



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

PLANNING AND ZONING COMMISSION

AGENDA • SEPTEMBER 26, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. MEETING MINUTES

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

III. PUBLIC HEARING

1. 519 S. Consumers Avenue

To be continued to the October 10, 2023 Planning and Zoning Commission meeting.

2. 488 W. Center Road

Variation to permit a fence to be 8 feet in height, instead of the maximum permitted 6 feet.

3. 315 E. Northwest Highway

Special Use to permit a medical office (physical therapy clinic) at the subject property.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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PLANNING AND ZONING COMMISSION

MINUTES • SEPTEMBER 12, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

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

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Aug 22, 2023 7:00 PM -
Accepted as Amended

RESULT: **ACCEPTED AS AMENDED [UNANIMOUS]**
MOVER: Cindy Roth-Wurster, Commissioner
SECONDER: Robert Kolososki, Commissioner
AYES: Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Fedota
ABSENT: Noonan, Luszczak

Minutes Acceptance: Minutes of Sep 12, 2023 7:00 PM (Meeting Minutes)

III. PUBLIC HEARING

1. 85 W. Fair Oaks Court - **Recommend To Approve**

SU-000061-2023 - 85 W. Fair Oaks Court

Notice was published in the Journal & Topics on August 24th, 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. Fence Elevation
6. Public Notice

Mr. Vyverberg provided a brief overview and states this is a single family home zoned R-2 single-family residential. The petitioner is proposing to install a 4-foot-tall picket fence set back approximately 5 feet from the side property line that abuts S. Brockway Street.

Sworn in petitioner: Brandon Burr - 85 W. Fair Oaks Court, owner

Mr. Burr states he recently purchased his home. He explains he has small dogs and would like the fence for safety reason. The fence would not be too high and would not obstruct the view.

Commissioner Bettenhausen asks if the trees that are in place would be removed.

Mr. Burr states the trees have already been removed.

Commissioner Roth-Wurster asks if the neighbors had any issues.

Mr. Burr states they have discussed and have had favorable feedback. One neighbor stated concerns regarding height and obstructing the view. The 4-foot-tall picket fence accommodates that request.

Mr. Vyverberg states the petitioner has summarized the request. The relief is to install a fence on a side property line abutting S. Brockway Street. He further explains that the fence would be set back 5' from the side property line. All departments have reviewed and no issues were identified.

STAFF RECOMMENDATION:

The Petitioner is proposing to enclose their rear and side yard abutting S.

Brockway Street with a 4-foot-tall picket fence. The proposed fence will be set back 5 feet from the side property line. In addition to the 5-foot setback, there is a considerable parkway that is approximately 18 feet wide, which provides the proposed fence a greater set back from the street. Ultimately, as there were no line-of-sight issues identified by Staff, and due to the proposed fence will roughly lining up with the existing non-conforming split rail fence in the front yard of the adjacent property, the proposal should not cause substantial injury to the value of other properties in 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 and fence elevation plan submitted by the Petitioner, Brandon Burr, 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 Cavanaugh Made a motion to approve subject staff's conditions; seconded by Commissioner Roth-Wurster.

DELIBERATIONS:

Commissioner Cavanaugh states he has no issue. It is a proper fence for this yard. Only issue would be line of site but the style of the fence addresses the issue.

Commissioner Roth-Wurster agrees and states the standards have been met.

Chairman Wood states that the standards have been met. It is a reasonable request with a nice style fence. Petitioner has made modifications to the fence per neighbor's requests and has done a good job at being a good neighbor.

Commissioner Friedman states the end result will have better visibility than the previous evergreen trees.

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 Monday, September 18th, 2023.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
AYES:	Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Fedota
ABSENT:	Noonan, Luszczak

2. 766 E. Dundee Road - **Recommend To Approve**
FPD-000066-2023 - 766 E. Dundee Rd.

Notice was published in the Journal & Topics on August 2th, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application 766 E Dundee Rd
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Sign Elevation
6. Planned Development Amendment Ordinance #O-60-10
7. Dundee Point Planned Development Ordinance #O-151-04
8. Public Notice

Mr. Vyverberg provided a brief overview and states that the petitioner is proposing to maintain an existing freestanding sign and convert it from a single use to a multi-tenant sign.

Sworn in petitioner: Steve Haramaras - 3741 N Lakewood Ave.- Chicago, IL - Part owner of property being discussed tonight.

Mr. Haramaras states that the sign in question is existing. Originally, the sign was approved for Verizon. Verizon is no longer a tenant and he is requesting to modify the sign from a single use sign to a 3-tenant sign. He refers to an elevation showing a before and after example of the request.

Chairman Wood asks how it was determined which tenants would appear on the sign.

Mr. Haramaras states it accommodates the three tenants closer to that end of the property.

Mr. Vyverberg provides information on the original approval of the Monument sign for Verizon. He states that there was an original condition that if Verizon was to leave, the sign would be removed. He further explains that the sign code for unified centers between 2 and 5 acres would allow 2 freestanding signs up to 100 square feet if the property were zoned B-2. This property is zoned B-2. There are 2 signs on the property and they mirror each other.

Chairman Wood asks if the sign could allow a 4th tenant.

Mr. Vyverberg states that they are limited by the square footage of the sign - added tenants would have to remain within the current size. In the future if they requested to subdivide the sign further it would need to be reviewed. Ultimately, if they stayed within the square footage, it would be possible.

Chairman Freidman asks if future changes could be avoided by adding language to the current action to allow more flexibility to avoid future meetings for changes to the sign.

Chairman Fedota clarifies that the approval tonight is for a 3-tenant sign. Any changes would need to be addressed in a future meeting.

Mr. Vyverberg states that is correct and adding language to tonight's request is not an option at this time.

Chairman Freidman asks if the fonts and panel color need to match.

Mr. Vyverberg states it does not. Code was amended in the B-2 District to not require color matching or font matching.

STAFF RECOMMENDATION:

In 2010 this sign was approved as a Planned Development Amendment to allow the construction of this sign for Verizon, with a condition that it would be removed if Verizon vacated the site. The Petitioner proposes to maintain the existing monument sign; currently a single-tenant sign, with a conversion to a multi-tenant sign.

The subject property is unique as there are two separate multi-tenant buildings on a single lot. The proposed amendment would allow for visibility of the uses in the easterly building, before the right-in only entrance off of Dundee Road. Additionally, if the lot were zoned B-2, the subject monument sign would be permitted, as the lot exceeds 2 acres. Therefore, Staff recommends approval of the Planned Development Amendment subject to the following conditions:

1. The subject multi-tenant sign shall significantly conform the sign plans prepared by TFA Signs dated 4/12/23, 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 Bettenhausen.

DELIBERATIONS:

Commissioner Kolososki states every business need advertisement and this would benefit the tenants.

Chairman Wood states it is a nice sign but notes that it is unusual that only 3 tenants have accommodations to the sign and others tenants do not.

Chairman Roth-Wurster states it meets the standards. Signs have been in place for over a dozen years. It addresses a navigational issue and deems the tenants.

Chairman Fedota states it follows larger buildings that have their name on the

building and smaller businesses that are also tenants have no signage.

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 Monday, September 18th,2023.

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

3. 37 N. Plum Grove Road - **Recommend to Deny**
PPD-000006-2023 - 37 N. Plum Grove Rd.

Notice was published in the Journal & Topics on August 24th, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. ENG Plan - 5351 Preliminary Engineering
2. Preliminary Plat
3. Architectural Plans 1-6
4. 37 N - Preliminary & Final Subdivision Application
5. Plat of Survey
6. Preliminary Planned Development Application
7. Planned Development Ordinance #O-36-2010
8. Public Notice
9. Letter from Resident at 59 N Plum Grove Rd.

Mr. Vyverberg provided background information and states this request is requesting a Preliminary Planned Development to construct 5 new single-family residences on 5 new lots at 37 N. Plum Grove Rd. He provides background on previous uses and states that the Palatine Township offices occupied this location until they moved to their current location. It was then occupied by a social service agency and finally a financial service office. The property was sold and the building has since been demolished.

Sworn in petitioner: Greg Rose - 47 N. Bothwell St. - Palatine, IL - Owner of property

Mr. Rose states he is seeking to develop and improve this location with 5 single family homes. The homes are designed to fit in with the neighborhood and will be between 2000 - 2500 sq ft in size. He further explains that the homes will each have a 2-car garage that will be accessed through a 16-foot shared driveway. The shared drive would exit onto Plum Grove Rd which will only allow a right-hand turn. Each home will have a front porch, interior patios and privacy fences. He states buyers of the property will not be looking for large lots and rather would be looking for low property maintenance. The properties would be governed by an HOA. He references similar lots in the neighborhood and states many are comparable to the proposed front and corner side yard setbacks. Mr. Rose points out the surrounding properties and feels the proposed development fair minded and will fit nicely in this area.

Commissioner Bettenhausen asks how snow will be removed.

Mr. Rose refers to the site plan and states there is a considerable amount of space for snow removal between driveways. He also points out an area that separates the properties that could be available for snow removal.

Commissioner Cavanaugh questions the reason for 5 homes on this property versus 4.

Mr. Rose states that as a developer he works to maximize the property and feels that 5 will fit the property well. He points out condo buildings across the street and believes it fits with the style of the neighborhood.

Commissioner Kolososki asks what is the measurements of the impervious surface.

Sworn in Project Engineer: Timothy Spies - 534 W. Campus Dr. - Arlington Hts, IL

Mr. Spies provides information regarding impervious surfaces. He states that the property is roughly a half-acre and the proposed impervious coverage is slightly less than that. States it goes from 6/10th of an acre down to .46.

Commissioner Kolososki asks what that measurement would be if one house were to be eliminated.

Mr. Spies states it would be reduced by 20%.

Chairman Wood states her concern regarding lot coverage and believes the lot coverage will exceed the normal standards.

Mr. Vyverberg explains lot coverage for standard single-family homes. He explains that this request is not considered a standard R-2, as it is under an umbrella of a planned development.

Commissioner Bettenhausen questions the patio location on lot 5.

Mr. Rose states it was turned per the homeowner's request at 24 E. Slade. He requested that patio be turned as to not face his property.

Commissioner Bettenhausen points out the tight turn on lot 5 at the east garage area and states it appears not to have enough room to back up and exit.

Mr. Rose agrees and states it would be addressed during final plans.

Commissioner Roth-Wurster asks if the entrance to the homes would be at the patio area or through the garage.

Mr. Rose states they would enter through the garage as there is no side entrance. The intent was to provide an attached garage vs. detached which would provide easy access to the home.

Commissioner Friedman refers to the site plan and states at lot 1 there is a 17.5' dimension noted at driveway leading to garage. He asks if that is the full depth of the driveway.

Mr. Rose clarifies.

Commissioner Friedman states it seems shallow and tight for people to be parked outside of their garage.

Mr. Rose states that the setbacks along Slade Street hold and the depth of the home is a fixed number. There are three items to work with which is the depth of the driveway, the width of the shared driveway and distance to edge of property. He states the plan was to provide a buffer at the lot line for landscaping and at the same time provide a reasonable shared driveway.

Commissioner Friedman states he does not see front sidewalks on the plan.

Mr. Rose states that the sidewalks are already in place and they would be re-formed.

Commissioner Friedman clarifies he is referring to the front walk from the house to the public sidewalk.

Mr. Rose states that those would be provided during construction.

Chairman Wood also states her concern regarding the tight parking situation.

Mr. Rose states he anticipates prospective homeowners would be older and have smaller cars or younger families starting out that may not have larger cars. A perspective buyer with larger families or cars may opt not to buy at this location.

Commissioner Fedota questions the patio renderings and requests clarification.

Mr. Rose states that patios will come close to the property line.

Commissioner Fedota asks if there will be sidewalk egress from the patio.

Mr. Rose states there will not be sidewalks to the patio.

Commissioner Kolososki asks if the Fire Department has reviewed the site plan.

Mr. Vyverberg states it has been reviewed and meets the setback requirements for the Fire Department.

Commissioner Friedman asks if the village looks at the development for visitor parking solutions.

Mr. Vyverberg states that they review parking and notes that because there is public parking allowed on the streets, they do not feel parking will be an issue.

Commissioner Cavanaugh asks if the developer has talked to residents north of the proposed property.

Mr. Rose states they had a brief discussion and her concern was the condition of the overgrown lot line. The concern would be addressed during development.

Mr. Vyverberg provides further information regarding the property and the proposed development. He presents an aerial overview of the property and surrounding properties. He explains existing uses in the area and based on surrounding properties, the setbacks for this property are not out of character. He provides information regarding engineering which has not been finalized but retention and new storm sewers has been discussed. He further reviews lot sizes, setbacks, elevations and floor plans.

Commissioner Cavanaugh asks if they took into consideration that the driveway

exit is at Plum Grove Road where it goes down to one lane.

Mr. Vyverberg states it will be a right out only and does not have traffic concerns based upon the access.

Resident - Paul Rutkowski 19 E. Slade

Mr. Rutkowski questions setbacks and would like to clarify where it is being measured from. He states his house is setback 11' from the sidewalk.

Mr. Vyverberg states the set back is 15' from the property line. Measurement starts at 1' back from existing sidewalk which is 1' foot of right away and 15' back from there.

Mr. Rutkowski confirmed that the houses would not be constructed at or near the public sidewalk.

Mr. Vyverberg confirms that the homes would be set back 15' from the sidewalk.

Commissioner Cavanaugh asks the resident if he is favorable with the suggested development.

He indicated that he is happy with the proposed development. He would prefer four homes versus five, but he is comfortable with the proposed five.

Resident - Robert Peterson - 9 E. Slade Street

Mr. Peterson states his concern regarding the additional parking and traffic on Slade Street. He explains that traffic during rush hour increases on Slade Street and the added residents would bring further traffic. He also notes that street parking during peak hours could be an added danger. He believes that the property with four homes would be a better fit, but is comfortable with the proposed five, although it seems condensed.

Chairman Wood - reads a letter of concern from resident Achstatter.

STAFF RECOMMENDATION:

As previously noted, the subject and surrounding properties present a myriad of differing setbacks, lot sizes, and densities. Many of the surrounding lots have shallow and substandard front yard setbacks, with several having narrower and substandard lot sizes.

The single-family land use and proposed architectural style are comparable those of the single-family surrounding properties. While all of the surrounding lots to the north, south, and east maintain an R-2 zoning designation, there are several non-single-family lands uses directly across from the proposed development. One of the results of differing lot sizes, widths, setbacks, and density inconsistencies, is a non-uniform development pattern, other than the underlying R-2 zoning designation.

The 8-story, with penthouse, Providence building is directly across Plum Grove Road from the Subject Property.

The lack of unified development pattern and direct access and proximity to the Central Business District, railroad, and multi-family developments, ultimately

present a policy question for the Planning and Zoning Commission to review and the Village Council to determine. Therefore, Staff recommends action at the Planning and Zoning Commission discretion.

Staff would recommended approval for a 4-lot development proposal.

If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The final engineering plan shall be submitted and revised in a manner acceptable to the Village Engineer.
2. The final plat of subdivision and the required easements and easement language shall be revised in a manner acceptable to the Village Engineer.
3. The 36" proposed storm sewer is shown connecting to the sanitary sewer this will need to be revised.
4. A homeowner's association and declarations shall be required to be submitted in a manner acceptable to the Village.
5. Blanket easement rights shall be granted to the Village of Palatine for access to the common areas.
6. An Engineers Estimate of Probable Cost shall be submitted in a manner acceptable to the Village Engineer. Review fees, based upon the finally accepted EEOPC, shall be submitted in a manner acceptable to the Village Engineer.
7. The Final landscaping and screening plan shall be submitted and revised in a manner acceptable to the Director of Planning and Zoning. This would include a final fencing plat for the interior patios and the other fencing plan for the development.
8. A Planned Development Letter of Credit in the amount of \$60,000 (Per Code, \$10,000 per lot) and a Public Improvement Letter of Credit in the amount of 115% of the full amount of the Public Improvement Cost, in a manner acceptable to the Village Engineer. A Subdivision Improvement Agreement shall be submitted in a manner acceptable to the Village Attorney and Director of Planning and Zoning.
9. A construction management plan shall be submitted in a manner acceptable to Village and shall outline the proposed development schedule and identify the material delivery routes and proposed parking areas for the contractors, in conjunction with the building permit application.

Chairman Wood questions whether the board could approve a four-home request.

Mr. Vyverberg states that is not an option- approval must be for the item before the commission.

Mr. Friedman confirms that the request is for five homes and therefore the vote will reflect approval or denial of the request presented tonight.

Commissioner Cavanaugh asks if the Village Council could approve four.

Mr. Vyverberg states they could not, with the current plan and information 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 Friedman. Motion failed by a vote of 4-3. Motion was made by Commissioner Cavanaugh to Deny; seconded by Commissioner Friedman. Motion to Deny was approved by a vote of 4-3

DELIBERATIONS:

Commissioner Cavanaugh states he believes four would be a better fit for the property and is still on the fence to allow five.

Commissioner Kolososki states the developer has put a lot of time and effort into his plan and believes that five does not work. The concept is OK but does not work for this location and feels the effort falls short.

Commissioner Friedman states that suggesting four is not a solution as the developer will provide plans for four that will reflect the same square footage as the proposed five. He states that this a fair plan for this location. He believes it is a better solution then a town home development and refers to the busy condos directly across the street. He states that this development works for this location.

Commissioner Roth-Wurster agrees that it is a dense location and states that as long as it is constructed well, four or five has no bearing on her decision.

Chairman Wood states it is a nice plan, homes are nice. Five seems too crowded and seems too dense for the property. Feels it does not contribute to the area with the proposed five.

Commissioner Fedota states land use for this property could be townhomes or condos and states he would like to see more land between the properties.

Commissioner Bettenhausen believes that five homes is too dense for this site. He states that maximizing the foot print for four homes would be a better solution and would like them to find a balance.

Chairman Wood summarized that the motion to approve has failed by a vote of 4-3.

A motion to deny carries by a vote of 4-3

This matter will go to Village Council on Monday, October 2nd, 2023.

RESULT:	RECOMMEND TO DENY [4 TO 3]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Eric Friedman, Vice Chairperson
AYES:	Wood, Bettenhausen, Kolososki, Cavanaugh
NAYS:	Roth-Wurster, Friedman, Fedota
ABSENT:	Noonan, Luszczak

IV. COMMUNICATIONS

3 Items are on schedule for September 26th although one may be continued.

V. ADJOURNMENT

**VILLAGE OF PALATINE
Planning and Zoning Commission**

SCHEDULED 09/26/23 07:00 PM

STAFF REPORT (ID # 8627)

519 S. Consumers Avenue

This item will be continued to the October 10, 2023 PZC meeting to allow the Petitioner to complete the public notification requirements.

VILLAGE OF PALATINE
Planning and Zoning Commission

SCHEDULED 09/26/23 07:00 PM

STAFF REPORT (ID # 8626)

488 W. Center Road

TO: Palatine Planning and Zoning Commission
Jan Wood, Chair

FROM: Alex Bradshaw

PETITIONER: Margaret (Peggy) Simonsen

PLAN NUMBER: SU-000070-2023

ADDRESS: 488 W. Center Road

PROPOSAL:

Variation to permit a fence to be 8 feet in height, instead of the maximum permitted 6 feet.

<u>LOCATION:</u> 488 W. Center Road District 3 (Myslinski)	<u>CURRENT ZONING:</u> R-1 Single-Family Residential
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SURROUNDING CONDITIONS:

North:	R-2 Single-Family Residential
South:	R-1 Single-Family Residential
East:	R-1 Single-Family Residential
West:	R-1 Single-Family Residential

BACKGROUND:

The Petitioner is proposing to construct a new 8-foot tall woven wire fence along the western lot line of the subject property. The new fence would replace an existing 8-foot wire fence, which has existed on the property. Therefore, the Petitioner is requesting:

Variation to permit a fence to be 8 feet in height, instead of the maximum permitted 6 feet.

SITE ANALYSIS:

- The Subject Property is zoned R-1 Single-Family and is within the First Addition to Hidden Valley Re-subdivision. The subject property is just over 1 acre in size, and currently consists of a single-family residence and a shed in the rear yard. The property was annexed into the Village in 2004.
- The Petitioners are proposing to construct an 8-foot tall woven wire fence along the

western side lot line. The proposed fence would be replacing an existing non-conforming approximate 8-foot tall fence that has been altered and pieced together by the Petitioner over the years.

- Per the submitted application, a 6-foot fence would not be tall enough to deter deer from entering the subject property. Deer regularly graze on the Petitioner's landscaping and native plantings. The woven wire fence is also a less obstructive alternative to a solid wood fence.
- The proposed fence would not be visible from Center Road. The fence would be setback approximately 80 feet from the front property line. Additionally, there is dense vegetation and trees between the residence and the road, further reducing the fence's visibility from the road.
- The adjacent neighbors to the north, on W. Creekwood Dr, have existing non-conforming fencing that exceeds the maximum permitted fence height of 6 feet. The adjacent neighbor to the east, 442 W. Center Rd, has a 6-foot solid wood fence along the subject property's shared lot line.

DEPARTMENTAL REVIEWS:

Community Services	The subject property does not abut commercial or industrial use, maximum residential fence height should be adhered to.
Engineering	The need for 8-foot livestock style fence is not justified within the Village.
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	N/A

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is proposing to replace an old wire fence with a new 8-foot woven wire fence. The existing fence has been constructed over the years with iron posts, wire fencing, and rope. While Staff understands the request to have a taller than permitted fence to aid in deterring deer from entering the Subject Property, residential fences exceeding 6 feet in height have typically only been approved on properties abutting

commercial or industrial zoning districts.

Staff's review of the surrounding area identified other properties in the surrounding neighborhood with comparable fencing that exceed the maximum permitted 6 feet. However, all of the existing non-conforming fences identified were constructed prior to annexation or the application of the current Zoning Ordinance. With that said, the proposed fence should not alter the character of the area, but Staff concluded that the unique location of the property does not warrant a fence to exceed the maximum permitted height.

Therefore, Staff recommends denial of the proposed Variation. If the Planning and Zoning Commission recommends approval of the Variation, Staff recommends the following condition:

1. The Variation shall substantially conform to the Fence Elevation and Site Plan submitted by the Petitioner, Margaret Simonsen, except as such plans may be changed to conform to the Village Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Variation Application
- Plat of Survey
- Site Plan
- Fence Elevation
- Public Notice



Attachment: Aerial Map (488 W Center Road - VAR Fence)

0 150 300
ft

Print Date: 8/23/2023

Notes

Cook County Aerial 2022

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



VARIATION APPLICATION

Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Petitioner Name

Margaret Simonsen

Business Name (if applicable)

Subject Property Address

488 W. Center Road

Please provide a description of your proposed request:

Build a 273-foot galvanized oven wire fence, 8 feet high with posts set in concrete, and a gate opening alongside the house. Purpose of the fence is to keep deer out- they regularly graze on my landscaping and native plantings.

Petitioner Justification

Variations shall not be granted except on findings based upon the evidence in each specific case. Please address the following standards as these will be used in considering the specific relief you are seeking.

That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located:

A six-foot fence is not sufficient to keep deer out- they easily jump over it. The existing fence wires have been regularly broken by deer crashing thru them. The proposed fence will be sturdier and mesh, rather than strung wires.

That the plight of the owner is due to unique circumstances:

Living near Deer Grove Forest Preserve East, there are herds of deer regularly moving thru the neighborhood. I use deer repellent on plants the deer like in my front yard, but with an acre of land, I can't do so in all the plants in the backyard.

That the Variation, if granted, will not alter the essential character of the locality:

The proposed fence will not be visible from the road- it will be in a wooded area. between my yard and my neighbors. (Who are pleased that I plan to build this.) It will be an improvement over the current fence damaged by deer.

Attachment: Variation Application (488 W Center Road - VAR Fence)

In order to supplement the above standards, the Planning and Zoning Commission may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property.
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district.
- c. The request is not based on a desire to make more money out of the property.
- d. The petitioner has not created the alleged hardship for the property.
- e. The request will not be detrimental the public welfare or other properties in the neighborhood.
- f. The request will not impair supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values.

The alternative, a stockade fence as exists on the back and east side of the property, would indeed impair supply of light and air and increase the danger of fire.

PLAT OF SURVEY

LOT 6 IN FIRST ADDITION TO HIDDEN VALLEY, BEING A RESUBDIVISION OF LOT 1 OF HIDDEN VALLEY, A SUI
OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL 1
IN COOK COUNTY, ILLINOIS.

APPROVED
 APPROVED 7/1/2008 BY MA
PLANNING & ZONING

VILLAGE COPY
 7-11-88 BY C
 FULL PERMIT

APPROVED 7-16-08

6.

Attachment: Plat of Survey (488 W Center Road - VAR Fence)

of a foot and their equivalents and fractions thereof

"	.07 = $\frac{7}{16}$ "	.50 = 6"
"	.08 = 1"	.58 = 7"
"	.17 = 2"	.67 = 8"
"	.25 = 3"	.75 = 9"
"	.33 = 4"	.83 = 10"
"	.42 = 5"	.92 = 11"
		1.00 = 12"

' IN BOX MEANS THIS SURVEY HAS BEEN
BE IN CONNECTION WITH A MORTGAGE LOAN
AND IS NOT TO BE USED FOR ANY OTHER'

ARE NOT TO BE ASSUMED FROM SCALING

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO
RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

State of Illinois } ss.
County of Cook }

COMPARE ALL POINTS BEFORE BUILDING BY \$
ANY DIFFERENCE.

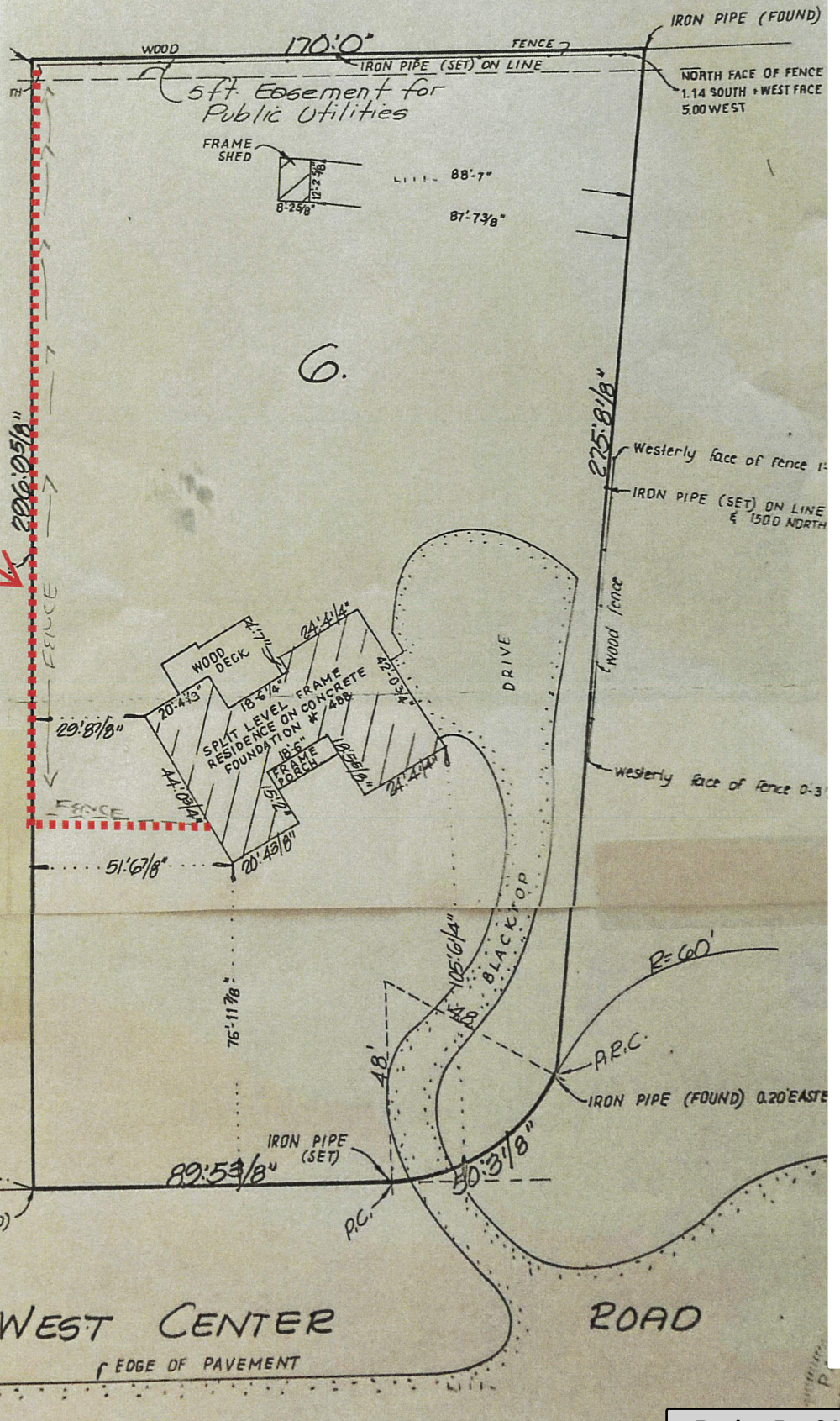
State of Illinois } ss.
County of Cook }

UNIFIED SURVEY CO.

PLAT OF SURVEY

Phone: 775-775-7756
775-7756
FAX # 775-2855

IN VALLEY, BEING A RESUBDIVISION OF LOT 1 OF HIDDEN VALLEY, A SUBDIVISION-
SECTION 3, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL MERIDIAN,



8-foot tall woven wire fence

Attachment: Site Plan (488 W Center Road - VAR Fence)



CERTIFICATE OF PUBLICATION

DES PLAINES JOURNAL, INC., a corporation organized and existing under and by virtue of the laws of the State of Illinois, does hereby CERTIFY that it is the publisher of the:

Journal & Topics Newspapers
AKA Des Plaines Journal, Inc.
622 Graceland Ave.
Des Plaines, IL 60016-4556

and that said newspaper(s) is a secular newspaper of general circulation and has been published weekly in the

(Village) (Town) (City) (Township) of PALATINE 488 W. CENTER RD.



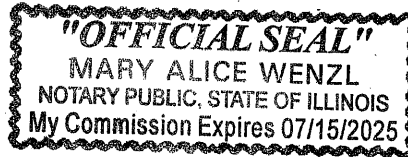
County of COOK

and State of Illinois, continuously for more than one year prior to date of the first publication of the notice attached hereto, and that said newspaper(s) complies with the requirements of Paragraphs 5 and 10, Chapter 100, of the Illinois Revised Statutes.

Further, that the notice, of which the attached is a true copy, was published ONE times in the said newspaper(s), namely once each week for ONE successive week(s) and that the first publication of said notice was made on the 7TH day of SEPTEMBER, A.D. 2023, and the last publication thereof was made on the 7TH day of SEPTEMBER, A.D. 2023.

Your Legal appeared in
the following Journal & Topics
Newspapers
(Des Plaines Journal, Inc.)

- ☐ Des Plaines Journal
- ☐ Elk Grove Village Journal
- ☐ Mt. Prospect Journal
- ☐ Niles Journal
- ☐ Park Ridge-Golf Mill Journal
- ☐ Prospect Heights Journal
- ☐ Rosemont Journal
- ☐ Arlington Heights Topics
- ☐ Buffalo Grove Topics
- ☒ Palatine Topics
- ☐ Rolling Meadows Topics
- ☐ Wheeling Topics
- ☐ Suburban Journal
- ☐ Northwest Journal
- ☐ Glenview Journal



Mary Alice Wenzl

IN WITNESS WHEREOF, THE DES PLAINES JOURNAL, INC., has caused this certificate to be signed and its corporate seal affixed hereto at Des Plaines, Illinois this 7TH day of SEPTEMBER, A.D., 2023.

By Todd Wesell

President

Title of Corporate Officer

County of Cook
State of Illinois

Subscribed and sworn to before me this 7TH day of SEPTEMBER, A.D., 2023.

My commission expires the 15TH day of JULY, A.D., 2025.

Attachment: Public Notice (488 W Center Road - VAR Fence)

VILLAGE OF PALATINE
Planning and Zoning Commission

SCHEDULED 09/26/23 07:00 PM

STAFF REPORT (ID # 8625)

315 E. Northwest Highway

TO: Palatine Planning and Zoning Commission
Jan Wood, Chair

FROM: Alex Bradshaw

PETITIONER: Lisa Fischer (Team Rehabilitation)

PLAN NUMBER: SU-000068-2023

ADDRESS: 315 E. Northwest Highway

PROPOSAL:
Special Use to permit a medical office (physical therapy clinic) at the subject property.

<u>LOCATION:</u>	315 E. Northwest Highway District 6 (Helms)	<u>CURRENT ZONING:</u>	B-2 General Business District
-------------------------	--	-------------------------------	----------------------------------

SURROUNDING CONDITIONS:

<u>North:</u>	Planned Development (Renaissance)
<u>South</u>	R-2 Single-Family Residential
<u>East:</u>	R-3 Single-Family Residential / B-1 Shopping Center District
<u>West:</u>	R-1 Single-Family Residential (St. Teresa Catholic Church)

BACKGROUND:

The Petitioner is proposing to relocated an existing physical therapy clinic currently operating within Palatine, Team Rehabilitation, to the subject property. Therefore, the Petitioner is requesting:

Special Use to permit a medical office (physical therapy clinic) at the subject property.

SITE ANALYSIS:

- The Subject Property, zoned B-2 General Business District, is within the Scher's Subdivision (Palatine Plaza) and is approximately 11.5 acres. The lot contains a multi-tenant shopping center. Tenants within the shopping center include Dollar Tree, Ace Hardware, Planet Fitness, etc. The subject tenant space was most recently occupied by a Play It Again Sports.
- The Petitioner had applied for and was granted a special use for the same business

at 235-239 W. Northwest Hwy in 2018 (O-143-18). The current petition is to relocate the existing business to the new proposed location, 315 E. Northwest Hwy, within Palatine.

- The use will occupy a vacant ~4,080 square foot tenant space, and would provide outpatient physical therapy, occupational therapy, and speech therapy.
- Per the business plan, Team Rehab is a network of therapist-owned outpatient physical therapy clinics. There are 133 locations throughout Michigan, Illinois, Indiana, Wisconsin, and Georgia.
- The proposed hours of operation are Monday-Thursday 7 AM - 7 PM, Friday 7 AM - 5 PM, and Saturday by appointment only.
- There would be approximately 5 employees with a maximum 15 patients at one time.
- The floor plan includes an open gym area, a treatment area with 8 treatment tables, and 2 private therapy rooms.
- There are existing parking Variations for the subject property, primarily associated with Planet Fitness, to allow a shopping center to have 562 parking spaces, instead of the minimum required 604 parking spaces (O-75-19 & O-13-21). The proposed medical office use would not change the parking requirement for the shopping center, therefore, it will meet Code.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified.
Engineering	No Issues Identified.
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	N/A

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected and will not cause substantial injury to the value of other property in the neighborhood in which it is located. The Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is proposing to relocate an existing physical therapy clinic within Palatine to the subject property. The required parking with the proposed use would not change and the existing parking Variation for the shopping center is still valid. Furthermore, Staff has not received any complaints regarding parking at the center as a whole. Overall, there is a considerable mix of uses within the shopping center and the proposed physical therapy use should not cause substantial injury to the value of the other properties in the surrounding area. Therefore, Staff recommends approval of the proposed Special Use subject to the following condition:

1. The Special Use shall substantially conform the to the Floor Plan and Business Plan submitted by the Petitioner, Lisa Fischer, Team Rehabilitation, except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Special Use Application
- Plat of Survey
- Floor Plan
- Business Plan
- Public Notice



0 300 600
ft

Print Date: 8/23/2023

Notes

Cook County Aerial 2022

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Attachment: Aerial Map (315 E Northwest Highway - SU Medical)



SPECIAL USE APPLICATION

Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Petitioner Name

Lisa Fischer

Business Name (if applicable)

Team Rehabilitation

Subject Property Address

315 E. Northwest Highway

Please provide a description of your proposed request:

Proposed ~4080 sf tenant buildout in an existing multi-tenant building. Physical Therapy is considered a special use in this zoning district. Maximum occupancy at peak time will be 5 employees and 15 patients, which is consistent with a typical business or mercantile tenant. We believe the proposed use satisfies the intent of the code to assure no substantial impact on parking and traffic and therefore request approval

Petitioner Justification

Special Uses shall not be granted except on findings based upon the evidence in each specific case. Please address the following standards as these will be used in considering the specific relief you are seeking.

That use deemed necessary for the public convenience at that location. Explain:

Team Rehabilitation has completed demographic analysis of the area and has determined a public need for their services in Palatine. Clinic director has already been selected for Team Rehabilitation has completed demographic analysis of the area and has determined a public need for their services in Palatine. This is a relocation of an existing physical therapy facility that is currently operating in Palatine.

The use is designed, located, and proposed to be operated that the public health, safety, welfare will be protected. Explain:

This is a proposed tenant buildout in an existing multi-tenant retail building. Use will have no negative impact on existing building, public health, safety, or welfare. Function of the business is actually to improve the health, safety, and welfare of clients.

The use will not cause substantial injury to nearby property values. Explain:

This is a proposed tenant buildout to a currently vacant space in an existing multi-tenant retail building. Parking and traffic needs are consistent with permitted uses for which the building was designed. No injury to nearby property values, we anticipate our business will actually increase sales/customers for adjacent tenants.

In order to supplement the above standards, the Planning and Zoning Commission may also consider the following:

With respect to front yard fencing and fencing in a rear yard/side yard abutting a street, the following additional standards must be met:

a. Will meet the following aesthetic criteria:

- i. Will not destroy existing vistas in the area;
- ii. Will enhance the appearance of the homes and the streets in the area; and
- iii. Will not detract from the overall appearance of the community; or

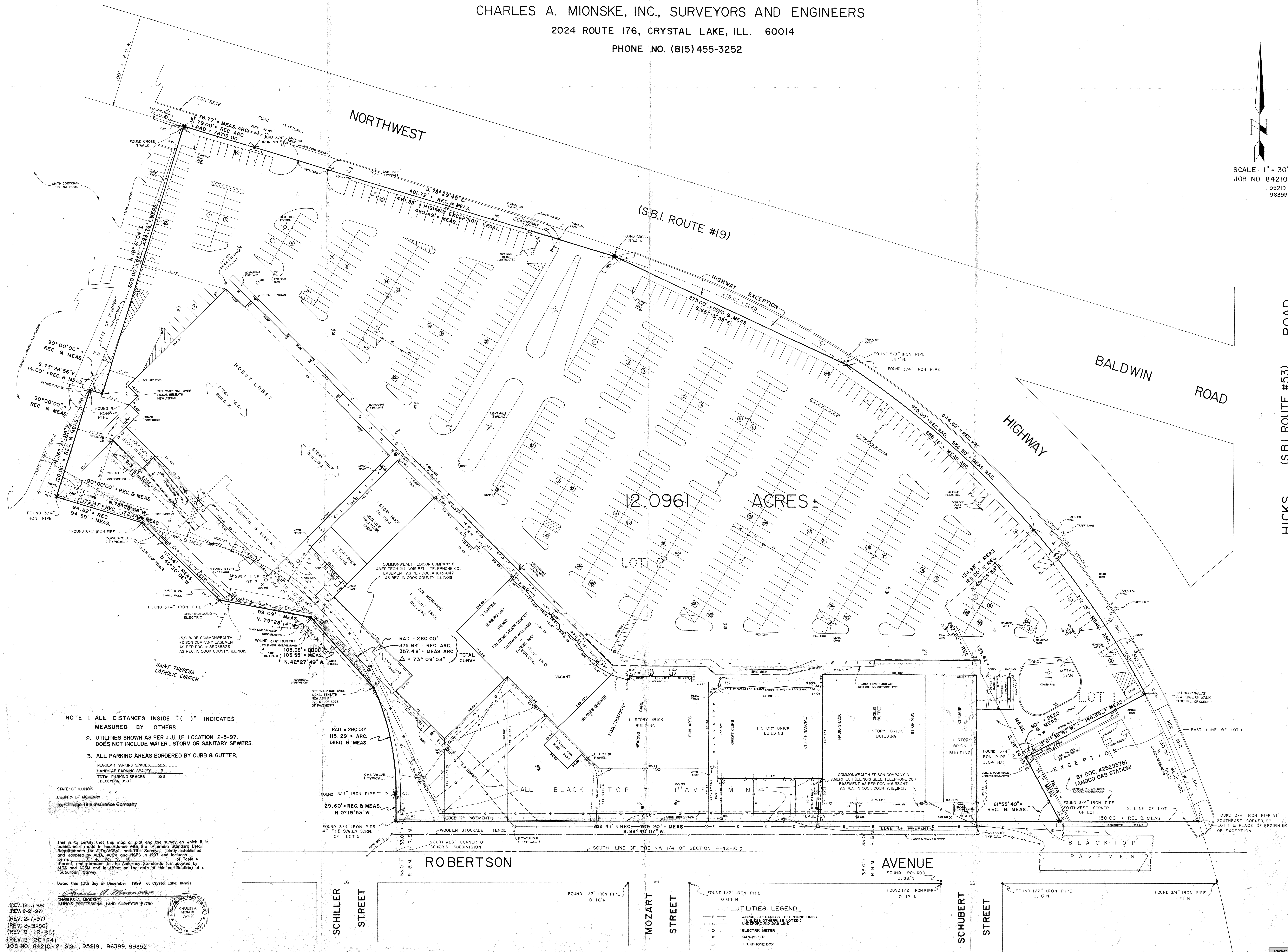
b. The fencing is found to be necessary to protect private property or the safety of the inhabitants of the property.

N/A

SHEET 2 OF 2

2024 ROUTE 176, CRYSTAL LAKE, ILL. 60014

SCALE: 1" = 30'
 DB NO. 84210
 , 95219
 96399



BOARD

(SBI ROUTE #53)

HICKS

Attachment: Plot of Survey (315 E Northwest Highway - SII Medical)

Packet



1 E 22nd Street, Suite 301, Lombard, Illinois 60148
T: 630.926.3049 E: rlm@merrifieldarch.com



Project Name & Location:



315 East Northwest Highway
Palatine, Illinois 60067

Drawing Title:
Space Study 2

Revisions:		
Revision #	Description	Issue Date

Architect's Certification:

Merrifield Architecture, Ltd.
Illinois Professional Design Firm - License #184.008843-0001

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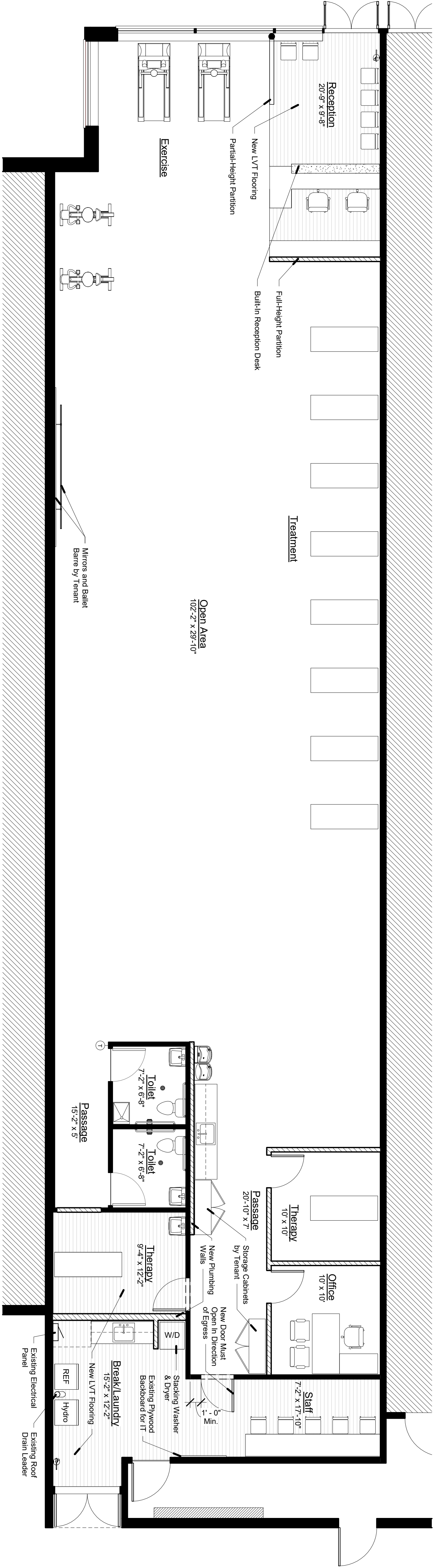
Do Not Scale Drawings

Project number	2318
Date	Rev. 8/8/2023
Drawn by	RLM
Checked by	RLM

SS-2
Scale 3/16" = 1'-0"

EXHIBIT A TO LETTER OF INTENT

① Space Study 2
3/16" = 1'-0"





33900 Harper Ave, Suite 104, Clinton Township, MI 48035. Phone 586-416-9100. Fax 586-416-9103

August 14, 2023

Department of Planning & Zoning
200 E. Wood Street
Palatine, IL 60067-5339

To Whom It May Concern:

Team Rehab is a network of therapist-owned outpatient physical therapy clinics. Since opening our first clinic in Farmington Hills, Michigan in 2001, we have grown to 133 clinics with locations in Michigan and into Illinois, Indiana, Wisconsin, and Georgia. Our mission is to provide the best outpatient physical therapy, occupational therapy and speech therapy. We want our patients to enjoy therapy and experience clear improvements in their health. Our clinics receive the highest levels of patient satisfaction and our patients receive the best objectively measurable outcomes. A typical Team Rehab clinic will have a maximum of 15 patients at any one time and around 5 employees so that we can provide intensive hands-on care. We continue to open additional clinics in order to make physical, occupational and speech therapy even more accessible to our patients, their friends and their family.

Please contact me should you need additional information.

Best regards for Team Rehab,

Scott Detiveaux
Director of Clinic Development

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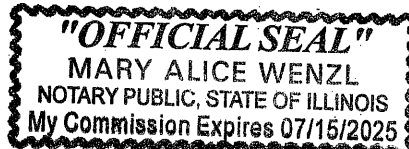
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Mary Alice Wenzl

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By Todd Wessell

President

Title of Corporate Officer

County of Cook
State of Illinois

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My commission expires the 15TH day of JULY, A.D., 2025.

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