



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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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

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

III. PUBLIC HEARING

1. 1110 E Dundee Road

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. 1500 sq.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 7:30am-6pm Saturday 9am-1pm 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. A 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 Mr. McGinn.

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 it 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

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

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

