



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 8, 2021

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - May 25, 2021 7:00 PM

Ms. Roth-Wurster made a motion to approve the minutes of May 25, 2021; seconded by Mr Larson

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

III. PUBLIC HEARING

1. 2161 N. Rand Road

Notice was published in the Daily Herald on May 10, 2021 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. Site Plan
5. Business Plan
6. Public Notice

Sworn in staff: Ms. Lyn Bremanis

Sworn in the petitioner: Mr. Anders Stubkjaer Chicago Car center 4024 W Montrose Chicago- chief operating officer and financial officer

Mr. Stubkjaer spoke to their current business including 4 car dealerships in Chicago and Cicero that are doing well offering broader services. He stated they have found people are traveling from the suburbs to their city locations. He stated they are looking to open a location in the suburbs. Mr. Stubkjaer stated the proposed location meets their search criteria being a semi-busy street and close to other car dealerships because most people shopping for cars want to visit multiple dealers close together. He pointed out the location used to be car dealer for a number of years and recently was just approved but never opened so the land has been sitting vacant. He spoke to the paving requirements of the back lot which is expensive. Mr. Stubkjaer stated they hope to grow big enough to use that space and will repave accordingly but for now want to start with the smaller front lot that is already paved and not do any significant changes. He stated they will recoat and restripe and the building is already move in condition being it was used for car dealer before. He stated he will pay deposit for city to add sidewalks and plant trees to make the property look more attractive.

Ms. Wood asked about the rental part of the business.

Mr. Stubkjaer explained they primarily sell cars with minimum rental at other locations. He explained they have a program selling cars to Uber, Lyft and Doordash drivers which allows them to rent for a few months while they decide they want to stay in business and if they do then will sell with maintenance package. He pointed out this space is small so it will not be a big business.

Mr. Pirog asked if they had separate cars for rental.

Mr. Stubkjaer answered yes explaining they need to be registered with Illinois plates.

Ms. Wood clarified there are no repairs on site.

Mr. Stubkjaer answered that is correct. He stated they have a relationship with Velasquez pointing out there is a location 2 miles down Rand and have 2 service shops downtown.

Ms. Bremanis gave a brief overview of the request stating they will be open Monday-Saturday 10-8pm with 3-4 employees. She referred to the site plan to show their parking and storage plan pointing out the petitioner is aware it will most likely need to be revised to meet Village code. She stated Community Services, Engineering and Fire Prevention have all reviewed and had no issues. Ms. Bremanis referred to slides to show existing conditions and location of proposed fencing blocking off unimproved gravel area that they will not be able to use.

Ms. Wood asked if the owner would have to maintain the back half of the lot.

Ms. Bremanis answered that is correct.

Discussion on how Village handles property maintenance complaints.

Mr. Stubkjaer pointed out the owner's business is right next door so he will not want the property to be detrimental to his own business.

STAFF RECOMMENDATION:

The Petitioner currently has four Chicago Car Center businesses in the Chicagoland area and is now proposing to open an additional auto sales/rental facility at the Subject Property. In addition, the Subject Property was previously occupied by a used auto dealership but has been vacant for an extended period. Furthermore, the Petitioner has agreed to make the necessary upgrades to bring the property in compliance with current Village Standards (such upgrades include parkway trees, parking lot striping and sidewalk installation through cash-in-lieu of sidewalk payments). The Rand Road Corridor is a mix of uses including car sales and repair; therefore, the proposed use should not affect the surrounding properties or cause substantial injury to the value of the Rand Road Corridor. Therefore, Staff recommends approval of the proposed Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the business plan and site plan prepared by the Petitioner, Anders Stubkjaer, submitted on 05/04/2021, except as such plans may be changed to conform to Village Codes and Ordinances.
2. Cash-in-lieu of the sidewalk shall be submitted in a manner acceptable to the Village Engineer within 1 year of approval.
3. Parkway trees shall be installed in a manner acceptable to the Village of Palatine within 1 year of approval if permitted by IDOT.
4. Employee and customer parking spaces shall be striped in a manner acceptable to the Village of Palatine within 1 year of approval.

Ms. Wood asked about procedure and test drive regulations from the Village

Ms. Bremanis stated since it is not adjacent to residential there are not as many concerns.

Mr. Stubkjaer stated the area is easy because there are open roads. He stated their manager used to work for dealer on Rand and Hicks so will use same

procedures.

Ms. Wood stated residents don't want cars being test drive on their side streets.
Mr. Stubkjaer stated he is assuming Lake Cook will be main street.

Mr. Cavanaugh asked about staff's conditions and if the 1-year statement is new
Ms. Bremanis typical for cash in lieu and when you have to go through IDOT.
She stated staff has found that having deadlines is helpful.

Ms. Wood pointed out the employee parking requirement doesn't usually get a year.

Ms. Bremanis agreed it should be done sooner and can take the time frame off of the conditions.

Ms. Wood noted to record condition #4 has been changed to remove the 1-year time frame.

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 stated it formerly a used car lot and was recently approved as such. He stated it is the right use for space and will keep the safety and welfare in area- He pointed out there are lots of dealers in the area and this is the type of business that should go there.

Ms. Wood agreed with Mr. Cavanaugh. She stated they will operate with the public health safety and welfare being that they own other operations and have things in place to handle repairs and vehicles. She spoke to their new rental venture. She stated they run a successful operation that they can continue to expand and will do improvements to vacant land. Ms. Wood stated it will be good addition to the area.

Ms. Roth-Wurster agreed stating the standards have been met and the petitioner has answered all their questions.

Ms. Wood 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 21, 2021.

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

2. 345 W. Northwest Highway

Notice was published in the Daily Herald on May 24, 2021 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. Floor Plan
5. Business Plan
6. Public Notice

Sworn in petitioner: Mr. Robert Tanner president and CEO : 370 Summit Street Elgin

Mr. Tanner explained they are an independent non for profit business and are a federally qualified health center. He explained they are designed to provide primary health care to people whose income is less than double the federal poverty level. He stated they began in 2001 have since opened 3 in Elgin and spoke to other locations including Hanover Park, Streamwood, Wheeling, McHenry, DeKalb and Sycamore. Mr. Tanner stated they are fully accredited by the joint commission, primary care medical home certified and in the top 10% federally qualified health centers in the united states. He spoke to the index called the need for assistance worksheet that led them to opening in Wheeling with the support of Northwest Community healthcare. Mr. Tanner stated they seen a large number of people traveling from the Palatine zip codes to their Wheeling location. He stated Palatine was always on their radar as a possible location being second at the time they applied for Wheeling. He explained they have currently maxed out their current building and are looking to lease the proposed space that was previously used for medical. Mr. Tanner stated they are looking to start their business offering pediatrics and family medicine till 7:30pm 4 nights a week and Fridays and Saturdays from 8-5pm to create access to care keeping people out of the emergency rooms. He explained the plan is to lease and renovate the building using plans by Sharpe Architects which they have used for all their facilities. He referred to the floor plan slide to explain the proposed layout and services offered. Mr. Tanner stated the plan is to open in the first half of next year spending over \$800,000 renovating to their standards and will focus on providing care to people looking for service in evening and are low income. He addressed the special use standards stating they meet them because they are an organization they are designed to support public health safety and welfare not only protecting it but to further it.

Ms. Wood asked about square footage and if it matches the prior tenant.
Mr. Tanner stated they are the entire lease hold.

Ms. Wood asked if there will be x-ray.
Mr. Tanner answered no radiology.

Ms. Wood asked if they are limited to low income patient.

Mr. Tanner explained they take all patients even though they are not designed to compete with market.

Mr. Tanner stated on May 25th they changed their name to Greater Family Health and would revise application if need be.

Sworn in Don Houchins 800 W Central Ave Arlington Heights, IL Executive Director of Women's and Children's at Northwest Community

Mr. Houchins stated he has partnered with Greater Elgin Family Healthcare for approx. 6 years primarily out of their Wheeling center. He stated it is an excellent program with great communication and feedback. He stated it has had a great impact on women's health. Mr. Houchins stated he is committed to the Wheeling site and plan on continuing that relationship. He stated he feels there is a genuine need for this site.

Sworn in Dr. Henry Dominicus

Dr. Dominicus stated he has been an obstetrician for 29 years. He stated 6 years ago he had the opportunity to be the coordinator at the Wheeling health center that is associated with the petitioner. He stated he is here to vouch for the care, quality and the services provided by Mr. Tanner and his health care organization. Dr. Dominicus stated the staff at the Wheeling facility was always professional, educated and well organized and managed. He stated they seen a great change in the community and amount of prenatal care that resulted in healthier babies. Dr. Dominicus stated they are a quality organization that will be great service to the Palatine community.

Mr. Pirog asked about the relationship between Northwest Community Health Care.

Mr. Tanner explained Northwest Community have agreed to partner and share their physicians.

Mr. Pirog asked about the comment Palatine is under serviced.

Mr. Tanner explained it is a blanket statement explaining the tiers of government threshold that Palatine does not meet.

Ms. Bremanis gave brief overview of the request explaining in medical facilities one of the top concerns is parking but they are over parked by 48 spaces. She stated Community Services and Fire Prevention have reviewed and had no concerns. She referred to the slides to show existing conditions.

Ms. Wood asked if zoned general business.

Ms. Bremanis answered yes.

Discussion on lab waste disposal.

Mr. Tanner explained how all testing and disposal of samples is off site. He spoke to regular waste disposal professional protective equipment through the

red bag program and is picked up on a weekly basis on a predetermined schedule.

STAFF RECOMMENDATION:

The proposed medical office will occupy a vacant tenant space previously occupied as a medical office within the shopping center. This will be the eighth location for the Petitioner. In addition, the shopping center is over parked by 48 parking spaces; therefore, Staff does not have any parking concerns related to the proposed use. Therefore, Staff recommends approval of the Special Use subject to the following condition:

1. The Special Use shall substantially conform to the floor plan prepared by Sharp Architects, Inc., and the business plan submitted by the Jason Carey Petitioner (Elgin Family Car), on 4/19/21, except as such plan may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Mr. Pirog stated it is an open and shut case. He stated it meets the standards and will be great for the community.

Ms. Roth-Wurster agreed with Mr. Pirog that it meets the standards. She pointed out it was previously a similar use. She pointed out they are experienced and have partnerships with well-known organizations

Ms. Wood stated they are the opposite of a negative impact- She stated it is positive impact on public health safety welfare and a great addition for the town.

Ms. Wood 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 21, 2021.

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

3. 365 W. Northwest Highway

Notice was published in the Daily Herald on May 24, 2021 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Sworn in petitioner: Mr. Manny Rafidia 365 W Northwest Hwy

Mr. Rafidia stated he has owned the center since 1996 which has gone through a lot of changes. He stated he is losing tenants of a 6400 sq.ft. physician group and the Women's Care because they are moving to Deer Park. He spoke to the difficulty of filing with retail tenants. Mr. Rafidia stated he owns multiple centers and have issues finding retail tenants in all of them. He spoke to his other businesses similar to this request including Pop's in Roselle.

Ms. Wood asked if they are modeling this request to Pop's.

Mr. Rafidia answered yes. He explained he is not anxious to open another restaurant but running out of uses. He stated the property taxes have gone up and can't pass expenses to the tenants because they would leave. Mr. Rafidia stated he is asking for relief for use to help traffic coming into the center.

Ms. Wood asked when taco restaurant is opening.

Mr. Rafidia stated they are having a hard time finding staff. He stated the state sent him a letter to open by the end of July or he will be fined.

Mr. Pirog asked what tenants are leaving.

Mr. Rafidia explained this use will replace the Physicians Associates which removes 50 employees which will help with parking. He further explained the Women's Care is the big hit because it will be difficult to replace.

Ms. Wood asked if Garsillos is operating.

Mr. Rafidia answered yes. He stated he works hard and will come back strong

Ms. Wood asked how long they have been open.

Mr. Rafidia answered about a year. He spoke to the previous restaurants in that tenant space.

Ms. Wood asked about the wine cellar.

Mr. Rafidia stated the owner has health issues so has done more online. He

stated they are world renown wine tasting people and are anxious to come back.

Ms. Wood asked what kind of parking demand the Wine Cellar has.

Mr. Rafidia explained their events are usually 2 hours on Saturday afternoons 4 times a year.

Mr. Rafidia pointed out he maintains the parking lot making sure it is paved and striped even under the hard times.

Ms. Wood asked about taco location.

Mr. Rafidia referred to slide to show location next to salon. He spoke to other location in Bartlett that is doing great pointing out they will open with the same management in Bartlett.

Ms. Wood asked if the Bartlett location is also his business.

Mr. Rafidia answered yes and they modeled the Palatine location as a replica from Bartlett.

Ms. Wood asked if the proposed bar will be Mr. Rafidia's business.

Mr. Rafidia answered yes with his son and nephew.

Mr. Pirog questioned amount of staff.

Mr. Rafidia explained the bar would cook their own food and there will a receptionist in front overlooking place. He explained it will be geared more for entertainment and self-service with a very limited menu.

Mr. Pirog asked about parking count and tenant spaces.

Ms. Bremanis explained the bar will take the place of the Physicians billing office.

Mr. Pirog asked if the Physicians billing office had a lower parking requirement.

Ms. Bremanis explained office space is calculated 1 per 300.

Mr. Rafidia stated at once point there were 50 people working in that office and they park for a whole 8 hour shift which will not be the case for this request.

Ms. Wood asked when the expected peak hours will be.

Mr. Rafidia stated between 7pm-12am

Mr. Pirog clarified they will only open till 11pm.

Mr. Rafidia answered expected 4pm-12am.

Ms. Wood asked about the discrepancy of hours in the packet.

Ms. Bremanis explained the liquor license will determine the hours of operation.

Ms. Wood asked about games offered.

Mr. Rafidia spoke to the offerings including 12 high-end pool tables.

Sworn in Henry Rafidia 365 W Northwest Hwy

Mr. Rafidia pointed out the center has low visibility and this will help drive traffic to it. He stated they would like to build a community for people to have fun. He stated this will give the patients at the new medical center somewhere to wait for their appointments.

Ms. Bremanis gave a brief overview of the request referring to the existing conditions slide pointing out the layout of the center. She spoke of the other tenant spaces that are closed in the evenings and weekends which are the busiest times for the proposed use which could balance the parking. Ms. Bremanis explained the restaurant is calculated by 1 per 100. She further explained if they calculated per seat for the restaurants it would be less.

Ms. Wood asked if there is a cross parking agreement.

Ms. Bremanis answered no.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new sports bar and restaurant in a vacant tenant space previously occupied by a billing office. Per the current tenant mix, four of the medical offices are closed by 6 PM weekdays and three of them are closed on Saturday and Sundays, which are typically peak restaurant hours. The current tenant configuration and uses should allow the proposed Special Use and parking Variation to function. In addition, the Petitioner provided parking counts showing the capacity on the evenings and weekends. Nevertheless, the parking Variation requested is significant and the Subject shopping center has multiple tenants; therefore, Staff recommends action at the discretion of the Zoning Board of Appeals for of the Special Use and Variation, subject to the following conditions:

1. The Special Use and Variation shall substantially conform to the floor plan and the business plan submitted by the Petitioner on 05/05/2019, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The parking lot shall be re-striped in a manner acceptable to the Director of Planning and Zoning to reflect the submitted site plan.

Ms. Bremanis referred to the site plan slide to explain the restriping condition.

Mr. Cavanaugh asked if the reason staff is not recommending approval is due to large parking variation.

Ms. Bremanis answered yes.

Ms. Wood asked if the spaces in back are include in count.

Ms. Bremanis answered yes.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated the proposal is a good idea. He stated it is a unique concept place for younger people to go for entertainment. He stated he understands parking requirement but agree the issues with parking are more in daytime. Mr. Cavanaugh stated it meets the standards and is a good use for space

Mr. Larson stated he is surprised how many spaces the center is under parked because it has never been full. He stated it seems like the lot can support this use with the other businesses hours. He stated it meets standards for special use and variation

Ms. Wood stated it is great to have an entertainment use that is a little different concept that is missing in Palatine. She stated the board needs to be cognoscente on parking to not have a negative effect on other businesses. She pointed out with less retail filling spaces the parking issue will arise more and more. Ms. Wood pointed out with this space taking the place of a highly staffed office it will have less impact.

Ms. Roth-Wurster stated the petitioner has proved than he can run a business and should be commended that he is able to adapt a space to see the space succeed. She steed the use sounds great and thinks it meets the standards. She spoke to the parking with the current use using 50 spaces and stated she doesn't see the bar requiring the same. She stated she thinks the center has a good mixed use of business ties that should work.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 6-1. This item will tentatively go to Village Council on June 21, 2021.

RESULT:	RECOMMENDED TO APPROVE [6 TO 1]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Brent Larson, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Luszczyk, Cavanaugh, Pirog
NAYS:	Dittrich
ABSENT:	McGinn

IV. COMMUNICATIONS

V. ADJOURNMENT