



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

MINUTES • SEPTEMBER 24, 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 10, 2024 7:00 PM

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

III. PUBLIC HEARING

1. 617 S. Williams Avenue

VAR-000122-2024 - 617 S Williams

Notice was published in the Journal & Topics on September 5th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Variation Application
2. Proof of Ownership
3. Plat of Survey - Site Plan
4. Existing Conditions Photo 9-20-24
5. Letter of Support - C. Gotshall
6. Letter of Support - D. Davis
7. Public Notice

Background:

The Subject Property is zoned R-1C Single-Family, and is within the Tobin's Re-Subdivision. The property is approximately 19,660 square feet and consists of a single-family residence with a detached two-car garage in the rear yard.

The Petitioner is proposing to expand the existing driveway, increasing from the approximately 17-foot wide existing driveway to an approximately 20-foot wide drive at its widest point. The proposed expansion would encroach into the required 2-foot setback from the side property line. The Petitioner is requesting a Variation to permit a residential driveway to be set back 0 feet from the side property line, instead of the minimum required 2 feet.

Sworn in petitioner: William Hanley - 617 S Williams Ave.

Mr. Hanley presented his request to extend the existing driveway on his property, which he has owned for over 12 years. He explained that his large family and frequent visitors necessitate additional parking space. His plan involves reconstructing the asphalt driveway and adding concrete ribbons on either side to replace the existing driveway area. Mr. Hanley emphasized that the improvements would enhance the property's appearance and blend well with the neighborhood, particularly by matching the recently installed concrete ribbons the village placed in lieu of sidewalks. He expressed a desire to avoid stepping into dirt or mud when exiting vehicles and noted that his neighbors are supportive of the project and present to show their approval.

Commissioner Cavanaugh inquired if the proposed additional driveway width would be beneficial.

Mr. Hanley responded, stating that the requested 20' width would indeed be helpful.

Commissioner Kolososki asked about the materials planned for the new driveway.

Mr. Hanley reiterated that it would be asphalt with a concrete ribbon on each side.

Chairman Wood questioned whether the existing driveway would also be repaired as part of the project.

Mr. Hanley again reiterated that the driveway is being replaced with new, a repair is not required as it is being replaced.

Chairman Wood further asked if the tree on the property would remain and whether there were alternative ways to meet the request without encroaching into the setback.

Mr. Hanley stated that the tree would remain and that the requested extension is the preferred option, as the B-box is located in the front yard and would need to be relocated if the driveway were to extend into that area.

Mr. Shubert inquired if the front pad in front of the house would be staying.

Mr. Hanley confirmed that it had already been removed and is not part of the new plan.

Mr. Vyverberg provided additional information, stating that the driveway begins at 17 feet wide and widens to approximately 20 feet towards the back. He also noted that the parking pad has been removed. Staff did not identify a specific hardship for this request. The driveway setbacks meet the code requirements and there are several existing condition properties in the area with a 1-foot setback or properties extending to the property line. The proposed ribbon would encroach on the 2-foot setback, thus requiring the requested relief.

Sworn In: Footloose Frank - 635 S Williams Ave.

Mr. Hanley explained that his driveway was originally installed in 1943. He provided information on the conditions of surrounding driveways, noting that driveways built at that time did not account for modern use. He emphasized that the requested changes would be an improvement to the property and expressed his support for the request.

Sworn in: Cindy Gotshall - 1409 E Olive St.

States she is at the corner of Olive and Williams and is in favor of the neighbor's request to widen his driveway.

STAFF RECOMMENDATION:

The Petitioner's plan to expand the existing driveway to the shared side property line would effectively fill-in a stretch of unimproved surface to provide additional functionality of the driveway for two personal vehicles to be parked side-by-side. Although there are similar scenarios in the surrounding locality, with driveways that encroach into the required 2-foot setback, all are existing non-conforming circumstances.

Ultimately, the Petitioner's application to expand into the required setback is not made in order to meet the minimum residential driveway standards, nor does Staff identify any unique circumstances, which prevents the Petitioner from utilizing the existing driveway or expanding the driveway in a Code compliant manner. Therefore, Staff recommends denial of the proposed Variation. If the Planning and Zoning Commission recommends approval of the proposed Variation, Staff recommends the following conditions:

1. The Variation shall substantially conform to the site plan submitted by the Petitioner, William Hanley, except as such plans may be changed to conform to the Village's Codes and Ordinances.

Mr. Vyverberg clarified that the request for relief is solely for the encroachment of the setback, as the lot size does not necessitate a variation for lot coverage.

Ms. Wood inquired how the petitioner could achieve his goals without needing a variation. Mr. Vyverberg responded that an expansion to the south could be feasible, as the water valve and B-box would be located in the right of way, allowing for utilities and infrastructure to be accommodated there. He further explained that if the expansion were directed southward, no relief would be required.

Chairman Wood then asked if the expansion could extend the full length of the driveway. Mr. Vyverberg provided specific measurements to illustrate how this could be achieved.

Mr. Hanley expressed his desire to maintain a yard in front of his house rather than a parking pad, emphasizing that he wants to improve the property while ensuring it remains consistent with the neighborhood aesthetic. He stated that he prefers to have a front lawn instead of a parking lot visible from his front window.

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 expressed that the proposed improvement would be beneficial, agreeing with the petitioner that it presents an opportunity to enhance both the property and the neighborhood. He noted that, prior to the area being annexed into Cook County, there was little control over what was installed, and mentioned that today's larger vehicles are not compatible with what was constructed 50 years ago.

Commissioner Cavanaugh states it would be a noticeable improvement to the property, notes that the neighbors are in favor and supports the request.

Commissioner Friedman stated that he is not inclined to approve the request, expressing that an 18-foot width would provide sufficient space for vehicles without the need for the additional concrete ribbon. He emphasized that adhering to the setback requirements would still result in a functional and aesthetically

pleasing driveway, thus negating the need for relief.

Commissioner Roth-Wurster remarked that the petitioner aims to park cars side by side and questioned whether a reasonable return would be achieved under current conditions if the code is met. She expressed that this situation does not present a unique circumstance and suggested that installing ribbons in accordance with the code would suffice. She also noted that the character of the neighborhood would not be altered and mentioned that there are alternatives available while ensuring compliance with existing regulations. She stated that she hasn't seen sufficient evidence of a reasonable return or uniqueness to support the request.

Commissioner Fedota echoed this sentiment, stating that there is no hardship present and that the request reflects a desire rather than a necessity. He suggested that there are other alternatives that could be explored to address the issue.

Chairman Wood countered that the request would not alter the neighborhood's character and highlighted similar instances where improvements would be welcomed. While acknowledging that the request reflects a want, she noted the unique circumstances surrounding the petition and expressed her support for the request.

Commissioner Bettenhausen noted that the petitioner could achieve similar results by expanding the driveway to the south side instead.

Commissioner Schubert expressed that the proposed expansion would enhance the property and increase its value, highlighting the support from neighbors as a positive factor. He voiced his belief that the request should be endorsed.

Chairman Wood summarized that this request has met the standards and was approved by a vote of 5-4. This item will tentatively go to Village Council on October 14th, 2024.

RESULT:	RECOMMEND TO APPROVE [5 TO 4]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Robert Kolososki, Commissioner
AYES:	Noonan, Wood, Kolososki, Cavanaugh, Schubert
NAYS:	Roth-Wurster, Friedman, Bettenhausen, Fedota

2. 453 S. Vermont Street Unit G

SU-000121-2024 - 453 S Vermont St. - Unit G

Notice was published in the Journal & Topics on September 5th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Background:

The Subject Property is zoned M - Manufacturing. The existing building is approximately 23,300 square feet. Other businesses within the multi-tenant building include a mix of service uses such as Vanguard Heating & Air Conditioning, Zero Mold Chicago, Allegra Print & Imaging, Chicago Machining & Tool, etc.

The Petitioner is proposing to open a dog training business, Balanced Behavior Dog Training Center, which would provide tailored dog training. Training sessions include one-on-one sessions with the dog and owner as well as daily drop-off training. Overnight boarding of the dogs is not part of the proposed business operations. The Petitioner is requesting a Special Use to permit a dog training business as a unique at the subject property; and a variation to permit 35 parking spaces on the subject property, instead of the minimum required 46 parking spaces.

Sworn in petitioner: Bill (Vasilios) & Patricia Balatsos - 453 S Vermont St

Mr. Vasilios explained that they are requesting approval to open a dog training facility that focuses exclusively on training for dogs and their owners. He clarified that, unlike typical dog training facilities, which often offer services such as doggy daycare or grooming, their facility will be strictly for training. There will be no overnight stays, no grooming services, and no daycare provided. For safety reasons, there will also be no dog-to-dog contact. Mr. Vasilios estimated that the facility will accommodate 5-7 dogs at any given time.

Chairman Wood inquired about the potential noise generated by the dog training facility and whether it would impact neighboring businesses. Mr. Vasilios responded that the facility is situated between a custom motorcycle shop, which has its own noise level, and a heating and cooling business, which operates mostly off-site. He noted that the motorcycle shop had no concerns about barking dogs, and the heating and cooling business does not generate significant activity

at the location. Mr. Vasilios emphasized that the facility would only host a limited number of dogs at a time, with a maximum of 7 dogs, and he does not anticipate noise being an issue.

Chairman Wood then asked about the possibility of outdoor training. Mr. Vasilios stated that outdoor training would be very limited, only occurring when the dog is ready. He explained that in most cases, outdoor training would involve the trainer, the dog, and the owner, and the majority of the training would take place indoors.

Commissioner Schubert inquired if owners would be required to be present during the training sessions. Mr. Vasilios explained that it would depend on the program purchased by the owners. When asked how many groups of dogs and owners would be present at any given time, Mr. Vasilios said the number would vary based on the schedule, but Commissioner Shubert surmised there would be no large groups of dogs.

Commissioner Bettenhausen noted that the floor plan only shows four kennels and asked how the facility plans to accommodate 5-7 dogs at a time. Mr. Vasilios responded that they have additional smaller kennels available for use. Commissioner Bettenhausen then inquired about the close proximity of the four kennels on the floor plan. Mr. Vasilios explained that they have panels that can be placed between the kennels for separation.

Commissioner Fedota asked about Mr. Vasilios' background. He shared that he had previously volunteered at a rescue facility, worked as a kennel technician, and most recently served as a lead trainer at another facility.

Commissioner Fedota then asked how dog waste would be managed. Mr. Vasilios assured the Commission that any waste would be cleaned up immediately, disposed of in a dumpster, and the floor would be cleaned. When asked if the intent was to walk the dogs to prevent accidents inside the facility, Mr. Vasilios confirmed this and added that all outdoor waste would be promptly picked up. He also mentioned that if there was a need, he would arrange a special pickup from the waste disposal company.

Mr. Vyverberg stated that the petitioner has provided a summary of the intended operation, and the zoning in this section allows for special use in the manufacturing district. He explained that the business model, considering the number of dogs and available parking, does not raise specific concerns from staff. However, he requested further clarification regarding the outdoor components of the business, specifically related to outdoor training or activities.

STAFF RECOMMENDATION:

The Petitioner's proposed dog training business, with no additional Staff and no overnight boarding of the dogs, should not cause substantial injury to the value to the surrounding properties in the neighborhood. Staff understands that there is limited on-site parking, however, the Petitioner will be the only employee and client appointments would be staggered to control client traffic. With that in mind, the existing parking count and configuration should continue to adequately serve all tenants within the building. Therefore, Staff recommends approval of the Special Use and Variation, subject to the following conditions:

1. The Special Use and Variation shall substantially conform to the floor plan and

business plan submitted by the Petitioners, Patricia and Vasilios Balatsos, Balanced Behavior Dog Training Center, except as such plans may be changed to conform to the Village's Codes and Ordinances.

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

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

DISCUSSION:

Commissioner Noonan welcomed the business and wished them good luck.

Commissioner Fedota noted that the proposed use of the property is appropriate and that there are no parking issues.

Chairman Wood emphasized that the business would not negatively impact surrounding businesses, parking demand is not a concern, and there are no worries regarding dog waste. She added that the standards have been met, and the business will operate in a manner that ensures health, safety, and welfare. She expressed support for the proposal.

Commissioner Friedman expressed concern about the outdoor training, particularly during the day. He pointed out that the long walk from the front door to the grassy area could be inconvenient or potentially unsafe for the dogs in hot summer months due to the heat from the blacktop. He suggested that using the back door, which has more grass, might be a better option for the well-being of the dogs.

Commissioner Ruth-Wurster expressed that there are no concerns regarding the business plan and that it's great to see a new business coming in. She noted that the proposed operation will protect the health, safety, and welfare of the community and believes it will be a welcome addition to the area.

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 October 14th, 2024.

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

3. 1597 N. Rand Road and 973 – 987 E. Dundee Road

PFSUB-00006-2024 - 1597 N Rand Rd & 973-987 E Dundee Rd.

Notice was published in the Journal & Topics on September 5th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Applications
2. Proof of Ownership
3. Plat of Survey
4. Final Plat of Subdivision
5. 1597 N Rand Road Plans
6. 1597 N Rand Rd Business Plan
7. 1597 N Rand Rd Floor Plan
8. 1597 N Rand Rd Elevations
9. 1597 N Rand Rd Sign Package
10. Public Notice

Background:

The Subject Property is zoned B-2 (general business) and was annexed in 1999. In its current configuration, it consists of approximately 2.194 acres, containing one lot and five total parcels. The current Denny's and Einstein's Bagel buildings, parking, and operations will remain unchanged, but the vacant former Pizza Hut building (Rand Road) would be redeveloped into a new KFC restaurant, with drive-through. The Petitioner is requesting Preliminary and Final Plat of Subdivision to permit 3 Commercial Lots, Special Use to permit a restaurant, with a drive-through; and Variation to permit 17 parking spaces, instead of the minimum required 25 spaces.

Sworn in petitioner:

Alan Okon - 11141 Overbrook Rd, Leawood, KS

Nick Latus - 35 E Wacker Dr, Chicago, IL - Civil Engineer and Land Surveyor

Mr. Okon explains that there are currently 55 KFC locations in the Chicago area, and the intention is to bring one to Palatine. He mentions that the existing building on the proposed site, which has become an eyesore, will be demolished, though they plan to preserve the foundation and construct a brand-new building for the KFC restaurant. He expresses enthusiasm about joining the community and serving the residents.

Commissioner Noonan notes that the agenda packet indicates the existing building will be renovated, but Mr. Okon's comments suggest a new building is planned. Mr. Vyverberg clarifies that while the packet may reference renovation, the decision to build a new structure does not impact the relief being requested.

Commissioner Bettenhausen asks for clarification on the front elevation canopy, specifically pointing out a red strip and inquiring about the material and dimensions. Mr. Latus responds that the strip is made of metal and extends approximately 2 feet from the building. Bettenhausen then raises concerns about sidewalk access and ADA accessibility.

Mr. Latus assures that there will be adequate room, as they must comply with ADA standards and regulations. He explains that while the current drawings were prepared by an architect, the civil engineer is responsible for ensuring ADA accessibility, acknowledging that the drawings may not be to scale but will be corrected.

Commissioner Friedman asks if the site design process accounts for the cross-access easement with the Einstein Bros Bagels facility, noting the significant asphalt between the parcels without clear traffic control. He inquires whether the turning radius for vehicles making a right-hand turn was checked as required by the easement.

Mr. Latus confirms that the turning radius was reviewed, and a normal pedestrian vehicle can pass through the area without issues.

Chairman Wood inquires about the anticipated parking demands, noting both drive-thru and walking customers. Mr. Okon shares that he consulted with the regional vice president overseeing Chicago operations, who indicated that, on average, there are about 9 walk-in customers during peak hours, with half dining in and the other half picking up orders. Additionally, around 12 cars typically use the drive-thru during peak times.

Chairman Wood then asks how many stalls are planned for the drive-thru. Mr. Latus responds that they are providing 12 stalls, which aligns with their expectations for the drive-thru capacity.

Commissioner Shuman asks if any parking spots will be designated for third-party pick-ups, and it is confirmed that such spots will be allocated.

Commissioner Fedota inquires about the Metropolitan Water Reclamation District (MWRD) requirements, specifically noting that there are no detention or vaults planned for the project. Mr. Vyverberg explains that the property is predominantly paved as it currently exists, and since the redevelopment will not increase the amount of impervious surfaces, the initial engineering review indicates that no additional MWRD requirements will be applicable.

Commissioner Friedman asks whether the choice to remodel versus tear down has any implications for MWRD regulations, specifically if a tear down triggers any requirements. Mr. Latus clarifies that it does not.

Commissioner Bettenhausen then asks whether the vertical sign post will be reused in the new development.

Mr. Okon confirms that the intention is to reuse the vertical sign post and that they will adhere to village code.

Mr. Vyverberg states that the petitioner has addressed all requests and mentions that there will be no changes to the surrounding properties. He notes that the variation for parking poses no specific concerns and that he has discussed signage with the petitioner, indicating that additional landscaping may be incorporated. He highlights that the building has been vacant since 2020.

Commissioner Friedman inquires about the stormwater management element referenced in the recently approved Wendy's building. He asks whether that is a

separately owned piece and if it will be tied into the new development. Mr. Vyverberg explains that, as a non-engineer, he cannot provide detailed information but mentions that he spoke with George Ruppert, the village engineer. He notes that the previous use underwent the MWRD process, and while he is unsure about the stormwater requirements, the new building received approval for a single-user lot and includes a large retention basin. He adds that it is possible that the proposed lot may connect to the retention basin while maintaining the existing grade but cannot speak definitively for MWRD regarding the property calculations.

STAFF RECOMMENDATION:

The proposed Plat of Subdivision would clarify the existing parcel lots and delineate the 3 separate lots, which are aligned with 3 separate uses.

KFC would renovate the currently vacant building on Lot 3, which was also previously a restaurant. The building and drive-through comply with the B-2 bulk standards and stacking requirements. Furthermore, drive-through uses are common in the Dundee/Rand Corridor.

Another component of the request relief is a Parking Variation. Per the business plan, the majority of customers will be using the drive-through, therefore, Staff believes the proposed parking should be sufficient for this use.

Therefore, Staff recommends approval of the Preliminary and Final Subdivision, Special Use, and Variation, pursuant to the following conditions:

1. The Final Plat of Subdivision shall be submitted on Mylar with the required signatures and significantly conform to the Plat of Subdivision prepared by Weaver Consultant Group and attached hereto.
2. A Cross-Access Easement/Agreement between Lots 2 and 3 shall be submitted in a manner acceptable to the Director of Planning and Zoning and Village Attorney.
3. Recording fees in the amount of \$300 shall be submitted.
4. The Special Use and Variation shall substantially conform to the engineering plans prepared by Weaver Consultant Group dated 8/28/2024, elevations prepared by Design Plus dated 8/19/2024 and the business plan submitted by the Petitioner, except as such plans may be changed to conform to Village Codes and Ordinances.
5. The traffic directional signage plan shall be submitted in a manner acceptable to the Village Engineer.
6. The final landscaping plan shall be submitted in a manner acceptable to the Director of Planning and Zoning.

Ms. Roth-Wurster seeks clarification, inquiring if the current request pertains to both a preliminary and final plat. Mr. Vyverberg confirms this is correct and explains that if there is a division of property that does not comply with the underlying ordinances, it is advisable to go through the preliminary plat of subdivision to obtain assurances before proceeding to final engineering and

subdivision approval. He notes that this is an existing condition and that they are requesting both preliminary and final approval to redraw the lot lines as presented, emphasizing that they would not return unless there were any changes.

Mr. Kolososki raises a question regarding parking, noting that 25 spaces are required but only 17 are proposed and how does that affect the handicap parking requirements. Mr. Vyverberg clarifies that, per the State of Illinois, the number of handicapped parking spaces provided will be determined based on the approved total of 17 parking spaces.

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 Cavanaugh expresses support for the project, noting that the eyesore will be removed and that a new business should be encouraged.

Commissioner Kolososki adds that the new development will complement the recently opened Wendy's location.

Commissioner Fedota remarks that the area is undergoing a positive transformation.

Chairman Wood concludes by stating that this is a double bonus for the community.

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 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

IV. COMMUNICATIONS

V. ADJOURNMENT