



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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PLANNING AND ZONING COMMISSION

MINUTES • MAY 14, 2024

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	
Rodney Bettenhausen	Commissioner	Present	
Robert Kolososki	Commissioner	Absent	
Kevin Cavanaugh	Commissioner	Present	
Stephen Fedota	Commissioner	Present	
Tim Schubert	Commissioner	Present	

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Apr 9, 2024 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Cavanaugh, Fedota, Schubert
ABSENT:	Kolososki

III. PUBLIC HEARING

1. 3 E. Northwest Highway

SU-000101-2024 - 3 E. Northwest Highway

Notice was published in the Journal & Topics on April 25th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Plat of Survey**
3. **Floor Plan**
4. **Business Plan**
5. **Chicago Ramen Menu**
6. **Public Notice**

Mr. Bradshaw provides background information and states the property is zoned R-1 with a special use for planned development. The space is approximately 1,887 square feet and was previously occupied by a Japanese restaurant. Petitioner opening a new Japanese ramen restaurant with a liquor license to serve beer & wine.

Sworn in: Ty Toney - 3 E. Northwest Highway - Manager and Representative for petitioner.

Mr. Toney states they have several restaurants in the Chicago area. He is requesting a beer and wine license for this location.

Chairman Wood inquires whether Mr. Toney also serves as the manager for the other locations.

Mr. Toney confirms this to be correct.

Chairman Wood then seeks clarification on the proposed business hours.

Mr. Toney outlines the initial hours as Monday through Sunday, 11 am to 9 pm, with a proposed extension to 11:30 pm following the first month of operation.

Mr. Bradshaw mentions that the business plan specifies operating hours as Monday through Sunday, 11 am to 10 pm, but notes the potential for extended hours due to the liquor license. A revised business plan with proposed 11:30 pm closing would need to be submitted to Staff prior to Village Council review.

Chairman Wood queries the presence of residential units behind the restaurant.

Mr. Bradshaw asserts there are none.

Commissioner Cavanaugh asks about the operational status of the neighboring Sushi restaurant.

Mr. Bradshaw confirms its operation and reports no complaints or issues from nearby residents.

Chairman Wood directs attention to the location of the dumpster.

Mr. Toney indicates it is situated at the back, referring to the south side of the premises.

Mr. Bradshaw corroborates this information.

Commissioner Friedman inquires about Mr. Toney's experience managing restaurants with liquor licenses.

Mr. Toney affirms his experience in this area.

Commissioner Friedman further explores the rationale behind seeking a liquor license for this establishment.

Mr. Toney cites demographic factors and clientele preferences as primary drivers for the application.

Commissioner Schubert raises concerns regarding the proximity of Quest Academy school and the potential impact on children accessing the sport fields west of Plum Grove Rd.

Chairman Wood states it would be on Quest Academy to provide safe routes to their activities. It was noted that a marked crosswalk is used and this would have no impact to their safety.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new restaurant with alcohol service within a tenant space that had previously be operated in the same capacity. The existing parking Variation for the center remains valid, as the total number of proposed seats for the new restaurant would not increase the existing parking requirement. Additionally, Staff did not identify, nor was Staff notified of, any issues with parking at the shopping center. Furthermore, the proposed use is consistent with the previously approved restaurant and should not cause substantial injury to the value of the properties in the surrounding neighborhood. Therefore, Staff recommends approval of the proposed Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the floor plan and business plan submitted by the Petitioner, Kenta Ikehata, Keing Corporation DBA Chicago Ramen Palatine, 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:

Chairman Wood asks if a modified business plan would be required for new hours.

Mr. Bradshaw confirms it would be, prior to Village Council review.

Commissioner Cavanaugh states that the request is replacing an existing similar business and would seamlessly fit into the space. He notes that the request meets the standards, is not over-parked, and would be a beneficial addition.

Chairman Wood expresses her opinion that it appears to be another promising restaurant in a favorable location. She emphasizes that the proposed business hours would not adversely impact the neighborhood. Additionally, she acknowledges that special events organized by Quest Academy are typically well-planned and that parking availability is ample. Chairman Wood confirms that the request meets the standards and expresses her support for it.

Chairman Roth-Wurster concurs, stating that the request meets the standards and also expresses support.

Chairman Schubert reiterates his support for the request and emphasizes the importance of the petitioner taking note of the safety of children during activities.

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, May 20th, 2024.

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

2. 574 W. Colfax Street

SU-000102-2024 - 574 W. Colfax Street

Notice was published in the Journal & Topics on April 25th, 2024 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**

Mr. Bradshaw provides background:

The Subject Property is zoned Manufacturing, and is located on W. Colfax Street, just west of N. Wanda Lane. The proposed business will occupy a single office within the 574 W. Colfax tenant space. Other tenants within the building includes The Dance Loft and Mike's Garage. The subject tenant space appears to have been most recently been occupied a Land Surveying company, and has not had a business operating out of the space since 2017.

The Petitioner is proposing to open a new tattoo business, and would occupy a single office within the existing tenant space. All client sessions would be by appointment only.

Sworn in petitioner: Luke Kozlowski - business owner - 574 W. Colfax Street

Mr. Kozlowski states that he is requesting to open a tattoo parlor at this location. He mentions that he has been operating another location in Jefferson Park for the past 5 years. Additionally, he notes that he completed his apprenticeship at this location and has held an LLC for the past 3 years. He explains that his clientele has expanded over time and includes many suburban clients. Mr. Kozlowski indicates that this would be his second location would cater to the suburban clientele base.

Chairman Wood asks Mr. Kozlowski how long he was trained for this trade and if he received any certification.

Mr. Kozlowski responds that there is no professional license for this trade. He explains that he was trained by a mentor who provided him with knowledge and approval.

Chairman Wood then inquires if Mr. Kozlowski provided service to customers during his training.

Mr. Kozlowski states that during his apprenticeship, he was guided through all processes before actually tattooing. He mentions that his initial artwork was performed on family and friends, which helped him grow his clientele base. He

adds that a tattoo artist is considered a professional once they establish a sustainable clientele base.

Chairman Wood requests general information regarding the tattoo business.

Mr. Kozlowski provides a brief description and outlines the typical appointment process and the steps leading up to the tattoo application.

Chairman Wood further asks about allergic reactions and the protocols that would be followed in case of an emergency.

Mr. Kozlowski explains that customers are asked to fill out a form provided by the Illinois Department of Public Health, which includes specific questions. He also mentions that he is CPR certified.

Chairman Wood asks if there would be issues if a customer appeared to be under the influence of drugs or alcohol.

Mr. Kozlowski states that services would be denied in such cases.

Commissioner Bettenhausen asks if the tattoo ink is regulated.

Mr. Kozlowski responds affirmatively, stating that it is regulated by the FDA, with each bottle of ink certified by the FDA.

Commissioner Fedota inquires about the availability of Professional Liability Insurance coverage.

Mr. Kozlowski confirms that such coverage is available and states that he is covered.

Chairman Wood notes that Palatine currently does not have any tattoo parlors, and there have been no contemplations for tattoo businesses as special uses in the past. She acknowledges the stigmas associated with this type of business and asks Mr. Kozlowski to provide information on how the business would be run.

Mr. Kozlowski responds by highlighting the significant changes in the tattoo business over the past decade. He explains that the previous perception of tattoos being associated with a grimy, biker, degenerate image no longer holds true. He mentions that he has provided tattoos to individuals ranging from 18 to 85 years old. He emphasizes that clients now choose meaningful tattoos that hold personal significance to them. Mr. Kozlowski points out advancements in machines and sanitation methods, highlighting that tattoo pens have evolved into more single-use disposable methods that are disposed of into biohazard bins. He describes the atmosphere of his establishment as peaceful and enjoyable, with clients leaving satisfied and often referring their friends.

Chairman Wood asks if there is a procedure for checking age requirements.

Mr. Kozlowski states that a scanner is used to provide proof of ID.

Commissioner Fedota notes that the tenant space is large with 5 rooms to accommodate 1 artist.

Mr. Kozlowski responds that there is a waiting area and utility storage room for his products.

Commissioner Friedman observes that the floor plan shows a stairway and asks if he will be utilizing it.

Mr. Kozlowski clarifies that the stairway is not part of his space.

Commissioner Bettenhausen asks if he will continue to operate his business at both locations.

Mr. Kozlowski confirms that he will, until his suburban client base is at a sustainable level that would warrant completely moving out of the Jefferson Park location.

Commissioner Friedman inquires about signage.

Mr. Kozlowski states that he will have signage on the door to the tenant space, and possibly a panel in the freestanding monument sign at the front of the building if there is room.

Mr. Bradshaw states that parking is not changed and provides context regarding the surrounding properties, which are zoned for manufacturing. He mentions that nearby businesses include automotive repair shops, a dance studio, and manufacturing/welding facilities.

Commissioner Friedman asks if there are any concerns from neighbors.

Mr. Bradshaw responds that there have been no concerns noted.

Commissioner Fedota inquires about handwashing facilities.

Mr. Bradshaw notes that there is a functioning kitchen with a working sink that is part of the leased area for the tattoo business.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new tattoo business within a single office in the subject tenant space. There are currently no other approved tattooing businesses within the Village of Palatine. As the business would operate with a single tattoo artist, and scheduled appointments would be required, the proposed use should not cause substantial injury to the neighboring property values. Additionally, the Petitioner has indicated that, if approved, they will take the necessary steps to register with the State of Illinois and maintain and obtain all other appropriate certifications.

As noted, the subject use is not contemplated by the Zoning Ordinance, and there is no history of tattoo businesses being approved as Special Uses within the Village. Nevertheless, Staff believes that the proposed use would not cause any parking or traffic impacts, nor be injurious to the surrounding properties. Ultimately, this is a policy matter for the Planning and Zoning Commission to review and the Village Council to determine. Therefore, Staff recommends action

at the discretion of the Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The Special Use shall substantially conform to the floor plan and business plan submitted by the Petitioner, Luke Kozlowski, TA2HOOLIGAN, LLC, except as such plans may be changed to conform to Village Codes and Ordinances.
2. In conjunction with the business license application, the Petitioner shall submit a current registration with the Illinois Department of Public Health and the other requisite certifications associated with the tattoo studio.

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

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

DELIBERATIONS:

Commissioner Cavanaugh expresses that it would be a beneficial use of the space, meeting standards. He notes that the business has not been contemplated by the zoning ordinance, and suggests it should be addressed by the council. He highlights that despite its controversial history, it is no longer viewed negatively, and he supports the request.

Commissioner Roth-Wurster states that the proposal meets health and safety welfare standards. She commends the petitioner's business plan, noting that it will not negatively impact the neighborhood's property. She believes the business has significant potential and fulfills a need.

Chairman Wood reflects on the changing perception of the tattoo business, acknowledging its past stigma but emphasizing its current importance as a form of self-expression. She asserts that health and safety regulations are in place, and Mr. Kozlowski's experience is evident. She reassures that she doesn't have concerns about property value or negative impacts on surrounding businesses.

Commissioner Friedman notes that the petitioner is not renting the full space shown on the plan, suggesting it may actually be a multi-tenant situation. He agrees that the question about hand sinks is valid and believes access to them should be required at all times. He views the business as a great service to the community, especially as the first tattoo location, and supports the idea of operating by appointment only. He deems the location suitable for this business.

Chairman Wood requests staff to address the sink question.

Mr. Bradshaw responds that the staff has no concerns. There is an existing hair salon use in the front room of the tenant space, but the sink in question is directly adjacent to the subject tenant room that would be occupied the tattoo business. Additionally, based on Staff's conversations with the property owner, there is no intention of renting any other office space within the 574 W. Colfax.

Commissioner Fedota praises the petitioner's detailed and thorough business plan. He acknowledges the appropriateness of his background training and mentorship. Being familiar with the Jefferson Park location from growing up in the area, he notes its longstanding presence. He recognizes the state of Illinois' regulatory measures, even though a license is not required, and expresses support for the request.

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 May 20th, 2024.

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

3. 1916 N. Rand Road

SU-000100-2024 - 1916 N. Rand Road

Notice was published in the Journal & Topics on April 25th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Special Use Application
2. Proof of Ownership
3. Variation Application
4. Plat of Survey
5. Floor Plan
6. Business Plan
7. Letter of Support - Pyziak
8. Public Notice

Mr. Bradshaw provides background:

The Subject Property is zoned B-5 Highway Business District and currently houses Kolatek Baking Co., occupying approximately 3,300 square feet. The business has been in operation since 2018, offering Polish bakery/deli items with a focus on artisan breads, sandwiches, and pierogi. Additionally, there are two other tenant spaces within the building, one currently vacant and the other housing a Mexican restaurant called A Mi Manera.

The petitioner, who has been operating the original Kolatek Baking Co. business in Chicago for several decades, proposes to utilize a portion of the existing tenant space for a dine-in seating area. This new section would focus on traditional Polish and European-style street food and would also operate with a liquor license to serve beer and wine. The proposed restaurant area would accommodate 34 seats, including 12 seasonal outdoor seats.

Sworn in petitioner: Bartlomiej Kolatek - Kolatek Baking Company

Mr. Kolatek refers to the current floor plan and explains that the shelving shown would be removed to accommodate indoor seating during off-season times. He notes that their busiest season aligns with most holidays, during which indoor seating may be temporarily removed. The indoor seating would provide customers with a comfortable space to enjoy their food, as opposed to eating in their cars or sitting on the curb. Additionally, Mr. Kolatek requests additional seating in the outdoor area during the summer months. He mentions that their business, which has been operating since 1976 and is woman-owned, is renowned for its unique Polish food and bakery items.

Chairman Wood inquires about parking concerns.

Mr. Kolatek reassures that there haven't been any parking issues. He explains that during peak times, customers can utilize the back lot, with signs directing them accordingly. Additionally, they have a verbal agreement with the neighboring business, allowing employee parking to free up space for patrons.

Mr. Kolatek doesn't anticipate traffic or parking problems. He highlights the outdoor seating during summer as an enjoyable space to indulge in European street food. He also mentions the area's diversity and the patronage from new immigrants.

Mr. Bradshaw confirms the availability of paved parking spots in the back lot.

Commissioner Friedman asks about regulations or controls for beer and wine consumption.

Mr. Bradshaw explains that regulations are handled on a case-by-case basis, with some areas in the downtown area requiring fencing for outdoor seating in the right of way. He notes that for this location, outdoor seating has wheel stops at each adjacent parking spot, alleviating concerns from staff regarding this matter.

Commissioner Fedota raises concerns about the Class G liquor license and the potential for public consumption of alcoholic beverages in the right of way.

Mr. Bradshaw reassures that this is not a concern, as the proposed outdoor seating falls within their tenant space and not in the right of way.

Chairman Wood asks if staff has conducted any assessment of the current traffic conditions at the location.

Mr. Bradshaw confirms that Staff had assessed the on-site parking during typical lunch hours and states that there are no concerns regarding parking and traffic conditions.

Chairman Wood asks if the petitioner has discussed the request with the other tenant.

Mr. Kolatek confirms they have spoken, and the other tenant supports the request. He explains that their business primarily focuses on takeout and delivery, and the additional seating would provide those customers with a comfortable dining space.

Mr. Bradshaw adds that the other restaurant in the plaza does not hold a liquor license. He specifies the proposed business hours as Monday through Saturday, 9 am to 9 pm, and mentions that there is no request for additional signage. He addresses a key issue regarding required parking, clarifying that the packet mistakenly states 33 required parking spaces, when there are actually 29 total spaces required for the entire building.

Resident - Mr. Dabeca - 645 E. Diane Dr.

Mr. Dabeca expresses deep concern about the request, emphasizing his status as a long-time resident of Palatine who built his house many years ago. He mentions that his residence is located 100 yards from the proposed business and raises significant apprehensions regarding the liquor license request.

He voices worries about the safety of his grandchildren, who visit often, expressing fears that granting the liquor license could lead to drunk and

obnoxious behavior, potentially even resulting in people urinating in his yard. Mr. Dabeca firmly states his opposition to the request, finding it unacceptable and indicating that he objects to the liquor license.

As an immigrant who has invested in America, he feels outraged by the request, viewing it as a life-or-death decision that could profoundly impact many residents if approved. Additionally, he believes that the approval of the liquor license could adversely affect his property value.

Chairman Wood clarifies that the liquor license being requested is a Class G license, which permits the sale of beer and wine only.

Mr. Bradshaw confirms the accuracy of this classification.

Mr. Dabeca expresses continued concern, noting that despite the limitations of the license to beer and wine, he fears that other hard alcohol may still be brought onto the premises without permission, leading to unwanted behavior near his residence.

Chairman Cavanaugh refers to the site map, and Mr. Bradshaw points out the petitioner's home in relation to the business, illustrating the distance between them. Mr. Cavanaugh notes that E. Diane Drive being one way.

Mr. Dabeca states cars still disobey traffic rules and come down the street, raising additional safety concerns.

Chairman Wood inquires about the fencing around Mr. Dabeca's property.

Mr. Dabeca responds that his property is not fenced and he prefers an open setup for socializing with neighbors.

Commissioner Fedota asks staff if approval for the special use would still require separate approval from the liquor commission.

Mr. Bradshaw confirms that this is indeed the case.

Mr. Kolatek addresses the concerns by highlighting the positive impact his bakery has had on the property since moving in. He mentions that there have been upgrades and beautifications to the building under his tenure. He emphasizes his commitment to maintaining the property and intends to further enhance it by adding flowers and foliage to the outside area.

Mr. Kolatek believes that his business contributes to the value of the surrounding properties and intends to continue beautifying the area. He suggests that having more businesses like his in the area would improve the ambiance, especially considering the many vacant spaces on Rand Road that are currently in disrepair.

Mr. Kolatek also mentions that his business has garnered attention from various news channels for its unique food offerings, which he believes brings prestige to the area.

Mr. Bradshaw refers to a letter of support for this request from a residential neighbor in the surrounding area.

STAFF RECOMMENDATION:

The Petitioner is proposing to utilize a portion of their existing business for dine-in seating. The proposal to introduce limited seating for patrons should not cause substantial injury to the neighboring property values, as the envisioned outdoor seating would be in front of the building and not directly adjacent to any residential uses. Additionally, the outdoor seating would be seasonal, and should not add to congestion during the bakery's light customer traffic during the warmer months.

In regard to the Variation for parking, the Petitioner has stated in the business plan that the existing parking on the property has been sufficient during the holidays and peak traffic times. Staff has also not observed any apparent parking or traffic issues on the property. It is further anticipated that many of the customers choosing to dine-in may already be shopping at the bakery. The subject property is limited due to their being no additional space to expand, or reconfigure, the parking on-site. Therefore, Staff recommends approval 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 business plan submitted by the Petitioner, Bartlomiej Kolatek, Kolatek Baking Company, except as such plans may be changed to conform to Village Codes and Ordinances.
2. A business plan, reflecting the proposed seating and alcohol service, shall be submitted as an amendment to the current Village of Palatine business license.

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 asserts that the request aligns with the standards and emphasizes that it does not entail any drastic changes. While acknowledging the concerns raised by the objector, he points out his own experience in the restaurant business and highlights the awareness among owners regarding the penalties associated with compromising a liquor license. He emphasizes the importance of adhering to standards and notes that the request is not for a bar or tavern. He believes the proposed closing time is suitable for a deli or sandwich shop and does not foresee it posing a risk to surrounding properties. Commissioner Cavanaugh supports the request.

Commissioner Fedota acknowledges the potential parking issue but highlights that the petitioner, being the owner of the building, has considered other tenants and has support from surrounding businesses, which allow the use of their lot for employee parking. He recognizes the petitioner's business experience and

respect for the neighborhood, evident through updates to the building and business. Commissioner Fedota supports the request.

Chairman Wood expresses her support for the matter and empathizes with the concerns of the neighbors. She acknowledges the importance of feeling safe and secure in one's home. Chairman Wood notes that she would have concerns if the business hours were later or if this were a new business with no vested interest. However, she points out that the petitioner is well-established and a responsible business owner with a positive reputation. Therefore, supports this request.

Commissioner Schubert expresses his perspective by highlighting that while he would have concerns if the request were for a bar or tavern with live music, he finds that the current request aligns well with the intended business. He notes that as a quick-stop deli, it will not disturb the vista or the queue of the area. Commissioner Schubert acknowledges the concerns raised by objectors but ultimately does not see an issue with the request.

Commissioner Friedman voices his concerns regarding the outside seating area, particularly regarding the amount of space required for the seating and safety concerns due to the lack of separation from the parking lot. He expresses apprehension about outdoor dining and the serving of alcohol beverages in the outdoor area.

Chairman Wood summarized that this request has met the standards and was approved by a vote of 7-1. This item will tentatively go to Village Council on May 20th, 2024.

RESULT:	RECOMMEND TO APPROVE [7 TO 1]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Patrick Noonan, Commissioner
AYES:	Noonan, Roth-Wurster, Wood, Bettenhausen, Cavanaugh, Fedota, Schubert
NAYS:	Friedman
ABSENT:	Kolososki

IV. COMMUNICATIONS

Communications:

1521 E Reynolds Dr. was approved at Village Council meeting

2240 N Rand Rd was approved at Village Council meeting

Meeting Cancelled for May 28th, 2024

V. ADJOURNMENT