



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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<http://www.palatine.il.us>

PLANNING AND ZONING COMMISSION

MINUTES • AUGUST 22, 2023

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	
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 8, 2023 7:00 PM

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

III. PUBLIC HEARING

1. 666 N. Hawk Street

SU-000064-2023 - 666 N. Hawk St.

Notice was published in the Journal & Topics on August 3rd, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Mr. Bradshaw gave a brief overview and stated that the petitioner is proposing to construct a covered, open style porch, along the front of the existing residence. The proposed set back would be 25 feet from the front lot line instead of the minimum 30 feet.

Sworn in petitioner: Chris Lindgren - 666 N. Hawk St - Owner

Mr. Lindgren states it is a friendly neighborhood with young families and children. He has three young children and states that having the front porch to enjoy while the kids play outside would also provide an added safety feature. He has discussed his project with surrounding neighbors and has had positive feedback.

Commissioner Kolososki asks how long he has lived in the neighborhood.
Mr. Lindgren states he has lived in his home for (3) years.

Commissioner Bettenhausen asks about the cutout area shown near the garage.
Mr. Lindgren states it is a gas meter.
Commissioner Bettenhausen asks if the sidewalk will be changed.
Mr. Lindgren states it may be changed in the future.

Mr. Bradshaw provides additional information and refers to the subject property's current front and backyard setbacks. He provides information regarding surrounding properties who have the same setbacks, but few have front porches that encroach in required setback. He states no other approved special uses for front set back in the surrounding area. Similar projects required front yard setback reductions have been approved in other areas of the Village within the R-2 zoning district.

STAFF RECOMMENDATION:

The Petitioner is requesting to construct a new open-style covered porch on the front of the existing residence. Although there are not many comparable front porches in the surrounding area, the proposed porch's open-style, should diminish the visual impact, when compared to adjacent properties in the neighborhood. Ultimately, the design and location of the proposed addition should not cause substantial injury to the value of the other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the submitted site plan and elevation plans submitted by the Petitioner, Chris Lindgren, 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 Noonan.

DELIBERATIONS:

Commissioner Cavanaugh states the request fits the neighborhood and would benefit the family. It would not have a negative impact to the surrounding properties.

Commissioner Kolososki agrees and states that the added porch would be a nice amenity.

Chairman Wood states that the standards have been met.

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 Tuesday, September 5th, 2023.

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

2. 1307 N. Doe Road

SU-000060-2023 - 1307 N. Doe Road

Notice was published in the Journal & Topics on August 3rd, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Mr. Bradshaw gave a brief overview and stated the petitioner is proposing to construct an addition to include a new family room and expanding the current 2 car garage to a 3-car garage. Addition would result in a 21-foot setback from the side lot line abutting Dundee Road. Petitioner is requesting a setback of 21 feet from the side lot line abutting a street, instead of the minimum required 40 feet.

Sworn in petitioner: Adam Plawer - 1307 N. Doe Rd - Owner

Mr. Plawer states he would like to increase the 2-car garage to a 3-car garage and expand the living space at the back of the house with a 20'x18' addition. The addition would provide a view to the pool and allow them to enjoy the outdoor space. He refers to the proposed interior floor plan and states they would rearrange some of the rooms in the house for an open floor plan concept. He further explains that the garage expansion would allow for bigger cars and additional storage space. The expansion would match the roof line of the right side of the home which would increase the curb appeal. The front of the home would have a covered porch.

Mr. Bradshaw provides additional information and states that the property is zoned R-1 Single Family. The existing structure is set back 35 feet from the side yard abutting a street lot line along Dundee Road. The residence is existing non-conforming to the required 40-foot side yard abutting a street setback. He states there is also an above ground swimming pool and a 67 square foot shed in the rear yard. The only area that needs relief is the garage addition. He provides information on surrounding properties that are also non-conforming to the side yard abutting a street setback.

Commissioner Cavanaugh asks if the surrounding properties were also built as non-conforming.

Mr. Bradshaw states that is correct.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct an addition to the north side of the existing residence that will reorient the attached garage to face west, towards Doe Road. The expanded portion of the garage will be the only portion of the residence that will encroach into the required 40-foot setback. Additionally, there are multiple corner lots in the immediate area that have existing non-conforming side yard setbacks along Dundee Road. With that said, 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 condition:

1. The Special Use shall substantially conform to the site plan, floor plan, and elevation plan submitted by the Petitioner, Adam Plawer, 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 Ruth-Wurster.

DELIBERATIONS:

Commissioner Cavanaugh states that it will be a massive project for the petitioner but will add value to the neighborhood. Meets the standards.

Commissioner Roth-Wurster states that the update to the house will be a nice improvement.

Chairman Wood states it would add value both aesthetically and functionally and would not have a negative impact on surrounding properties.

Commissioner Friedman states it would be consistent with other surrounding homes.

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 Tuesday, September 5th, 2023.

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

3. 879 W. Leonard Road

SU-000063-2023 - 879 W. Leonard Road

Notice was published in the Journal & Topics on August 3rd, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Mr. Bradshaw provided a brief overview and states that the petitioner is proposing to construct a 2-story addition to the existing single-family home. The addition would include a covered open-style front porch set back approximately 21 feet from the side lot line abutting W. Leonard Road. The footprint would remain the same except for the addition of the front porch.

Sworn in petitioner: Paul Sieben - 870 W. Hillside - owner of 879 W. Leonard property.

Mr. Sieben states he currently lives 3 houses away from the subject property and has resided at his current location for 26 years. He purchased the subject property to remodel. He will be adding a second story addition and a covered front porch. The current set back will remain the same. The remodel will be a total refresh to the current home which will complement the newer surrounding properties.

Chairman Wood asks if the front porch is for aesthetic and functionality.

Mr. Sieben states that is correct and he is matching the style to other homes in the area.

Commission Friedman asks for clarification regarding the size & depth of the entry way which appears to be deeper.

Mr. Sieben agrees that it is deeper to give accentuation to the front door of the house and provide coverage during inclement weather.

Mr. Bradshaw provides additional information and states that the subject property is zoned R-1 Single Family. The existing residence is currently non-conforming to the required corner side yard abutting a side street setback. The shorter lot width is considered the front yard. The Petitioner is seeking a special use for a side yard abutting a street setback to permit the construction of a 2-story addition with a front porch. He states that the addition will have a peak height of 28.5 feet. He

notes that very few residences in the neighborhood conform to the setback requirements. He states that building and lot coverage are well within maximum permitted by code. All departments reviewed with no issues identified except Fire Prevention which noted that the work is greater than 50% and fire sprinkler will be required.

Resident - William Mephram - 28 S. Quentin Rd - States he has no issues with this plan, and voiced his support for the project.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a 2-story addition to the existing residence at the corner of W. Leonard Road and S. Crescent Avenue. Most of the proposed addition will be on the existing footprint of the home set back approximately 30 feet from Leonard Road. Although the residence is currently existing non-conforming, most of the properties in the surrounding neighborhood are existing non-conforming to either the required front yard or side yard abutting a street set back. Conclusively, the proposed addition should not cause substantial injury to the value of the other properties within the neighborhood. Therefore, Staff recommends approval of the Special Use subject to the following condition:

1. The Special Use shall substantially conform to the site plan, floor plan, and elevation plans submitted by the Petitioner, Paul Sieben, 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 Noonan.

DELIBERATIONS:

Commissioner Fedota states it would be a good use of the property and an improvement.

Commissioner Roth-Wurster states it will improve property values.

Chairman Wood states she is familiar with the area and the neighborhood has changed dramatically over the years. The plan fits in with the neighborhood and would add value to the property. It is a nice property and addition. Meets the standards.

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 Tuesday, September 5th, 2023.

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

4. 1108 W. Northwest Highway

SU-000057-2023 - 1108 W. Northwest Highway

Notice was published in the Journal & Topics on August 3rd, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Ms. Bremanis gave a brief overview and explained that the petitioner is proposing to open a children's indoor play place, Bee Happy Club, in the Cove Shopping Center and is requesting a Planned Development Amendment to permit an indoor sports and recreational facility as a Special Use.

Sworn in petitioner: Anastasiia Filippova - 1108 W. Northwest Highway - business owner

Ms. Filippova explains that the indoor playground is an alternate play area for parents to spend time with their kids in a comfortable atmosphere. It will consist of toys and play structures and is geared toward children under 7-years old. Parents are able to bring their own snacks but the center will not offer any food or beverages.

Chairman Wood asks if they will offer craft classes or party options.

Ms. Filippova states that the intention is to have an open play area from 9am to 3pm. It is not a drop off facility and parents will always stay while kids are playing. She states they may offer an art class and would be able to accommodate small parties for up to 10 children and 10 adults. The space would be closed to the public during private events. It is a small space that is geared towards open play. She refers to the floor plan and provides information on the layout and play areas.

Chairman Wood asks about her other location.

Ms. Filippova states that she has another facility in Bolingbrook and this would be a second location.

Commissioner Kolososki confirms that parents would accompany children.

Ms. Filippova states that is correct.

Commissioner Roth-Wurster asks if employees require licensing.
Ms. Filippova states it is not required as it is not a daycare.

Chairman Wood questions what the capacity would be for this location.
Ms. Filippova states that there would be a 14- to 16-person capacity which includes adults and children.

Commissioner Bettenhausen asks if dads are welcome too and if there would be adult seating.
Ms. Filippova states that dads are always welcome and adult seating is provided.

Ms. Bremanis provides additional information and states the subject property is zoned Planned Development and the B-1 regulations apply. This use is not contemplated in the B-1 use list. Therefore a Planned Development Amendment would be required to allow this business as a special use. She further states that the space is approximately 2500 square feet and is currently vacant. There is only one other business in the shopping center and the rest are all vacant. She states that the use would require 8 parking spaces and the parking meets the code requirements.

Commissioner Friedman asks if the prior use was authorized under a special use.
Ms. Bremanis stated it did not because it was under 3000 square feet. The use is somewhat similar in regards to the parking usage.

Commissioner Fedota asks if the parking will be sufficient.
Ms. Bremanis states they are comfortable with the parking requirements from the previous health club being in this location when the center had additional uses as well.

Chairman Wood states that the 8 parking spaces may be conservative but refers to the petitioner's statement that they would limit the number of patrons to what they have identified as their capacity. Ms. Wood also states that the parking may have to be adjusted for new tenants and will need to be worked out with the landlord.

Ms. Bremanis states that this location had previous businesses that had no issues with parking.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a second location for a kid's play place in a vacant tenant space previously occupied by a health club in Cove Shopping Center. The shopping center is currently vacant, with the exception of the Animal Hospital. The proposed use should be compatible with the other retail, service,

and restaurant uses permitted in the center and should not alter the essential character of the locality. Therefore, Staff recommends approval of the Planned Development Amendment to allow an indoor sports and recreational facility as a Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the floor plan and Bee Happy Club business plan, prepared by the petitioner submitted on 07/18/2023, except 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 Noonan.

DELIBERATIONS:

Commissioner Cavanaugh states he is excited to have a new tenant and supports the business. He states it meets the standards.

Chairman Wood states that the parking concerns have been addressed and based on the business plan, does not anticipate parking to be an issue. She states it has met the special use standards and is a good use of the space.

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 Tuesday, September 5th, 2023.

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

5. 139 N. Northwest Highway

SU-000040 - 139 N. Northwest Highway

Notice was published in the Journal & Topics on August 3rd, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Floor Plans**
5. **Rep's Burgers Business Plan**
6. **Letter of Objection**
7. **Letter of Objection 2**
8. **Public Notice**

Ms. Bremanis provides a brief overview and states the Petitioner is proposing to renovate the existing building, formally Arby's to open a restaurant with a drive thru and liquor service for dine in. Their request is to permit a restaurant with liquor service and drive thru.

Sworn in petitioner: Mike Reppe - 139 N. Northwest Highway

Mr. Reppe states that he and his partner have been in the restaurant business for the last couple of decades and has another location in Rolling Meadows. He states this would be the first location with a drive thru. They will work to correct any issues presented by staff or surrounding residents.

Chairman Wood asks if the fence issue would be addressed as this seems to be an issue.

Mr. Reppe states that the fence issue is being working on with the landlord and have a fence company that is helping them to resolve.

Chairman Wood clarifies that the property is leased not owned.

Mr. Reppe states that is true.

Commissioner Kolososki asks if they will be on site to manage.

Mr. Reppe states they have a team of partners that have a consolidated business experience of over 80 years.

Chairman Wood inquires as to what the business hours would be.

Mr. Reppe states 11pm or Midnight - has not made a final decision.

Ms. Bremanis states the business plan application requested midnight and they would be allowed the requested hours but if they wanted to close earlier they could.

She also states that if there are complaint issues regarding the hours or sound they would address at the time.

Commissioner Cavanaugh asks if a new lighting plan would be required.

Ms. Bremanis states that if the current lighting plan meets code, they would be allowed to use the existing.

Commissioner Roth-Wurster asks if that would also apply to the drive thru speaker.

Mr. Reppe states that a new drive thru system will be installed and will have a lower speaker system directed at the car windows.

Chairman Wood states past complaints for similar businesses along this stretch have been regarding dumpster banging, trash and noise from the drive thru. She would like to ensure matters of this nature are addressed.

Mr. Reppe states that these types of matters would be addressed and would like to be a good neighbor for a long time. They will find the best speaker location, provide a suitable fence and keep the property safe.

Commissioner Bettenhausen asks if the current pole for signage will be utilized.

Mr. Reppe states it would be.

Ms. Bremanis provides a site analysis and explains the business plan to renovate the building and the proposed hours. She clarifies the property lines for this property and states that the area behind the fence line belongs to the subject property and are responsible to maintaining.

Resident - Lars Anderson - 128 N. Linden Ave.

Mr. Anderson states they are excited to have a new business at this lot since the existing is run down and an eyesore. He has concerns regarding the light shining from cars onto his property. He requests a side fence at the dumpster area which would address this issue. He asks that the existing tree in that area not be cut down as it provides a buffer. He further explains that the current speaker system is disruptive and asks if the new system might face the adjacent business. He also states that staying open until midnight seems excessive.

Resident - Lisa Lindemann - 132 N. Linden Ave.

Ms. Lindemann states that the back of the subject property has been a hangout place for employees and patrons in the past. She points out that the concrete barrier is a place that they can stand on and see into the adjacent yards and has always been uncomfortable with this situation. She requests that the fence be installed directly on top of the asphalt to deter people from standing on the concrete and throwing garbage into the open area between the fence and the lot lines. She also states that the speaker should be kept at a lower volume.

Commission Friedman refers to the diagram of the fence submitted for this application and clarifies which fence is her fence.

Mr. Bradshaw clarifies the fence locations.

Commissioner Noonan asks who maintains the property between the fences.

Ms. Bremanis states that the property owner of the subject property is required to maintain the property.

Further discussion ensues regarding fence location and height.

Resident - Robertina Villalobos - 138 N. Linden Ave.

Ms. Villalobos states her concerns regarding the late hours, speakers, loud music and the fence. They have resided in her home for 6 years and states these issues have been a problem in the past and would like to be sure they are addressed.

Mr. Reppe addresses the neighbors' concerns and states the fence issue will be resolved. They will work with the property owner to have the fence installed in front of the concrete slab. He also states they will try to keep the area clean and safe. He notes that the drive thru menu is a small limited menu and anticipate that the drive thru requests will be short. He will work to install the speaker system so as not to be too disruptive to the neighbors. He states that outdoor seating is in his future plans and may request 3 or 4 round tables at the front of the restaurant but will not have this plan in place until next year.

Commissioners further discuss fence and speaker situation.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new restaurant, with drive-thru at the former Arby's. The existing building site plan will generally remain the same and the use is consistent with the neighboring businesses along Northwest Highway. Per Staff review and submitted resident comments, the existing 4' fence does not appear to provide an adequate buffer between the commercial business and the residential neighborhood to the east. To that end, a taller fence would help contain loose debris & refuse and dampen the noise from the drive-thru speaker. There are also Code requirements that will insure that such deficiencies are managed. Ultimately, as the previous use operated with a drive-thru, with no identified issues, the proposal should not cause any injury to the value of the other properties within the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the Site Plan, Floor Plan, and Business Plan submitted by the Petitioner, Mike Reppe, Rep's Place, except as such plans may be changed to conform to Village Codes and Ordinances.
2. A revised site plan, including a dumpster enclosure and solid fence plan/elevation along the east side of the property, shall be submitted through the building permit process, in a manner acceptable to the Planning and Zoning Director.

Resident - Lars Anderson states he would like to confirm the fence would follow through to the dumpster area.

Ms. Bremanis - Condition concerning fence will address this:

Revised site plan for the dumpster enclosure and solid fence plan elevation should be submitted through the building permit process in a manner acceptable to the Planning and Zoning Director.

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

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

DELIBERATIONS:

Commissioner Kolososki states it would be a good project.

Commissioner Cavanaugh states there should be no issue with restaurant with liquor license and drive thru. He thinks the petitioner is willing to work with the neighbors and the project meets the standards.

Commissioner Fedota states it meets standards and will be a good use.

Chairman Wood states there is a good reputation for this business. Confident staff will make sure buffers are in place for the surrounding neighbors. She notes that the Petitioner has a successful business in Rolling Meadows and this request meets the standards.

Commissioner Friedman states the neighbors will have an advantage having a local business owner vs an out of state corporate chain.

Commissioner Roth Wurster states the petitioner has a positive business in Rolling Meadows and the request has met the standards.

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, September 11th, 2023.

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

IV. COMMUNICATIONS**Communications:**

969 N Carmel St request for the rear addition was approved unanimously at Village Council

615 E Delgato was approved at Village Council last night

Ms. Wood asks about the Helen property request that was recently heard.

Mr. Bradshaw states it was denied by Village Council. The petitioner resubmitted plans that meet code and are now moving forward with the project.

Palatine Street Fest is this weekend.

Next hearing is scheduled for 9/12/23.

V. ADJOURNMENT