



PLANNING AND ZONING COMMISSION

OCTOBER 14, 2025 AT 7:00 PM

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

MINUTES

REGULAR MEETING

7:00 PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES

RESULT:	APPROVED
MOVER:	BETTENHAUSEN
SECONDER:	NOONAN
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

- A. Draft Planning & Zoning Commission meeting minutes: 9-23-2025

RESULT:	APPROVED
MOVER:	BETTENHAUSEN
SECONDER:	NOONAN
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

IV. PUBLIC HEARING

- A. 502 N. Brockway St

- 1. Variation to permit a deck to be set back 23-feet from the rear lot line, instead of the minimum required 25 feet, and, permit a deck to cover the required rear yard area by 22 percent, instead of the maximum coverage of 10 percent.

VAR-000215-2025 – 502 N Brockway

Notice was published in the Journal & Topics on September 25th, 2025 and mailed to

the owners of the surrounding properties.

Petitioner's Exhibits:

1. **APPLICATION**
2. **PLAT OF SURVEY**
3. **PROOF OF OWNERSHIP**
4. **PLANS**
5. **PUBLIC NOTICE**

Background:

The Petitioner is seeking a variation to replace and enlarge an existing deck, which, encroaches upon required rear yard setbacks and maximum coverage-limits for permitted obstructions. The petitioner is requesting the following: a variation to permit a deck to be set back 23-feet from the rear lot line, instead of the minimum required 25 feet, and permit a deck to cover the required rear yard area by 22 percent, instead of the maximum coverage of 10 percent.

Sworn in petitioner:

Petitioner: William Wukovits, 502 N. Brockway
Kristin Berryhill, Owner, Archadeck of Chicagoland, 395 W. Northwest Highway,
Palatine, IL

Mr. Wukovits states he understands the rules and regulations and notes that he works for the City of Des Plaines. He explains that the plat of survey needs to be updated, as he believes the current measurements are incorrect. He describes the condition of the yard as a hardship, with swamp-like issues and frequent flooding. The pond helps retain water but still overflows. The area was once woodlands and is now higher-elevated soccer fields, which direct water into his yard. The backyard remains wet, limiting use and making it difficult to entertain. He proposes a slightly larger deck—four feet wider on one side and two feet deeper.

Chairman Wood asks him to elaborate on the flooding issue.

Mr. Wukovits states that all yards in the area flood, especially to the south, and that his neighbor's sump pump drains into his yard. During rain events, the entire area floods.

Chairman Wood asks whether adding more impervious surface would worsen the problem.

Mr. Wukovits states that the deck is above ground and will allow water to filter through. He clarifies that he is not pouring a patio; the deck will be elevated with no concrete foundation.

Ms. Berryhill adds that they use $\frac{3}{4}$ -inch washed stone under decks instead of pea gravel, which allows for better drainage and appearance.

Commissioner Kolososki notes that the survey shows a concrete patio from about 20 years ago and lists a 23-foot measurement. He asks if the patio is still existing. Mr. Wukovits confirms it is an old plat and his current measurements show 25 feet.

Commissioner Roth-Wurster asks if there is a iron pipe in the yard to locate the corner point of the lot.

Mr. Wukovits states that the pipe was not installed by the Village, but he located it—it's about two feet deep.

Chairman Wood asks if the concrete patio has been removed.

Mr. Wukovits confirms it was removed approximately 20 years ago.

Mr. Auer confirms that the site plan shows the proposed deck with no patio remaining.

Mr. Wukovits adds that there is a drain at the fence line, which carries sump pump discharge into the retention pond, but it is not sufficient, as standing water remains after rain.

Commissioner Kolososki suggests that a yard drain may help and notes that this has been a relatively dry year.

Mr. Wukovits agrees, noting that even in dry conditions, water still pools in certain areas.

Mr. Auer provides additional information, explaining that the proposed deck exceeds both the area and setback regulations. The deck will cover 22% of the required rear yard, exceeding the 10% maximum, and will be located approximately 23 feet from the lot line, less than the 25-foot minimum setback. He reads the standards for variation.

Commissioner Fedota asks if the petitioner spoke with neighbors.

Mr. Wukovits states that he did, and they support the request.

Commissioner Roth-Wurster asks if they considered a design that would meet the requirements without the variance.

Commissioner Fedota asks if a permeable patio would still exceed lot coverage.

Mr. Auer states that at the same size, it would exceed coverage. Ryan clarifies that this was incorrect; lot coverage would not be an issue with a permeable patio.

Commissioner Fedota states that if the deck were built at grade, there would be no issue, but it would be subject to flooding.

Commissioner Roth-Wurster asks again about the design and standards—why the plans could not comply.

Ms. Berryhill states they were unaware a variance would be required. The project was submitted for permit, and staff informed them of the variance requirement. They chose to pursue the variance rather than redesign.

Mr. Wukovits adds that the new deck is only slightly larger than the existing one.

Commissioner Roth-Wurster notes that the existing deck has reached the end of its life.

Ms. Berryhill states that when boards are no longer sound, they usually redeck the

existing structure, but the substructure was not in good condition and needed replacement.

Commissioner Kolososki asks if the deck could be cantilevered two feet.

Ms. Berryhill confirms that it is.

Commissioner Schubert asks if the new deck matches the previous dimensions.

Mr. Wukovits states it will extend two feet toward the back and four feet to the side.

STAFF RECOMMENDATION:

The petitioner is requesting to construct a deck that exceeds both the maximum coverage and rear setback for permitted obstructions in the rear yard. Staff recognizes the front setback for principal structure differs from the surrounding area and impacts the rear yard depth. Staff does not anticipate the proposed deck to negatively affect the character of the locality. Therefore, Staff recommends approval of the requested variation, subject to the following conditions:

1. The variation shall substantially conform to the plans prepared by the Archadeck of Chicagoland, dated 08/22/2025, 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 Noonan Made a motion to approve subject staff's conditions; seconded by Commissioner Fedota.

DISCUSSION:

Commissioner Fedota states this is a unique circumstance. The home sits farther back than others in the neighborhood, and the tight lot makes the variance reasonable. He notes the neighbors' support and sees no reason for delay.

Chairman Wood comments that this is a smaller 7,600-square-foot lot and that the request is modest. She believes it meets the standards and reflects unique circumstances without altering the neighborhood's character.

Commissioner Roth-Wurster states that each request is considered individually. She agrees this is a unique situation, given the flooding conditions, and that it will not alter the character of the locality.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on Monday, October 20th, 2025.

RESULT:	APPROVED
MOVER:	NOONAN
SECONDER:	FEDOTA

AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

B. 150 W. Northwest Hwy

1. Special use to operate a medical office use at the subject property

SU-000214-2025 – 150 W Northwest Highway

Notice was published in the Journal & Topics on September 25th, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **APPLICATION**
2. **PROOF OF OWNERSHIP**
3. **PLAT OF SURVEY**
4. **PLAN**
5. **BUSINESS PLAN**
6. **PUBLIC NOTICE**

Background:

The Petitioner is seeking Special Use approval to permit the operation of physical therapy clinic at the subject address. The petitioner is requesting the following a Special use approval to permit a Medical office use at the subject property.

Sworn in petitioner:

Sworn in petitioner:

Jeremy Wilmot, DXU Architects, 412 S. Wells Street, Chicago, IL

Mr. Wilmot explains that the business is expanding to include rehabilitation and wellness services. The mission is to improve health, mobility, and quality of life for clients. The facility will operate with three employees—one therapist, one receptionist, and one physical therapy assistant. They anticipate approximately ten patients per day, totaling around fifty per week or 2,000–2,500 per year. Mr. Wilmot provides an overview of the services to be offered.

Chairman Wood asks about anticipated growth for the business.

Mr. Wilmot states that all patients are seen by appointment only. The company has several other offices in the area, with surgeries performed in Schaumburg and Hoffman Estates. This Palatine location is intended as a convenient outpatient extension for local patients.

Chairman Wood notes that the 3,000-square-foot space could accommodate more than one patient at a time.

Mr. Wilmot responds that the applicant selected this location because of its larger

size, favorable price, and convenient location. The additional space provides flexibility to accommodate patients comfortably.

Chairman Wood again inquires about projected growth.

Mr. Wilmot clarifies that, as the architect, he cannot estimate the number of future patients. He adds that the facility will provide outpatient ambulatory care, where patients do not typically require assistance.

Commissioner Kolososki asks whether acupuncture will be among the offered services.

Mr. Wilmot confirms that it will not.

Commissioner Fedota notes that he is familiar with the practice and that it is well established with multiple offices. He adds that the number of patients will likely depend on the local demand in the Palatine area.

Chairman Wood emphasizes the importance of evaluating parking and potential impacts on existing tenants if the business grows. She asks how increased activity might affect other tenants within the property.

Mr. Wilmot explains that appointments are scheduled to avoid overlap, and patients are seen promptly. With one lead physical therapist, there would not be groups of patients waiting, minimizing parking demand.

Mr. Auer provides additional information, stating that staff has evaluated the parking and does not anticipate any issues. He notes that surrounding businesses are compatible with the proposed use, and the business plan anticipates around ten visitors per day.

Staff recommendation is read into the record.

STAFF RECOMMENDATION:

Medical office uses are permitted in the subject zoning district following Special use approval. After review of the submitted business plan, Staff does not foresee any negative impacts generated by the proposed use. The number of parking spaces required for the proposed use are satisfied by the existing parking facilities. Staff recommends approval of the proposed business. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

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

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

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

DISCUSSION:

Commissioner Schubert states that this is a good use of the space, with no parking issues or negative impacts anticipated. He adds that the use will help attract more people to Palatine and is a positive addition to the area.

Commissioner Roth-Wurster states that the request meets the standards and is consistent with previous approvals for similar uses that operate by scheduled

appointments. She is in favor.

Chairman Wood expresses some concern about parking, noting that while the lot appears to have sufficient spaces, it is a tight area and larger tenant spaces may create higher parking demand. She acknowledges that the hours of operation differ from the previous tenant and overall is in favor of the request.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on Monday November 3rd, 2025.

RESULT:	APPROVED
MOVER:	SCHUBERT
SECONDER:	ROTH-WURSTER
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

C. 60 W. Palatine Road

1. Special Use to permit medical office use at the subject property.

SU-000208-2025 – 60 W Palatine Road

Notice was published in the Journal & Topics on September 25th, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. APPLICATION
2. PROOF OF OWNERSHIP
3. PLAT OF SURVEY
4. FLOOR PLAN
5. BUSINESS PLAN
6. PUBLIC NOTICE

Background:

The Petitioner is seeking Special use approval to permit the operation of podiatry clinic at the subject address. The petitioner is requesting a Special use approval to permit a Medical office use at the subject property.

Sworn in petitioner:

Dr. Natalie Domek – 60 W Palatine Rd, Palatine, IL

Dr. Domek explains that the new business, *Podiatry Palatine*, will provide podiatric services in downtown Palatine. She notes that no podiatry offices currently exist in the downtown area. Dr. Domek currently operates a successful practice in Arlington Heights and wishes to expand by opening a Palatine location. She states that she lives in Palatine and would like local referrals to be directed here rather than to Arlington Heights. The space requires no structural changes or building permits, and she plans to replicate the Arlington Heights business model. The location is easily accessible for residents, with many able to walk or take the Metra.

Commissioner Kolososki asks whether she believes there is sufficient parking to support the business.

Dr. Domek responds that she does, noting that additional parking is available across the street in the Garfield public parking lot.

Chairman Wood raises concern about parking availability, particularly for elderly patients who may prefer parking adjacent to the building. She notes that daytime hours from 8:00 a.m. to 3:00 p.m. should not pose an issue, but evening hours could conflict with nearby businesses that have nighttime operations.

Dr. Domek states that she understands and plans to avoid conflicts by maintaining the proposed business hours. She adds that she intends to reduce her overall working hours to spend more time with her family.

Commissioner Fedota asks if the Arlington Heights office will be moved to Palatine.

Dr. Domek clarifies that this will be an expansion, not a relocation.

Commissioner Fedota then asks whether she will personally work at the Palatine clinic or remain in Arlington Heights.

Dr. Domek states that she will work exclusively in Palatine, while her three associate doctors will continue at the Arlington Heights office.

Commissioner Kolososki notes that parking is generally sufficient during the day but becomes more limited during evening hours.

Commissioner Fedota agrees, adding that Saturday mornings can also be busy.

Commissioner Bettenhausen asks if there are plans to add additional staff in the future.

Dr. Domek replies that there are no immediate plans for additional staff.

Mr. Auer provides additional information, explaining that the property is zoned B-3 (Central Business District) and the proposed use will not conflict with surrounding tenants. Staff reviewed parking availability at different times of the day and concluded that there are no anticipated parking issues. The proposed use does not require a change to the parking requirements, and no exterior building modifications are planned. Photos of nearby parking areas were provided as part of the staff review.

Auer states that the commission may add the condition to require employees to enroll and participate in the downtown parking program. This requires employees to use public parking lot "H" to avoid parking conflicts in the Village Square retail center.

Commissioner Roth-Wurster requests clarification. Planner Bremanis states that if required by the Village, the condition enables the Village at any time to require employees to park in public parking lot "h".

STAFF RECOMMENDATION:

Medical office uses are permitted in the subject zoning district following Special use review. After review of the submitted business plan, Staff does not foresee any negative impacts generated by the proposed use. Additionally, the proposed hours would not seem to conflict with the peak hours of many of the surrounding restaurant and retail uses. Therefore, Staff recommends approval of the proposed business. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The Special Use shall substantially conform to the Business Plan and Floor Plan submitted by the Petitioner, except as such plans may be changed to conform to Village of Palatine Codes and Ordinances.
2. If required by the Village, employees shall enroll in and utilize the Village's Downtown employee parking program.

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

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

DISCUSSION:

Commissioner Fedota comments on the staff condition requiring participation in the Village's downtown employee parking program. He states that it likely would not be necessary but acknowledges that the condition will be followed. He expresses no concerns with the request.

Chairman Wood states that the standards have been met and notes that the petitioner has already been operating successfully elsewhere without any public health, safety, or welfare issues. She adds that the use will not negatively impact surrounding property values and that the proposed hours are appropriate for this location. She is in favor of the request.

Commissioner Roth-Wurster remarks that she frequently walks and drives by this area and agrees that the business hours are compatible with the location. She states that the use protects public health, safety, and welfare and adds that it will be a welcome addition to the downtown area.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on Monday, November 3rd, 2025

RESULT:	APPROVED
MOVER:	FEDOTA
SECONDER:	NOONAN
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

D. 550 E Knox Street

1. Special Use to permit a fence to be set back 8 feet from the side property line abutting a street, instead of the minimum required 20 feet at the subject property.

SU-000193-2025 – 550 E Knox St

Notice was published in the Journal & Topics on September 4th, 2025 and notification mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Application**
2. **Proof of Ownership**
3. **Plat/Site Plan**
4. **Elevations**
5. **Public Notice**

Background:

The Subject Property is part of the Shenandoah North Planned Development and is governed by the R-2 Single Family District standards. The Petitioner installed and extended a non-conforming 5-foot open-style picket fence, with a 6-foot vinyl solid fence. Per code, non-conforming fences may be replaced in the same location, with the same height and level of openness. The previous fence was initially installed in 2001 and replaced in 2017. In this instance, the Petitioner applied for a permit to replace the previous fence and further extend its placement to the front of the home, with a 6-foot vinyl fence. As the fence type, height, style of openness, and proposed location were all proposed to change, Staff failed the permit application, as zoning relief (special use for a fence in the side yard abutting a street) would be required. Through the initial review process, Staff also discussed the zoning relief requirements, with the contractor and building permit applicant, while the property owner also listed as a contact. Despite the failed building permit and clear Staff comments, the fence was installed according to the proposed plan and without the required zoning relief and outside of the building permit process. Therefore, the Petitioner is requesting a Special Use to permit a fence to be set back 8 feet from the side property line abutting a street, instead of the minimum required 20 feet at the subject property.

Sworn in petitioner: Iliias Nazaraliev – 550 E Knox St, Owner

Mr. Nazaraliev explained that his house is on a corner lot and he installed an extended fence for the safety and privacy of his family. He noted that other corner houses had similar fences. He did not request a special use before installation because he thought the contractor did. He discussed the fence with neighbors, who

had no concerns. He stated the fence does not block visibility to the street or disturb the surroundings. The fence was installed at the same location as the previous fence but extended up to the windows rather than the corner of the house.

Chairman Wood asked if he had spoken to the neighbor at 547. Mr. Nazaraliev confirmed he had, and that three other neighbors also expressed no concerns. When asked how long the new fence has been up, he stated since March. Chairman Wood confirmed no complaints had been received, and Ms. Bremanis confirmed that she was not aware of any complaints.

Chairman Wood asked Ms. Bremanis if she had seen similar fences in the area. She stated she had not; corner lots did not have similar fences in terms of style or setback. Mr. Nazaraliev said he did not have specific addresses of similar fences. Commissioner Kolososki noted that the fence was built before a permit was obtained. Mr. Nazaraliev explained that the contractor was in a rush and he did not know it would be an issue. Commissioner Schubert asked if a permit had been applied for, and Ms. Bremanis confirmed that there was one applied for but not approved. She did not know who installed the fence.

Commissioner Kolososki asked if the blocked windows bothered him. Mr. Nazaraliev said he has two small children and was uncomfortable with residents being able to look inside the house.

Chairman Wood asked if following the original fence line would have still provided a safe area for the children. Mr. Nazaraliev said it would have been open and accessible to anyone.

Commissioner Noonan asked if a 5-foot solid fence at the original location would still require a special use. Ms. Bremanis stated that it would because of changes to the style and height.

Ms. Bremanis clarified that if approved, additional landscaping would be required along the fence line. She asked if a solid fence would require special use, and Ms. Bremanis confirmed that it would. Chairman Wood asked if the current fence is conforming, and Ms. Bremanis stated it is non-conforming.

Chairman Wood inquired about the appearance of the backyard, but no pictures were available.

STAFF RECOMMENDATION:

The placement and extension of the previous 5-foot open-style fence, with a 6-foot solid fence would potentially create a line-of-sight concern for the adjacent property owner to the north. The installed fence is approximately 7 feet from the neighboring driveway and only eight feet from the Delgado Drive right-of-way line. Staff also notes, that, as a corner property, the changed height, open-style, and fence line extension to the front of home, present a more impactful vista, than the previous fence. Under Village Code, the property owner could have replaced the existing 5-foot fence in kind without requiring relief, with a fence of a similar height and openness. As noted, Staff both failed the building permit and explained the Code-related requirements leading to the failed permit. Inexplicably, the fence was installed accordingly.

Therefore, Staff recommends denial of the requested Special Use. If the Planning and Zoning Commission recommends approval, Staff recommends the following

conditions:

1. The Special Use shall substantially conform to the Site Plan and Elevations submitted by Iliias Nazaraliev, petitioner, except as such plans may be changed to conform to the Village's Codes and Ordinances.
2. A landscaping plan will be required at permit level in a manner acceptable to the Director of Planning & Zoning.

Chairman Noonan referenced a picture, noting that the previous fence was not conforming.

Ms. Bremanis clarified that the fence did not meet the setback requirement.

Commissioner Fedota suggested conditions for approval: allow the fence to remain as is and require additional landscaping along the fence line.

Ms. Bremanis confirmed that Village code would require the landscaping.

Commissioner Fedota added that the landscaping may block the neighbors' view.

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

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

DISCUSSION:

Discussion focused on the fence and its impact.

Commissioner Noonan noted that while he does not condone the fence being installed without following procedure, no neighbors have objected.

Commissioner Kolososki emphasized that a permit should have been obtained before installation.

Chairman Wood stated that proper procedure was not followed.

Commissioner Roth-Wurster remarked that while many corner lots have fences, they can give a false sense of security, and corner lot restrictions exist for a reason. She noted that the petitioner's responsibility was to work through the proper channels, and if the application had come before the Commission, it likely would not have been approved as is.

Chairman Wood added that if a fence had not been constructed, a negotiation may have been possible to align with fence standards. Evaluation of the subject application will be processed as an entirely new application and must conform to Village standards. The application was assessed using the same criteria for all previous fence applications. Wood continued to say that the Commission should not consider the absence of neighbors as a reflection of their support. No neighbors were present to object or to state their support.

Commissioner Noonan noted that there were no letters of approval and if a neighbor had concerns, they would be present.

Commissioner Fedota stated the fence encroaches on the vista, does not meet standards, and the extension is excessive.

Commissioner Roth-Wurster said she had driven by and found the fence to be individually imposing and too large.

Commissioner Friedman noted that a solid fence impacts safety.

Commissioner Roth-Wurster added that vinyl fences essentially function as walls. Chairman Wood emphasized that the fence does not allow for proper turning radius in neighbors' driveways.

Commissioner Roth-Wurster noted that it impacts the line of sight.

Chairman Wood concluded that the fence is excessive.

Commissioner Bettenhausen stated that the fence overwhelms the vista, is too bold and white, and does not resemble anything in the neighborhood.

Chairman Wood confirmed that it is not similar to surrounding properties.

Chairman Wood summarized that this request has not met the standards and was unanimously denied by a vote of 8-0. This item will tentatively go to Village Council on Monday, November 3rd, 2025.

RESULT:	FAILED
MOVER:	FEDOTA
SECONDER:	FRIEDMAN
AYES:	None
NAYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki

A second vote was taken for a Motion to Deny which was passed

RESULT:	DENIED
MOVER:	NOONAN
SECONDER:	SCHUBERT
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

E. 293 N Northwest Hwy

1. Special Use to permit a Tobacco Shop and electronic cigarette store use at the subject property.

SU-000205-2025 – 293 N Northwest Highway

Notice was published in the Journal & Topics on September 25th, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **APPLICATION**
2. **PROOF OF OWNERSHIP**
3. **PLAT OF SURVEY**
4. **FLOOR PLAN**
5. **BUSINESS PLAN**
6. **PRODUCT LIST**
7. **LETTERS OF OPPOSITION**
8. **PUBLIC NOTICE**

Background:

The Petitioner is seeking Special use approval to permit the operation of a tobacco and electronic cigarette store at the subject address. The petitioner is requesting a Special use approval to permit a Tobacco shop and electronic cigarette store.

Sworn in petitioner:

Petitioner – Khaldoon Omer, 293 N. Northwest Highway, Owner's Son and Manager of the location.

Mr. Omer states they would like to cater to the older community, offering cigars, tobacco bags, electronic cigarettes, and non-nicotine products. Mr. Omer notes the location is ideal, with only one employee working at a time and typically one or two customers at once. He confirms they will ID all customers, no one under 21 will be allowed, and no smoking will be permitted on site. He states the business will comply with all city and state codes.

Chairman Wood asks if there is another location in Palatine and whether this is a second or new business.

Mr. Omer states this is an additional location; the first location is smaller, and this new one will allow for more offerings and products.

Chairman Wood asks for clarification on the smoking ordinance.

Mr. Auer states that the Clean Air Ordinance prohibits smoking within 15 feet of any entrance points within the strip mall.

Commissioner Friedman clarifies that there are enough entry points along the building—not just at this tenant space—making it unlikely that smoking would occur on the sidewalk in front of the store.

Chairman Wood notes that even at 20 feet away, smoking is still restricted, and asks if there have been any issues at the other location.

Mr. Auer states there has been no code enforcement history at the other Palatine location.

Chairman Wood asks how long the other location has been open.

Mr. Omer states it has been open for two years.

Mr. Auer confirms that the prior special use for that location was approved in 2023.

Commissioner Fedota asks if there will be a walk-in humidor.
Mr. Omer responds that cigars will be kept on shelves and within a display case, not in a walk-in humidor.

Commissioner Roth-Wurster asks if there are any concerns about smoking outside the store or if customers typically come in and leave.
Mr. Omer states customers only come in to purchase items and leave. No smoking is allowed inside or outside, and he enforces that rule strictly.
Commissioner Fedota clarifies that this special use is permitted in the B-2 district.

Commissioner Friedman mentions that there is a similar business a block north and asks if there is any record of problems from police or community development.
Mr. Auer states he did not review code enforcement history for that area. This business is not in operation.
Mr. Auer adds that no CBD or marijuana products will be sold, no drug paraphernalia, and no smoking lounge is included in the proposal. The business must adhere to all village ordinances. The previous tenant was an insurance agency, so parking requirements remain unchanged. He also notes that two letters of objection were submitted.

Commissioner Kolososki asks if there will be any gambling machines.
Mr. Omer responds there will be none—only tobacco products will be sold.

Commissioner Friedman asks about vape product litter and whether any measures are in place to prevent it.
Mr. Omer states that employees are required to check and clean the parking lot at the end of each shift, and other stores under his management have not had issues with litter.

Commissioner Fedota asks about signage and visibility.
Mr. Omer states that he will review village guidelines before installing signage and will comply with all regulations.
Mr. Auer adds that in the past, smoke shops have used excessive signage. The applicant did submit a preliminary sign plan which did not concern staff.

STAFF RECOMMENDATION:

Tobacco shops and electronic cigarette stores are permitted in the subject zoning district following Special use approval. Following review of the submitted business plan, Staff does not anticipate the proposed use to generate negative impacts upon the surrounding area. Letters of opposition have been submitted by residents. The letters state concern regarding the proximity to youth patrons of the martial arts business in the shopping center. Staff recommends action at the discretion of the Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The Special Use shall substantially conform to the Business Plan and Floor Plan submitted by the Petitioner, except as such plans may be changed to conform to

Village of Palatine Codes and Ordinances.

2. The Petitioner shall follow the Village of Palatine's Clean Indoor Air Ordinance and drug paraphernalia regulations in Chapter 12 of the Village Code.

Commissioner Schubert asks if any parking issues are anticipated.

Mr. Auer responds that no parking issues are expected.

Chairman Wood notes that although the parking lot can occasionally be full, this business should not have an impact.

Commissioner Bettenhausen asks about clean indoor air ordinance.

Mr. Auer explains that there are numerous regulations set forth in the ordinance. One example, in addition to the 15-foot buffer, is a prohibition for smoking in public areas. Commissioner Bettenhausen asks if a store like this would be required to have special ventilation.

Mr. Auer states that ventilation requirements fall outside P&Z review and would be addressed during the building review.

Chairman Wood confirms that only products with no smoking allowed will be present.

Commissioner Bettenhausen expresses concerns about potential odors from the products.

Mr. Omer states that there will be no issues with cigars, nothing will be sold for smoking in-store, and no odors will be present.

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

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

DISCUSSION:

Commissioner Noonan acknowledges the letters of opposition, noting that there is no smoking inside the store and no complaints at the existing location.

Commissioner Fedota comments that while this is an expansion, the business has a good reputation. Although some may not like the product, there is demand in the community.

Commissioner Roth-Wurster notes that the petitioner already manages this type of business without complaints from the other business. They consistently ID customers, follow the rules, and operate within allowed standards.

Chairman Wood appreciates the resident concerns but states there should be no issues with smoking, people smoking on the sidewalk, or customers not being carded. She emphasizes that the petitioner will enforce the rules and expresses confidence in the request.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on Monday, November 3rd, 2025

RESULT:	APPROVED
MOVER:	NOONAN
SECONDER:	ROTH-WURSTER
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Stephen Fedota, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

V. PUBLIC COMMENT

VI. ADJOURNMENT