKHAVEN DRIVE
ELK GROVE, IL 60007
673-244833





April 29, 2024

City of Prospect Height
8 N Elmhurst Rd., Prospect Heights, IL 60070
T. (847) 398-6070 F. (847) 392-4244

Attention Mr. Dan Peterson
Building and development director
dpeterson@prospect-heights.org

Subject Traffic Impact Assessment
Proposed Subdivision at Prospect Crossing Shopping Center
1215-1299 North Rand Road, Arlington Heights, IL 60004

Dear Mr. Peterson,

I am writing to provide an assessment of the traffic impact associated with the proposed food and drink development at the above referenced address.

According to the Illinois Department of Transportation (IDOT) annual average daily traffic count, Rand Road currently experiences approximately 24,300 vehicles per day. This data serves as a baseline for understanding the existing traffic flow in the area.

The industry standard suggests that a fast-food establishment typically adds an average of 25 cars per hour for each lot. Considering the proposed development, we can estimate the additional traffic generated during peak hours.

Given the location of the shopping center and the expected traffic patterns, it is our professional opinion that the proposed fast-food establishment will not significantly impact the overall traffic flow. The existing infrastructure and road capacity should be able to accommodate the additional vehicles without causing congestion or safety concerns.

We recommend monitoring the traffic situation once the establishment is operational to ensure that our assessment remains accurate. However, based on the available data and industry standards, we believe that the impact will be minimal.

Should you have any further questions or require additional information, please feel free to reach out.

Sincerely,
Wajih alkayed/ Manager
(708) 928-3976, omatconstruction@comcast.net
OMAT Construction, Inc.

EXHIBIT**7**

24-06

**Prospect Crossing Shopping Center
Current Tenant Listing**

Tenant	Sq. Ft.	Use
Sherwin-Williams	4,100	Auto paint sales
ATS4U	2,000	Auto services
Ultimate Athletics	14,000	Cheerleading training
HOME	7,500	Restaurant/Bar
1st Family Dental	3,700	Dental office
Nail Care	783	Nail salon
Tony's Finer Foods	87,092	Grocery
MJW Jewelry	1,500	Jewelry store
Penny's	2,525	Gaming café
JIN28	4,070	Restaurant
Taco Maya	5,100	Restaurant
Atlantis Banquets	14,990	Banquet facility
Eggcelence Café	3,500	Restaurant
Top Driver	1,400	Driving school
Tugo Tea House	884	Fast food restaurant
Allstate	1,600	Office
Salon Scene	1,200	Hair salon
Dairy Queen	1,600	Fast food restaurant
Midwest Shotokan	2,300	Karate training
Jimmy John's	2,400	Fast food restaurant
	<u>162,244</u>	



Zoning Review

Date: May 14, 2024

Reviewer: Daniel A. Peterson, Director of Building & Development

Applicant: Manny Rafidia, Owner, Prospect Crossing Shopping Center

Subject Property: 1215 – 1299 N. Rand Road, Arlington Heights, IL

Application: 1. Amendment to PUD Ordinance #O-88-06
2. Variances for Parking Reduction and Increased Signage

Project: Subdivide Property to Create 2 Out Lot Development Sites, Amend List of Approved Uses and Necessary Variations

Documents Reviewed: Completed Application. See list of exhibits in packet.

Applicable Zoning & Building Code Sections:

Planned Unit Development: 5-11-12A

Amendments to Ordinance #O-88-36

Amendment: List of Approved Uses to include: drive through restaurants
Plat of Subdivision creating two out lots for development

Variations Parking: 5-8-6: Schedule of Parking Requirements
Signs: 5-9-3 B 2c: Wall & Fascia Signs

Current Zoning: B-4 General Services PUD District

Current Use: Shopping Center

Request: The petitioner is seeking an amendment to Ordinance #O-88-36 for consideration of amendments and variations to an existing PUD, per section 5-11-12 of the City of Prospect Heights Zoning Code; 1) amend list of approved uses to include drive-through restaurants; 2) Plat or Subdivision to create two out lot parcels for future development; 3) Reduction in total Off Street parking for the PUD; and 4) Increase the number of allowed secondary walls signs from 1 to 2 for the new out

lots on the property commonly known as 1215 - 1299 N. Rand Road, Prospect Heights, Illinois, in the City's B-4 General Services PUD District.

Standards for Amendment of Planned Unit Development:

- A. Any substantial change in character of any existing planned unit development shall require the adoption of an ordinance which shall make such changes and modifications in said planned unit development as may be approved by the mayor and city council.
 - 1. Said amendatory ordinance may be adopted only after a public hearing by and recommendation of the plan/zoning board of appeals in like manner as is required herein for the adoption of an original planned unit development ordinance.

Response: A hearing is required as the request to amend the existing PUD. The petitioner is requesting the following amendments:

A. Add drive through restaurants as an approved list of permitted uses; and

B. Subdividing the property to create two new out lot development sites.

- 2. An amendatory ordinance shall be required in the event of any change in the established density, location of buildings, height, street pattern, or installation of public utilities.

F. Standards For Variations: The plan/zoning board of appeals shall not recommend variation of the regulations of this title unless it shall make findings of fact based upon the evidence as presented that: (Ord. 0-77-27, 7-18-1977; amd. Ord. 0-03-35, 9-15-2003)

- 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

Response: To support the amendments to the PUD, the applicant is seeking a reduction in the parking and increase in wall signage for the proposed development sites.

A. Parking Reduction: Section 5-8-6 Schedule of Parking Requirements

The applicant is seeking a 143 parking space reduction. The site has 1,000 ± parking spaces and was designed with approximately 6 per 1,000 gross square foot ratio. Applicant will need to provide testimony addressing parking conditions.

B. Signage: Section 5-9-3 B 2c: Wall & Fascia Signs

The applicant is seeking one additional secondary wall sign for each proposed out lot building, increasing wall signage from permitted wall signage from 2 to 3. All signs will comply with the size requirements as listed in the zoning code. Applicant to provide additional testimony to support request.

2. Literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.

Response: The property has been granted a Special Use for a Planned Unit Development as such would and has the right to seek relief for this purpose.

3. The alleged hardship has not been directly created by any person presently, or a predecessor in interest, having a proprietary interest in the premises.

Response: The City is land locked without open space for new development opportunities and has identified this property as potential redevelopment site.

4. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

Response: Standard met. The property was designed for a regional shopping center. Access to the property is sufficient for the proposed used. Access is provided from Rand Road (State Highway), Thomas Ave. (Cook County Highway) and benefits from an ingress/egress easement with the Target store property.

5. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.

Response: Standard met.

6. The proposed variation will not alter the essential character of the locality.

Response: The proposed variations are in keeping with a retail shopping center within the City's Rand Road Retail Corridor District.

7. The proposed variation is in harmony with the spirit and intent of this title.

Response: The proposed variations are the are in harmony of the spirit and intent of the Zoning Code and the Special Use for a PUD granted by Ordinance #O-88-36.

8. Granting the variation requested will not confer the applicant any special privilege that is denied by this title to owners of other lands, structures, or buildings in the same district.

Response: Standard met. No special privilege will be conferred by the granting of the variations.

9. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variation. (Ord. 0-77-27, 7-18-1977)

Response: Standard met. Each case is considered based upon the merits of the property.

10. The plan/zoning board of appeals shall further make a finding that the reasons set forth in the application justify the granting of the variation, and that the variation is the minimum variation that will make possible the reasonable use of the land, building, or structure. (Ord. 0-77-27, 7-18-1977; amd. Ord. 0-03-35, 9-15-2003)

Response: The proposed variations are the minimum necessary and are in harmony of the spirit and intent of the Zoning Code.

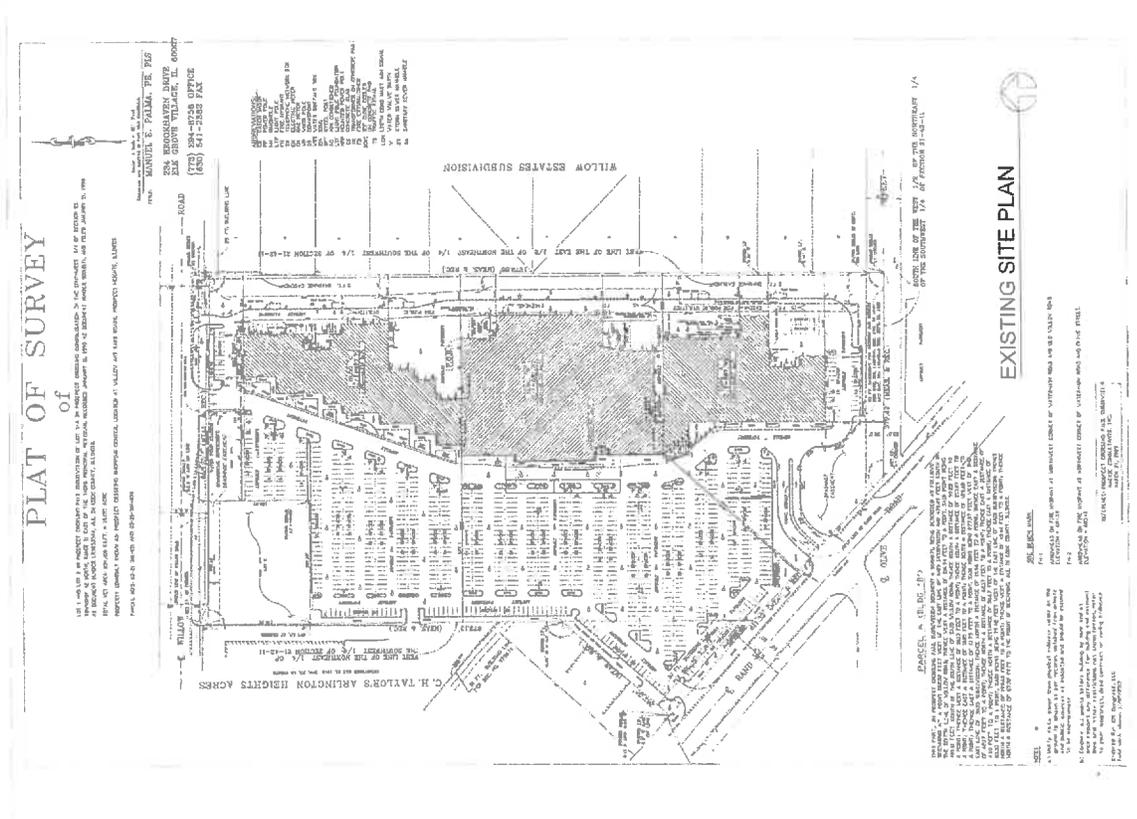
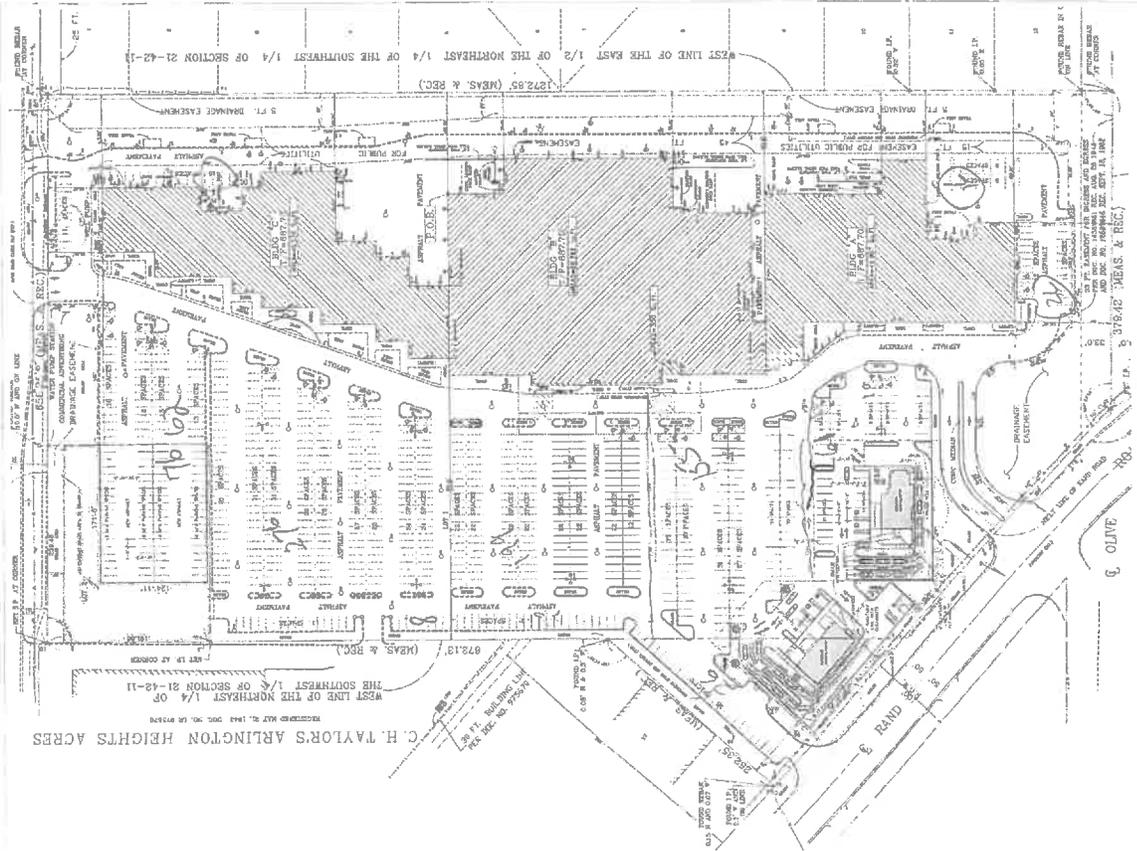
11. The board may impose such conditions and restrictions upon the location, construction, design and use of property benefited by a variation as may be necessary or appropriate to comply with the foregoing standards and to protect adjacent property and property values.

Response:

Conclusion

Staff has reviewed the PUD amendments, parking data and signage request for the proposed future redevelopment of the property and the application for the proposed amendments and variations are in conformance with the standards of the City of Prospect Heights Zoning Code.

Staff concurs with the request.



PLAT OF SURVEY
 of
 C.H. TAYLOR'S ARLINGTON HEIGHTS ACRES
 RECORDED APRIL 21, 1944 DIST. NO. 68 97349

PROPOSED BUILDING AND SITE INFORMATION

DESCRIPTION	PROVIDED	REMARKS
- EXISTING PARKING SPACES COUNT	975	
- PROVIDED PARKING SPACES WITH PROPOSED DEVELOPMENT	933	

DATE	DESCRIPTION
6/2/24	ISSUED FOR REVIEW
7/29/24	ISSUED FOR REVIEW
2/17/24	ISSUED FOR REVIEW
2/06/24	ISSUED FOR REVIEW
2/02/24	ISSUED FOR REVIEW

PROPOSED DEVELOPMENT
 AT PROSPECT CROSSING
 SHOPPING CENTER

SITE PLAN

PROJECT NO. 2410
 SHEET NUMBER
 TERRY W.A.
 SCALE
 AS SHOWN 1 OF 1

PROPOSED SITE PLAN
 SCALE 1/4"=1'-0"

PROPOSED BUILDING AND SITE INFORMATION

DESCRIPTION	PROVIDED	REMARKS
- EXISTING PARKING SPACES COUNT	975	
- PROVIDED PARKING SPACES WITH PROPOSED DEVELOPMENT	933	

EXISTING SITE PLAN

REMARKS

PROVIDED 975

933

PROPOSED BUILDING AND SITE INFORMATION

DESCRIPTION	PROVIDED	REMARKS
- EXISTING PARKING SPACES COUNT	975	
- PROVIDED PARKING SPACES WITH PROPOSED DEVELOPMENT	933	