

VILLAGE OF PALATINE

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

ZONING BOARD OF APPEALS

MINUTES • JULY 28, 2020

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I.

Note: The July 28, 2020, the Zoning Board of Appeals meeting will take place in the Village Council Chambers (located at 200 E. Wood Street). The meeting will also be broadcast live on Comcast Channel 6 and streamed live through the Village's 'Agenda & Minutes' section of our website (www.palatine.il.us). Village Hall will be open for any member of the public that would like to provide comment or testimony regarding an agenda item at the meeting, while still adhering to the Governor's Executive Orders. If a member of the public cannot access the meeting through one of the above means, please contact the Department of Planning and Zoning at (847-359-9046) by no later than 3 PM on Tuesday, July 28th to be provided with a call in code.

II. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Brent Larson	Commissioner	Absent	
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszcak	Commissioner	Absent	
Theodore McGinn	Commissioner	Absent	
Kevin Cavanaugh	Commissioner	Present	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Present	

III. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jul 14, 2020 7:00 PM

Mr. Dittrich made a motion to approve the minutes of July 14, 2020; seconded by Mr. Pirog.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	James Dittrich, Commissioner
SECONDER:	John Pirog, Commissioner
AYES:	Roth-Wurster, Wood, Cavanaugh, Dittrich, Pirog
ABSENT:	Larson, Luszcak, McGinn

IV. PUBLIC HEARING

1. 297 N. Northwest Highway

Notice was published in the Daily Herald on July 13, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Business Plan
4. Floor Plan
5. Public Notice

Sworn in staff: Ms. Lyn Bremanis**Sworn in petitioner: Mr. Pedro Calla 303 Oak Grove Dr Wauconda, IL**

Mr. Calla stated he has been running a gym for last 10 years in Palatine. He stated he closed his gym on Rand road 4 months ago. He explained he is considering getting a smaller place because 50% of clients said they will wait 6 months before bringing their kids to classes. Mr. Calla stated he has been working with the Village to get his business license.

Ms. Wood stated she knows Mr. Calla runs a good business and is a good business man. She expressed concern with the parking with parent drop off and pickup and the other businesses in center.

Mr. Calla stated he observed the center for months before talking to the owner. He stated he doesn't think it will be a problem stating he had ample parking at his last location which they really didn't use the last 2 years. Mr. Calla explained parents like to drop off kids and go do errands. He stated the center from what he observed is busy during the day and his business is busy in the evening. He stated a lot of the businesses close before 6:00 so he doesn't think there will be an issue.

Ms. Wood asked if 2 classes will run at same time

Mr. Calla stated it is possible after 6:00pm but unsure because he doesn't know how many students will come back when they reopen. He spoke to his previous business plan and explained he hopes to eventually have 2 classes run at same time but thinks the drop off won't be a problem.

Ms. Wood asked if they will have fitness, martial arts and boxing classes.

Mr. Calla answered yes explaining the boxing classes run every day and the boot camp fitness classes are offered a few times a week early morning or really late so they do not conflict.

Ms. Wood asked if the provided is schedule from the old location.

Mr. Calla answered yes.

Ms. Wood pointed out it shows a couple classes at the same time.
Mr. Calla explained they hope to run 2 classes at the same time eventually.

Ms. Wood asked if Mr. Calla has spoken to other businesses. She expressed her concern with the evening parking.
Mr. Calla answered yes stating he spoke to the other tenants but no one mentioned parking. He explained they spoke more about his business.

Ms. Wood asked what age do they start classes.
Mr. Calla stated they start at age 5.

Ms. Wood asked if the parents of the younger children stay.
Mr. Calla explained they mostly stay for the first week and then use hour to run errands.

Ms. Wood asked about traffic flow of drop off.
Mr. Calla stated he has spoken to staff about it. He referred to slide to show the side door that faces Robinson and the alley area that will allow parents to drop off without going through lot.

Ms. Bremanis spoke to the location of the 2 other doors of the tenant space. She referred to the floor plan to show the side door enters directly into the main area. Ms. Bremanis stated they spoke to fire marshal who confirmed it could be an approved entrance.

Mr. Dittrich asked if there is parking on Robinson.
Ms. Bremanis answered no.
Discussion on allowable Robinson traffic.

Mr. Cavanaugh asked if the 68 parking spots factor in all spots on the east side of the building.
Ms. Bremanis referred to slide to show parking involved.

Mr. Cavanaugh asked about parking on the south side of the building.
Ms. Bremanis explained it is a two way lane

Mr. Dittrich clarified they are allowed to use Wendy's lot.
Ms. Bremanis answered yes explaining they have a restrictive covenant that includes the sharing of 21 parking spaces which is why they don't need a parking variation.

Ms. Wood pointed out the back alley is one lane. She asked if they considered it may be a problem with backup.
Mr. Calla explained they do not have very many classes little kids. He stated during those classes the trainers are outside waiting for the kids to be dropped off to make the kids more comfortable to come inside.

Ms. Wood asked if they expect the parents to park and come inside to pick up kids.

Mr. Calla stated if there are available spaces they can park but normally staff waits at door to ensure kids get to their parent. He stated he expects approx. 8 kids to a class so doesn't see an issue with traffic.

Ms. Wood asked about projected future number of students.

Mr. Calla explained they only run one class for the 5-9 yr. olds. He stated if they add another class it would be for older age groups.

Ms. Wood asked if they would have people in the other areas of the gym while kids are in martial art area.

Mr. Calla explained there is a special area to walk straight to martial arts area to avoid the boxing and fitness area.

Mr. Pirog asked if there is a locker room.

Mr. Calla answered no.

Mr. Pirog clarified they are moving from a bigger space to a smaller space.

Mr. Calla answered yes stating it is almost half the space.

Ms. Bremanis gave a brief overview of the request explaining the property is zoned B2 general business and is approx. 6250 sq.ft. She stated the peak hours are between 6:00-7:00pm on weekdays and will have 4 employees with expected number of clients per class being 12 and max at any time being 25. Lyn spoke to the shared parking with Wendy's that puts the parking count over 2 spaces. She stated thought a parking variation is not required Mr. Calla has agreed to work with staff to come up with an appropriate traffic flow plan.

STAFF RECOMMENDATION:

The Petitioner is requesting to relocate an existing boxing and martial arts facility to the proposed tenant space. A dance studio previously occupied the space; however, it is currently vacant. The business has been operating in Palatine for several years and the use or its operation have not generated any complaints to the Village. While the required shopping center exceeds the provided parking for that property, the recorded restrictive covenant allows shared parking on the Wendy's property. The shared parking spaces exceed the required parking for Wendy's. Therefore, the collective parking exceeds the parking requirements for both properties. The proposed use would be occupying a vacant tenant space and would maintain a mixture of uses within the center. Therefore, Staff recommends approval of the Special Use subject to the following conditions.

1. The business operations shall substantially conform to the business operations plan prepare by Mr. Pedro Calla last revised 6/1/20 and to the floorplan provided by Rumi Maki Martial Arts and Fitness attached hereto except as such plans shall be revised to conform to Village Codes and Ordinances.
2. A traffic management plan shall be submitted in a manner acceptable to the

Director of Planning and Zoning.

Mr. Cavanaugh asked if staff is aware of any issues when operating on Rand Road.

Ms. Bremanis answered no.

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

Mr. Cavanaugh made a motion to approve subject staff's conditions; seconded by Ms. Roth-Wurster.

DELIBERATIONS:

Mr. Cavanaugh stated it is a vacant space. He stated it will be a little more traffic than previous use but doesn't think it will have a negative impact. He agreed there may be more vehicles but pointed out this is the largest tenant space in the center so according to the chart they are allowed 21 spaces. Mr. Cavanaugh stated there may be a day or two with some issues but the petitioner has agreed to work to a plan that is conducive with clients. He stated he is confident the parking plan with Wendy's will be good supplement for what is needed.

Ms. Roth-Wurster stated it is good that the business wants to stay in Palatine. He stated they will run consistent with public health safety and welfare. She stated she feels the petitioner has had enough discussion with Village about drop-off and parking issues.

Ms. Wood stated she knows the petitioner is a good business man, good athlete, and trains his clients very well. She stated parents are not going to want to park at Wendy's and walk over. She stated she is almost certain there will be a problem with the parking expressing concern with negative impact on surrounding properties if they take the parking spots. Ms. Wood pointed out it meets the parking requirements on paper but still is concerned with parking and traffic flow.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will go to Village Council on August 10, 2020.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Cavanaugh, Dittrich, Pirog
ABSENT:	Larson, Luszczak, McGinn

V. COMMUNICATIONS**VI. ADJOURNMENT**

1. Motion to Adjourn

Mr. Dittrich made a motion to adjourn; seconded by Ms. Roth-Wurster.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	James Dittrich, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Cavanaugh, Dittrich, Pirog
ABSENT:	Larson, Luszczak, McGinn

