



## 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 • APRIL 24, 2018

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Village Hall - Council Chambers

Regular Meeting

7:00 PM

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#### I. CALL TO ORDER

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

Staff present: Ms. Lyn Bremanis

#### II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Apr 10, 2018 7:00 PM

**Ms. Roth-Wurster made a motion to approve the minutes of April 10, 2018; seconded by Mr. Luszczyk.**

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Cindy Roth-Wurster, Commissioner                       |
| <b>SECONDER:</b> | Jerry Luszczyk, Commissioner                           |
| <b>AYES:</b>     | Roth-Wurster, Wood, Luszczyk, McGinn, Cavanaugh, Pirog |
| <b>ABSENT:</b>   | Larson, Dittrich                                       |

### III. PUBLIC HEARING

1. 553 E. Dundee Road

**Sworn in staff: Ms. Lyn Bremanis**

Notice was published in the Daily Herald on April 9, 2018 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/ Site Plan
4. Business Plan
5. Floor Plan
6. Public Notice

Ms. Bremanis gave the background of the request explaining the petitioners are proposing to open recreational activity use under the franchise "We Rock the Spectrum". Therefore, they are requesting:

- **Special Use to permit an indoor sports and recreation facility**

**SITE ANALYSIS:**

- The Subject Property is zoned P Planned Development. Per Ordinance O-33-98 uses must follow the B-2 use list.
- The business proposal is a part of the franchise [<https://www.werockthespectrumkidsgym.com/>](https://www.werockthespectrumkidsgym.com/)
- The proposed location is approximately 3,400 square feet of tenant space.
- There will be minimum of 2 employees up to a maximum 5 employees/volunteers on site at any time.
- There is an anticipated 22 children per day, with an anticipation of 3 children per hour. Per the business plan, 15 children is maximum allowed for parties.
- The proposed hours of operation are 10 AM - 7 PM, Monday through Friday, 9 AM - 6 PM Saturday and Sundays.
- The proposed use follows the assembly use parking requirements, which requires 30% of the maximum occupancy load or 15 parking spaces. The shopping center has 518 spaces. The center is 124 spaces over parked.

| <b>Establishment</b>          | <b>Parking Requirement</b> | <b>Square Footage</b>  | <b>Total Required Spaces</b>                                  |
|-------------------------------|----------------------------|------------------------|---------------------------------------------------------------|
| Jewel                         |                            | 71,000                 | 237                                                           |
| Proposed Gym                  | 30% of Occupancy           | 3,400                  | 15                                                            |
| Subway                        | 1 per 2.5 Seats            | 1,400                  | 15                                                            |
| Remaining Retail<br>509 - 569 | 1/300                      | 18,200                 | 61                                                            |
| Thai House                    | 1 per 2.5 Seats            | 1,600                  | 17                                                            |
| Remaining Retail<br>575 - 581 | 1/300                      | 9,400                  | 31                                                            |
|                               |                            | Total required parking | <b>376</b>                                                    |
| Total Parking Required        |                            |                        | <b>500 parking spaces total<br/>(124 parking spaces over)</b> |

**DEPARTMENTAL REVIEWS:**

|                             |                      |
|-----------------------------|----------------------|
| <b>Community Services</b>   | No Issues Identified |
| <b>Engineering</b>          | No Issues Identified |
| <b>Environmental Health</b> | N/A                  |
| <b>Fire Prevention</b>      | N/A                  |
| <b>Public Works</b>         | N/A                  |
| <b>Police</b>               | N/A                  |

**STANDARDS FOR SPECIAL USE:** Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

**Sworn in petitioner: Ms. Mary Alice & Hugh Gilgunn 428 S Dale Ave Arlington Heights, IL**

Ms. Gilgunn excited to bring the business to Palatine. She stated she is a speech pathologists working in the school system for 13 years including at Kirk

School in Palatine. She stated the franchise came to them through colleagues. Ms. Gilgunn gave a brief background on company that started in California spreading throughout the United States and is now in five different countries. She stated this will be the first in the Chicagoland area. She further explained it will be a sensory gym for not only children on the Autism spectrum but also for neuro-typical children as well giving them an opportunity to play together. She pointed out some of the popular play places are too sensory stimulating for children on the autism spectrum. Ms. Gilgunn explained the mother who created wanted her child to have a safe place to go and play but also have the ability to have their families and friends to come play with them. She spoke to the programs being offered including parties, classes, and mommy and me groups. Ms. Gilgunn stated she hopes to be able to provide speech and OTP therapy eventually but right now the focus is on providing a safe place for children to come and not be overwhelmed.

Mr. Pirog asked if the staffing is enough to keep safety standards.

Ms. Gilgunn explained it is not a drop off gym so parents will be present to supervise. She further explained her staff will be trained to help the parents with the equipment pointing out most of the parents coming in are there to help facilitate their children's language and ability to just be in a gym environment.

Ms. Roth-Wurster asked if they will add more staff to monitor bigger crowds

Ms. Gilgunn explained they will close the gym when it reaches capacity and encourage parents to check back later in the day for availability.

Ms. Roth-Wurster asked if there is any Illinois law for this kind of facility

Ms. Gilgunn explained they will require a waiver.

Jan stated she can address quickly but this doesn't need to be addressed at this point.

Ms. Roth-Wurster asked if there required number of children per employees

Ms. Gilgunn stated no but explained their plan is to have a maximum of 4 children to 1 employee.

Ms. Wood asked if down the line they will offer therapy.

Ms. Gilgunn explained as of now they don't have plans but therapist have reached out to rent out space or use space to do their physical/occupational therapy.

Ms. Wood have you discussed this with staff.

Ms. Bremanis explained if they decide to go down that path they will need to amend their special use to include.

Ms. Wood asked if any other questions for Petitioner. There were no further questions for the Petitioner.

#### **STAFF RECOMMENDATION**

The proposed business is occupying a vacant space in the Northwest Shopping Center. This use is compatible with the other retail, service, and restaurant uses that presently occupy the shopping center. The proposed use should not alter the essential character of the locality. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan and business plan prepared by the petitioner dated 02/27/2018, except such plans may be changed to conform to Village Codes and Ordinances.

Ms. Wood asked if there were any questions on Staff's recommendation. 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 great idea and has no issues that would affect the special use approval. He pointed out it will be great for the community especially with Kirk School here.

Ms. Roth-Wurster agreed with Mr. Cavanaugh and stated it meets the standards

Ms. Wood stated there is a lot of information in the packet and it looks like a well-run, professional organization. She stated it will not have a negative impact but rather a positive business that is well needed in the community.

**Ms. Wood summarized that this request has met the standards and was approved unanimously by a vote of 7-0. This item will tentatively go to Village Council on May 7, 2018.**

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

2. 773 N. Quentin Road

Notice was published in the Daily Herald on April 9, 2018 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Variations
2. Plat of Survey
3. Site Plan
4. Attached Sign Elevations
5. Freestanding Sign Elevation
6. Owner Sign off
7. Public Notice

Ms. Bremanis gave the background of the request explaining the Petitioner is seeking relief to maintain 3 additional attached signs and a freestanding sign. Therefore, the Petitioner is requesting:

1. Variation to allow 4 attached signs, instead of the allowed 1 attached sign per frontage
2. Variation to allow gross surface area of attached signs to be 44 square feet, instead of the allowed 40 square feet per frontage
3. Variation to allow a third freestanding sign, instead of the allowed one attached sign per frontage

**SITE ANALYSIS:**

- The Subject Property is zoned B-1, Shopping Center and the tenant space is 1,500 square feet in Quentin Plaza shopping center (southeast corner of Quentin Road and Northwest Highway).
- The Subject restaurant currently occupies the tenant space and is operating with a catering/food demonstration class and restaurant use, with limited business hours.
- The Code allows one permitted attached sign, per frontage, for this location. The main attached sign is approximately 25 square feet, only one attached sign (maximum 40 square feet) is permitted by code. As part of the renovation and build out of the tenant space, the Petitioner included 3 additional attached signs, with a total square footage over 40 square feet and is seeking relief to maintain the signs.

| <b>Attached Signage</b>     | <b>Size (sq. ft.)</b> |
|-----------------------------|-----------------------|
| Existing Sign               | 25                    |
| Exhibit A1 (1) BBQ Sign     | 1.36                  |
| Exhibit A1 (2) Hanging Sign | 7                     |
| Exhibit A2 (3) Menu Board   | 8                     |
| <b>Total</b>                | <b>41.36</b>          |

- In the B-1 District, a corner lot under two acres may only have 1 freestanding sign. This location currently has 2 signs and is existing non-conforming. The Petitioner added an additional freestanding sign at the Quentin Road entrance at approximately 32 square feet (48" X 120"), which also requires a variation.

**DEPARTMENTAL REVIEWS:**

|                             |                      |
|-----------------------------|----------------------|
| <b>Community Services</b>   | No Issues Identified |
| <b>Engineering</b>          | No Issues Identified |
| <b>Environmental Health</b> | N/A                  |
| <b>Fire Prevention</b>      | No Issues Identified |
| <b>Public Works</b>         | N/A                  |
| <b>Police</b>               | N/A                  |

**STANDARDS FOR A VARIATION:** Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

Ms. Wood clarified what signs the request is for.

Ms. Bremanis referred to elevation slides to show location of signs

Mr. Pirog asked if any other business owners have contacted staff

Ms. Bremanis answered no

**Sworn in Ms. Kristina Gaardbo and Mr. Greg Gaardbo 773 N Quentin Palatine, IL**

Ms. Gaardbo explained their business cannot be seen in the corner especially with 7eleven- difficult intersection because you can only access from one direction- freestanding sign at road has drawn attention- no room on marquee- store front signage adds character- no harm- destination spot- understands

standards- doesn't hurt and landlord is okay- didn't know the correct route to put up- more than happy to follow the rules to do the right way

McGinn asked if there has been any concern with the neighboring tenants

Ms. Gaardbo answered no

Mr. Gaardbo stated they are the anchor tenant that brings value to the strip mall and are only open 3 hours on Saturday and Sunday.

Ms. Wood asked if approved would they be looking for the same sign or can it be smaller.

Mr. Gaardbo stated he has hundreds of pictures of unauthorized signs around the Village. He pointed out a truck with a larger sign can be parked in one of the spots that line the road and wouldn't need a variation but he thinks this looks more professional. He spoke to other businesses that have signage trucks.

Mr. Cavanaugh asked if the sign would stay there at all times.

Mr. Gaardbo answered yes

Ms. Gaardbo explained they are looking for it to be a permanent fixture with posts

Mr. Luszczyk asked if it will be in the same spot

Ms. Gaardbo stated it can change a little if needed.

Ms. Bremanis stated if approved they will need to get a building permit and through that process the location will be evaluated and may suggest moving to give a clear line of site.

Ms. Wood referred to the freestanding sign elevation slide and asked why they can't be on the marquee where it says for lease.

Ms. Bremanis stated that may be for a specific vacant tenant space

Ms. Gaardbo explained the marquee in question is for the building adjacent. She stated her business has no visibility being tucked away in corner and they are willing to work with the zoning permit department on location. Ms. Gaardbo explained the sign would help draw customers in.

Ms. Roth-Wurster asked if they are on the other marquee on Northwest Hwy

Mr. Gaardbo stated no it's full

Mr. Pirog asked if a lot of people pull in on their off days thinking there is a restaurant there.

Mr. Gaardbo stated most people know their hours by now.

Ms. Wood asked staff if there are other cases where the marquee is full and tenants come in looking for signage.

Ms. Bremanis not that she knows of

Discussion on BMO sign on Northwest Highway and the reason being for visibility

Ms. Roth-Wurster asked about temporary signs and the limitability

Ms. Bremanis explained the rules and restrictions on temporary signs per Palatine code.

Ms. Wood clarified the request is for the same type of sign on posts.

Mr. Cavanaugh clarified it would be the same sign just permanent

**Sworn in Mr. Edward Richter 769 N Virn Allen Ct. Palatine, IL**

Mr. Richter stated he doesn't know why they can't work with the owner to change the marquee sign. He stated if we allow people to add more signage Palatine will look like sham because if you allow it here others will want it too. He pointed out the marquee is shared by both buildings.

Mr. Dittrich asked Mr. Richter if he can see the freestanding sign from his property

Mr. Richter answered no

Mr. Dittrich clarified that he can't see the wooded sign from his property.

Mr. Richter answered no

**Sworn in Ms. Eleanor Balog 780 N Virn Allen Ct. Palatine, IL**

Ms. Balog asked about the business plan modification that allows the outdoor seating events.

Ms. Wood explained this request went to council

Ms. Bremanis explained all special events need to go to council for approval and in this case instead of going to council individually for each event council approved 12 events for the whole year. She further explained in doing so they were able to put conditions on the events they would have not been able to otherwise such as hour limitation. She stated if there are issues with the events they will address with the petitioner.

Ms. Balog clarified that if there are issues it will be reevaluated by staff. She asked if there will be music at the events.

Ms. Bremanis stated there will be no live bands but explained tonight's discussion is for signs and all other concerns can be addressed with staff after the meeting.

Ms. Balog explained her concern is with 40 cars being parked there and the noise associated with the events. She stated she lives with mother who goes to bed at 8:00pm and is concerned with the noise level and traffic.

Mr. Gaardbo stated they are quiet people who have always been respectful of the neighbors. He pointed out there is no garbage anywhere on his property including cigarette butts or paper and are meticulous about keeping clean. They are always respectful and are currently only open till 2. The outdoor events are geared for people enjoying food. They want people to be respected in community.

**Sworn in Mr. Leo Casarez 713 Mart Ct Palatine, IL**

Mr. Casarez explained his concern is with the loudness of the eating and drinking. He stated they had an eating event last year that was loud where he had to close their windows. He stated he lives very close to restaurant and is concerned the noise will continue. He stated Tim Millar came to his home to review the request and stated no neighbors received notice about the council meeting so they were unable to attend to express their concerns. He further explained it was approved without our knowledge. Mr. Casarez stated they had a bad experience before with the billiard room where the Zumba is now and used their parking lot for gathering and drinking. He stated last year's event was loud and went to the petitioners and asked if this would be ongoing and they said no just promotional. He stated he has not had any issues since but is concerned these approved events will be as loud as last year.

Ms. Wood thanked Mr. Casarez for the input and explained his concerns will be passed on to council and staff will address his concerns. She restated tonight's meeting is for signage.

**Sworn in Mr. Jim Pilafas 716 Mark Ct Palatine, IL**

Mr. Pilafas asked if it is typical to notify surrounding areas when there is a change of zoning.

Ms. Bremanis explained there was not a change of zoning and would be happy to talk to Mr. Pilafas after the meeting to further discuss.

Ms. Wood restated it was an application to permit the outdoor events

Ms. Wood asked if any other questions for Petitioner. There were no further questions for the Petitioner.

**STAFF RECOMMENDATION**

The Petitioner is requesting relief for 3 additional attached signs. Variations are required for the number of attached signs. While the additional signs do exceed the maximum square footage allowed it is only 2 square feet over the allowed 40 square feet. If the Petitioner was requesting 3 additional attached signs at the maximum square footage of 120 square feet (3 x 40 square feet), Staff would not likely support such relief. The signs will not alter the essential character of the locality.

The property has 2 freestanding signs the Petitioner has indicated that there is not any additional space left for this business. The business is in a unique position, as the storefront is not visible from either Quentin Road or Northwest Highway and there is not tenant space capacity on the existing freestanding signage.

Therefore, Staff recommends approval of the Variations subject to the following conditions:

1. The Variations shall substantially conform to the elevations submitted by Petitioner, Kristina Gaardbo on 09/14/2017 and site plan submitted by the

Petitioner Kristina Gaardbo on 4/13/18 except as such plans may be changed to conform to Village Codes and Ordinances.

2. The freestanding standing sign shall be installed in accordance to Village Codes and Ordinances.

Mr. Pirog asked about request is for the signs size being 44 ft. but in staff recommendation it is less than 42 sq. ft.

Ms. Bremanis explained it was determined upon re-review the sign was smaller.

Mr. Luszczyk asked if the townhomes were built before the strip mall

Ms. Bremanis answered she believed so.

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

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

**DELIBERATIONS:**

Mr. Dittrich stated the plight of owner meets the standard for unique circumstance being that the location is not visible from either street and having high medians. He stated he thinks it is appropriate to have the sign to bring traffic in. Mr. Dittrich pointed out the signs are already up and look good and fit the décor. He stated the concerns presented were mostly with the events not with the signage. He stated the request meets standards.

Mr. McGinn stated the business being tucked away meets the standard on uniqueness and won't cause pressure to approve other requests.

Ms. Roth-Wurster stated staff has said they will review the location. She stated the signage will help locate the business giving them reasonable return.

Mr. McGinn stated 5 years ago the strip mall mostly empty.

Ms. Wood agreed. She stated she has been there and the food is good and the vibe is good. She pointed out the owners have been active with the community and she would like for them to continue to be successful. She stated she has no problems with the attached sign and stated it adds to the vibe. Ms. Wood stated she has always looked at freestanding sign requests relative to the square footage. She pointed out everyone wants more signage but then there would be signs everywhere and for that reason we can't just approve. She stated this property is unique though and can easily pass by it without the sign.

Ms. Roth-Wurster spoke to the limitation on temporary signs and stated they need the sign to continue to draw people to the business. She stated looking at the unique circumstance on their own merit this one meets the standards.

Mr. Pirog disagreed stating it doesn't meet the standards at all. He stated they

chose the location and that removes uniqueness. He stated it will change the character. He stated it is a dangerous intersection and now people will pull in and think there is a restaurant and find out they are not open. Mr. Pirog stated he is okay with the storefront signs but the freestanding sign request doesn't meet the standards.

Mr. Cavanaugh pointed out they will still need to go through the building permit process after they are approved so staff can change the actual sign size and location as deemed necessary. He stated approval is to have a sign based on their plight. He disagreed with Mr. Pirog stating yes they knew what they were getting into but it is still unique. Mr. Cavanaugh stated he has heard about this place but had no idea where it was because it is tucked away. He stated it would be nice to see the sign from the road to know where it is.

Discussion on reasonable return.

**Ms. Wood summarized that this request has met the standards and was approved by a vote of 5-2. This item will tentatively go to Village Council on May 14, 2018.**

|                  |                                                     |
|------------------|-----------------------------------------------------|
| <b>RESULT:</b>   | <b>RECOMMENDED TO APPROVE [5 TO 2]</b>              |
| <b>MOVER:</b>    | James Dittrich, Commissioner                        |
| <b>SECONDER:</b> | Kevin Cavanaugh, Commissioner                       |
| <b>AYES:</b>     | Roth-Wurster, Luszczak, McGinn, Cavanaugh, Dittrich |
| <b>NAYS:</b>     | Wood, Pirog                                         |
| <b>ABSENT:</b>   | Larson                                              |

## 3. 2161 N. Rand Road

Notice was published in the Daily Herald on April 9, 2018 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Variations
2. Plat of Survey
3. Site Plan
4. Attached Sign Elevations
5. Freestanding Sign Elevation
6. Owner Sign off
7. Public Notice

Ms. Bremanis gave the background of the request explaining The Petitioner would like to operate a used auto sales facility at this location. Therefore, the Petitioner is requesting:

- **Special Use to permit used auto sales facility**

**SITE ANALYSIS:**

- The subject property is zoned B-5 Highway Business District and contains an existing single-story building and detached garage. The lot size is approximately 13,000 square feet.
- The subject property was approved a Special Use for used auto sales facility in March 2017, but never opened. Per the previously approved Special Use (#O-15-17), there were several conditions of approval (cash-in-lieu of sidewalk installation, additional landscaping, and the paving and striping of non-conforming gravel areas and parking spaces) shall also apply to this Special Use request.
- The proposed hours of operation are Monday through Friday from 9:00 AM to 7:00 PM, Saturday from 9:00 AM to 5:00 PM, and closed on Sunday.
- There will be 2 full-time employees.
- The building will serve as mostly office space and the detached garage will be used for storage. There will no repairs on-site. The vehicles will be repaired and refurbished at nearby repair facilities.
- The site plan and business plan indicate there will be approximately 30 parking spaces for cars for sale, 5 parking spaces for customers, and 22 additional parking spaces. Per code, 4 parking spaces are required (1 space per 300 square feet).

**DEPARTMENTAL REVIEWS:**

|                             |                       |
|-----------------------------|-----------------------|
| <b>Community Services</b>   | No issues identified. |
| <b>Engineering</b>          | No issues identified. |
| <b>Environmental Health</b> | N/A                   |
| <b>Fire Prevention</b>      | N/A                   |
| <b>Public Works</b>         | N/A                   |
| <b>Police</b>               | N/A                   |

**STANDARDS FOR SPECIAL USE:** Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

Ms. Wood asked if this request is different from the previous used car sales request that was approved for this location.

Ms. Bremanis answered she did not compare.

**Sworn in petitioner Mr. Mike Halloran 2161 N Rand Rd property owner and Mr. Volodymyr Popadyuk lease.**

Mr. Popadyuk explained he would like to run a used car dealer at the requested location.

Mr. Halloran explained he bought the property at the end of last season and it was previously owned by an absentee landlord. He stated he currently operates his business next door. Mr. Halloran stated the property was in poor repair when he bought it and has been working hard to fix it up and explained his intention is to continue to try to improve the property. He stated Mr. Popadyuk is looking to operate a used car lot and since it has been a used car lot in past he doesn't see there being any issues pointing out it is well lit and has decent in and out traffic.

Ms. Wood asked when the property was purchased  
Mike stated he purchased it last fall

Mr. Cavanaugh asked if Mr. Halloran is aware of staff's conditions  
Mr. Halloran stated he will gradually address all issues with the property

Mr. Cavanaugh asked staff if the request was approved if the conditions are to be completed within a year.

Ms. Bremanis explained the timeline for the conditions and if the petitioner felt

additional time would be needed to complete to follow up with Staff.

Mr. Halloran asked what conditions need to be addressed.

Ms. Bremanis went through condition slide.

Mr. Halloran addressed the conditions and agreed to complete.

Mr. Pirog asked about the condition about the basement.

Mr. Halloran stated the basement is nonexistent and is basically a crawlspace for a furnace.

Mr. Dittrich asked Mr. Popadyuk if he has operated an auto sales business before

Mr. Popadyuk answered yes he was a partner at a location on rand road.

Ms. Wood asked if any other questions for Petitioner. There were no further questions for the Petitioner.

**STAFF RECOMMENDATION:**

The subject property was approved for a used auto sales facility in March 2017, but the business never opened. In addition, the subject property was previously occupied by a used auto sales facility, but had been closed for more than 6 months, which required the previous Petitioner to receive Special Use approval. With that being said, the proposed use should not impact the surrounding property owner or alter the essential character 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 site plan prepared by the Petitioner, Volodymyr Popadyuk, submitted on 03/21/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. Cash-in-lieu of sidewalk payment (\$6,750) shall be submitted in a manner acceptable to the Village Engineer within 1 year of occupancy.
3. A landscaping plan, which includes parkway trees and additional landscaping shall be installed in a manner acceptable to the Department of Planning and Zoning, within 1 year of occupancy.
4. The existing non-conforming gravel areas are required to be paved and come into full compliance with all applicable Village Code requirements within 1 year of occupancy.
5. A parking lot striping plan for employee and customer parking spaces shall be submitted in a manner acceptable to the Village of Palatine and completed within 1 year of occupancy.

Ms. Wood asked if there were any questions on Staff's recommendation.

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

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

**DELIBERATIONS:**

Mr. Cavanaugh pointed out it is a repeat of what was approved last year and the property owner now is more adamant about getting the property open with a functional business. He stated the property had been a used car dealer for 20+ years.

Ms. Wood pointed out it will be an improvement to the property and will not have a negative impact and will be operated in manner consistent with the public health safety and welfare.

**Ms. Wood summarized that this request has met the standards and was approved unanimously by a vote of 7-0 . This item will tentatively go to Village Council on May 7, 2018.**

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Kevin Cavanaugh, Commissioner                          |
| <b>SECONDER:</b> | Theodore McGinn, Commissioner                          |
| <b>AYES:</b>     | Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog |
| <b>ABSENT:</b>   | Larson, Dittrich                                       |

**IV. COMMUNICATIONS**

Ms. Bremanis gave updates on past projects:

534 W Helen- Variation for the deck was approved

She stated the following projects will be heard by council on May 7, 2018:

33 N Clyde Special Use Amendments and Variation for the garage

920 W Kenilworth Variations for the patio

Ms. Bremanis stated the next meeting will be on May 8, 2018 and will have 3 items on the agenda.

**V. ADJOURNMENT**

1. Motion to Adjourn

**Mr. Cavanaugh made a motion to adjourn; seconded by Mr. Dittrich.**

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>                  |
| <b>MOVER:</b>    | Kevin Cavanaugh, Commissioner                                    |
| <b>SECONDER:</b> | James Dittrich, Commissioner                                     |
| <b>AYES:</b>     | Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Dittrich, Pirog |
| <b>ABSENT:</b>   | Larson                                                           |

