

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 • JUNE 9, 2020

Village Hall - Council Chambers

Regular Meeting

7:00 PM

Note: The June 9, 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, June 9th to be provided with a call in code.

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Mar 10, 2020 7:00 PM

Mr. Cavanaugh made a motion to approve the minutes of March 10, 2020; seconded by Ms. Roth-Wurster.

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

III. PUBLIC HEARING

1. 7 N. Bothwell Street

Notice was published in the Daily Herald on May 25, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Sworn in Petitioner: Martha Pafralides Owner of Bead World Inc , 7 N Bothwell

Ms. Pafralides explained they are trying to maintain their business as they have been operating for 26 years. She stated the old building on Brockway has been sold and was given 30 days to get out. Ms. Pafralides stated they moved the store and now need a new special use for the piercing and tattoo removal aspect of their business.

Sworn in staff: Ms. Lyn Bremanis

Ms. Bremanis gave a brief overview of request explaining the location is on N Bothwell off of Palatine Rd and is zoned B-1 shopping center district. She explained the sales part of the business is a permitted use. Ms. Bremanis stated they already have approval for their accessory uses for piercing and tattoo removal at their old location but special uses are tied to locations. Ms. Bremanis stated because they are moving they need to go through the process again. She stated they are license with the IDPH and are compliant with all health code regulations. She stated their business hours are Monday-Friday 10am-7pm, Saturday 10am-6pm, closed Sundays and will have 4 employees. Ms. Bremanis explained the proposed space is approx. 1200 sqft. referring the slide to show the floor plan. Ms. Bremanis explained the location is in the downtown area so parking is open on street parking and this use will not change the parking usage thus staff does not have any concerns. She stated Community Services and Fire Prevention have review and have no concerns.

Mr. Pirog asked if there were any incidents or issues with the old store. Ms. Bremanis answered no not that staff is aware.

STAFF RECOMMENDATION:

The Petitioner relocated an existing business to a new location in downtown Palatine. While the business of jewelry and watch repair, custom jewelry design and fabrication are permitted in the new location, the business aspects of

accessory piercing and tattoo removal require Special Use review. Bead World had these Special Use approvals, at their previous location. However, the Special Uses are location specific, thus new Special Uses are required for the subject location. The owner is currently licensed with the state for the piercing and certified with Tattoo Vanish a non-laser tattoo removal, laser removal is not requested as part of this special use.

Bead World has operated in the Village for many years and its relocation should not affect the surrounding uses. Therefore, Staff recommends approval of the Zoning Board of Appeals. If the Zoning Board of Appeals 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, Martha Pafralides, Bead World, except as such plans may be changed to conform to Village Codes and Ordinances.
2. Employees shall participate in the Village Downtown Employee Parking program, as directed by the Village.

Ms. Pafralides asked about village parking comments

Ms. Bremanis explained there are lots that are strictly for employees that leave other spots for customers.

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

Mr. Cavanaugh made a motion to approve subject staff's conditions; seconded by Mr. Luszczak.

DELIBERATIONS:

Mr. Cavanaugh stated it is a good use for a vacant space. He pointed out the petitioner has been in business for a while and is not changing anything they are doing. He stated he walked the area and spoke to some neighboring business owners who are excited the space is getting filled. Mr. Cavanaugh stated he doesn't see any issue on the standards not being met.

Mr. McGinn agreed it is straightforward

Ms. Roth-Wurster agreed glad they are staying in Palatine

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on June 15, 2020.

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

2. 1142 E. Dundee Road

Notice was published in the Daily Herald on May 25, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Sworn in petitioner: Dr. Leo Ayzenberg, 81 S Milwaukee Wheeling, IL

Dr. Ayzenberg stated he is an eye surgeon and has been in practice for 25 years. He stated he is board certified with 2 current locations. Dr. Ayzenberg explained he has been leasing a space in Wheeling and wants to move on to a stand-alone building being the sole practitioner at the office space.

Mr. Larson asked how many patients he will see a day.

Dr. Ayzenberg explained his business plan included in packet.

Ms. Bremanis gave a brief overview of the request explaining the subject property is zoned B-2 general business district previously being a Wendy's but has been vacant for some time. She further explained the petitioner is looking to put an addition on back of the building that will result in the building being a total of 4315 square feet. She spoke to the business plan indicating typical patient intake being 20-25 with Wednesday possibly 40. Ms. Bremanis referred to the slides to show floor plan and elevations. She stated signage has been discussed with the petitioner and will follow the Village regulations. She spoke to parking explaining they are over parked so there is no parking concerns.

Mr. Pirog asked about the proposed elevations.

Ms. Bremanis explained referring to the slides.

STAFF RECOMMENDATION:

The Petitioner is requesting to relocate an existing eye clinic to the proposed subject property. The space was previously a Wendy's restaurant and is located within a commercial zoned property and corridor. The Petitioner is planning to expand the building by approximately 1600 square feet. Nevertheless, the property will still have a parking surplus of 37 parking spaces. Medical offices are reviewed as Special Uses within all of the business districts. This location would maintain a mixture of commercial uses in the area. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the Business Plan submitted by the Petitioner and the Site Plan, Floor Plan and Elevations prepared by the architect Purohit Architects dated 04/16/20, as such plans may be changed to conform to Village Codes and Ordinances.
2. The final landscaping plan shall be submitted, in a manner acceptable to the Director of Planning and Zoning.
3. A cross access agreement shall be submitted, in a manner acceptable to the Director of Planning and Zoning.

Dr. Ayzenberg asked about the cross access agreement.

Ms. Bremanis explained IDOT is making changes so this will allow businesses to access each other's driveways.

Dr. Ayzenberg asked if there is any additional conditions including landscaping the board would like incorporated in design.

Mr. McGinn pointed out the second condition addresses landscaping.

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

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

DELIBERATIONS:

Mr. Dittrich stated it meets all requirements for special use. He stated with the medical aspect the public health and safety can only be improved.

Ms. Roth-Wurster agrees the standards have been met.

Mr. McGinn stated it won't have an adverse effect and parking is not an issue.

Mr. Luszczak stated it will be a nice facelift for an area that can definitely use it.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will go to Village Council on June 15, 2020.

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

3. 1930 N Rand Road

Notice was published in the Daily Herald on May 25, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Business Plan
5. Floor Plan
6. Site Plan
7. Elevations
8. Objectors Letter dated June 3, 2020
9. Public Notice

Sworn in petitioner: Mr. Mitch Goltz principal of GW properties 2211 N Elston Suite 304 Chicago IL

Mr. Goltz explained GW properties is the contract purchaser of the current GFS building. He explained they are working to reuse the building not changing the footprint or parking configuration. He stated they have been looking in area for a while since they service a lot of the nearby dealerships. Mr. Goltz stated it is a good fit with the nearby uses.

Mr. Larson asked where about the location of the outdoor compressor

Sworn in Mr. Brett Flory Cross Architects 879 Junction Drive Allen Texas

Mr. Flory stated he is the architect for most of Caliber's work for the past 8 years. He explained the compressor will be inside.

Mr. Larson asked if there will be cars stored outside.

Mr. Flory explained all work will be done inside but cars will be stored behind the fence. He further explained the location of the 6ft and 8ft fence they are proposing.

Mr. Pirog referred to the packet that says 50 cars will be stored.

Mr. Flory stated there may be close to 50 spots behind the fence. He stated if the location does well they will use most of the spaces behind the store. Mr. Flory explained Caliber works with major insurance companies with 90% of their work through the insurance companies. He spoke to their business operations.

Mr. Cavanaugh referred to the site plan slide that refers to the 52 customer parking and 52 storage. He asked if that is a possibility.

Mr. Flory explained in the front there are 56 spots which is for customers Discussion available parking.

Mr. Flory explained any cars being brought in for service cars will be brought in

through the back.

Discussion on location and height of fencing.

Mr. Larson referred to the objectors concerns on fumes from paint and asked about the filtration system in the presentation.

Mr. Flory explained they use the latest equipment being the industry leader in technical equipment. He spoke to EPA regulations explaining they have 2 different filtration systems and a regular maintenance routine. Mr. Flory explained they gave many locations that are in residential area and have not had issues but if an issue arises there are charcoal filters that can be added.

Mr. Larson asked about the sound being so close to residential

Mr. Flory explained all the work will be done inside. He stated the frame alignment does make noise but is located as far away from the residential area as possible. He stated they have not received complaints at other locations.

Mr. Cavanaugh asked about vehicle deliveries.

Mr. Flory explained deliveries will be done during the day during normal business hours.

Mr. Cavanaugh clarified there will be no night deliveries.

Mr. Flory stated there may be occasional deliveries after hours on a flatbed. He stated they can work with them and come up with a solution like a dedicated space behind the fence where they can easily drop the car and leave.

Ms. Bremanis gave a brief overview of request explaining the property is zoned B-5 highway district. She spoke to the hours being 7:30am-5:30 pm, Saturday 8-12 and closed Sunday with 25 employees. She spoke to the floor plan being 18,172 sq.ft. Ms. Bremanis stated all work is done with overhead doors closed. She referred to the elevation slides to show the proposed changes.

Mr. Larson asked staff if there are any complaints about other auto repair that back to residential.

Ms. Bremanis stated she is unsure pointing out there is a car place right next door

Discussion on other auto repairs.

Ms. Roth-Wurster asked about trash removal and oil and fluid underground storage.

Mr. Flory explained they have emergency hazardous cleanup kits that are OSHA required. He pointed out they don't do engine repair so most of the fluids get drained out before it is delivered.

Ms. Roth-Wurster asked if any fluid drainage would be picked up during normal business hours.

Mr. Flory explained there will be zero activity at night unless a flatbed brings in a vehicle.

STAFF RECOMMENDATION:

The Subject Property is currently occupied by Gordon Foods. The petitioner is proposing revamping the building and open a collision repair business. The Petitioner is a nationwide collision repair company who is requesting to open an addition location in Palatine.

While the proposed use should not alter the essential character of the Rand Road Corridor the property is directly adjacent to residential properties. The Petitioner has in place noise reducing mitigation. Therefore, Staff recommends action at the discretion of the proposed Special Use, if the Zoning Board of Appeals recommends approval of the Special Use, Staff recommends the following conditions:

1. The Special Use shall substantially conform to the floor plan, elevation plan and business plan attached except as such plans may be changed to conform to Village Codes and Ordinances.
2. A final landscaping and screening plan shall be submitted in a manner acceptable to the Director of Planning and Zoning and should include a new 8-foot fence on the west side of the property.
3. The fence along the north lot line shall be replaced every 12 years or as directed by the Village of Palatine. (NOTE - this is a concurrent requirement with the UG and KC 1000 Planned Development at Rand and Dundee Roads).

Mr. Pirog asked if the fence condition applies to the current occupant and who monitors these conditions.

Ms. Bremanis explained staff will monitor. She explained what usually happens is after 12 years the fence starts to degrade and the Village will receive complaints.

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

Mr. Cavanaugh made a motion to approve subject staff's conditions; seconded by Mr. Dittrich.

DELIBERATIONS:

Mr. Cavanaugh pointed out the location is in the highway business district that already have many car uses. He stated it is a good use for the area and does not see any health or safety issues.

Mr. Larson stated they addressed all concerns with residential properties abutting and does not see any negative impacts with the plan in place so thinks it meets the standards.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will go to Village Council on June 15, 2020.

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

IV. COMMUNICATIONS**V. ADJOURNMENT**

1. Motion

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

