



VILLAGE OF PALATINE

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

PLAN COMMISSION MINUTES • MAY 18, 2021

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Conrad Hansen	Plan Commissioner	Present	
Dennis Dwyer	Chairman	Present	
Jane Robins	Plan Commissioner	Absent	
Patrick Noonan	Plan Commissioner	Present	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Present	
Robert Kolososki	Plan Commissioner	Present	
Stephen Fedota	Plan Commissioner	Present	

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - May 4, 2021 7:00 PM

**Ms. Williams made a motion to accept the minutes of May 4, 2021;
seconded by Mr. Noonan**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Teri Williams, Plan Commissioner
SECONDER:	Patrick Noonan, Plan Commissioner
AYES:	Hansen, Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota
ABSENT:	Robins

III. PUBLIC HEARING

1. Text amendments to Article 3 –Section 3.02 Specific Definitions; Article 11; Section 11.01 (d), Sections 11.02 (b), 11.02 (d), 11.03 (b), 11.03 (d), 11.04 (d), 11.04 (f), 11.06 (c), and 11.06 (e) (Permitted and Special Uses in the business districts; 12.01 (f) and (h) (Permitted and Special Uses in the manufacturing district) and Article 8; Section 8.03; 8.04; (Attached signage in the business and manufacturing districts). These amendments are all of Appendix A (Village of Palatine Zoning Ordinance) of the Village of Palatine Code of Ordinances.

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on May 3, 2021.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Revised Zoning Ordinance Language: Article 8 signage and Article 11 restaurants
3. Restaurant Survey of other Municipalities: October 2012

Sworn in staff: Mr. Ben Vyverberg

Mr. Vyverberg gave a brief overview of the proposed text amendments referring to the slides. He noted there were formative changes from the packet.

He spoke to a sign in an industrial area that was approved for larger than what code would allow. He stated they resubmitted to what code would allow, which triggered staff to do a review of the current code.

He spoke to the way the current code calculates signage allowed.

Mr. Vyverberg referred to the slide to show surrounding areas and what their signage code allows compared to Palatine pointing out most allowed larger attached signs.

He spoke to the proposed changes to the code in the business district removing (3)c and adding (3)b. i & ii referring to the slide to read as

Except:

- i. Where the building is at least one hundred thousand (100,000) square feet in floor area and occupied by a single user, the gross surface area shall not exceed two hundred (200) square feet for a single attached sign; or
- ii. In B5 districts, where single user lot is greater than two (2) acres in lot area, a single attached sign shall not exceed one hundred twenty (120) feet in gross surface area.

Mr. Vyverberg spoke to the changes to 8.04 (3)b in the manufacturing district code referring to the slide to read as:

(3)

b. Gross surface area. A single attached sign shall not exceed one-hundred (100) square feet in gross surface area ~~unless~~ except where the building is at least one hundred thousand (100,000) square feet in floor area and occupied by a single user, ~~in which case~~ the gross surface area shall not exceed two-hundred

(200) square feet for a single attached sign.

Mr. Vyverberg spoke to the current code that requires restaurants to go through special use review. He explained after staff reviewed of the current requirement and other municipal regulations, Staff identified that restaurants could be permitted uses under certain circumstances. He spoke to the changes to the business districts to allow restaurants that are do not have a local liquor license, a drive-thru, not more than 25 seats and are takeout only. He explained they were written with flexibility for Village Council to review and ultimately decide how to address.

Mr. Vyverberg explained this only takes in account if the restaurant does not require parking variation. He spoke to the past when special use was not required and how present there are departments such as in environmental health that review and monitors all the food establishment facilities in the Village, building permit and code requirements and business licensing review and regulations accordingly. Mr. Vyverberg stated from a staff perspective there is a comfortability contemplating restaurants as permitted uses under these circumstances. He spoke to neighboring communities such as Arlington Heights, Mount Prospect and Schaumburg that they are permitted uses. Mr. Vyverberg stated any restaurant request would go through permit review where zoning along with environmental health would review accordingly and determine if it may be processed administratively.

Mr. Vyverberg noted the change from village “board” to “council”
He noted the legislative intent is not to make any changes in the manufacturing district leaving them as a special use.

Chairman Dwyer stated a restaurant may be appropriate on a corner but they should be reviewed and a special use approval should be required in manufacturing districts.

Mr. Vyverberg spoke to areas that may be appropriate but agreed staff should review under special use review

Chairman Dwyer asked how a cafeteria in an office building would fit in
Mr. Vyverberg explained they would be required to submit a business plan and could be deemed as accessory use and would not require special use.

Chairman Dwyer stated it is possible to see a cafeteria in the manufacturing district

Mr. Fedota asked about an outside vendor operating a restaurant in an office.
Mr. Vyverberg spoke to the park district having a 3rd party operator, but under review it is an accessory use and does not require relief.

Mr. Fedota stated he thinks take out only may fit in the manufacturing area
Chairman Dwyer stated they may be permitted but should be subject to council approval

Mr. Vyverberg stated he understands the notion to have takeout but it is site specific so should be reviewed.

Mr. Friedman asked about structure of the amendment of how it is presented. He referred to the slide indicating he recommended changing the format to read as follows.

(41)

a) Restaurants with all the following criteria

1) Without a local Liquor license

2) Without a drive thru

3) With 25 or fewer seats

b) Takeout only restaurants

Mr. Vyverberg clarified the attempt was to write in a manner to give Village Council flexibility.

Discussion on wording and clarity for Village Council review.

Mr. Friedman asked about the reason staff is setting scale/size based on seat count when other communities are more often based on square footage. He stated seat count can be changed after they move into a space rather than square footage remain the same.

Mr. Vyverberg explained they reviewed restaurants and found typical to be associated with a liquor license. He explained they researched restaurants in Palatine that did not have liquor licenses and based it on their seat count. Mr. Vyverberg stated Plan Commission can add to note to include square footage for Council review.

Discussion on review processes if business plan changes including seat count or expansion.

Mr. Vyverberg spoke to the special use transfer process which requires review to ensure business plan has not changed.

Mr. Fedota asked if code addresses monotony to prevent 7 restaurants to open next to each other to cause bad business.

Mr. Vyverberg spoke to the parking requirements that would limit the types of businesses, as that many restaurants at the same center would most likely require a variation.

Mr. Friedman pointed out restaurants are different based on trash output, deliveries, exhaust that impact surrounding properties. He asked how to prevent this from being an issue.

Mr. Vyverberg stated all are covered in our code including: environmental health, property maintenance, traffic, delivery within retail, dumpster enclosures and screening, size of trash and frequency need to be emptied. He spoke to the noise within business district code and explained staff is comfortable going forward with all these in place.

Chairman Dwyer stated he liked Mr. Friedman's original wording request pointing out it can all be one sentence. He stated "Takeout only" doesn't need to be

separate category because they would have 25 or fewer seats.

Discussion on attached signage amendment and why it reads as "single user".

Chairman Dwyer asked when the adjacent municipalities are talking about larger signs are they limited to single users.

Mr. Vyverberg answered no not in most circumstances.

STAFF RECOMMENDATIONS:

Staff recommends approval of the text amendments to allow restaurants as a permitted use under certain circumstances and conversely reviewing the sign limitations of attached signage in commercial and manufacturing districts to include the revisions that are in tonight's slide presentation.

Ms. Williams made a motion to close the public hearing; seconded by Mr. Hansen

DISCUSSION:

Mr. Fedota asked about signage related to single user pointing out in large scale buildings it could be likely to have more than one business but relate to primary business which may be detrimental to limit them.

Discussion on definition of single users depending leases.

Discussion on sign limitation if additional users in one property

Chairman Dwyer proposed changing wording from single user to single sign

Mr. Vyverberg explained the code amendment and what is allowed for additional signage a presently can have.

Mr. Fedota clarified the amendment is for mounted not monument.

Mr. Vyverberg explained it is for attached signage.

Discussion on single user versus single tenant.

Chairman Dwyer stated the board should leave the amendment as written and let council decide on verbiage.

Chairman Dwyer recommended removing "takeout" in the restaurant special use amendment and combine all other circumstances into one sentence

Mr. Bettenhausen spoke to his changes he sent to board and staff including taverns and bars.

Mr. Vyverberg stated he agrees with the majority of Mr. Bettenhausen's comments but needs to confirm with the Village Attorney regarding the scope.

Chairman Dwyer pointed out no changes can be made that were not mentioned

in the public notice.

Discussion on the text amendment change process.

Mr. Noonan made a motion to approve with the change to make one sentence and removing “take out only” restaurant seconded by Mr. Friedman

Chairman Dwyer 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 June 7, 2021

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Eric Friedman, Plan Commissioner
AYES:	Hansen, Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota
ABSENT:	Robins

IV. COMMUNICATIONS**V. ADJOURNMENT**

1. Motion to Adjourn

Ms. Williams made a motion to adjourn; seconded by Mr. Noonan.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Teri Williams, Plan Commissioner
SECONDER:	Patrick Noonan, Plan Commissioner
AYES:	Hansen, Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota
ABSENT:	Robins

