



VILLAGE OF PALATINE

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

MINUTES • OCTOBER 8, 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	Present	
Kevin Cavanaugh	Commissioner	Present	
Stephen Fedota	Commissioner	Present	
Tim Schubert	Commissioner	Present	

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Sep 24, 2024 7:00 PM

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Fedota, Schubert

III. PUBLIC HEARING

1. Two vacant properties south of 1311 W. Hill Street.

PFSUB-00007-2024 - Vacant Lots South of 1311 W. Hill St.

Notice was published in the Journal & Topics on September 19th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Plat of Consolidation
2. Engineering Plans
3. Proposed Elevations
4. Application
5. Proof of Ownership
6. Plat of Survey
7. 2006 Adopted Northwest Sub Area Land Use Map
8. O-197-06
9. Public Notice

Staff (Ms. Bremanis) provides Background:

The lots were platted as part of Percy Wilson's Forest View Highlands Subdivision in 1926, annexed into the Village in 2005, and subsequently rezoned to R-1A single-family residential in 2006. The Petitioner is now requesting to consolidate two vacant lots into a single lot, and is requesting preliminary and Final Plat of Subdivision to consolidate 2 existing Residential Lots into 1 Residential Lot.

Sworn in petitioner: Jim Balogh, Balogh Group LLC - 1001 Ellis Street, Palatine

Mr. Balogh states that he has lived in the Palatine home on Ellis Street and is now looking to downsize. He explains that they have owned the lot for a couple of years through his business and have helped develop the surrounding area. Mr. Balogh expresses his fondness for Palatine and his desire to build a smaller house on the lot for himself and his wife.

Chairman Wood points out that the private drive will be located to the south of the lots. Mr. Balogh confirms this, and adds that it is at the end of the street, noting that the drive cannot extend any further.

Commissioner Bettenhausen asks if the driveway will begin at the end of the current Forest Avenue pavement.

Mr. Balogh responds that the driveway has not been finalized yet. He explains that it was part of a negotiation, and different driveway patterns were presented. This particular option allows him the ability to back out into a small niche area and proceed down Forest Avenue. While the driveway will be in the right-of-way, he assumes he will be responsible for all of the maintenance.

Commissioner Bettenhausen expresses concern about safety at the end of the pavement, suggesting that adding a curb or guardrail might prevent a vehicle from going down the embankment.

Mr. Balogh responds that there is currently nothing there, but offers to plant some hedges at the end for safety.

Commissioner Bettenhausen highlights that the plans show an existing detention basin approximately 6 feet deep from the edge of the pavement, which poses a risk.

Mr. Balogh confirms the basin's presence, and notes that it is in the right-of-way. Commissioner Bettenhausen then points out that the proposed driveway could lead toward the hole.

Ms. Bremanis clarifies that this issue will be addressed during the engineering phase, in coordination with a license agreement. The current focus is on approving the lot consolidation. Part of the design considers fire and safety vehicles, ensuring there's enough space for backing-up and turning around, which is why they opted for the driveway style in the right-of-way. This will be further worked out with the engineering department.

Commissioner Friedman inquiries about two similar parcels east of Forest Avenue, asking staff and Mr. Balogh if there is any interest in those properties.

Mr. Balogh responds that he has no interest in them.

Commissioner Friedman then asks whether those parcels are buildable and if the roadway design would allow for a consistent continuation to serve both properties without it becoming a private drive past a certain point.

Ms. Bremanis points to the map and explains that one area is in a local flood plain, making it unbuildable, while the other lot is too small to build on.

Commissioner Friedman confirms that future construction is not anticipated on those lots.

Ms. Bremanis affirms, stating that engineering has reviewed the lots and determined they are not buildable.

Ms. Bremanis states that the R-1A standards indicate the size of the lots are substandard, but the proposed consolidation will bring them into compliance with the R-1A zoning requirements. She shows a conceptual design of the house that will be built, along with pictures of the existing conditions. Engineering and building departments have reviewed the plans and found no issues.

Commissioner Friedman asks whether the property will come into conformance with the planned zoning and if the planned improvements on the property fully comply with the zoning regulations.

Ms. Bremanis confirms that they will.

Commissioner Friedman then inquires specifically about the driveway width.

Ms. Bremanis explains that with a three-car garage, he is permitted to have a wider driveway. Currently, the driveway is 29 feet wide, but it can be expanded up to 35 feet with the three-car garage.

STAFF RECOMMENDATION:

The Petitioner is requesting to consolidate two existing lots into a single lot while

retaining the R-1A zoning designation. The proposed lot and building plans are consistent with the Comprehensive Plan recommendations and comply with the underlying R-1A zoning requirements. Additionally, the consolidation will unify the lots for the development of a new single-family home.

Therefore, staff recommends approval of the Preliminary and Final Plat of Subdivision (Plat of Consolidation), subject to the following conditions:

1. The plat of subdivision shall substantially conform to the engineering plans prepared by Norman Toberman & Associates, LLC, submitted on 9/11/24 and attached hereto as Exhibit 'A', except where revisions are necessary to comply with Village Codes and Ordinances.
2. The Plat of Subdivision shall be submitted on Mylar with the required signatures and shall substantially conform to the Plat of Subdivision prepared by Norman Toberman & Associates, LLC, as attached hereto.
3. A license and maintenance agreement for the private drive within the Forest Avenue right-of-way shall be submitted in a form acceptable to the Village Attorney.
4. If required, a Public Improvement Letter of Credit shall be submitted in a manner acceptable to the Village Engineer.
5. Parkway trees shall be provided in a manner acceptable to the Village Engineer.
6. Cash in lieu of sidewalks shall be submitted in a manner acceptable to the Village Engineer.
7. Recording fees in the amount of \$300 shall be submitted.

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

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

DISCUSSION:

Commissioner Cavanaugh acknowledges that this is a unique situation and appreciates that the staff has identified the property's uniqueness. He highlights the importance of the consolidation in allowing the petitioner to move forward with their plans. This recognition of the property's characteristics will enable the development to proceed in a manner that will adhere to zoning requirements.

Chairman Wood emphasizes that the proposed development will comply with the minimum standards required for a buildable lot. By consolidating the two properties, the plan will facilitate effective usage of the land, making it suitable for development while adhering to the necessary regulations.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 9-0. This item will tentatively go to Village Council on Monday, October 14th, 2024

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

2. Vacant property north of 152 N. Maple Street

SU-000127-2024 - Vacant Property at N. Maple Street and W. Wood Street

Notice was published in the Journal & Topics on September 19th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application
2. Proof of Ownership
3. Plat of Survey - Site Plan
4. Elevations
5. Floor Plans
6. Special Use Ordinance O-76-20
7. Public Notice

Staff (Ms. Bremanis) provides background:

The Subject Property is a vacant platted lot of record. A similar Special Use for a 10-foot side yard abutting a street setback reduction was approved in 2020, but ultimately expired. The application and submitted plans propose a 15-foot side yard abutting a street setback, in conjunction with the proposed new home. The Petitioner is requesting Special Use to permit a home to be setback 15 feet from the side lot line, instead of the minimum required 20 feet.

Sworn in petitioner: Christopher Thomas - 227 W. Wood St.

Mr. Thomas mentions that he and his family live down the street at Palatine Station. After purchasing the lot a couple of years ago, they are now prepared to build a house. Initially, they planned for a four-bedroom home; however, he believes the lot does not support that size. Instead, they are considering a smaller footprint that would be more suitable for their needs, ensuring adequate side yard space for their children and family activities. He emphasizes that they are requesting a footprint smaller than what was previously approved.

Commissioner Wood inquires whether the side yard has been maintained as viewed and if they attempted to stay within the side yard setbacks.

Mr. Thomas responds that they acquired the lot from another contractor who had been approved for a special use with larger side setbacks. He explains that the initial plans were for a larger home, and while it might be feasible to reduce the footprint by 5 feet, it would result in a very narrow home. Keeping the additional 5 feet would allow them to create a much more livable space for their family.

Ms. Bremanis explains that the lot in question is substandard, significantly smaller and narrower than a typical R-2 lot. She notes that while the standard for a corner lot is 85 feet, this lot measures only 60 feet, and at 7,740 square feet, it falls short of the 10,000 square feet required for R-2 zoning.

Ms. Bremanis presents the layout of the proposed house, which would face

Maple Street, and shares floor plans with the committee. Ms. Bremanis observes that none of the surrounding homes meet the R-2 standards, highlighting that the house behind and to the west is situated just 5.5 feet from the lot line. She also provides information on several other nearby locations and includes photos to illustrate the existing conditions. She concludes by stating that aside from the R-2 side yard setback requirement, everything else in their proposal meets the R-2 standards.

Commissioner Friedman clarifies that the vote tonight pertains to the setbacks rather than the substandard size of the lot.

Ms. Bremanis confirms that the lot is an existing condition, and there is no process to approve an existing substandard lot. She explains that if the petitioner wanted to subdivide and create such a situation, they would need approval for the subdivision and variations.

Commissioner Cavanaugh inquires about the sidewalks on the street and asks what the process is to complete the sidewalk in this area.

Ms. Bremanis responds that completing the sidewalk is one of the conditions, although it is not currently included. She notes that the addition of a sidewalk would be required if they were building the house without setback relief.

Commissioner Shubert asks if the driveway cut at the curbs is included in the plans.

Ms. Bremanis confirms that it will undergo engineering review.

Commissioner Cavanaugh also raises concerns about the driveway cut and the non-traditional crosswalk location.

Ms. Bremanis replies that engineering will review these aspects at the permit level.

STAFF RECOMMENDATION:

The Petitioner is proposing a 15-foot side yard abutting a street setback for a vacant lot to allow for the development of a new home. This lot is narrower, at 60 feet, as compared to current minimum required 85 feet, which will affect the building pad width of the proposed home. As noted, the proposed setback is comparable to or greater than multiple other corner lots in the area, which do not provide a 20-foot side yard abutting a street setback and have setbacks that are either equal to or lesser than the proposed.

The proposed should not impact the surrounding property owners or alter the essential character of the neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the plans submitted by Petitioner on 9/02/2020 except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

DISCUSSION:

Commissioner Kolososki commends the Petitioner for doing a good job with the design of a nice house on a tight lot, noting that it will fit well within the neighborhood. He does mention a concern about potentially regretting not having a larger garage to accommodate the newer, larger car models that are becoming common.

Commissioner Cavanaugh shares that he lives in the area and initially had concerns about the project. However, he acknowledges that staff has effectively addressed issues related to sidewalks and driveways, which he considers important. He appreciates the petitioner's honesty in stating that he did not want a larger house and is looking for a good use of the property for his family. He expresses excitement about finally getting something built on a lot that has been vacant for a long time.

Commissioner Fedota acknowledges the existing challenges with the lot's tightness but agrees that the design fits well with the surrounding environment and constitutes a good use of the property.

Commissioner Friedman expresses his only concern about the absence of a site plan in the package. He points out that while the plat shows the maximum footprint of the planned home, it lacks a scope of work for the property. He asks whether staff is comfortable that the conditions will adequately address any issues that would have been clarified by a site plan. If so, he does not want to hold up the process.

Ms. Bremanis concurs, noting that a more comprehensive plan showing the driveway and sidewalks would have been beneficial.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 9-0. This item will tentatively go to Village Council on Monday, October 14th, 2024.

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

3. 401 N. Northwest Highway

SU-000123-2024 - 401 N. Northwest Highway

Notice was published in the Journal & Topics on September 19th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Staff (Ms. Bremanis) provides Background:

The Subject Property is zoned B-1, Shopping Center District, and was part of the Arthur T. McIntosh & Co.'s Fair Grounds Park Subdivision. The approximately 900 square foot tenant space is located within the Fleetwood Shopping Center, which also includes a comic book store, a nail salon, a barber shop, and an insurance & financial services business. The previous occupant of the subject tenant space was an electronic vape store, which closed in May of 2023.

The Petitioner is proposing to open an African food store at the subject tenant space to sell a variety of dry and frozen goods. The Petitioner is requesting the following. A Special Use to permit a food store at the subject property.

Sworn in petitioner: Ms. Oluwatoyin Warren - 422 Edward Ave.

Ms. Warren shares her experience in business, noting that she has been operating for many years. However, her previous location in Rolling Meadows has closed due to the site being redeveloped for a new use. She expresses her desire to establish a new space in Palatine to continue her business, emphasizing her commitment to selling African food to her loyal customers.

Chairman Wood inquires about the expected daily customer volume.

Ms. Warren responds that she anticipates around 10 customers per day. She plans to advertise her new location to attract her existing customer base.

Commissioner Cavanaugh asks about the nature of the food products being sold. Ms. Warren confirms that the food is either frozen or prepackaged. She sources these items from suppliers in Chicago, ensuring they are prepacked and she also states other items would be sourced from approved importers at the port of entry. Commissioner Cavanaugh asks if the business would mimic what she was doing in Rolling Meadows.

Ms. Warren agrees that it would be the same.

Chairman Wood inquires about the business hours, noting they are from 9 AM to

8 PM, and asks if there might be occasions when Ms. Warren would stay open later.

Ms. Warren responds that she does not anticipate extending the hours, as they are already long enough. She explains that preparation and cleaning require time, and her son assists her, making longer hours too strenuous for their operation.

Commissioner Friedman asks whether the business plan includes selling produce like yams and plantains as prepackaged items or if they will be displayed openly like in a grocery store.

Ms. Warren explains that the items will be displayed on a table.

Commissioner Friedman then inquires if there is a food preparation sink available for preparing any foods.

Ms. Warren responds that they will use gloves to handle the food and offer them to customers.

Ms. Bremanis interjects, clarifying that all food handling will be managed during the food permit process, which will be reviewed by the Environmental Health Department. She provides an overview of the requirements for grocery stores.

Commissioner Friedman notes that while this is understood, the current floor plan does not specify where the food handling will take place.

Commissioner Schubert inquires whether the small store will serve any food or allow eating on the premises.

Ms. Warren confirms that there will be no food consumption on the premises.

Ms. Bremanis provides details about the location, highlighting the existing conditions. She explains that there is residential space on the upper floor, with parking for residents situated at the rear of the building. The business parking is located in the front, and she notes that no parking issues have been observed.

Commissioner Fedota inquires about the trash disposal process for the business. Ms. Bremanis explains that there are three trash dumpsters located at the rear of the building, though it's unclear whether the owner has allocated these for the business or if Ms. Warren needs to arrange for her own.

Commissioner Noonan asks whether the garbage at this new location will be consolidated into one large container or if Ms. Warren will have her own.

Ms. Warren responds that she will place a garbage can at the entrance for customers to dispose of miscellaneous trash, while the store's waste will be disposed of in the large dumpster provided by the property owner.

STAFF RECOMMENDATION:

The Petitioner is proposing to relocate an existing food store to Palatine. Per the submitted business plan, and a review of the Petitioner's food store location in Rolling Meadows, the generated traffic from 10 - 20 customers a day and the use of the Petitioner's personal vehicle for deliveries should not have a significant impact on, nor cause injury to the value of, the other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the proposed 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, Oluwatoyin Warren, Debjos African Food LLC, except as such plans may be changed to conform to the Village Codes and Ordinances.

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

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

DISCUSSION:

Commissioner Cavanaugh expresses his support, stating that the business is a good use of a vacant space and highlights its uniqueness, as it doesn't currently exist in Palatine.

Commissioner Kolososki agrees, finding that unique stores can be interesting and are a good fit for the community.

Chairman Wood emphasizes Palatine's diversity, appreciating the presence of different stores that cater to various populations. She also notes that the business does not pose any issues regarding health, safety, or welfare. Additionally, she mentions that the parking lot is rarely full and expresses her favor for the request.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 9-0. This item will tentatively go to Village Council on Monday, October 14th, 2024.

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

IV. COMMUNICATIONS

V. ADJOURNMENT