



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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PLANNING AND ZONING COMMISSION

MINUTES • JANUARY 9, 2024

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Patrick Noonan	Commissioner	Present	
Cindy Roth-Wurster	Commissioner	Present	
Eric Friedman	Vice Chairperson	Present	
Jan Wood	Chairperson	Present	
Rodney Bettenhausen	Commissioner	Present	
Robert Kolososki	Commissioner	Absent	
Kevin Cavanaugh	Commissioner	Present	
Stephen Fedota	Commissioner	Absent	
Tim Schubert	Commissioner	Present	

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Dec 12, 2023 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Eric Friedman, Vice Chairperson
SECONDER:	Tim Schubert, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Cavanaugh, Schubert
ABSENT:	Kolososki, Fedota

III. PUBLIC HEARING

1. 1444 W. Algonquin Road

RESULT:	WITHDRAWN
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2. 224 W. Kenilworth Avenue

SU-000082-2023 - 224 W. Kenilworth Ave

Notice was published in the Journal & Topics on December 21st, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Special Use Application
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Floor Plan
6. Elevations
7. O-051-22 - Special Use 224 W. Kenilworth Expired
8. Public Notice

Ms. Bremanis provided a brief overview and states that the property is Zoned R-2 and the petitioner is proposing to construct a front porch addition and a new second story addition utilizing the current foundation footprint. The proposed additions will encroach into the required side yard and front yard setbacks. The petitioner is requesting a special use for a second story addition to be set back 7 feet from the interior side lot line in contrast to the standard 10 feet. Additionally, a request has been made for the front lot line setback to be 24 feet instead of the typical 30 feet for the entire addition.

Sworn in petitioner: Brian Gierke - owner of 224 W. Kenilworth Ave.

Mr. Gierke states he purchased the home 12 years ago. Over the years, his family has grown, and they are now in need of more space. His proposal includes adding a second-story addition, which would mirror the existing side yard setback. Additionally, he seeks to incorporate a front porch to enhance outdoor living space and add architectural appeal to the structure. Mr. Gierke emphasizes the desire to breathe new life into the outdated home while preserving the roots and friendships they have established in the community.

Commissioner Cavanaugh asks if he has discussed the project with any of the neighbors.

Mr. Gierke states he has discussed and there have been no issues, only positive feedback.

Chairman Wood refers to the original approved special use request and asks for clarification to the recent changes.

Mr. Gierke states the original architectural design was extensive and involved the construction of an entirely new structure while still utilizing the existing footprint. The recent changes reflect an adjustment to optimize usable space. The initial plan involved dismantling existing walls and constructing an entirely new building.

The new proposal reflects ideal useable space within the existing footprint.

Commissioner Friedman states the original structure was not compliant to the side setbacks. He asks if adding an extension to the rear of the property could align with setback conditions and bring the property into compliance.

Mr. Gierke states the architect advised against it based on the building requirements.

Commissioner Friedman notes a difference between the design being presented at the current meeting and the one initially approved.

Mr. Gierke confirms that the costs originally came in too high. They sought another design firm's assistance to optimize the use of the existing home and significantly reduce costs.

Commissioner Cavanaugh inquires about the duration of the approval if granted.

Ms. Bremanis states that the petitioner has one year to get a building permit issued.

Ms. Bremanis provides additional details, stating that the maximum height complies with codes, and the lot coverage is within the specified limits. She notes the property's proximity to Salt Creek and the surrounding flood hazard area. Ms. Bremanis assures that any potential issues related to this, if needed, would be addressed by the engineering department during the permit review process.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a new front porch and a second story addition to the existing residence, which will encroach on the required side and front yard setbacks. The Petitioner had previously applied for, and was granted, Special Uses to proceed with a similar project, but said Special Use permit has since expired. The Petitioner is now requesting the same setback relief for the existing non-conforming side yard for the second story addition, and an additional 2-foot encroachment into the required front yard for the new open-style front porch.

Staff has not identified any negative impacts that the proposed additions would have on the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the site plan, floor plan, and elevation plans submitted by the Petitioner, Brian Gierke, except as such plans may be changed to conform to the Village Codes and Ordinances.
2. If approved, the Village Engineering Department reserves the right to address any flood plain issues during the building permit review process.

There were no further questions. The public hearing was closed.

DISCUSSION:

Commissioner Cavanaugh expresses that the request aligns with standards and is consistent with the neighborhood. He acknowledges concerns about front porch encroachment but recognizes that it's driven by flood hazard considerations from Salt Creek in the backyard.

Chairman Wood concurs, stating that the request meets the standards and wouldn't cause harm to surrounding property values. She highlights that requests for open porches that infringe on setbacks but complete a structure typically receive positive and favorable responses.

Commissioner Roth-Wurster states the request meets the standards and improvements to the property are always welcome.

Commissioner Cavanaugh made a motion to approve subject staff's conditions; seconded by Commissioner Noonan.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on February 5th, 2024.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Patrick Noonan, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Cavanaugh, Schubert
ABSENT:	Kolososki, Fedota

3. 2001 N. Rand Road Unit E

SU-000083-2023 - 2001 N. Rand Road

Notice was published in the Journal & Topics on December 21st, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Special Use Application
2. Proof of Ownership
3. Plat of Survey
4. Floor Plan
5. Business Plan
6. Public Notice

Ms. Bremanis provided a brief overview and states the property is zoned P - Planned Development. The Planned Development states that all uses within the shopping center shall conform to the B-2 District regulations. The petitioner is proposing to open a new massage and physical therapy business at the subject property. The business plan indicates unique treatment for specific pain and conditions.

Sworn in petitioner: Owner - Zach Mayfield, Body in Gear LLC, 450 Osage St., Wauconda, IL

Mr. Mayfield presents his request for a special use permit to establish a medical massage office focusing on treating overall pain conditions. He emphasizes the beneficial nature of the services, addressing a need in the community.

Chairman Wood seeks additional details, querying about the anticipated number of employees, business hours, and parking requirements.

Mr. Mayfield indicates a staff of three, including himself, business hours from 8 am to 9 pm with varying times each day, and a maximum need for 20 parking spots.

Commissioner Cavanaugh clarifies that turnover throughout the day would actually cut that count to a maximum of 6-8 spots which Mr. Mayfield agrees with.

Commissioner Schubert inquires if they would also have parking in the rear for employees.

Mr. Mayfield states that the lease allows 4 spots for employee parking in the back lot.

Commissioner Bettenhausen asks about the presence of a receptionist.

Mr. Mayfield confirms that there would be a receptionist.

Commissioner Friedman seeks clarification on interior construction needs, and Mr. Mayfield states that the existing space meets business requirements and won't require any additional construction.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new physical therapy clinic at the subject property. The Petitioner is a licensed therapist and is taking over a tenant space that was previously occupied by a similar medical office use. Ultimately, the proposed use should not cause injury to the value of the other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use subject to the following condition:

1. The Special Use shall substantially conform to the Floor Plan and Business Plan submitted by the Petitioner, Zach Mayfield, Body in Gear LLC, except as such plans may be changed to conform to Village Codes and Ordinances.

There were no further questions. The public hearing was closed.

DISCUSSION:

Commissioner Noonan states the request is clear and does not foresee any issues.

Commissioner Roth-Wurster agrees and is in favor of the request.

Commissioner Cavanaugh states that the request meets the standards, new business offering at this location is a welcome request.

Commissioner Noonan Made a motion to approve subject staff's conditions; seconded by Commissioner Roth-Wurster.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on February 5th, 2024.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Cavanaugh, Schubert
ABSENT:	Kolososki, Fedota

4. Consider an Ordinance Granting a Special Use for a Day Care Facility at 1379 N Rand Road

SU-000079-2023 - 1379 N. Rand Road

Notice was published in the Journal & Topics on December 21st, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Special Use Application
2. Proof of Ownership
3. Plat of Survey
4. Floor Plan
5. Sample Interior Playground Equipment
6. Business Plan
7. Public Notice

Ms. Bremanis provided a brief overview and states the property is zoned PD - planned development and follows the B-1, B-2 and Cook County C-4 zoning uses and standards. She provides tenant information that are currently in the shopping center. She further states the Petitioner is requesting a special use to permit a day care facility.

Sworn in petitioner: Kimberly Bianchini - 1379 N. Rand Rd - Owner - Advanced Preschool, Inc.

Ms. Bianchini provides comprehensive background information on the request, highlighting its evolution over a three-year period in collaboration with the Illinois State Board of Education and Illinois Action for Children. The initiative supports early childhood education and families transitioning back to work, aiming for self-sustainability through the EDEC program. Ms. Bianchini outlines a direct partnership with the Palatine Opportunities Center and envisions creating an early childhood learning center catering to children from birth to 5 years old. The center aims to offer educational, social, and emotional assessments, providing long-term care to address developmental disparities in children who haven't entered early childhood programs. The proposed program model is state-recognized and accredited, focusing on high-quality care and education. The facility aims to support families within a 2-mile radius, with a particular emphasis on the identified area's need for these services. Ms. Bianchini emphasizes the collaboration with Illinois Action for Children to identify parents progressing toward self-sustainability and provide referrals to the facility for services.

Commissioner Cavanaugh seeks clarification on the facility's capacity, asking if accommodating a maximum of 108 children is accurate and expresses concerns about potential issues with drop-off.

Ms. Bianchini confirms that the number is correct and provides details on the drop-off routine, stating that it typically occurs between 6:30 am and 9 am, with

each drop-off taking 5-7 minutes. To address concerns, she references her experience with two other locations, including one in Hoffman Estates situated in a strip mall, where there haven't been difficulties with pick-up or drop-off requirements. Ms. Bianchini further notes the Streamwood location, indicating a successful track record in managing these logistical aspects.

Commissioner Schubert highlights the absence of an outdoor activity area in the petition and inquires about provisions for outdoor activities and how safety would be managed.

Ms. Bianchini responds, mentioning that they have transportation available, capable of accommodating up to 10 children who may be transported to outdoor play areas. She describes the logistics, stating that the van would pull up directly to the door for loading. Additionally, Ms. Bianchini mentions the presence of seven parks and playgrounds in the area. She notes that while there isn't a traditional outdoor space, the indoor play area is designed to mimic outdoor lighting, providing a suitable environment for various activities.

Commissioner Schubert emphasizes safety as his primary concern.

Ms. Bianchini addresses this concern by stating that transportation is carefully monitored, indicating a commitment to ensuring the safety of the children during transportation.

Chairman Wood inquires about the overall capacity for the center.

Ms. Bianchini responds that the capacity is 108.

Chairman Wood seeks clarification on the capacity for the play area, and Ms. Bianchini explains that it would be utilized by one group at a time, with 35-minute sessions in the morning and afternoon.

Chairman Wood further asks if the arrangement meets Department of Children and Family Services (DCFS) standards, to which Ms. Bianchini confirms that it does meet the required standards.

Chairman Wood inquires about after-school transportation to the daycare.

Ms. Bianchini responds that there would be one room designated for before and after-school care, and transportation would be provided by the school district. She specifies that their facility would only be servicing the school in the immediate location, and only one bus would be dropping off any students for after-school care.

Commissioner Bettenhausen inquires about the security system for entry and exit into the facility.

Ms. Bianchini responds that there is a security system in place with two secure entrances requiring a keypad code entry. She elaborates, explaining that parents would need to escort their children into the facility and to their designated classroom. The same procedure would be followed for the pickup process.

Commissioner Schubert asks if there is designated parking for pick up and drop

off.

Ms. Bianchini states that there are 6 designated spaces that allow 15-minute parking.

Commissioner Cavanaugh raises a question about the clarity of the crosswalk between the parking lot and the facility.

Ms. Bianchini responds, stating that the landlord will provide a yellow crossway from the parkway to the building to ensure clear markings for the crosswalk.

Commissioner Friedman inquires about staff supervision in the area during peak times, such as crossing guards.

Ms. Bianchini responds that there is no additional staff supervision in that area because a drop-off procedure is already in place.

Commissioner Bettenhausen points out concerns about the current condition of the parking lot, expressing worry that it might pose a danger to parents and children if it's in disrepair.

Ms. Bremanis responds, indicating that the landlord is obligated to provide basic property maintenance. She further mentions that the public is encouraged to report any issues, and in such cases, the village would conduct an inspection to ensure the parking lot is adequately maintained.

Commissioner Ruth-Wurster inquires about the food service.

Ms. Bremanis states that a food permit would be required and the Environmental Health department would oversee the procedures and provide regular inspections to ensure compliance.

Chairman Wood asks how long the Hoffman Estates location has been opened.

Ms. Bianchini responds that the Hoffman Estates location has been open for 25 years. Additionally, she mentions that the Streamwood location was recently taken over. Ms. Bianchini provides additional context about her experience, noting that she has been in the industry for 35 years, and discusses her credentials.

Commissioner Bettenhausen asks about first-aid training for staff

Ms. Bianchini responds, stating that the entire staff is trained in first-aid, emphasizing that the staff is well-trained in this regard.

Commissioner Friedman raises questions about the demographic studies justifying the business plan and references serving 13% birth-3 and 42% 3-5 of the population. He seeks clarification on whether these percentages represent those enrolled or the capacity. Additionally, he asks if the surrounding centers lack capacity.

Ms. Bianchini responds, confirming that the percentages reflect the demographic analysis for eligible children. She clarifies that the study also provided information on income eligibility but emphasizes that the spots are not income-restricted. The

service is open to children who are eligible and in need of it, considering both income and capacity factors.

Sworn in Resident: Sarah Neiman - 1243 E. Baldwin Ln

Ms. Neiman expresses her initial opposition due to concerns about bus traffic in the center. However, she indicates that she was misinformed about the intended use and now welcomes the business. Ms. Neiman looks forward to the facility occupying the empty space, as she believes it will deter unwanted individuals.

STAFF RECOMMENDATION:

The proposed day care would be the Petitioner's 3rd preschool facility and the application and business plan indicate that it would be compatible with the neighboring businesses, and would occupy a currently vacant tenant space. There are also other examples in the area of daycare uses, located with commercial centers, in addition, as there is excess parking, within the shopping center, Staff does not have a concern with the parking for the proposed use. By providing the interior playground area, the proposed use would eliminate any exterior traffic or delivery conflicts, while still providing the necessary activity areas for the children. Therefore, Staff recommends approval of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the Business Plan, and Floor Plan submitted by the Petitioner, Kimberly Bianchini, Advance Preschool, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The Special Use is granted to Advance Preschool to permitted their operation_at this location. Any future changes in the proposed operator shall require the review and approval of the Village Council.
3. Prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the Petitioners shall provide the Department of Planning and Zoning, with a copy of the appropriate current DCFS license for the operation of a daycare at the Subject Property.

There were no further questions. The public hearing was closed.

DISCUSSION:

Commissioner Bettenhausen expresses support for the proposed use of the space, describing it as an excellent utilization that will provide a necessary service to the community.

Commissioner Schubert acknowledges that it will be a good use of the space but notes concerns about safety issues.

Commissioner Friedman recalls a previous request from District 15 for a school

at the other end of the mall. He notes that the center is used as a cut-through for cars to avoid traffic at Rand and Dundee, one of the most dangerous intersections in the state. While the current request is different from the elementary school proposal, he expresses ongoing concerns about safety. Commissioner Friedman hopes that the landlord will address signage and safety, emphasizing that the petitioner is leasing the building, and his concerns extend beyond the four walls to the safety of the children. He specifically notes the lack of outside supervision during drop-off and pick-up.

Chairman Wood expresses confidence in the safety plan, noting that it considers safety and requires family assistance during drop-off and pick-up. She is comfortable with the plan in place and believes that, if necessary, the facility would accommodate personnel to assist with safety concerns. Chairman Wood expresses confidence in the business plan, recognizing it as a needed service, and highlights the extensive experience of the staff. She supports the proposal, stating that the standards have been met.

Commissioner Noonan made a motion to approve subject staff's conditions; seconded by Commissioner Cavanaugh.

Chairman Wood summarized that this request has met the standards and was approved by a vote of 5-2. This item will tentatively go to Village Council on February 5th, 2024.

RESULT:	RECOMMEND TO APPROVE [5 TO 2]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Noonan, Roth-Wurster, Wood, Bettenhausen, Cavanaugh
NAYS:	Friedman, Schubert
ABSENT:	Kolososki, Fedota

IV. COMMUNICATIONS

Village Council Approved:

Meadowlark Park

1 N Oak St

Massage Business on Northwest Highway

Mill Valley Driveway request will be heard next Monday

Meeting Cancelled for 1/23/24

Next Meeting is schedule for 2/13/24

V. ADJOURNMENT