



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

AGENDA • FEBRUARY 26, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Feb 12, 2019 7:00 PM

III. PUBLIC HEARING

1. 345 N. Eric Drive

Variation to permit 44 parking spaces instead of the minimum required 75 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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ZONING BOARD OF APPEALS MINUTES • FEBRUARY 12, 2019

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 Luszczak	Commissioner	Absent	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Absent	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Absent	

Staff present: Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jan 22, 2019 7:00 PM - **Accepted**

Mr. Dittrich made a motion to approve the minutes of January 22, 2019; seconded by Mr. Larson.

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

Minutes Acceptance: Minutes of Feb 12, 2019 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 1110 E Dundee Road - **Recommended to Approve**

Notice was published in the Daily Herald on January 28, 2019 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

Sworn in staff: Ms. Lyn Bremanis

Sworn in Petitioners: Ms. Nicole Slykas 11346 S Bell Chicago Hertz Area Manager

Mr. Chad Evans 2116 Kenton Lane Libertyville represent building owner
Mr. Dave Hernandez 240 Hazel Ave Fox Lake- LA Design Architects

Mr. Evans stated from a building owner's perspective the property has been blighted and this will be a dramatic improvement. He stated it fits in line with the rest of the commercial environment that is already there and will not have a negative impact on surrounding businesses. Mr. Evans stated they feel it will be an asset for the site.

Ms. Wood asked when the property was last occupied.

Mr. Evans stated the last time it was occupied was when US Cellular still existed in Illinois.

Ms. Slykas stated it was 2014.

Ms. Slykas gave a brief overview of the business explaining they have several "local additions" throughout Chicagoland area with this being one of them. She stated they service people who are in need of vehicles due to car accidents as well as leisure travel.

Mr. Hernandez asked about the standards that needs to be addressed.

Ms. Wood explained referring to the slide to show the standards of a Special Use.

Mr. Evans stated the site doesn't off any concern for Public Health Safety and Welfare and will be a positive impact to surrounding areas not to be vacant.

Ms. Wood asked where the cars will be parked.

Mr. Evans explained there is parking on the rear and front and 14 additional spots will be added for storage of rental vehicles.

Ms. Bremanis gave summary of request stating the property is zoned B2 and has been vacant since 2014. She stated the building is approx. 1500sq.ft. referring to the floor plan consisting of office and sales area as well as a washing bay that will be used for the Hertz cars only. She referred to the existing condition slides to show location. Ms. Bremanis stated they will have 5 employees and the hours of operation would be Monday -Friday 7:30-6pm Saturday 9-1 and closed on Sunday. She spoke to the fleet size referring to the business plan stating 15-20 cars would be stored on the lot at any time. She spoke to their peak business days. Ms. Bremanis spoke to the required parking and referred to the site plan slide to show the additional spaces being added for storage of vehicles. She referred to the signage mockup slides explaining they do not have final elevations for the signs but plan on meeting code for size. She spoke to the property maintenance issues and stated the property owner and petitioner are aware and will be addressed during the building permit process. Ms. Bremanis stated Community Services, Engineering and Fire Prevention have reviewed and have no issues. She referred to the existing condition slides to show where extra parking location would be.

Ms. Wood clarified the maintenance issues are with the driveway and landscaping.

Ms. Bremanis stated the building is in disrepair and needs work.

Ms. Roth-Wurster clarified these will be standard vehicles not commercial vehicles that would require additional licensing.

Ms. Slykas explained the largest vehicle would be a van.

STAFF RECOMMENDATION:

The Petitioner is proposing to operate a car rental facility, within the Subject Tenant Space. There are no on-site sales or repairs and the proposed car wash is only for Hertz cars and not open to the general public. In addition, the Petitioner has submitted plans showing building and site improvements. Therefore, the proposed use should not have a negative impact the surrounding properties or alter the essential character of this commercial corridor. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the site plan and the floor plan prepared by LA Design dated December 19, 2018 and the business operations plan submitted by the Petitioner on October 3, 2018 except to conform to Village Codes and Ordinances.
2. Cross Access Agreement shall be submitted between the 1110 E Dundee Road and 1114 E Dundee Road in a manner acceptable to the Village Attorney and Director of Planning and Zoning.
3. The final fencing and screening plan shall be revised in a manner acceptable to

the Director of Planning and Zoning.

Ms. Bremanis spoke to the cross action parking agreement explaining it is not to allow parking in neighboring business lots.

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

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

DELIBERATIONS:

Ms. Roth-Wurster made a motion seconded by Ted.

Ms. Roth-Wurster stated it is zoned B2 and would be a good addition and would not have a negative impact on the surrounding properties.

Mr. McGinn stated the request is straight forward.

Ms. Wood pointed out it has been vacant for 5 years and is falling in disrepair so needs a business to come in to fix up and keep in not vacant. She stated it will be an improvement with a professional corporate organization and won't have a negative impact. She stated it makes sense for the Dundee Road corridor.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will go to Village Council on March 4, 2019.

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

2. 239 E Northwest Highway - **Recommended to Approve**

Ms. Wood recused herself.

Mr. McGinn read into record the public notice that was published in the Daily Herald on January 28, 2019 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Sign Elevations
5. Public Notice

Sworn in petitioner: Mr. Kyle Sheahen president Mutual Ace Hardware 3156 Cuba Rd Long Grove, IL

Mr. Sheahen stated they are a family owned company that has been in business since 1917 based out of Highland Park and are looking to reopen this location that is going through liquidation. He explained their location on Northwest Hwy has biggest benefit because of the traffic on Northwest Hwy. Mr. Sheahen stated they are looking for the variance to get better exposure explaining they want the community to know it is under new ownership and being restocked. He explained the brand signs represent about 30% of total sales. Mr. Sheahen stated brick and mortar is tough and exposure on Northwest Hwy is important. He spoke to the sign calculations referring to the sign detail slide.

Mr. McGinn asked about the brand signs and the location of the Stihl sign.

Mr. Sheahen explained the Stihl sign is on top because they require a predominant space for their logo to become a licensed Stihl dealer. He stated all new Ace Hardware opening up are required to have the sign referring to the slide showing other locations signs.

Mr. McGinn asked if the signs have a direct impact on sales.

Mr. Sheahen answered yes explaining it is an exposure to traffic to show those brands are there and give improvement to sales.

Mr. Bremanis gave brief summary of request stating the shopping plaza is zone B-2. She stated the tenant space has approximately 120 linear feet of store frontage. She spoke to the ordinance passed in 1997 that allows the plaza to allow 1.5 square feet per linear foot rather than the typical 1 square foot per 1 linear foot. Ms. Bremanis spoke to the other tenant spaces that have been allowed relief including Dominicks and Hobby Lobby referring to the slides of previous elevations. She pointed out currently the Petitioner would like to add the "Mutual" and the "& Rental" will be added in the future.

Mr. Sheahen stated they will use the existing sign structure for ace hardware. He

pointed out that it is faded and falling apart so the lenses will be replaced to look brand new but they are using the existing framing.

Mr. Bremanis spoke to the way the Village calculates signage. She stated Community Services have reviewed and have no issues. She referred to the slide to show the standards for a Variation.

Mr. Larson asked why the Stihl sign can't be down at the pedestrian level. Mr. Sheahen explained the sign can be moved down but he would prefer it to be higher because the exposure to traffic is important. He spoke to the Highland Park location being a higher volume store due to being on a high traffic road and how they have brand signs represented. He pointed out the store is going out of business due to lack of volume. Mr. Sheahen stated sales are terrible and the Stihl brand has never been sold there and wants to highlight that this store is carrying the Stihl brand.

Mr. McGinn clarified Stihl is not sold in the current store.
Mr. Sheahen answered no it's new to the location.

Ms. Roth-Wurster clarified the sign can be at a different level.
Mr. Sheahen answered yes.

Mr. McGinn asked about the relevance about "Mutual"
Mr. Sheahen explained the current owner has lost credibility in the community with the shelves being bare for months so it is important the Mutual is represented. He pointed out it is a strong brand on the North Shore being a fifth generation business that has been around since 1917. Mr. Sheahen stated it is important that customers know there is a change in owners.

STAFF RECOMMENDATION:

The Petitioner is acquiring the existing Ace hardware store and updating the signage to both rebrand Ace hardware to Mutual Ace Hardware and would like to add & Rental in the future. Additionally, the proposed sign includes one store product available sign ("Stihl") on the main facade. In addition, there are 3 proposed store product available signs that would be added along the lower walls at the pedestrian level, below the facade.

Staff understands the request for the Mutual Ace Hardware sign as the store ownership is changing. Also, this tenant space is setback 360 feet from Northwest Highway, which presents a visibility concern for attached signage. The curvature and alignment of Northwest Highway, in conjunction with the depth of the setback presents a unique challenge for attached signage. Finally, the Village has previously approved variations for both the size and number of attached signs and the actual sign square footage is comparable to that relief.

The addition of the store product available signage at the pedestrian level is understandable as, unlike other tenants in the plaza, Ace does not have the full window storefronts that many business use for permitted additional signage.

Therefore, Staff does not believe that this would affect the essential character of the locality. However the addition of the Stihl sign on the upper façade is not a typical relief request that has been made.

Therefore, Staff recommends action at the discretion of the proposed signs at the proposed locations. However, if the all four store product available signs were to be relocated to the pedestrian level Staff would recommend approval, subject to the following condition:

1. The Variations shall substantially conform to the sign elevation plan submitted by the Petitioner on 02-06-19 except to conform to Village Codes and Ordinances.

Mr. McGinn asked Mr. Sheahen if he understands staff comments about the location of the Stihl sign and how it will impact their recommendation.

Mr. Sheahen stated he understands their recommendation but restated he feels it is important to be up there. He stated it is such a big part of the business and the exposure is very important. Mr. Sheahen stated if it comes down to denial he will accept what the Village wants and will adjust but pointed out it will have an economic impact on the business. He stated he doesn't want it to be rejected and has a drawing of plans with all signs below.

Mr. McGinn clarified the location of Stihl sign is critical to the success of the business.

Mr. Sheahen answered yes.

Mr. Bremanis asked if the board would give the petitioner an idea of where they stand to allow him the chance to change his request.

Mr. Dittrich stated he is ok with request, Ms. Roth-Wurster stated she is against stating she understands rebranding and thinks temporary signage would be okay but the permanent signage seems to be a little hokey. Mr. Larson stated he is unsure.

Discussion on location and symmetry of signage.

Mr. McGinn asked for the slide of the other stores.

Mr. McGinn stated he is okay with the requested location.

Discussion on ability to have 2 motions.

Mr. Bremanis referred to slide of signage with all brand signs low.

Mr. Sheahen stated if his request is not approved he is willing to accept and adjust. He stated it is important to get the business going. He stated if he has to change he will but thinks it will have an economic impact on the business.

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

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

DELIBERATIONS:

Mr. Dittrich pointed out the board all seems to be in agreement that the extra signage itself is permissible being a new ownership. He stated he himself went there a few months ago and it was disappointing. He stated if Stihl is more important because it is something they never had he would be willing to allow it pointing out the other locations look more contemporary. Mr. Dittrich pointed out the unique circumstance is due to the distance to Northwest Hwy and the curvature. He stated he is more of a fan of symmetry.

Mr. McGinn pointed out the current Ace was unable to succeed so this is a way to improve the return. He pointed out the lack of windows at the store level justifies the need for these additional signs so he is favor of the motion.

Mr. McGinn summarized that this request has met the standards and was approved by a vote of 3-1. This item will go to Village Council on February 18, 2019.

RESULT:	RECOMMENDED TO APPROVE [3 TO 1]
MOVER:	James Dittrich, Commissioner
SECONDER:	Brent Larson, Commissioner
AYES:	Larson, McGinn, Dittrich
NAYS:	Roth-Wurster
ABSENT:	Luszczak, Cavanaugh, Pirog
RECUSED:	Wood

IV. COMMUNICATIONS

V. ADJOURNMENT

1. Motion to Adjourn - **Motion Carried by Voice Vote**

Mr. McGinn made a motion to adjourn; seconded by Mr. Dittrich.

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

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 02/26/19 07:00 PM

CASE STAFF STATEMENT (ID # 5096)

345 N. Eric Drive

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Todd and Kasia Ball (Ball4Training)

CASE NUMBER: 19-04

ADDRESS: 345 N. Eric Drive

PROPOSAL:

Variation to permit 44 parking spaces, instead of the minimum required 75 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 345 N. Eric Drive District 6 (Helms)	<u>CURRENT ZONING:</u> M - Manufacturing District
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SURROUNDING CONDITIONS:

<u>North:</u>	Planned Development (vacant lot) / R-3 - Multi-Family residential building
<u>South:</u>	M - Manufacturing District
<u>East:</u>	R-3 Multi-Family residential building
<u>West:</u>	M - Manufacturing District

BACKGROUND:

The Petitioners are proposing to expand their existing heath club business - Ball4Training, which increases the required parking for this use. Therefore, the Petitioners are seeking:

- **Variation to permit 44 parking spaces, instead of the minimum required 75 parking spaces.**

SITE ANALYSIS:

- The Subject Property is zoned M - Manufacturing District. Health clubs are a permitted use in the Manufacturing District, subject to compliance with the minimum parking requirements.
- The Petitioners presently occupy approximately 5,100 square feet for their health club. When the business initially was established at this location, the floorplan and square footage complied with the minimum parking requirements. The business would like to expand into an adjacent space, which increases the total square footage to 10,717 square feet and requires a parking variation.
- The existing hours of operation are 5 AM - 8 PM, with peak hours 5 AM - 8 AM and 5 PM - 8 PM. There are no proposed changes to the current hours of operation.
- The health club offers 6-8 classes a day as well as one-on-one and private group training appointments. There are approximately 50-70 clients per day with 2 owners and 4-5 trainers.
- The expanded use will provide more space for current classes. There are classes geared towards kids and specific sports teams, which are held in conjunction with the regular fitness classes. Per the schedule and business plan, these classes are held in the early evening, when the other uses in the building are closed.
- The other uses in the building are office and warehouse space, with the exception of Paxem, which is an online consignment business, with limited hours by appointment only - Thursday - Saturday 11 AM - 4 PM.
- The Petitioners are proposing to occupy a space that was previously used for warehouse space. The change in use from warehouse to service increases the required parking; and, therefore, requires a Variation.
- Based on the existing tenants and health club expansion, 75 parking spaces would be required. In 2017, the subject property received a parking variation of 7 parking spaces to allow Paxem. Therefore, a Variation for 24 parking spaces would be required. The table below identifies the tenant space square footage and associated required parking:

Case Staff Statement (ID # 5096)
Meeting of February 26, 2019

User	Square Footage	Parking Required	Parking Requirement
Paxem Retail	1,200	4	1/300
Paxem Storage	1,223	1	1/1000
U.S. Casino Rental and Adrenaline Office Uses	6,582	22	1/300
Warehouse	12,595	13	1/1000
Dock	2,000	0	0
Ball4Training	10,717	36	1/300
	34,317	75	Total Required
		-44	Total Available
		-7	Previous Variation
		24	Variation Required

- As part of the review for this Petition, Staff conducted parking counts on various days, at various times throughout the day. These counts indicated that the peak parking space utilization was 30 spaces (mid-morning), which still left 14 parking spaces open.
- As part of the business plan, the building owner has designated 16 parking spaces on the north side and has the capacity to further designate parking areas on the elsewhere on the Subject Property.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified.
Engineering	No Issues Identified.
Environmental Health	N/A
Fire Prevention	No Issues Identified
Public Works	N/A
Police	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.

STAFF RECOMMENDATION:

The Petitioners are requesting to expand their existing health club into an adjacent space currently used as warehouse space. Therefore, the change in use requires a Variation to the parking. The subject property is unique as it is a mix of office and warehouse space, a consignment business with limited hours, and the existing health club, with limited hours as well. Staff believes that based upon the current uses and hours of operation of the existing businesses, there should be sufficient parking to accommodate the health club expansion. Also, the parking counts indicate that the existing tenant mix and available parking operate and are effectively functional. Ball4Training is not a typical health club, as the classes and training provided are scheduled and planned, as opposed to being open and unmonitored. Nevertheless, the existing use is increasing by 5,600 square foot (10,717 square feet total). Therefore, Staff recommends action at the discretion of the Zoning Board of Appeals. If the Zoning Board recommends approval, Staff recommends the following conditions:

1. The Variation shall substantially conform to the Ball4Training business plan floor plan submitted on 01/22/2019 except as such plans may be revised to conform to Village Codes and Ordinances.
2. Staff will conduct a six-month review of the parking and traffic management for the Subject Use. If deemed necessary, Staff may recommend to Village Council additional conditions of approval, including an off-site parking agreement, a parking lot expansion (subject to the Code requirements), or class schedule adjustments and limitations for the Subject business.
3. The traffic direction and parking management plan will be revised in a manner acceptable to the Village Engineer and Director of Planning and Zoning. The revisions may include additional striping and traffic/parking directional signage and striping.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey
- Business Plan
- Floor Plan
- Letter of Support
- Public Notice

345 N. Eric Drive

3.1.a



VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S)		Business Name (if applicable)	
	TOON BALL / Kasia BALL		BALL360 / Ball4training	
	Subject Property Address			
	345 N. Eric dr Palatine 60067			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Address		City/State/Zip Code	
	Telephone	Fax	Email	
	Relationship to Petitioner (contractor, architect, etc.)			
	TYPE OF APPLICATION (check one)			
	☐ Special Use ☐ Special Use Amendment ☒ Variation			
Existing Zoning District		Existing Land Use		Proposed Land Use
X		X		
Generally describe your request:				
My wife & I run a private fitness studio. We want to add space because our business is growing. Our Request would not cause any problems because our busy hrs are from 5a-9am and 5pm-8:30pm which works opposite opposing business in the building. We live in the community and do our part to make it a better city.				

Attachment: Application (345 N. Eric Drive - VAR Parking)



VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Special Use only, you do not need to answer these items.***

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

Yes

2. That the plight of the owner is due to unique circumstances

Yes

3. That the variation, if granted, will not alter the essential character of the locality

Yes

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

Agreed

THOMAS A. MOLLOY, LTD.
Professional Land Surveying

Phone: (773) 724-1449 tamsurvey@aol.com

ALTA/ACSM LAND TITLE SURVEY

LOT 1 (EXCEPT THE SOUTH 90.0 FEET THEREOF) IN PALATINE MANUFACTURING DISTRICT SUBDIVISION BEING A SUBDIVISION OF THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH LINE OF COLfax STREET AND WEST OF A LINE DRAWN 400 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SMITH STREET AS LAD DOWN ON THE ASSESSOR'S PLAT OF THE TOWN OF PALATINE RECORDED APRIL 10, 1877 AS DOCUMENT NO. 128979 IN BOOK 13 OF PLATS, PAGE 63 (EXCEPT THE NORTH 66 FEET OF THE WEST 364 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 345 N. ERIC DRIVE, PALATINE, ILLINOIS

SURVEYOR'S NOTES

TITLE COMMITMENT: THIS SURVEY REFLECTS CERTAIN MATTERS OF TITLE, AS REFERENCED IN SCHEDULE B OF FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE ORDER NUMBER 2011 999100721 UNC WITH AN EFFECTIVE DATE OF FEBRUARY 21, 2013.

H. RIGHTS OF PUBLIC UTILITY TO MAINTAIN EASEMENT ON THE EAST MOST 1 FEET OF LAND AS DISCLOSED BY SURVEY MADE BY NATIONAL SURVEY SERVICES, INC. ORDER #117275: NOTE CARRIED OVER FROM PRIOR POLICY. WE DO NOT HAVE A COPY OF THIS SURVEY. (NO DOCUMENT OR COPY OF PRIOR SURVEY PROVIDED TO THE SURVEYOR. EASEMENT NOT PLOTTED ON THE DRAWING)

I. CROSS EASEMENT BETWEEN BOLDT REAL ESTATE L.P. AND JOHN S. DIASQUALE, AND ITS/THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, GRANTING THE RIGHT OF ACCESS TO SAID EASEMENT, AND THE PROVISIONS RELATING THEREO CONTAINED IN THE GRANT RECORDED/FILED AS DOCUMENT NO. 002088290 AND RECORDED AS DOCUMENT NUMBER 0524249017, PLOTTED ON THE DRAWING)

TAX PARCEL PERMANENT INDEX NUMBER: 02-15-432-021-0000

ACCESS STATEMENT: THE PROPERTY HAS DIRECT PHYSICAL ACCESS TO AND FROM N. ERIC DRIVE AND W. CORNELL AVENUE, BOTH LEGALLY OPENED AND PUBLICLY DEDICATED, USED AND MAINTAINED STREETS OR HIGHWAYS.

TABLE A - ITEM 2 STATEMENT AS TO ADDRESS: THE OBSERVED ADDRESS OF THE PROPERTY IS 345 N. ERIC DRIVE, PALATINE, ILLINOIS

TABLE A - ITEM 3 STATEMENT AS TO FLOOD ZONE CLASSIFICATION: OUR EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 170310181U WITH A MAP REVISED DATE OF AUGUST 19, 2008, SHOWS THAT NO PART OF THE PROPERTY FALLS WITHIN A SPECIAL FLOOD HAZARD AREA AND THAT SAID PROPERTY DOES FALL WITHIN ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

TABLE A - ITEM 4 STATEMENT AS TO GROSS LAND AREA: THE PROPERTY CONTAINS 71,654 SQUARE FEET OR 1.6400 ACRES.

TABLE A - ITEM 7(a) STATEMENT AS TO EXTERIOR DIMENSIONS OF BUILDINGS AT GROUND LEVEL: SEE DRAWING FOR EXTERIOR DIMENSIONS AT GROUND LEVEL.

TABLE A - ITEM 7(b)(1) STATEMENT REGARDING SQUARE FOOTAGE OF BUILDING FOOTPRINT: THE APPROXIMATE SQUARE FOOTAGE OF THE EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL IS 34,275 SQUARE FEET.

TABLE A - ITEM 8 STATEMENT AS TO SUBSTANTIAL FEATURES OBSERVED: SURVEYOR HAS SHOWN LOCATION OF FEATURES EXISTING ON THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE.

TABLE A - ITEM 9 STATEMENT AS TO PAINT STRIPED PARKING SPACES: THE LAND SURVEYED HEREON CONTAINS A TOTAL OF 48 EXISTING PARKING SPACES INCLUDING 2 DESIGNATED HANDICAP PARKING SPACES.

TABLE A - ITEM 11(a) STATEMENT REGARDING EXISTING UTILITIES: SURVEYOR HAS SHOWN LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE. SEE DRAWING FOR THE DISTANCE TO THE NEAREST INTERSECTING STREET.

TABLE A - ITEM 14 STATEMENT REGARDING DISTANCE TO NEAREST INTERSECTING STREET: SEE DRAWING FOR THE DISTANCE TO THE NEAREST INTERSECTING STREET.

TABLE A - ITEM 16 STATEMENT REGARDING EARTH MOVING AND BUILDING CONSTRUCTION: SURVEYOR FINDS NO OBSERVABLE EVIDENCE OF EARTH MOVING OR BUILDING CONSTRUCTION.

TABLE A - ITEM 17 STATEMENT REGARDING CHANGES IN STREET RIGHT-OF-WAY LINES: SURVEYOR HAS NO KNOWLEDGE OF ANY CHANGES IN STREET RIGHT-OF-WAY LINES CONTINGATED OR PROPOSED AND FINDS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

TABLE A - ITEM 18 STATEMENT REGARDING SITE USE: SURVEYOR FINDS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.

NOTE: CONCRETE RAMP AT NORTHWEST CORNER OF BUILDING WAS FLOODED AT TIME OF FIELD SURVEY.

STATE OF ILLINOIS } SS

COUNTY OF DUPAGE } SS

I, WALTER J. LUTZ, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY TO:
345 ERIC DRIVE, LLC;
UP DEVELOPMENT, LLC;

FIDELITY NATIONAL TITLE INSURANCE COMPANY.
THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION (ALTA) AND THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS) AND INCLUDES ITEMS 2, 3, 4, 7(a), 7(b)(1), 8, 11(a), 14, 16, 17 AND 18 OF TABLE "A" HEREON. THE FIELD WORK WAS COMPLETED ON MAP

SIGNED AT BENSENVILLE, ILLINOIS THIS 18TH DAY OF MARCH, A.D. 2013

WALTER J. LUTZ

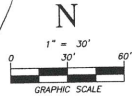
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 30-3576 (EXPIRES NOVEMBER 30, 2014)

PROFESSIONAL DESIGN FIRM REGISTRATION NO. 4840 (EXPIRES APRIL 30, 2013)

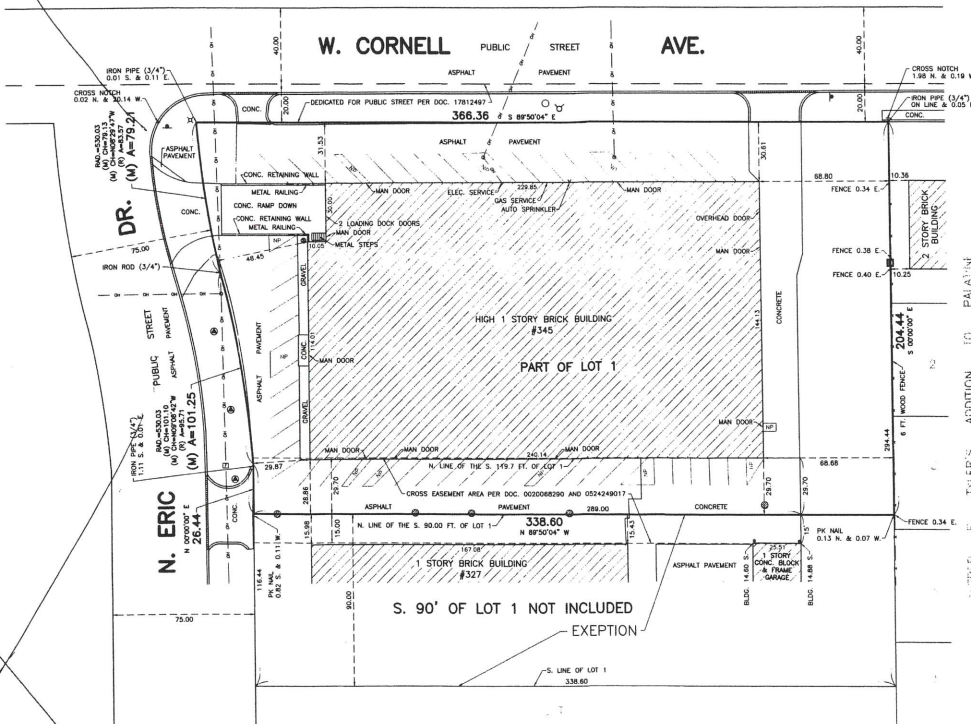
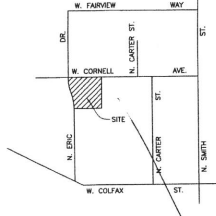


LEGEND:

- Manhole
- Sanitary Manhole
- Storm Catch Basin/Inlet
- △ Fire Hydrant
- ⊙ Light Pole
- ⊙ Traffic Sign
- Utility Pole W/Overhead Wire
- Concrete Filled Post
- ⊙ Telephone Pedestal
- ⊙ Sump Pump
- ⊙ Electric Transformer
- ⊙ Depressed Curb
- NP No Parking
- (M) Measured
- (R) Record
- A Arc
- CH Chord



VICINITY MAP



ORDER NO.: 130022
FILE: 15-42-10
PROJECT NO.: 2013
PROJECT NAME: 345 N. ERIC ST., PALATINE
FOR: VEDDER PRICE P.C.

Ball360 Business Plan

Our facility is a private fitness training gym. We do bootcamp, personal training, yoga, boxing everything fitness related but privately.

We do not have memberships, it is only private trainers with their classes and clients.

Our operations are open because we are all running different times but business time for our business is 5am til about 8am. Then open til about 5pm then picks back up from about 5pm til about 8pm.

We see about 50 to 70 clients a day spread out over about 6 to 8 classes a day not to mention one on one and private groups to make up that 50 to 70. So average class is about 8 to 9.

We also train kids, and sports teams with the same theme focusing on bootcamps and speed and agility.

With the expansion the hope is to add more space to our current situation. In the afternoon we have two different classes going on at once. One is usually a kids sporting team or kids bootcamp, most all those classes are drop off so no parking spaces are utilized aside possibly one or two parents that might stay to watch.

At the same time we have an adult bootcamp class that goes on utilizing other areas of the gym. We have been running this format with Palatine softball team Stingrays, we do PAFA football in the summer, this will be our 2nd year for both plus a few other community basketball, baseball and track teams when we can. So the current formatting & parking work we just want to have more space to give a better workout to our clients, aside from growing the current classes hopefully.

It is just me and my wife and 4 or 5 trainers so not a lot of employees, my wife and I do most of the training as of now, hopefully as we get this expansion we can get a few more trainers in there. We are Palatine residents who work out with a lot of Palatine residents just looking to add a little more space so we can help more people get fit. Simple as that. Thank you



Current Class Schedule

MONDAY

BOOTCAMP- 5:15AM
6:15AM
9:00AM
Bootcamps 5:30pm
Stingrays 530pm
Kasia & Todd 6:30pm

BOXING CARDIO- 7:15PM

TUESDAY

BOOTCAMP- 5:45AM
9:00 AM
Kasia & Todd 5:30PM
StingRays at 630pm
High school TRAINING 630pm
Dave's running boot camp 730pm

WEDNESDAY

BOOTCAMP - 5:15AM
6:15AM
Fit mamma Boot camp 930am
Stringrays bootcamp
Bootcamp 530pm & Kasia & Todd
6:30pm

THURSDAY

FUSION 5:30am
9am moms bootcamp

Boot camp w/Kasia & Todd 530pm
Stringrays 530pm

Dave's running boot camp 730pm

High school TRAINING 630pm

FRIDAY

BOOTCAMPS-5:15AM
6:15AM
9:00AM

WEEKEND

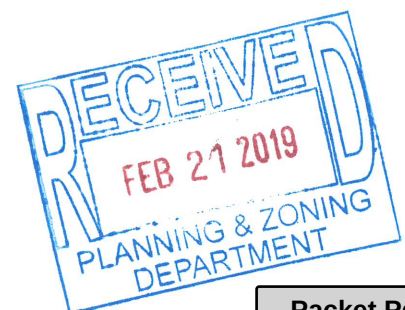
SATURDAY

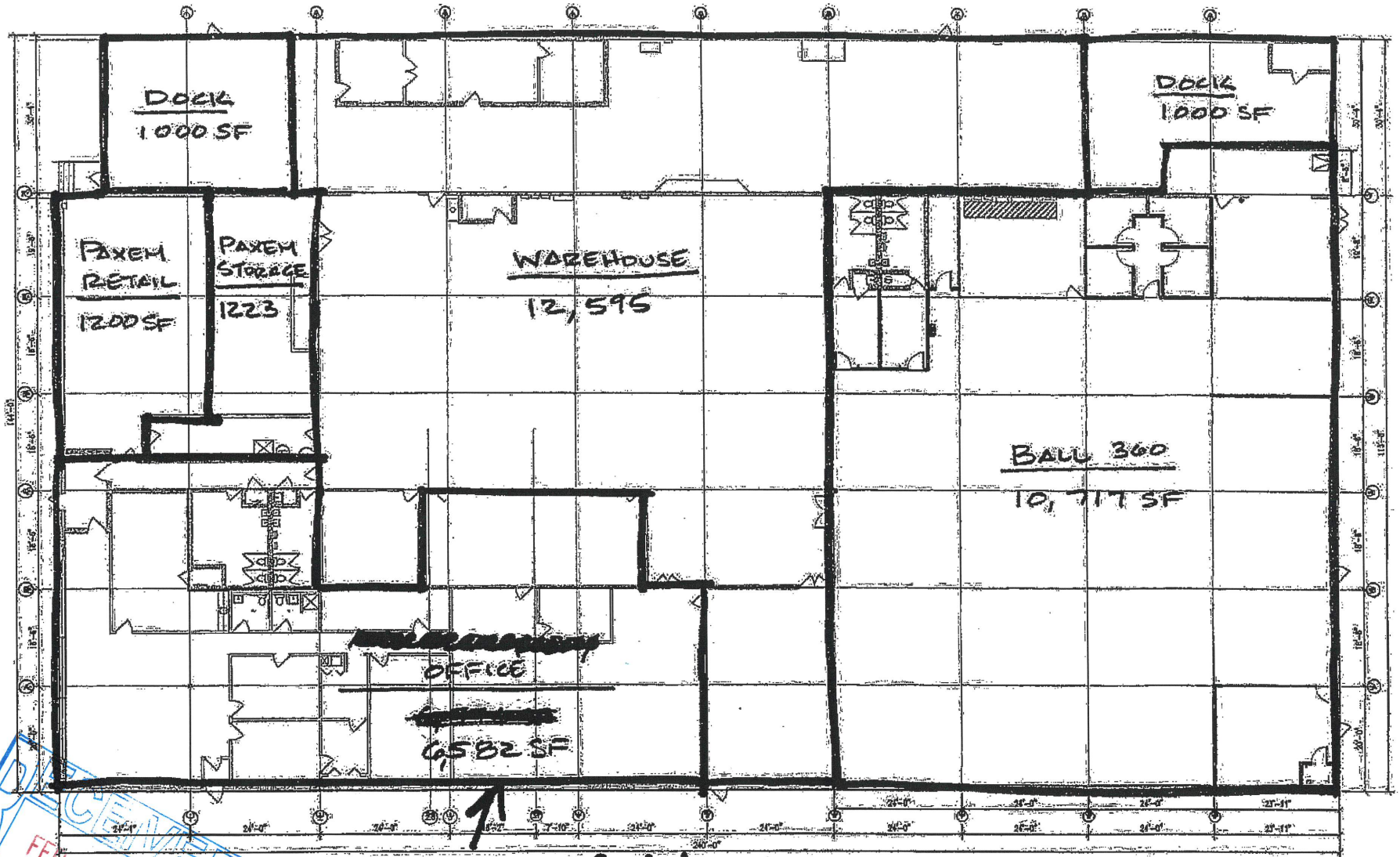
BOOTCAMP Family 7am & 8am
1130am

SUNDAY

BOOTCAMP Family 7am & 8AM
BOXING Cardio 9am

Boot camp with Dave 4pm
STRETCH DYNAMIC 5pm





RECEIVED
FEB 19 2019
PLANNING & ZONING
DEPARTMENT

U.S. Casino Rentals, LLC
Adrenaline Special Events
Adrenaline Apparel
Adrenaline Sports Management

34,317 S.F. TOTAL

Attachment: Floor Plan (345 N. Eric Drive - VAR Parking)

Lyn Bremanis

From: Chad Rowe [REDACTED]
Sent: Monday, February 18, 2019 3:19 PM
To: Lyn Bremanis
Subject: Re: 345 N. Eric Drive - File No 19-04

Lynn,

My name is Chad Rowe and I am an immediate residential neighbor of Todd Ball of Ball of Training at 345 N. Eric Drive. My wife and I live at 418 N. Jayden Drive. Neither of us can attend the Palatine Village Hall meetin on Tuesday, February 26th. However, both of us are 100% in favor of this request to a: "Variation to permit 44 parking spaces instead of the minimum require 75 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance." We agree that they should be allowed to increase the size of the indoor recreational facility from 5,100 square feet to 10,700, which requires a parking variation. This is the kind of business that is appreciated in the area.

Just wanted to pledge our agreement to this request as a homeowner in the direct neighborhood.

Thanks,

Chad and Alexandra Rowe

Attachment: Letter of Support (345 N. Eric Drive - VAR Parking)

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, February 26, 2019 at 7:00 P.M., in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Variation to permit 44 parking spaces instead of the minimum required 75 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance. The property is commonly known as 345 N. Eric Drive (02-15-432-021-0000).

The Petitioner is requesting to increase the size of the current indoor recreational facility (Ball for Training) from approximately 5,100 square feet to 10,700 square feet, which will require a parking variation.

The above petition has been filed by Todd Ball of Ball for Training and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 19-04
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 11th day of February, 2019
Published in Daily Herald
February 11, 2019 (4518122)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of

Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 11-FEB-19 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY


Authorized Agent
Control # 4518122

Attachment: Public Notice (345 N. Eric Drive - VAR Parking)