



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 • DECEMBER 22, 2020

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Dec 1, 2020 7:00 PM

III. PUBLIC HEARING

1. 824 S. Mallard Drive

Special Use to permit a fence in the rear yard abutting the side lot line of the front yard of an adjacent lot pursuant to Section 6.03 (b) (6) (b) of the Palatine Zoning Ordinance.

2. 1116-1120 W. Northwest Highway

Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

Variation to permit 39 parking spaces instead of the required 54 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance.

3. 117 W. Slade Street

Special Uses to permit a restaurant/bar with Live Entertainment pursuant to Section 11.02 (d) (11) & (19) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT

VI. CASE STAFF STATEMENTS



VILLAGE OF PALATINE

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ZONING BOARD OF APPEALS

MINUTES • DECEMBER 1, 2020

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

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Oct 27, 2020 7:00 PM - **Accepted**

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

Minutes Acceptance: Minutes of Dec 1, 2020 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING**1. 1116-1120 W. Northwest Highway - Recommended to Approve**

The item was continued to the December 22nd 2020 ZBA Meeting.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Jerry Luszcak, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Luszcak, McGinn, Cavanaugh, Dittrich, Pirog

Minutes Acceptance: Minutes of Dec 1, 2020 7:00 PM (Approval of Minutes)

2. 140 W. Wood Street #415 - Recommended to Approve

Notice was published in the Daily Herald on November 16, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Plat of Survey
4. Plat of Survey for Unit #415
5. Floor Plans
6. Public Notice

Sworn in staff: Ms. Lyn Bremanis

Sworn in the petitioner: Mr. Matthew Sraga 522 S Dryden Place Arlington Heights, IL

Mr. Sraga explained they have owned the condo for 5 years. He stated they moved to Arlington Heights and the unit has been on the market for 16-18 months with good feedback. He stated the HOA is expensive and has gone up 15% each year to pay for capital improvements. Mr. Sraga stated he is struggling to sell because it is approaching same amount as the mortgage. He explained they are hoping to put the unit back to original state as a studio and 1 bedroom which was original when the building was originally built. He stated this will provide an affordable living area with lower HOA which would be split based on square footage making it more affordable.

Mr. Cavanaugh asked if he spoke to board.

Mr. Sraga answered yes and there are no issues. He spoke to an amendment to the declaration that requires four signatures.

Discussion on HOA putting limits on amount of studios.

Mr. Pirog asked if the other studios are also 362 sq.ft.

Mr. Sraga explained they are the same footprint on each floor.

Ms. Bremanis gave a brief overview. She state parking meets code since the last time this complex went before the board it went through a parking variation that took into account the other converted two bedroom units being reduced back to 2 units. Ms. Bremanis stated Community Services and Fire Prevention reviewed and had no concerns. She went through the slides that include floor plans and existing conditions.

Mr. Cavanaugh asked staff if there are any issues with the unit that came before the board last year.

Ms. Bremanis answered no.

STAFF RECOMMENDATION:

In 1995, Park Towne was converted from apartments to privately owned condominiums. At the time, several studio and 1-bedroom units were combined into single 2-bedroom units. The Petitioners are requesting to divide their unit back to its original form. Per Code, multi-family units must be over 500 square feet. The addition of a studio unit should not affect the existing characteristics of the units within the building. Staff also reviewed the proposed request within the circumstances of the existing multi-family residential building, use, and its unit characteristics, as opposed to either a new building or conversion proposal from another use. Therefore, Staff recommends approval of the proposed Variation, subject to the following condition:

1. The Variation shall substantially conform to the floor plans prepared by the Petitioners and submitted on 08/19/20, except as such plans may be changed to conform to Village codes and Ordinances.

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

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

DELIBERATIONS:

Mr. Dittrich stated the petitioner has done a nice job meeting the standards. He spoke to the uniqueness being that it formerly was 2 units so just going back to original state. He stated it won't alter essential character since this has been done before. Mr. Dittrich stated the unit has been on market with no movement with a high HOA so this relief is understandable.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on December 14, 2020.

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

3. 658 E. Home Avenue - Recommended to Approve

Notice was published in the Daily Herald on November 16, 2020 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. Site Plan
5. Photos Submitted by Petitioner
6. Letter of Support
7. Letter of Support 2
8. Public Notice
9. Letter of Support 3

Sworn in petitioner: Steven & Zhanna Parquette 658 E Home

Ms. Parquette stated the work has already been done explaining they have had issues every year with the grass dying along the asphalt driveway. She stated they added the ribbon to prevent this from happening and to better the appearance of their home.

Mr. Parquette stated they originally installed the bricks thinner but it didn't look right.

Ms. Parquette stated they followed the pattern and mimicked other properties in neighborhood.

Mr. Parquette referred to slide showing they lined up with the house.

Mr. Pirog asked if they knew they needed a permit.

Mr. Parquette answered no and neither did anyone in neighborhood. He stated he found out when a neighbor reported.

Ms. Parquette stated it was a live and learn experience.

Ms. Wood asked if one neighbor has issue.

Mr. Parquette stated they have an issue with the neighbor in general.

Ms. Bremanis gave a brief overview stating the property is part of Concord Mills subdivision, which is a planned development that follows the R2 zoning. She stated they have a 3 car garage but code limits the width to 25ft for the first 5ft. She referred to the survey/site plan to show the yellow triangle that requires relief.

Mr. Pirog clarified the asphalt alone is 25ft.

Ms. Bremanis answered no explaining that includes the brick.

Ms. Bremanis stated their building and lot coverage meet code. She stated

Community Services and Engineering reviewed and had no issues.

Mr. Pirog clarified the first 5ft is what they are requesting relief for.

Ms. Bremanis answered correct 5 ft from lot line to house has a maximum of 25ft.

STAFF RECOMMENDATION:

The Petitioners installed a paver ribbon along both sides of the driveway without a building permit, which now requires relief for maximum width at the lot line. While ribbons are not uncommon in the area, other driveways appear to meet Code for maximum driveway width. The addition of the ribbons should not change the character of the locality and the addition of any paver edge would require relief for any existing driveway, which is at the maximum driveway width within the first five feet of the property line. Nevertheless, Staff recommends action at the discretion of the Zoning Board of Appeals. If the ZBA decides to recommend approval, Staff recommends the following condition:

1. The Variation shall substantially conform to the site plan submitted by the Petitioners, Steven and Zhanna Parquette, except as such plans may be changed to conform to Village Codes and Ordinances.

Mr. Pirog stated it looks like decoration. He asked if they don't drive on it does it count

Ms. Bremanis explained it is a hard surface that can be driven on.

Mr. Parquette stated that is incorrect that the pavers will crack if driven on.

Ms. Bremanis stated per the code this is included in the driveway width.

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

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

DELIBERATIONS:

Mr. Luszczyk stated the pavers look great and such a small amount of relief so don't see any problems.

Mr. Larson agreed it is a small amount of relief. He stated it will not alter the neighborhood but rather enhance it and help with their lawn problems. He stated it meets the standards.

Ms. Wood stated the request is reasonable being that they lined up with existing architecture. She spoke to the uniqueness and that other homes are similar.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on January 4, 2021.

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

4. 832 N. Glenn Drive - Recommended to Approve

Notice was published in the Daily Herald on November 16, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Plat of Survey/ Site Plan
4. Public Notice

Sworn in petitioner: Melissa and Andrew Rice 832 Glenn Drive

Mr. Rice stated they were house shopping year and half ago and found this style home and fell in love with layout. He stated several homes had patios off kitchen which is convenient. He explained he poured the patio assuming it would be okay because it was similar to other homes they seen. Mr. Rice pointed out the curve in his lot which then puts the patio in the setback. He stated they are looking for a variation to not cut off a corner of their patio. He stated many neighbors have complemented them on their improvements. Mr. Rice submitted a letter of support from neighbor into record and stated multiple others were going to come in support. He stated he spoke to other neighbors and no issues.

Ms. Rice stated the neighbor who wrote the letter of support said patio has helped the drainage in her yard.

Mr. Rice explained the patio is pitched to the middle of their own yard.

Mr. Pirog asked if a company poured cement without permit.

Mr. Rice explained they did it themselves.

Mr. Pirog asked if they didn't know they needed a permit.

Mr. Rice answered they did not explaining this is the first time owning a house. He stated he now knows and is sorry for not applying for permit first. Mr. Rice pointed out had he applied for permit he could have used the minor variation application, which only requires signatures from neighbors and goes straight to council.

Mr. Larson spoke to location of the patio and the possibility of moving to meet code. He asked if this would meet expectations.

Mr. Rice answered no explaining the door location and interior layout that prevents moving.

Mr. Pirog asked if there are steps.

Mr. Rice explained they are working to get permit which is approved but waiting on variation.

Mr. Larson clarified the inside of the home dictated the location of door which led to patio location.

Ms. Rice answered yes explaining there was nowhere else the door would work.

Mr. Rice pointed out if his lot was square they would not need the variation which meets unique circumstance. He pointed out the landscaping that screens the patio.

Mr. Cavanaugh asked if there was furniture on the other patio.

Mr. Rice answered yes. He stated the patio is for grilling and entertaining.

Mr. Cavanaugh asked if they intend on adding a fence.

Mr. Rice answered yes hopefully sooner than later.

Ms. Roth-Wurster asked how much is encroaching.

Mr. Rice explained the patio is 16 by 17ft and 10 inches off the building in case they need to fix drain tiles. He stated 4ft is in the encroachment.

Ms. Rice explained the reason for location is to center with the door off the dining room.

Ms. Wood read the letter of support into record.

Mr. Dittrich asked if they have noticed water pooling.

Mr. Rice answered no rather has stopped his sump pump from running continuously so has improved.

Ms. Bremanis gave a brief overview stating the property is zoned R2 with a 20ft setback requirement. She spoke the possibility of side yard patios abutting a street being processed under a minor variation but explained due to this being work without a permit it does not qualify. Ms. Bremanis stated Community Services and Engineering have reviewed and had no issues. She stated both building and lot coverage met code.

STAFF RECOMMENDATION:

The Petitioner installed a concrete patio, without a building permit, which encroaches into the required side yard abutting a street setback. In addition to not being allowed as a permitted obstruction, patios encroaching into the setback are not typical for corner properties in this neighborhood. While the Petitioner could have constructed the patio elsewhere on the property, which met Code and did not require zoning relief, the installed patio encroaches 4 feet into the required side yard. Therefore, Staff recommends action at the discretion of the Zoning Board of Appeals. If the Zoning Board of Appeals decides to recommend approval, Staff recommends the following condition:

1. The Variation shall substantially conform to the site plan submitted by the Petitioner, Andrew Rice, except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Mr. Larson spoke to the uniqueness with the curved side yards. He stated it seems to be a reasonable request that is not very large. He stated it won't alter the essential character of the locality.

Mr. McGinn stated the layout of the house and having a patio off the kitchen makes sense.

Mr. Dittrich stated it will not alter the essential character of the locality. He stated the patio would look odd if they have to cut out the corner to meet code.

Ms. Roth-Wurster spoke to the landscaping that screens the patio and how you would not know it doesn't meet code.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on January 4, 2021.

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

5. 1576 N. Rand Road - **Recommended to Approve**

Notice was published in the Daily Herald on November 16, 2020 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

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

**Sworn in petitioner: Mr. Joe Minorik area construction manager
Kenneth Sak Watermark Engineering**

Mr. Minorik explained the proposal includes remodeling the exterior and interior of the facility. He explained they proposed a new play place addition that requires setback relief. He explained they are asking for a variance at 36 ft. instead of the required 40ft. Mr. Minorik stated the drive thru is reconfigured similar to existing. He explained the second variance is for parking relief for 47 stalls instated of 56 to accommodate the play place and the cooler.

Mr. Pirog asked if the main reason they are in front of the board is for the play place or the drive thru.

Ms. Bremanis explained they are adding the play place, which removes the parking spaces requiring the parking variation.

Mr. Sak explained there are only 2 stalls being removed for the play place and 1 at upper left corner. He stated they are moving the transformer and moved a stall to accommodate a new transformer.

Mr. Pirog asked if the play place is fenced in.

Ms. Bremanis explained it is indoor.

Mr. Minorik explained the reason for encroachment is to allow spacing of tables.

Ms. Wood asked if there are changes to the drive thru.

Mr. Minorik explained it will change slightly to accommodate the freezer box.

Ms. Bremanis stated they currently have the 2-lane drive thru and the proposed will meet code.

Mr. Sak stated they will install new menu boards and upgrade equipment in drive thru to keep up with efficiency.

Mr. Dittrich asked if they can provide analytics to show 75% of business is in drive thru.

Mr. Minorik stated the dining room has been closed since March. He stated they can provide pre-Covid numbers explaining this info is tracked internally.

Mr. Dittrich asked if staff has confirmed numbers.

Ms. Bremanis answered no.

Ms. Wood pointed out adding the play place would add people staying so it may increase parking need.

Ms. Bremanis explained the added square footage only adds 4 seats.

Discussion on the amount of seating and required parking.

Mr. Minorik explained the parking count stating they have 16,000 stores across the country and the last thing they would like to do is short park their own lot. He stated they have a similar location in Hanover Park, which has less parking so is confident that McDonalds believes there is enough parking.

Ms. Wood asked staff if there are any complaints about parking shortage.

Ms. Bremanis answered no.

Mr. Pirog asked if the play place is new or remodeled.

Mr. Minorik answered it is new.

Ms. Bremanis gave a brief overview stating the property is zoned B5 and was annexed into Village in 1994. She referred to the aerial slide to show neighboring properties with similar setbacks. She spoke to the parking explaining they have the more restrictive requirement being 1 per 100sqft instead calculating based on per seat. Ms. Bremanis stated Community Services, Engineering, Environmental Health, and Fire Prevention, have reviewed the plans and had no issues. She went through slides to show proposed elevations and location of cooler. Ms. Bremanis stated they agreed to additional landscaping along back lot line the runs along an empty lot that would be an improvement for the residents that reside there.

STAFF RECOMMENDATION:

The Petitioner is requesting to expand an existing McDonald's to include an addition on the front of the building for both additional seating and a play place that encroaches 4 feet into the required minimum 40-foot front yard setback. The plans also contemplate an addition onto the rear of the building for a walk-in cooler that meets the required rear yard setback. There are other buildings along this section of Rand Road that provide setbacks between 17' and 32'; therefore, this encroachment should not alter the character of the area. Staff also notes that the existing building, parking, and setbacks were established in unincorporated Cook County and subsequently annexed into the Village. The Subject Lot allows minimal areas for expansion.

Additionally, the expansion will remove 4 existing parking spaces and add 4 additional seats to the total seat count. However, the Petitioner has indicated that

they are typically 75% drive-thru and are confident that 47 parking spaces will sufficiently handle the parking demand. Therefore, Staff recommends approval of the Special Use Amendment and Variations subject to the following condition:

1. The Special Use Amendment and Variations shall substantially conform to the business operations submitted by the Petitioner dated 9/9/2020, the floor plan prepared by the architect, EIS dated 9/18/20, and site plans prepared by Watermark Engineering dated 10/10/20 attached hereto except as such plans shall be revised to conform to Village Codes and Ordinances.

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 the special use and variation are tied together reviewing an old ordinance to allow change in the floor plan. He stated the play place has no issues and is in line with other business along the corridor. He stated he initially had an issue with the parking but the petitioner is a large corporation and has metrix and ability to study. He stated if they are willing to say most of business is drive thru and can afford to lose the parking spots then it is ok. Mr. Cavanaugh stated it meets the standards.

Ms. Roth-Wurster agreed with Mr. Cavanaugh that the standards have been met. She pointed out McDonalds on Northwest Hwy just came thru and gave similar info. She stated the new design will be good for area.

Ms. Wood stated the restaurant has been there for number of years and there have been no issues according to staff. She stated these are nice improvements but the play place gives pause that may increase customer seating. She stated looking at the trend even pre-Covid is more drive thru. Ms. Wood spoke to the standards and stated this will not alter essential character.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 7-1. This item will tentatively go to Village Council on December 14, 2020.

RESULT:	RECOMMENDED TO APPROVE [7 TO 1]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog
NAYS:	Dittrich

IV. COMMUNICATIONS**V. ADJOURNMENT**

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 12/22/20 07:00 PM

CASE STAFF STATEMENT (ID # 6447)

824 S. Mallard Drive

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis/John Kalmar

PETITIONER: Eric Haney

CASE NUMBER: 20-69

ADDRESS: 824 S. Mallard Drive

PROPOSAL:

Special Use to permit a fence in the rear yard abutting the side lot line of the front yard of an adjacent lot pursuant to Section 6.03 (b) (6) (b) of the Village of Palatine Zoning Ordinance.

<u>LOCATION:</u> 824 S. Mallard Drive District 2 (Lamerand)	<u>CURRENT ZONING:</u> R-1B - Single Family Residential
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SURROUNDING CONDITIONS:

<u>North:</u>	R-1B - Single Family Residential
<u>South:</u>	R-1B - Single Family Residential
<u>East:</u>	R-1B - Single Family Residential (Hunting Ridge School)
<u>West:</u>	R-1B - Single Family Residential

BACKGROUND:

The Petitioner is proposing to construct a fence that encroaches into required setback. Therefore, the Petitioner is requesting:

Special Use to permit a fence in the rear lot line of said rear yard abuts the side lot line of the front yard of an adjacent lot.

SITE ANALYSIS:

- The Subject Property is located at the southwest corner of W. Illinois Avenue and S. Mallard Drive and is zoned R-1B Single Family. The subject property is existing non-conforming as the house is setback approximately 20 feet from the side lot line abutting a street yard (W. Illinois Avenue), instead of the minimum required 35 feet.

When Hunting Ridge was annexed into the Village in 1967 it was initially zoned R-2, prior to being rezoned to R-1 B, in conjunction with its development.

- The Petitioner, as part of fencing the rear yard of the property, is proposing to install a 5-foot tall solid vinyl fence located 20 feet (35 feet is the required side yard abutting a street setback) from the lot line adjacent to W. Illinois Avenue (the side yard abutting a street lot line), which also abuts the side lot line of the front yard of an adjacent lot (1139 W. Illinois Avenue). Therefore, a Special Use is required.
- The proposed fence will extend west from the corner of the Petitioner's house to the west property line. It will maintain the 20-foot setback established by the house.
- There are not any covenants or restrictions for Hunting Ridge Subdivision that prohibit fencing on private property.

Note: In October 2020, the Petitioner applied for an Administrative Special Use to allow a six (6) foot solid fence in the same location as noted above. Due to objections received, the Petitioner was required to file for a Standard Variation to be heard before the Zoning Board of Appeals.

- Although there were some initial objections to the Administrative Special Use request for the fence, Staff only had one restatement of previous objection (see attached) to the Public Hearing and Special Use petition.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified
Engineering	No Issues Identified
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	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 not 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.

- (5) With respect to front yard fencing and fencing in a rear yard/side yard abutting

a street, the following additional standards must be met:

- a. Will meet the following aesthetic criteria:
 - i. Will not destroy existing vistas in the area;
 - ii. Will enhance the appearance of the homes and the streets in the area; and
 - iii. Will not detract from the overall appearance of the community; or
- b. The fencing is found to be necessary to protect private property or the safety of the inhabitants of the property.

STAFF RECOMMENDATION:

In the original Administrative Special Use application, the Petitioner requested a six (6) foot fence. Due to the concerns expressed by several of the surrounding property owners, the fence height was reduced to five (5) feet. The Petitioner is requesting to install a 5-foot tall solid vinyl fence located 20 feet from the lot line adjacent to W. Illinois Avenue. There are several fences in the area that encroach into the side yard abutting a street, and there is an existing hedge row and other landscaping between the fence and lot line, which will remain. Hunting Ridge Unit 2 was annexed into the Village in 1967 and initially zoned R-2 single-family residential. It was subsequently rezoned to its current R-1 B classification in 1970. During the intervening 3 years, there were several lots which were developed under the R-2 zoning district requirements. Those appear to include the other identified corner lots with 20-foot (35-feet is the current R-1 B requirement) side yard abutting a street setbacks and associated fencing.

Staff does not believe that the proposed fence will create any line of sight issues for adjacent properties, as it will be at least 20 feet from the lot line, aligned with the existing home, and maintained behind the existing landscaping. There is an existing chain link fence on the property directly west of the Subject Lot, which extends along the shared property line and terminates at the sidewalk right-of-way. Finally, it should not have a negative impact on the surrounding properties. Therefore, Staff recommends approval of the proposed Special use to the Zoning Board of Appeals, subject to the following condition:

- 1. The Special Use shall substantially conform to the site plan submitted by the Petitioner, Eric Haney, except as such plans may be changed to conform to Village Codes and Ordinances.
- 2. The landscaping on the north side of the fence shall either be maintained or replaced in the future, if necessary, in a manner acceptable to the Village of Palatine.

ATTACHMENTS:

- Aerial map
- Application
- Plat of Survey - Site Plan
- Fence Elevations
- Petitioner Justification Letter
- Petitioner Photos
- Letter of Support
- Objection Letter 1
- Public Notice



Attachment: Aerial map (824 S Mallard Dr - SU Fence)

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) Eric Haney & Katie Haney		Business Name (if applicable)	
	Subject Property Address 824 S Mallard Dr, Palatine, IL 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 R1B	Existing Land Use Residential	Proposed Land Use N/A	
	Generally describe your request:			
	Would like to install a 5ft white vinyl fence from the back northwest corner of my house, straight back to my back property line parallel to Illinois Ave with a 20ft setback. The fence will not extend beyond the edge of my house, keeping the same setback (20ft) as the house along Illinois Ave.			

Attachment: Application (824 S Mallard Dr - SU Fence)

Required Materials

- Filing Fee of \$ 360
- 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)
- Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

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 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Variation only, you do not need to answer these items.***

1. The use is deemed necessary for the public convenience at that location

This fence is intended to provide a safe area for kids and a dog to play freely in our backyard. This will ensure no balls/toys accidentally get thrown/kicked into public walkways or streets, and will prevent kids/dog from entering the street on Illinois Ave during busy commute/school hours.

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

The fence will be located in a manner (in line with house setback) that does not obstruct any views for cars at the intersection nor pedestrians walking/biking. The fence will be constructed and is designed to withstand 115 mph wind.

3. The use will not cause substantial injury to nearby property values

The 5ft vinyl fence will be appealing to the eye and will be framed/fronted by nicely manicured and maintained landscaping. The landscaping between the property line and proposed fence line already includes a solid line of shrubs along the sidewalk, 3 spruce trees, and a maple tree. The rear/west property line features hydrangeas between the proposed fence and property line as well.

4. With respect to live entertainment uses, the use shall not:

- a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
- b. Impose undue health, sanitation or safety burdens on the village
- c. Create excessive demands on the Village of Palatine Police Department
- d. Be of a nature otherwise prohibited by law or village ordinance

5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance

The fence will follow the standards set forth including being 5ft in height, 5"x5" posts dug 36" below grade, and will be constructed with ActiveYards Dogwood Vinyl fencing: <https://www.activeyards.com/solutions/privacy/dogwood>

BOUNDARY SURVEY

LOT 5 IN BLOCK 5 IN HUNTING RIDGE UNIT NO. 2, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 1969 AS DOCUMENT NUMBER 20005410, IN COOK COUNTY, ILLINOIS.

Key

Proposed
5' white Vinyl Fence



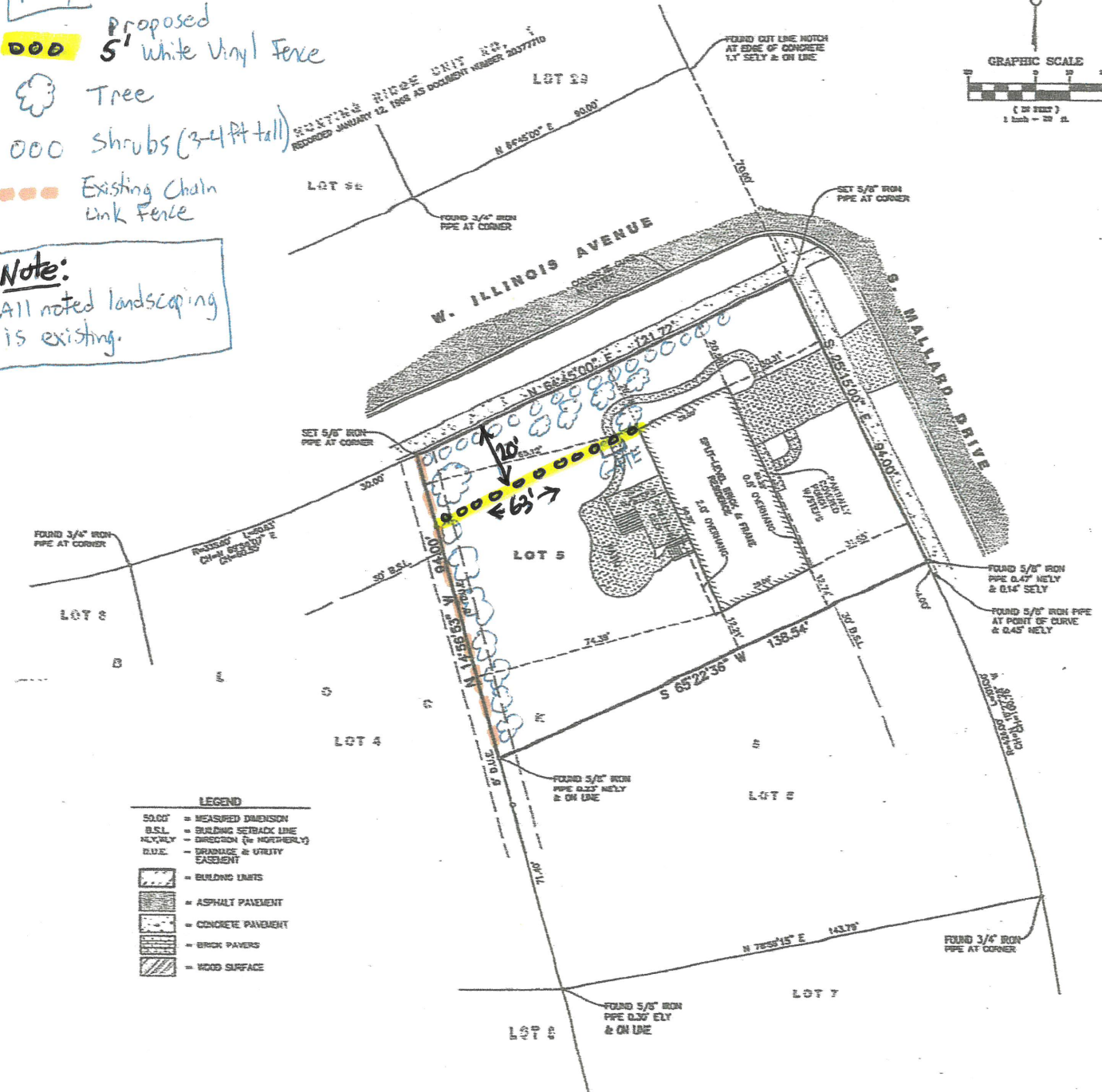
Tree

Shrubs (3-4 ft tall)

Existing Chain Link Fence

Note:

All noted landscaping is existing.



LEGEND	
50.00'	= MEASURED DIMENSION
B.S.L.	= BUILDING SETBACK LINE
N, 65° 15' E	= DIRECTION (N = NORTHERLY)
D.U.E.	= DRAINAGE & UTILITY EASEMENT
	= BUILDING FOOTPRINT
	= ASPHALT PAVEMENT
	= CONCRETE PAVEMENT
	= BRICK PAVERS
	= WOOD SURFACE

NOTES

1. THIS SURVEY PREPARED FOR A.P. LAW FIRM, LLC (KEYES).
2. EASEMENTS AND SETBACKS SHOWN WERE CREATED BY THE FINAL PLAT OF SUBDIVISION. NO SETBACKS WERE CREATED ON LOT 5 PER THE FINAL PLAT. REFER TO A CURRENT TITLE COMMITMENT, ZONING REGULATIONS OR OTHER REGULATORY DOCUMENTS OR REQUIREMENTS FOR ADDITIONAL SETBACK, EASEMENT OR OTHER REQUIREMENTS NOT SHOWN HEREON, IF ANY.
3. PROPERTY AREA = 14,140 SQ.FT., MORE OR LESS.
4. VERIFY DIMENSIONS, LEGAL DESCRIPTION AND CORNERS AND NOTIFY SURVEYOR OF ANY DISCREPANCIES PRIOR TO ANY CONSTRUCTION ON THE PROPERTY. DIMENSIONS SHALL NOT BE ASSUMED BY SCALE.
5. BUILDING TIES ARE SHOWN FROM OUTSIDE LIMITS OF BRICK OR FRAME CONSTRUCTION.
6. LEGAL DESCRIPTION HEREON PROVIDED BY CLIENT.
7. BEARINGS ARE BASED ON FOUND MONUMENTATION AND THE FINAL PLAT OF SUBDIVISION.
8. UTILITIES, LANDSCAPE FEATURES, AND IMPROVEMENTS COVERED BY EARTH, LANDSCAPING, OTHER MATERIALS OR OBSTRUCTIONS, IF ANY, ARE NOT SHOWN HEREON.

SURVEYOR

WE, SIGHT ON SOLUTIONS, INC., DO HEREBY DECLARE THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

PLAT DATE: SEPTEMBER 18, 2020

IL PROF. LAND SURVEYOR #3520 (EXP. 11/30/20)
DESIGN FIRM REG. #184.005810 (EXP. 04/30/21)
FIELD WORK COMPLETED SEPTEMBER 18, 2020



PLAT OF SURVEY		824 S. MALLARD DRIVE	PALATKA, ILLINOIS
OWNER: K.C.	557 CAPITAL DRIVE, LAKE ZURICH, ILLINOIS 60047		
DATE: 09/18/20	PHONE: 847.284.7000 FAX: 847.284.7007		
SCALE: 1"=20'	EMAIL: mikem@sightonsolutions.com		
SIGHT ON SOLUTIONS, INC.		SHEET 1 OF 1	
		SOS#: 20476	

LAND SURVEYING, TOPOGRAPHIC MAPPING, SITE STAKING, SITE PLANS, GRADING PLANS, FIRM CERTIFICATES AND MORE...

Photos of Fence Design/Look.



RE: 824 S Mallard Dr.

Dear Zoning Board of Appeals,

We're writing in hopes to obtain approval to move forward with the installing a fence in our backyard to create a safe space to play for our son (soon to be 2) and our goldendoodle, since the intersection of Illinois Ave and Mallard Dr is a high traffic area. Our current plan is to install a fence along the South and North property lines to fully enclose our yard, with a fence already extending the width of our lot on the West side (1139 W Illinois). The current zoning rules for our lot state that fences must be setback by 35ft from the property line along Illinois Ave.

However, our house is set back roughly 20ft (Northeast Corner: 20.58 ft, Northwest Corner: 20.78 ft) from the property line along Illinois Ave, so we're proposing to install a fence at a 20ft setback extending straight back from the NW corner of our house. This fence will not obstruct any pedestrian views from the street or sidewalk when approaching our property from the East or West, nor our neighbors at 1139 W Illinois since there is an existing 15ft+ tall shrub row along that property line. Installing this fence at a 20ft setback allows us to keep much of our backyard functional for our use, while also keeping community safety in mind.

We initially proposed installing a 6ft white vinyl fence, however several property owners in the area objected to this plan due to the height of the fence. We're now proposing to install a 5ft white vinyl fence along Illinois Ave. in order to help alleviate these concerns. As you will see in the plat of survey and site map, an existing hedgerow (3-4ft in height) runs along the property line in question along with a second row of landscaping including 3 spruce trees and 2 maple trees.

We chose white vinyl as the material since it provides a clean, maintenance free look that will remain in great condition for a long time. White vinyl matches the trim, gutters, and downspouts of our house as well as our deck and 3-seasons room, so it will only enhance the overall appearance of our home. The fence will seamlessly match and blend in with the other features of our property.

Regarding the zoning ordinance 5b, all aesthetic criteria will be met by our plan outlined above and we feel this is necessary to protect our family. No existing vistas in the area will be destroyed and the fence will enhance the appearance of the homes and streets in our area with the clean seamless look on our property. This white vinyl fence style matches several other fences in the area including 1150 Tern Dr and 934 W Oxford Ct and will not detract from the overall appearance of the community. Our primary goal is to create a safe, private space for our children and dog to play by closing our yard off to the busy intersection of Illinois and Mallard, which aligns with ordinance 5b.

Our neighbors adjacent to us, including 1139 W Illinois, 1136 W Illinois, 1124 W Illinois, 1108 W Illinois, and Hunting Ridge Elementary School, all approved our initial 6ft fence proposal and approve of this new 5ft fence proposal as well.

Thank you,

Eric & Katie Haney

[REDACTED]
[REDACTED]

Attachment: Petitioner Justification Letter (824 S Mallard Dr - SU Fence)

Pictures of side yard parallel to Illinois Ave.

Proposed fence would run behind all visible landscaping shown below, starting at blue arrow below.



Fence Height and Location Pictures

The white 5ft board below demonstrates where the 20ft setback is along with the height of the proposed fence.



The Fence will be behind all visible trees and landscaping below:







Attachment: Petitioner Photos (824 S Mallard Dr - SU Fence)

Lyn Bremanis

From: Eric Haney [REDACTED]
Sent: Friday, December 18, 2020 7:29 AM
To: Ben Vyverberg; John Kalmar; Lyn Bremanis
Subject: Fwd: thoughts on your new fence

Hi Ben,

See below for an email of support from our neighbors across the street at 1124 W Illinois.

Thanks,
 Eric

----- Forwarded message -----

From: [REDACTED]
Date: Sat, Nov 21, 2020 at 12:28 PM
Subject: thoughts on your new fence
To: [REDACTED]

Eric, I wanted to drop you an email about your proposed fence. I live at 1124 W Illinois across the street, and both my wife Monica and I have no issue with it, as the height, and type all seem normal for the neighborhood and reasonable. As a father of 2 boys myself, I totally get why you'd want to put up a fence to fully and safely enjoy your yard. I hope this helps.

Sorry for delay, our littlest had a fever for a few days, and our attention was there.

Jeff and Monica Bush
 1124 W Illinois Palatine il. 60067

[REDACTED]
 [REDACTED]

Sent via the Samsung Galaxy Note8, an AT&T 5G Evolution capable smartphone

--

Eric Haney
 [REDACTED]
 [REDACTED]
 [REDACTED]

Attachment: Letter of Support (824 S Mallard Dr - SU Fence)

October 26, 2020

Dear John Kalmar,

My name is Betty Gabel and I reside in the house at 830 S. Mallard Drive in Palatine, just south of the Haney house. Mr. Haney is seeking a permit for a Special Use Application pertaining to Section 14.05 (b) (2) of the Palatine Zoning Ordinance. Recently I signed an approval sheet for the fence and I am now rescinding my signature after giving this request more of my time and thought due to the impact it will have on myself and the surrounding community.

I have lived in my home in Hunting Ridge since 1987. I have had wonderful neighbors that lived in the now, Haney house. By name they were Millers, Mazlens, and Keys. There were dogs, cats, and children from newborns to high school age children that lived there. There were swing sets, sandboxes and inflatable pools. We enjoyed casual backyard conversations and parties. It was refreshing to enjoy the openness of our yards and beauty of nature.

The very unique feature of the Haney property is it's PROMINENT location on Illinois Ave. It is an important segue of many passerbys between Quentin Road and Roselle Road. All traffic is required to stop at Mallard Drive and Illinois Avenue making the surroundings even more noticeable and important.

I strongly feel this permit should not be granted as it will be an undesirable visual to Hunting Ridge, Willow Walk and Inverness!

I believe it was Mr. Haney's responsibility to consider the Palatine Village Zoning Ordinance before purchasing his property.

I was tragically widowed in 2014 when my late husband was murdered in an overseas terrorist attack. I have been alone now for over six years and can not afford to lose my property value by allowing Haney's unsightly 6 foot tall 63 foot long fence. Please know my home is my largest asset!

Thank you for your consideration.

Respectfully,



Betty Gabel



Attachment: Objection Letter 1 (824 S Mallard Dr - SU Fence)

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, December 22, 2020 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following: **Special Use to permit a fence in the rear yard abutting the side lot line of the front yard of an adjacent lot pursuant to Section 6.03 (b) (6) (b) of the Village of Palatine Zoning Ordinance.**

The property is commonly known as 824 S. Mallard Drive (02-28-204-005).

The Petitioner is proposing to install a six (6) foot tall solid fence, in the corner side yard, located 20 feet from the W. Illinois Avenue property line instead of the minimum required 35 feet.

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

FILE #: 20-63

VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board
Of Appeals

DATED: This 7th day of
December, 2020
Published in Daily Herald
December 7, 2020 (4555416)

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 12/07/2020 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

Danula Baltz
Authorized Agent

Control # 4555416

Attachment: Public Notice (824 S Mallard Dr - SU Fence)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 12/22/20 07:00 PM

CASE STAFF STATEMENT (ID # 6426)

1116-1120 W. Northwest Highway

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Pasquale Di Diana, Bacci Pizzeria

CASE NUMBER: 20-65

ADDRESS: 1116-1120 W. Northwest Highway

PROPOSAL:

Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

Variation to permit 39 parking spaces instead of the required 54 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 1116-1120 W. Northwest Hwy District 1 (Millar)	<u>CURRENT ZONING:</u> P- Planned Development
---	---

SURROUNDING CONDITIONS:

<u>North:</u>	P - Planned Development Hidden Cove Subdivision
<u>South:</u>	P - Planned Development Townhomes of Oakridge
<u>East:</u>	P - Planned Development Sutton Park Place Subdivision
<u>West:</u>	P - Planned Development Countryside

BACKGROUND:

The Petitioner is proposing to open a restaurant in The Cove Center. Therefore, the Petitioner is requesting:

Special Use to permit a restaurant.

Variation to permit 39 parking spaces instead of the required 54 parking spaces.

SITE ANALYSIS:

- The Subject Property is zoned Planned Development, Hidden Cove Subdivision annexed into the Village in 1989. The proposed tenant space is approximately

2,700 square feet and is currently vacant. The building is approximately 10,800 total square feet. The current building occupants include a salon, health club and veterinarian office.

- Per Ordinance #O-172-89, The Cove Center follows the B-1 district use standards and use list. Thus, a Special Use is required for the restaurant.
- The Petitioner currently has nine existing pizzeria restaurants in the Chicagoland area, and this would be their 10th location.
- The proposed hours of operation are:
 - Sunday - Thursday 10 AM - 11 PM
 - Friday - Saturday 10 AM - 1 AM
- The Petitioner indicates there will be 10-15 employees and 40 seats.
- The menu is attached and it is indicated that approximately 75% of the business will be take-out.
- The Petitioner indicates an intention to also apply for a liquor license.
- The floor plan indicates 40 seats. The tenant space is approximately 2,700 square feet, which requires 27 parking spaces, as the 1/100 ratio is the more restrictive. With the addition of the restaurant, 54 spaces are required and 39 spaces are provided at the center. Therefore, a Variation is required.

DEPARTMENTAL REVIEWS:

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

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 Petitioner is proposing to open a new restaurant in a vacant tenant space previously occupied by a Chiropractic Office. The Petitioner currently owns nine restaurants in Illinois, and the proposed location will be their tenth restaurant. The Petitioner has indicated that the majority of the business will be take-out and is reviewed the parking as sufficient. Staff has also conducted site inspections of the existing parking lot and its use and did not observe any parking occupancy issues or constraints at this center. Per the current tenant mix, two of the business are closed both Friday and Saturday evenings, which are typically peak restaurant hours. The current tenant configuration and uses should allow the proposed Special Use and parking Variation to function. The pizzeria restaurant should not have a negative impact on the surrounding properties. Nevertheless, it is the Petitioner's responsibility to address the required standards and identified traffic questions, including the delivery traffic exiting plan from the center.

Therefore, Staff recommends Action at the discretion of the Zoning Board of Appeals for of the Special Use and Variation subject to the following condition:

1. The Special Use and Variation shall substantially conform to the floor plan and business plan submitted by the petitioner on 10/28/2019, except as such plan may be changed to conform to Village Codes and Ordinances.
2. The business plan shall be revised to include a restaurant delivery traffic management plan for exiting the center. It is Staff's further recommendation that restaurant delivery traffic disperses through Northwest Highway.

ATTACHMENTS:

- Aerial map
- Application
- Plat of Survey
- Business Plan
- Floor Plan
- Menu

Case Staff Statement (ID # 6426)
Meeting of December 22, 2020

- Objection Letter
- Public Notice

1116-1120 W Northwest Highway

3.2.a

VILLAGE OF
PALATINE



Attachment: Aerial map (1116-1120 W. Northwest Hwy - SU VAR Restaurant)

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

date received

Background Information	PETITIONER(S) PASQUALE DI DIANA		Business Name (if applicable) BACCI PIZZERIA		
	Subject Property Address 1100 - 1128 W. NORTHWEST HIGHWAY PALATINE 60067				
	AUTHORIZED AGENT (if applicable) GEORGE SIMMS		Business Name (if applicable)		
	Address PO Box 182 WOOD DACK IL 60191		City/State/Zip Code		
	Telephone (708) 581-1127	Fax	Email		
	Relationship to Petitioner (contractor, architect, etc.) LANDLORD				
	TYPE OF APPLICATION (check one) ☒ Special Use ☐ Special Use Amendment ☐ Variation				
	Existing Zoning District		Existing Land Use		Proposed Land Use
	Generally describe your request: WE WOULD LIKE TO OPERATE AN ITALIAN PIZZA RESTAURANT WITH TAKE OUT, DELIVERY AND DINE IN.				

Attachment: Application (1116-1120 W. Northwest Hwy - SU VAR Restaurant)



SPECIAL USE

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)
- ☐ Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

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 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. **If you are applying for a Variation only, you do not need to answer these items.**

1. The use is deemed necessary for the public convenience at that location

WE BELIEVE THE NEARBY RESIDENTS AND PALATINE COMMUNITY
WILL APPRECIATE OUR DELICIOUS FOOD AT AFFORDABLE
PRICES

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

WE OWN AND OPERATE SIX STORES IN THE CHICAGO AND
AREA, AND ENSURE WE WILL USE ALL THE SAFETY AND HEALTH
PROTOCOLS AS WE DO AT ALL OF OUR OTHER PLACES

3. The use will not cause substantial injury to nearby property values

WE BELIEVE THAT WE CAN ONLY BE A BENEFIT TO THE
COMMUNITY, AND IN NO WAY AFFECT PROPERTY VALUE IN
A NEGATIVE WAY

4. With respect to live entertainment uses, the use shall not:

- a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
- b. Impose undue health, sanitation or safety burdens on the village
- c. Create excessive demands on the Village of Palatine Police Department
- d. Be of a nature otherwise prohibited by law or village ordinance

5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance



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**
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- ☐ 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

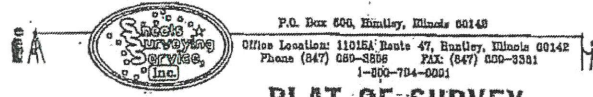
see attached

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

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

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

- 1) Per regulation there are not enough parking spaces, however the parking lot currently never has more than 10 cars there at any point, and our main function will be delivery and take out, so cars will be only stationed for less than ten minutes
- 2) Most of our customers will be coming in to pick up orders and only be parked short term
- 3) There is abundant parking for all the tenants of the strip mall, and parking will never be an issue
- 4) In no way will we be of a bother to our neighboring business. If anything, we could help drive some traffic to the very desolate strip mall, and help bring some life to this part of Northwest Highway. Most of our business will be conducted after 5pm, and the other tenants are not operating at that time.

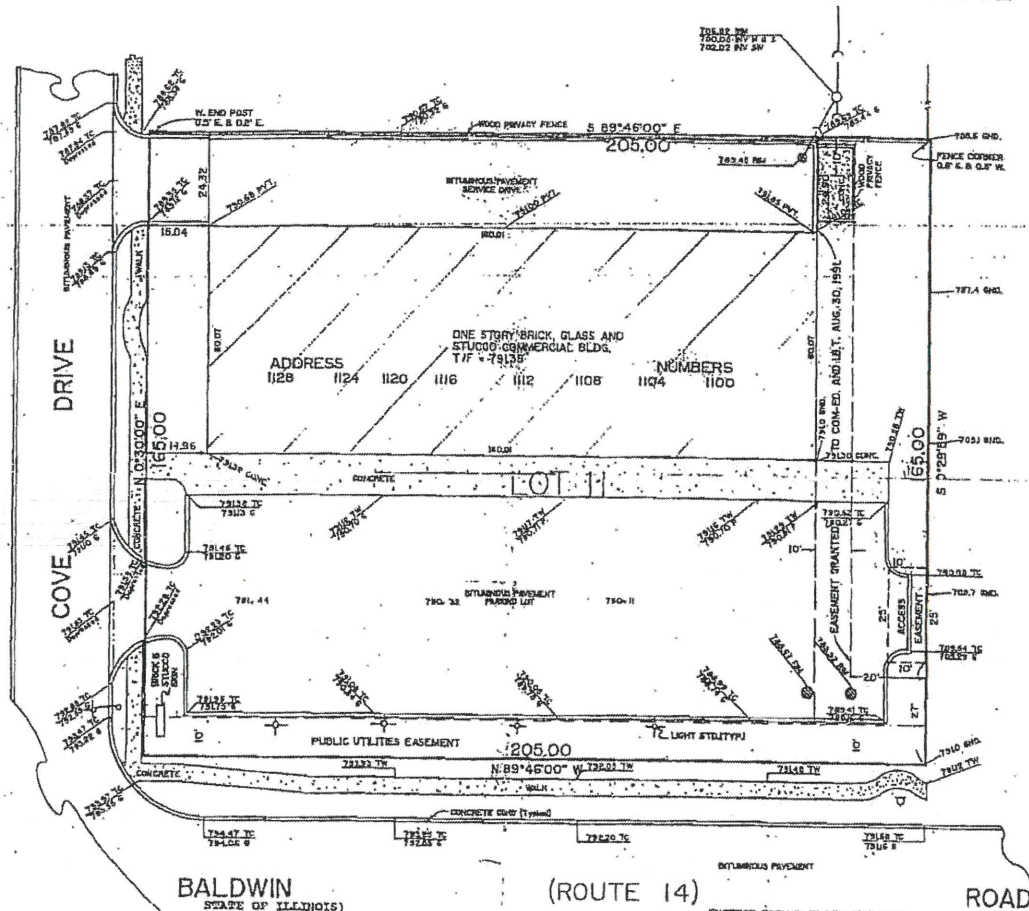


PLAT OF SURVEY OF

LOT 11 IN HIDDEN COVE, BEING A SUBDIVISION OF THE EAST TWO HUNDRED FIFTY (250)
FEET OF THE WEST TWO-THIRDS (2/3) OF THE SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER OF SECTION 9, TOWNSHIP 42 NORTH, RANGE 18, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 31, 1998 AS DOCUMENT NO.
98254792, IN COOK COUNTY, ILLINOIS.

0.7765 ACRES

Scale 1" = 20'



BALDWIN

(ROUTE 14)

ROAD

STATE OF ILLINOIS
COUNTY OF MCHENNY) s.e.

I, THOMAS M. SHEETS, an Illinois Professional Land Surveyor, do hereby certify that I have updated the survey of the above described property, and that the above plat is a correct representation of said survey.

HUNTLEY, ILLINOIS APRIL 10, 1997

Thomas M. Sheets

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2257
SHEETS SURVEYING SERVICE, INC.
PHONE (847) 669-3898

LEGEND AND NOTES

Dimensions shown thus: 50.25 are feet and decimal parts thereof.
Angular data shown thus: 90° 00' 00" indicate degrees, minutes and seconds.

50.25 / N 90° 00' 00" E indicates measure dimension / bearing.
(50.25) / (N 90° 00' 00" E) indicates record dimension / bearing.
(50.25 s) / (N 90° 00' 00" E d) indicates deed call dimension / bearing.

Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.

Compare your points before using same and report any differences immediately.

Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat or as indicated.

Concrete curb shown hereon per engineering plans furnished.

EXCERPT FROM PLAT OF SUBDIVISION
"HIDDEN COVE" DOC. NO. 98254792

"ACCESS EASEMENT" PROVISIONS

A PERPETUAL NON-EXCLUSIVE GRASS ACCESS EASEMENT IS HEREBY RESERVED AND GRANTED, EFFECTIVE UPON THE ANNEXATION TO THE VILLAGE OF PALATKA OF THE ADJACENT LOT IMMEDIATELY EAST OF THAT PORTION OF LOT 11 DESIGNATED ACCESS EASEMENT, FOR PUBLIC ACCESS TO AND FROM LOT 11 OF THE PLATTED PROPERTY TO THE ADJACENT LOT IMMEDIATELY EAST OF THAT PORTION OF LOT 11 DESIGNATED ACCESS EASEMENT, IN THE DIRECTION AND LOCATION AS SHOWN ON THIS PLAT. THERE IS ALSO HEREBY GRANTED AND RESERVED, EFFECTIVE UPON THE ANNEXATION TO THE VILLAGE OF PALATKA OF THAT ADJACENT LOT IMMEDIATELY TO THE EAST OF THAT PORTION OF LOT 11 DESIGNATED ACCESS EASEMENT, A TEMPORARY CONSTRUCTION EASEMENT SOLELY FOR THE PURPOSE OF CONSTRUCTING SAID CROSS ACCESS PAVEMENT.

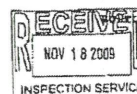
RESTRICTIVE COVENANT (LOT II ONLY)

THE OWNER OR OWNERS OF LOT 11, ON ANY FUTURE THEREOF, HEREBY AGREE TO PAY A PROPORTIONAL SHARE OF ANY FUTURE COSTS, BASED UPON THE AMOUNT OF OWNERSHIP OF COMMERCIAL LAND ONLY, OF ANY FUTURE LEFT TURN LANE REQUIRED NECESSARY BY THE VILLAGE AND APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION TO BE PLACED BETWEEN AND INCLUDING COVE DRIVE AND BALDWIN AVENUE. THIS COVENANT SHALL BE BINDING UPON THE PRESENT AND ALL SUCCESSOR OWNERS OF LOT 11, ON ANY INTEREST IN SAID PROPERTY.

STATE OF ILLINOIS
COUNTY OF MCHENNY) s.e.

I, THOMAS M. SHEETS, an Illinois Professional Land Surveyor, certify that this survey was made on the ground, that this plat correctly represents
Surveyor
Certified
Professional
for a

PETITIONER'S EXHIBIT



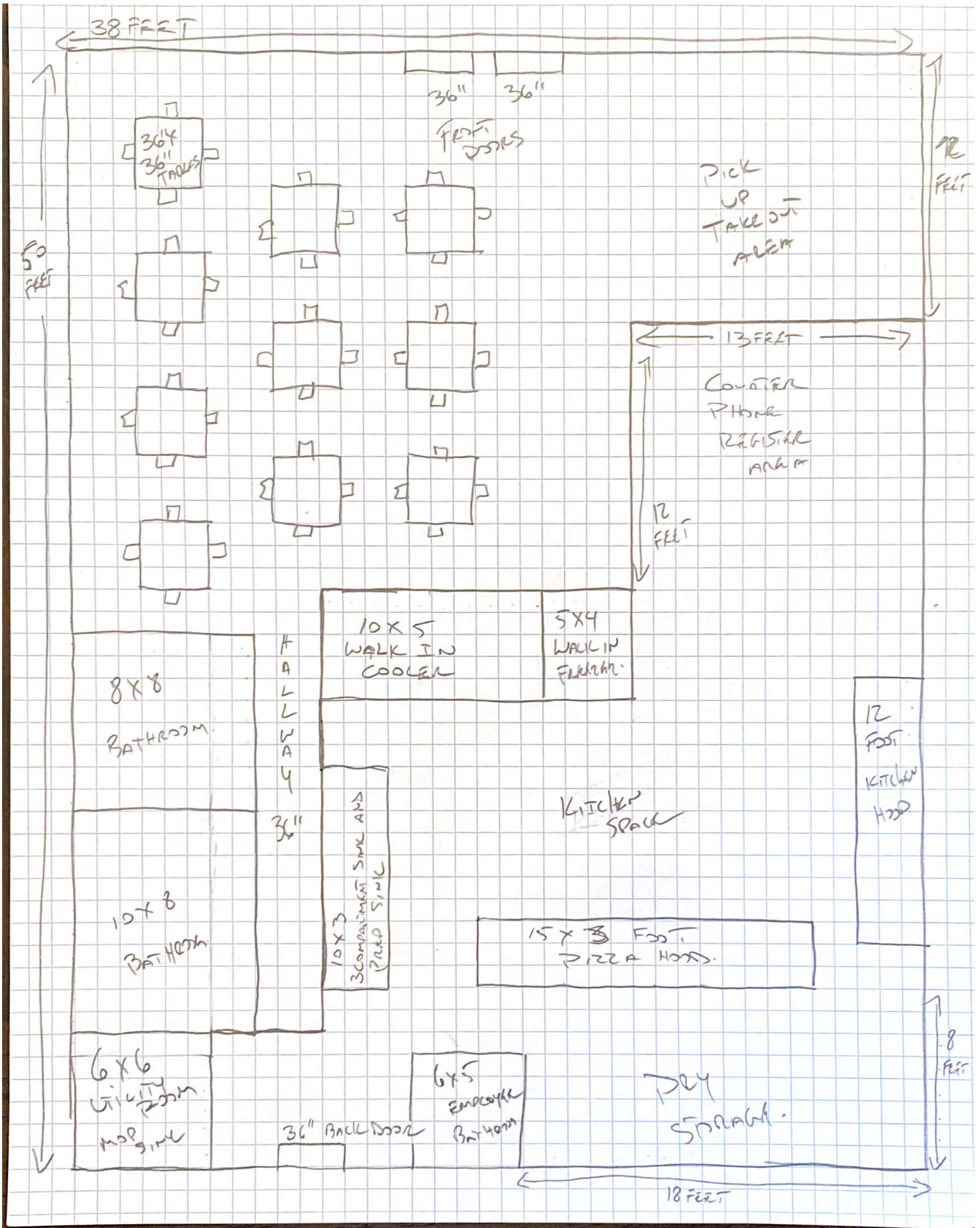
9

Attachment: Plat of Survey (11116-1120 W. Northwest Hwy - SU VAR Restaurant)

Bacci Pizzeria of Palatine:

- Hours of Operation: Sunday to Thursday 10am 11pm Friday/Saturday 10am 1am
- Employees 10-15 approximately
- Indoor seating for 40
- Menu will be similar to other Bacci locations (baccipizza.com)
- Estimated 100 customers per day
- 75% Estimated Revenue will be takeout or delivery





Attachment: Floor Plan (1116-1120 W. Northwest Hwy - SU VAR Restaurant)

\$5 OFF
ANY ORDER OF
\$25 OR MORE



FREE WINGS
WITH ANY PIZZA
(Call Store for Details)



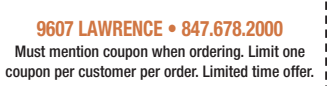
\$10 OFF
ANY ORDER OF
\$50 OR MORE



FREE JUMBO SLICE
ANY ORDER OF
\$20 OR MORE



FREE DELIVERY



BACCI PARTY PACKS

Feeds 20-25 People

PARTY PACK #1

- Two (2) 30" Jumbo Cheese Pizzas
- \$59.95**

PARTY PACK #2

- Two (2) 30" Jumbo Cheese Pizzas
 - 60 BBQ or Hot Wings
- \$99.95**

PARTY PACK #3

- Two (2) 30" Jumbo Cheese Pizzas
 - Large Pan of Pasta Spaghetti, Mostaccioli or Rigatoni with Marinara
 - Small Pan Tossed Salad
 - Homemade Bread
- \$109.95**

PARTY PACK #4

- 5 lbs. Bacci Beef
 - 5 lbs. Italian Sausage 12 - 6" Links Cut in Half
 - 6 Loaves French Bread Cut in 3"
 - 1 Pint Sweet Peppers
 - 1 Pint Hot Giardiniera
- \$99.95**

PARTY PACK #5

- Large Pan of Pasta Spaghetti, Mostaccioli or Rigatoni with Marinara
 - Large Pan Tossed Salad
 - Homemade Bread
- \$89.95**



DINE-IN ■ CARRY-OUT ■ DELIVERY ■ CATERING

847.678.2000
BACCI OF GREATER O'HARE
9607 LAWRENCE

SUNDAY thru THURS DAY 10 am to 10 PM
FRIDAY & SATURDAY 10 am to 11 PM

WWW.BACCIPIZZA.COM

My Aunt and Uncle originated the Jumbo Slice in Chicago back in 1996. It was a little joint across the street from where my Uncle grew up on Taylor Street, in Chicago's Little Italy. The "Old Neighborhood" as many locals call it.

The people of Chicago made it an instant success, and 20 years later we are bringing the same Old Neighborhood tastes and flair to various locations in Chicago and surrounding suburbs. All family owned and operated, our stores have remained authentic and unaltered, giving them the special attention and treatment only family can give.

It is my family's honor and pleasure to serve the Great people of Chicago, and we look forward to serving you for many more

- The Nephew



OUR LOCATIONS

TAYLOR STREET
2301 W. Taylor
312.455.9000

UKRAINIAN VILLAGE
2343 W. Chicago
773.342.6500

JEFFERSON PARK
4367 N. Milwaukee
773.304.3000

WRIGLEY
950 W. Addison
773.305.4100

LINCOLN PARK
2557 N. Halsted
773.697.7787

RIVER NORTH
162 N. Franklin
312.578.1700

O'HARE EAST
9607 Lawrence
Schiller Park, IL
847.678.2000

O'HARE WEST
1100 Rt. 83
Bensenville, IL
630.422.7500

BRADLEY UNIVERSITY
1222 W. Bradley
Peoria, IL
309.676.2222

PRICES ARE VALID FOR BACCI
9607 LAWRENCE
O'HARE EAST ONLY

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*****ECRWSS*****
Local Postal Customer



CHICAGO'S ORIGINAL JUMBO SLICE

EST. 1996

WE DELIVER!



ORDER ONLINE
BACCIPIZZA.COM





EXTRA THIN & CRISPY AVAILABLE, JUST ASK!

Bacci

BY THE SLICE

JUMBO SLICES

We cut our 30" into 8 jumbo slices.

Cheese.....	4.99
Sausage or Pepperoni	5.49
Specialty Slices	5.99



STUFFED PIZZA PIE

Old World.....	5.99
Plum Tomato, Basil, Parmesan and Fresh Mozzarella	
Sausage	5.99
Homemade Italian Sausage and Fresh Mozzarella	

HAND TOSSED PIZZAS

Not thin, not thick, just right!

	Medium Serves	Family	Party	Jumbo
	2-3 14"	4-5 18"	6-7 24"	8-10 30"
Cheese	14.95	19.95	27.95	34.95
Each Extra Ingredient	2.00	2.50	3.00	3.50

CHICAGO STYLE PAN PIZZA

	Small 12"	Large 16"
Cheese	15.95	18.95
Each Extra Ingredient	2.00	2.50

STUFFED PIZZA PIE

	Small 12"	Large 16"
Cheese	16.95	20.95
Each Extra Ingredient	2.00	2.50

OUR FAMOUS JUMBO PIZZA

This perfectly engineered 2-1/2 foot pizza took years to develop and comes in at about 10 lbs.
Made with our signature crust, it is perfect for parties and big get togethers.
Serves 8-10.



STARTERS & SIDES

JUMBO WINGS

FRESH, NEVER FROZEN AND MADE IN HOUSE!

We gently marinate these jumbo wings and slow cook them for juicy tenderness and finally finish them off in the fryer for a perfect crunch.

TOSSED IN YOUR CHOICE OF:

Hot • BBQ • Garlic Parmesan • Buffalo Ranch

BONE-IN:

5 Piece.....	4.95	20 Piece	16.95
10 Piece.....	8.95	30 Piece	25.95

BONELESS TENDERS:

5 Piece.....	4.95	20 Piece	16.95
10 Piece.....	8.95	30 Piece	25.95

Add Celery Sticks, Ranch or Blue Cheese for 50¢ each

FRIES

Add Side of Cheddar 75¢

Regular.....	2.50	Family Size	10.99
--------------	------	-------------------	-------

CHOOSE YOUR STYLE:

Hot Parm	3.95	Garlic Parm.....	3.95
Buffalo.....	3.95	Spicy Cheddar	3.95
Family Size Style.....	11.99		

MOZZARELLA STICKS

5 Piece.....	4.95	20 Piece	16.95
10 Piece.....	8.95	30 Piece	25.95

FRIED JUMBO SHRIMP

Ask to have them tossed in our buffalo or garlic parm sauce!

5 Piece.....	7.95	20 Piece	19.95
10 Piece.....	12.95	30 Piece	26.95

BACCI SPECIALTY PIZZAS

GLUTEN FREE PIZZA CRUST AVAILABLE, JUST ASK!

SUPREME Sausage, Pepperoni, Mushroom, Green Pepper and Onion	NEAPOLITAN Tomato, Basil, Roasted Garlic and Shaved Parmesan
MEAT LOVERS Sausage, Pepperoni and Bacon	DIABOLO Sausage, Pepperoni, Mushroom and Jalapeño
GOURMET VEGGIE Artichoke, Roasted Red Pepper, Roasted Garlic and Shaved Parmesan	BACCI LADY Grilled Chicken, Onion, Bacon and Ranch
BBQ CHICKEN BBQ Sauce, Grilled Chicken Breast and Red Onion	SIGNATURE Italian Beef and Hot Giardiniera

INGREDIENTS

Sausage • Pepperoni • Bacon • Ham • Ground Beef • Shrimp • Anchovies
Sliced Italian Beef • Chicken Breast • Onions • Mushrooms • Green Peppers
Sliced Tomatoes • Roasted Red Pepper • Fresh Garlic • Black Olives
Green Olives • Spinach • Basil • Jalapeños • Hot Giardiniera
Pineapple • Shaved Parmesan • Butter Garlic Crust
Olive Oil & Basil Crust • Stuffed Crust

PASTAS

All pastas served with homemade focaccia. Add Side Salad 2.00 • Add Cup of Soup 2.00

LUNCH	DINNER	FAMILY
1	1-2	4-6
4.95	8.95	24.95

1. CHOOSE YOUR PASTA

Penne / Linguine / Rigatoni / Spaghetti / Gluten Free Penne

2. CHOOSE YOUR SAUCE

Pomodoro (Fresh Tomato) / Bolognese (Meat) / Vodka (Tomato Cream Alfredo (Rich Creamy Cheese) / Aglio e Olio (Olive Oil & Fresh Garlic)

3. CHOOSE YOUR INGREDIENTS

Broccoli / Spinach / Onion / Fresh Garlic / Fresh Basil / Artichoke Roasted Red Pepper / Mushroom / Black Olive / Jalapeño

Add Lunch 50¢ / Dinner \$1 / Family \$2

4. CHOOSE YOUR PREMIUM INGREDIENTS

Sausage / Chicken / Shrimp / Baked Mozzarella

Add Lunch \$1 / Dinner \$2 / Family \$4

SANDWICHES/BURGERS/WRAPS

Sandwiches available on French, ciabatta or whole wheat wrap. All burgers come with fries.

Combo (Italian Beef & Sausage).....	6.95	Parmigiana.....	7.95
Italian Beef.....	5.95	Chicken or eggplant	
Meatball	5.95	Ham & Cheese.....	5.95
Italian Sausage	4.95	With melted mozzarella cheese	
Veggie	5.95	Turkey & Cheese	5.95
Artichoke, eggplant, spinach, roasted red pepper and melted mozzarella cheese		With melted mozzarella cheese	
Chicken Sandwich or Wrap	5.95	Cheeseburger.....	6.95
Grilled or Crispy Chicken Breast		1/3 lb. all beef flame broiled to perfection, topped with ketchup, mustard, lettuce, tomato, onion and pickle	
- Classic Topped with mayo, lettuce, tomato and onion		Jumbo Bacon Cheeseburger	8.95
- Buffalo Tossed in our buffalo sauce and topped with lettuce and tomato; served with a side of ranch or blue cheese		2-1/3 lb. beef patties topped with American cheese and smoking hot bacon, topped with our regular burger toppings	
- Jalapeño Ranch Jalapeños, lettuce, tomato and ranch		Bacci Burger	7.95
- Caesar Lettuce, tomato and Caesar dressing		1/3 lb. beef patty topped with sautéed mushrooms, onions and our signature marinara sauce	
- Italian Roasted red peppers, artichoke and melted mozzarella cheese		Burger Italiano.....	7.95
		1/3 lb. beef patty topped with mozzarella cheese, artichoke, roasted red pepper and black olive on ciabatta bread	

SALADS

	Side	Entrée	Family
Garden Salad	3.95	7.95	21.95
-With Chicken	4.95	8.95	26.95
Caesar Salad.....	4.95	8.95	24.95
-With Chicken	5.95	9.95	29.95
Chopped Salad.....	4.95	8.95	24.95
-With Chicken	5.95	9.95	29.95

DESSERTS & DRINKS

Anna's Haomemade Tiramisu (Enough for 2)	4.95
Creamy mascarpone, Italian cookies, steaming espresso, decadent chocolate and a whole lotta love! My mother in law comes in and prepares these weekly. Available by the tray with 24 hour notice	
Nutella Bombs	(3) 5.95 (6) 11.95 (12) 21.95
Delicious donuts filled with nutella and topped with powdered sugar	
Fried Dough.....	4.95
Homemade Brownie	2.95
Jumbo Chocolate Chip Cookie.....	1.50
Soda <i>Coca-Cola</i>	(Can) 1.00 (20 oz.) 1.85 (2-Liter) 2.95 (6-Pack Cans) 5.00
Bottled Water	(1) 1.95 (6-Pack) 5.00

Tax not included. Prices subject to change without notice. 3/16

3.2.f

\$5 OFF

ANY ORDER (\$25 OR MOR



9607 LAWRENCE • 847.678.20

Must mention coupon when ordering. Lin coupon per customer per order. Limited tin

FREE WING

WITH ANY PIZ

(Call Store for Detai



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\$10 OFF

ANY ORDER (\$50 OR MOR



9607 LAWRENCE • 847.678.20

Must mention coupon when ordering. Lin coupon per customer per order. Limited tin

FREE JUMBO SLI

ANY ORDER (\$20 OR MOR



9607 LAWRENCE • 847.678.20

Must mention coupon when ordering. Lin coupon per customer per order. Limited tin

FREE DELIVER



9607 LAWRENCE • 847.678.2000

Must mention coupon when ordering. Limit one coupon per

Packet Pg. 48

Attachment: Menu (1116-1120 W. Northwest Hwy - SU VAR Restaurant)

Lyn Bremanis

From: Philip Sporleder [REDACTED]
Sent: Thursday, December 17, 2020 7:39 PM
To: Lyn Bremanis
Subject: file no 20-65 02-09-402-041

I'm writing to contest the request for a variance of zoning at Cove Shopping Plaza. First it seems to me that the number of parking spaces in the plaza and what the law now states is a rather large difference, its not just five or six but approx a third. But my real argument is with the effect it will have on traffic at Cove dr and rte 14. I would assume that this will mainly be a pick up and delivery business since the units are relatively small and either delivery or pick up will increase traffic, and since the outlet for the plaza is onto Cove, it would put all that increase at the outlet of Cove onto northwest hwy. I have lived on Cove for twenty years and am very familiar with some of the problems that exist at this corner now. Several years ago they did work on rte 14. they added a right turn lane for sterling dr also a stop light for the corner., in doing this they moved the entrance to Cove about thirty feet farther north which is also thirty feet closer to the outlet of Cove plaza. that outlet is approx ten feet from rte 14 now, almost in line with the stop sign for Cove dr. When cars pull onto Cove from the Plaza they don't always make a 90 degree turn because its so close to the stop sign, this leaves the rear of the car partially blocking the right hand lane of Cove. another problem with this is that the outlet of Cove Plaza is facing west, the same direction as a car coming down rte 14 ,heading for Barrington is going. If that car heading west on 14 turns right onto Cove and the car pulling out of the Plaza doesn't see the car coming from behind him and pulls out there is very little time to react, if you are turning right from the east onto Cove you actually cross the Plaza outlet before you have completed your turn. The next problem is how close Cove is to Sterling I would guess around fifty feet. Since they put a light at Sterling the outlet of Cove onto 14 is blocked by cars stopped at the light . If you want to make a left turn onto 14 you have four lanes of traffic to cross , a right turn lane to Sterling, two lanes of west bound traffic, and a left turn lane to sterling. Unbelievably the right turn lane starts before Cove. there are many of times that a car is heading at you with a turn signal on for a left turn, that you think he's turning on Cove which would be before you he's really going pass you to Sterling. Since you've been waiting for the backed up traffic at Sterling to clear and you have four lanes to cross and the next batch of cars coming from Quentins are about a block and half away you are making some very quick decisions., which bring up another point., When the cars stopped at Sterling have finally cleared and you have that window of opportunity to dart out and cross to make a left turn , someone going south on Sterling will hurry to beat the light and is also turning left on rte 14, now we have two cars fifty feet , or less, both turning into the same lane, not good. this happens more than one would think. Now there is another problem about leaving Cove to get onto rte 14 and that is the sight lines of a car on Cove onto 14. when they moved the outlet of Cove back thirty feet, they put the stop sign behind a row of hedges that are covering a five foot high concrete retaining wall. there is no way to see around this without pulling out into the turning lane for Sterling. all this is on your right , but the sight line to the left is just as bad. the stop sign on Cove is behind a line of trees and a sign for the plaza ,almost no vision of 14 unless you pull into turn lane for Sterling. The stop sign for Cove was once past all these obstructions. Most cars now don't stop until they are ten feet past the sign. this is also a problem with pedestrian traffic coming from Sterling, when you stop at the sign some one on a bike will come from behind the retaining wall, you only have four or five feet on your right and in front of your car to react. In fact there is so little room on this corner that the street lights and Sterlings stop light are all in the middle of the sidewalk. In closing i will address probably the biggest problem and that would be the people coming from the west that want to make a left hand into Cove to get to the Plaza, there is no left turn lane on the highway to get onto Cove. they too have to cross four lanes and wait for the stopped traffic at Sterling heading west to clear. this turn is being made forty feet to the east of Sterlings light. someone stopped at Sterling behind a car is least expecting the car in front to go forty feet and stop. The next reaction is to try and go around to the right which is usually a line of cars since they to have been waiting at the light. I have tried to make this turn several time and it usually causes squeeling brakes, horn honking, and the usual gestures. The next option is to go one block father east to Coolidge, which does have a left turn lane and is farther from Sterling, and make a left there. Now they have to go three blocks down Coolidge athru Sutton Point a then two blocks down Elm to Cove, then three blocks thru Hidden Cove to the Plaza and enter from the north. This is actually an easier option that making that left turn just past Sterling

Attachment: Objection Letter (1116-1120 W. Northwest Hwy - SU VAR Restaurant)

but it will surely increase traffic in those residential neighborhooda. Anyway i hope you don't take my word on what i perceive as problems but take a look yourself. This shopping center has not been a problem as yet . It has always had low traffic business, Cove itself has been low traffic which is probably why there isn't more accidents at the corner, but more and more people are using Coolidge to leave. I don't know how many cars use that corner a day maybe fifty to one hundred, but i can see a carry out or delivery pizzeria at leastadoubleing it not to mention delivery trucks which would be another problem, any thing bigger than a panel won't fit and they would have to jockey around blocking Cove to do it, or park on the street and wheel it. I do believe that a lot of leeway was given when the lights at Sterling and the right turn lane was given and i under stand existing conditions, but i won't understand adding this much traffic thru a bad compromise when this work was done, especially since an existing zoning law would have to be changed and since there is so much available commercials real-estate that are much more conducive to higher traffic patterna Thank you Philip Sporleder Cove dr Ps i will try to send pictures



Attachment: Objection Letter (1116-1120 W. Northwest Hwy - SU VAR Restaurant)







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Attachment: Objection Letter (1116-1120 W. Northwest Hwy - SU VAR Restaurant)

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, December 22, 2020 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: Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance. Variation to permit 39 parking spaces instead of the required 54 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance.

The property is commonly known as 1116-1120 W Northwest Highway (02-09-402-041). The Petitioner is proposing to open a pizzeria restaurant in The Cove Shopping Plaza. The above petition has been filed by Pasquale Di Diana, Bocci Pizzeria and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 20-65

VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board
of Appeals

DATED: This 7th day of
December, 2020
Published in Daily Herald
December 7, 2020(4555360)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

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

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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 12/07/2020 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

Lauren Baltz
Authorized Agent

Control # 4555360

Attachment: Public Notice (1116-1120 W. Northwest Hwy - SU VAR Restaurant)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 12/22/20 07:00 PM

CASE STAFF STATEMENT (ID # 6446)

117 W. Slade Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Wisewolf LLC, Jerry Pinderski, Agent

CASE NUMBER: 20-49

ADDRESS: 117 W. Slade Street

PROPOSAL:

Special Uses to permit a restaurant/bar with Live Entertainment pursuant to Section 11.02 (d) (11) & (19) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 117 W. Slade Street District 6 (Helms)	<u>CURRENT ZONING:</u> B-1 Shopping Center District
---	---

SURROUNDING CONDITIONS:

North:	B-3 Downtown Shopping District
South:	P- Planned Development (Palatine Bank & Trust)
East:	B-1 Shopping Center District
West:	B-1 Shopping Center District

BACKGROUND:

The Petitioner - Savio Lobo - is requesting open a restaurant/bar, with extended hours and live entertainment. Therefore, the Petitioner is requesting:

Special Uses to permit a restaurant/bar, with live entertainment.

SITE ANALYSIS:

- The Subject Property is zoned B-1 Shopping Center District and located in downtown Palatine and within the boundaries of the Central Business District. The previous tenants operating were the Mint Julep Room and Mac's on Slade. The other building tenants include The Dance Loft, Just Peachy Photography, Vintage

Violins, and My Flavor It Place.

- Per the application and floorplan, the Petitioner intends to increase the tenant space square footage from approximately 1,625 square feet to 2,200 square feet and an increase the proposed seating from 58 to 96 seats. The proposed seating represents a 40% increase.
- The proposed hours of operation are:
 - Sunday 9 AM - 12 AM
 - Monday 3 PM - 12 AM - Open only one Monday a month
 - Tuesday - Thursday 3 PM - 12 AM
 - Friday 3 PM - 1 AM
 - Saturday 9 AM - 1 AM
- Below is an overview of the types of live entertainment, including hours of performances from the Petitioner's business plan -
 - Sunday:
 - 11AM - 2PM - Light acoustic jazz once or twice a month
 - 5PM - 8PM - Local Blues / rock n' roll bands
 - 7PM - 11:55PM - Blues Jam - 4th Sunday of each month
 - Monday (only open 3rd Monday of each month):
 - 7PM - 11:55PM - Juke box / LP music
 - Tuesday:
 - 7PM - 11:55PM - Open mic.night to encourage new performers including high school / youth bands
 - Wednesday through Thursday:
 - 7PM - 11PM - Local Blues / rock n' roll bands
 - Friday / Saturday:
 - 7PM - 12 AM - Local Blues / rock n' roll bands
- The restaurant will have a full food and bar menu. The business plan anticipates that the percentage of take-out orders is likely to be low, indicating that majority of patrons will be dine-in occupancy.
- Per Code, parking is based on 1 space per 2.5 seats, as it is the most restrictive. Thus, 38 spaces are required. However, this is located in the Central Business

District and required parking is subject to administrator review.

- The Petitioner is requesting an expanded D-1 Liquor License (restaurant with extended hours), which is defined as prohibiting liquor sales from 1 AM to 6 AM Monday through Friday; and 3 AM through 6 AM Saturday and Sunday. Staff notes that the Petitioner's business plan does not mirror the allowable liquor license hours, with a proposed latest close of 12 AM. Nevertheless, it was reviewed and evaluated, within the allowable hours of the requested liquor license. Therefore, in addition to the expansion of the proposed restaurant (square footage and seating), the extended hours request represent a specific use expansion from the previous.
- This previous use had a liquor license, which maintained a D liquor license (restaurant), which prohibited liquor sales from 12 AM through 6 AM Monday through Friday; and 1 AM through 6 AM Saturday and Sunday. While the liquor license and its review are within the purview of the Liquor Commission, the proposed hours of operation are a component of the Special Use request.
- Part of the seating expansion includes an entertainment room, with 28 additional seats. This room is disconnected and not visible from the main tenant space. It is separated by a common hallway shared with the other tenants, which also provides shared access to the restrooms.
- The restaurant will have a full food and bar menu. The business plan indicates that the percentage of take-out orders is anticipated to be low, indicating that almost all of the patrons will be dine-in occupancy.
- The following table identifies the other restaurant/bar tenants in the area and their required parking:

Restaurant/bar	Address	Seating	Required Parking
JL's	19 N. Bothwell Street	125 (4,800)	48 spaces
T. J. Obrien's	53 W. Slade Street	50 (3,000)	30 spaces
Mexico Uno	15 N. Brockway Street	50 (1,900)	24 spaces (20)
Schnell's Brauhaus	45 W. Slade Street	100(2,400)	40 spaces
<i>Proposed Madcat's</i>	117 W. Slade Street	96 (2,195)	38 spaces
			180 spaces

- The Subject Property is directly east of an existing commercial and residential building. That property owner has submitted an email objection indicating specific concerns about noise, smoking impacts, and issues with the previous patrons

negatively affecting their property, when exiting the establishment.

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	The Police Department continues to express concerns about the separate entertainment room and the ability to maintain the necessary liquor license and site controls, within that area. This includes the separation of the space through the common hallway and the lack of both direct access and visibility from the main tenant space. In response to the Village's concerns, the Petitioner indicates a plan to install live cameras to "ensure constant monitoring..." within the entertainment room, from the main tenant space.

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.

STAFF RECOMMENDATION:

The Petitioner is proposing to open an expanded restaurant/bar, with live entertainment. Additionally, there is a separate entertainment room, outside of the main tenant space, which is not visible from the main tenant space. It is across the hallway, in a separate area in this multi-tenant building. The Petitioner indicates that it will be monitored through live cameras, from the main tenant space. Staff does not see this as a feasible solution and remains concerned about the Petitioner's ability to maintain the necessary controls over the site and floorplan. While it may be one example for a single-user restaurant having a private dining or event room separated by a hallway, Staff cannot support the inclusion of the entertainment room as part of the business and floor plans. Its separation from the main tenant spaces, lack of any direct visibility from any employees, and direct proximity to the exit door to the west, all present specific problems with the proposal.

Also, Staff is concerned with the proposed seating and square footage expansions and its impact upon downtown parking demands. The Subject Property does not provide any off-street parking and therefore is requesting to rely upon the existing public parking and spaces available.

The proposed hours expansion from 1 AM to 3AM on weekends, also remain Staff concerns. While the Liquor License review is within the purview of the Liquor Commission, it represents a specific expansion of the previous use. With the inclusion of the entertainment room and seating, Staff cannot support the proposed floorplan and use. If the floorplan were revised to not include the entertainment room and seating, with a passive use proposed (e.g. an accessory storage use), Staff would recommend action at the discretion of the Zoning Board of Appeals, with the expanded hours concerns remaining.

If the Zoning Board of Appeals decides to recommend approval, Staff recommends the following conditions.

1. The Special Use shall substantially conform to the business operations submitted by the Petitioner on 8/25/20 and floor plan prepared by Warren Johnson Architects dated 10/20/20 attached hereto except as such plans shall be revised to conform to Village Codes and Ordinances.
2. A plan identifying an acceptable smoking area location shall be submitted in a manner acceptable to the Village of Palatine and in compliance with Code. In addition to the required compliance with Chapter 9 of the Village Code, the plan should be prepared to represent the least amount of impact to the surrounding properties.
3. All employees shall enroll in and utilize the Downtown Employee parking program.
4. A Staff review of the Live Entertainment Special Use shall be conducted, not more than six months after the Petitioner's occupancy to determine if additional noise control measures are necessary, at the discretion of the Village. The Village reserves the right to impose additional conditions to the Live Entertainment Special Use.

ATTACHMENTS:

- Aerial map
- Application
- Plat of Survey

Case Staff Statement (ID # 6446)
Meeting of December 22, 2020

- Business Plan
- PETITIONER Submitted - Special Use memo
- Proposed Floor Plan
- Menu
- Objection Letter
- Public Notice



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

date received

Background Information	PETITIONER(S) Wisewolf LLC		Business Name (if applicable)	
	Subject Property Address 117 W. Slade Street, Units 1,5,6 & 8, Palatine, IL 60067			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Jerome W. Pinderski, Jr. Pinderski & Pinderski, Ltd.			
	Address 115 West Colfax Street, Palatine, IL 60067		City/State/Zip Code	
	Telephone 847-358-5220	Fax 847-358-4506	Email jerome@pinderski.com	
	Relationship to Petitioner (contractor, architect, etc.) Attorney			
	TYPE OF APPLICATION (check one) ☒ Special Use ☐ Special Use Amendment ☐ Variation			
	Existing Zoning District B-1	Existing Land Use vacant	Proposed Land Use restaurant/live music	
	Generally describe your request: Petitioner is seeking to reestablish a full-service restaurant in the premises that will contain a companion full service bar and a stage area for live musical entertainment. 			

Attachment: Application (117 W. Slade Street - SU Restaurant/Live Entertainment)

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)
- Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

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 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Variation only, you do not need to answer these items.***

1. The use is deemed necessary for the public convenience at that location
see attached memorandum

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected
see attached memorandum

3. The use will not cause substantial injury to nearby property values
see attached memorandum

4. With respect to live entertainment uses, the use shall not:
- a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
 - b. Impose undue health, sanitation or safety burdens on the village
 - c. Create excessive demands on the Village of Palatine Police Department
 - d. Be of a nature otherwise prohibited by law or village ordinance
5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance
see attached memorandum

Memorandum In Support of Special Use Petition

Wisewolf LLC – Petitioner

RE: 117 W. Slade St. Special Use Petition to operate a restaurant/bar/music venue

Wisewolf LLC, an Illinois limited liability company has petitioned the Village of Palatine to open and restart a restaurant/bar/live music venue within Units 1,6,5 and 8 at 117 West Slade Street, Palatine, Illinois. This location has previously been occupied by businesses operating under the trade-name “Mac’s on Slade.” The prior operators made use of a fast/casual restaurant concept along with a full-service bar and venue for live music performances. The special use ordinances allowing the prior operations were: 0-133-11; 0-31-14; and 0-62-18. The last special use for this facility was terminated in 2019.

I. Petitioner’s Plan

Wisewolf LLC, and its principal member, Savio Lobo firmly believes that a high quality restaurant operation combined with a live music venue catering to "older adults" is a very viable business plan for this location. Petitioner perceives a significant need for this type of entertainment within the Palatine community. Though other performance venues exist within the Village, most of these venues cater to the music tastes of much younger individuals in their 20s and 30s. Though Petitioner applauds the continued success of these venues, there is an entertainment gap in the community for older adults who appreciate live music while enjoying a fine meal and drink. Petitioner is hoping to fill this demand gap with its planned business operation.

Petitioner plans to make use of the existing facility in its general configuration and with its existing equipment, appliances and fixtures. Petitioner plans a significant amount of general cleaning and cosmetic upgrades prior to opening. Some new equipment and fixtures will be installed. Petitioner hopes to make use of the trade-name “MadCats” in signage, publications, advertising and business operations.

Petitioner's business plan envisions a slightly larger operation than prior operators. Petitioner has leased Units 1,6,5 and 8 to allow it to make use of a larger back room at the far southern end of the facility. The latter room be utilized for overflow dining as well as for a pool table and foosball table for additional entertainment options.

Petitioner has teamed up with Executive Chef Margaret McCarthy to provide an extraordinary food experience for all dining guests. Chef McCarthy has an extensive resume, and has worked in many successful facilities. Chef McCarthy was the principal chef at Palatine’s Mint Julep restaurant prior to its closing. She is looking forward to

relocating from California to Illinois to head up the food service operations within Petitioner's facility.

Petitioner intends for its food service operation to be one of the principal draws for its patrons separate and apart from hosting periodic live music performances.

Petitioner's business plan envisions a full service restaurant and bar operation. Petitioner has enlisted the services of Dan Maderak as its General Manager and principal bartender. Dan has significant credentials in restaurant and bar operations, and is well known within the northwest suburbs as a premier bartender.

Petitioner has also enlisted the services of Rick Lucier as its Entertainment Manager. Rick has significant experience as a musician, sound engineer and music producer. Petitioner has enlisted his talents to help bring a rich music experience to the restaurant for the enjoyment of its patrons. Rick has a keen understanding of the facility, and the need to make sure all musical performances blend well with the restaurant operation while not overwhelming same.

Petitioner's current business plan provides for a seven day a week operation, generally from 4 PM to midnight, Sunday through Thursday, and 4 PM through 1 AM on Fridays and Saturdays. Though a lunch operation may be commenced at a future date, Petitioner's initial plans encompass a dinner only operation.

II. Special Use Considerations

1. The use is deemed necessary for the public convenience at that location.

For the reasons set forth above, Petitioner believes that its proposed business fills an unmet demand within the Palatine community for a high quality restaurant associated with a creative music venue catering to patrons 40+ who enjoy good music, but who are otherwise uncomfortable visiting venues that cater to younger patrons. Prior operators at this facility have established that a market does exist for a well-run facility providing good food and good music. Petitioner intends to build on the prior successes, avoid the prior mistakes, and create a destination venue all of the northwest suburbs.

2. The use is designed, located in proposed to be operated that the public health, safety and welfare will be protected.

The existing facility has been designed and built out as a restaurant and music entertainment venue. It has been operated as such since 2011 when the Village granted the first special use permit for Mac's on Slade. The prior operators have established over a period of seven years that a restaurant and live music venue can be safely operated within the facility in compliance with all Village health, safety and welfare codes. Petitioner has specifically teamed with industry professionals to insure the safe and effective operation of its proposed restaurant/bar/live music venue.

3. The use will not cause substantial injury to nearby property values.

The proposed use is located in the heart of Palatine's downtown business district. The facility is surrounded by other business establishments. No residences are immediate neighbors. Significant physical and space buffers exist by and between the facility and the adjacent businesses to help minimize any normal sounds and smells associated with a restaurant operation. The facility is located within 1-2 blocks of companion restaurants and taverns.

The prior operations similar to that proposed by the Petitioner within the facility did not caused any injury to nearby property values. In fact, Petitioner's proposed use is likely to bring more patrons to downtown Palatine and its entertainment district that will likely become patrons of other facilities within the entertainment district for the mutual benefit of all area businesses. Petitioner's use of its facility, as proposed, will not cause any economic injury or physical injury to any neighboring properties.

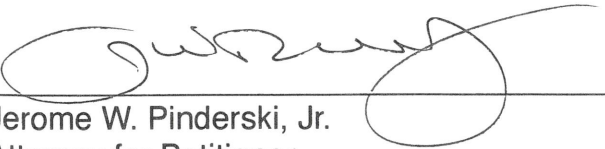
4. Live entertainment uses

Petitioner proposes to use a portion of its facility as a venue for live music performances. Most, if not all of the performers will consist of small bands of 3-5 persons. In some instances, performances will be solo or duets. Petitioner and its Entertainment Manager are keenly aware of the facility, and its limitations with respect to the choice and style of music to be performed within the facility. All live music performances are intended to blend in as a part of Petitioner's restaurant operation. As such, Petitioner is mindful of the need to manage sound and light associated with any musical performance to insure the performance can be enjoyed by patrons without overwhelming them, or any neighboring businesses. Petitioner will make use of modern technology and good sound production techniques to ensure that good musical performances can take place within its venue without undue noise pollution being created within its facility or outside to neighboring properties. Petitioner's planned music operations, and the targeted population will likely negate any concerns that its operations may create excessive demands on the Village of Palatine Police Department. Petitioner's does not foresee any significant need for police intervention at its facility based upon its planned operations.

III. Conclusion

Petitioner is planning to operate a high quality restaurant facility and companion live music venue that will not compromise the integrity of Palatine's downtown business and entertainment district. It hopes to enhance the entertainment district through a new venue providing excellent food, good drinks and great musical entertainment of a type and quality not otherwise present within neighboring venues. Petitioner is a qualified applicant for the special use being sought herein to own and operate a restaurant/bar/ live entertainment venue in Palatine at the location identified herein.

Signed at Palatine, Illinois on August 14, 2020.



Jerome W. Pinderski, Jr.
Attorney for Petitioner

PROFESSIONALS ASSOCIATED SURVEY, INC.
Property - Alta - Topo - Condo - Mortgage Survey

1100 TRIPP AVENUE
BLOOMINGWOOD, ILLINOIS 60713

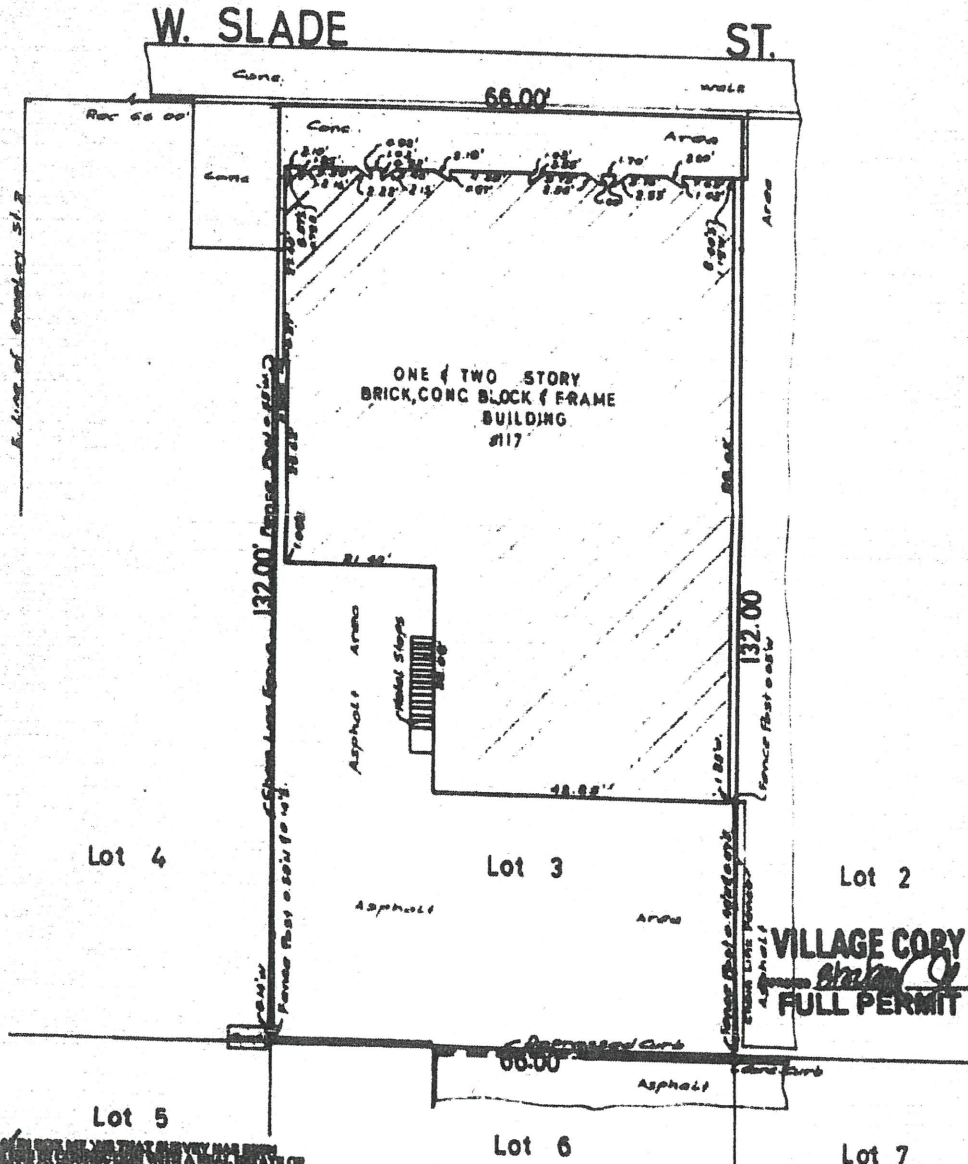
TEL: (847) 675-1000
FAX: (847) 675-3327

PLAT OF SURVEY
OF



LOT 3 IN BLOCK "K" IN THE TOWN OF PALATINE, ACCORDING TO THE MAP OF JOEL WOODS SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, RECORDED DECEMBER 7, 1855 IN BOOK 96 MAPS, PAGE 28, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 117 WEST SLADE STREET, PALATINE, ILLINOIS.



THESE PLATS ARE NOT TO BE USED FOR ANY OTHER PURPOSES THAN THAT FOR WHICH THEY WERE PREPARED AND ARE NOT TO BE USED FOR CONSTRUCTION.

THE PLAT OF SURVEY RETURN ON THE PLAT PERSON SHALL BE A COPY OF THE ORIGINAL AND FOR ACCURACY SHALL BE COMPARED WITH THE TITLE OR DEED.

MEASUREMENTS ARE NOT TO BE ASSIGNED FROM SCALING.

Scale: 1" = 40.00'

Date: September 28, 1999

Survey: William J. Johnson

Properties: L.T.D.



THESE PLATS ARE NOT TO BE USED FOR ANY OTHER PURPOSES THAN THAT FOR WHICH THEY WERE PREPARED AND ARE NOT TO BE USED FOR CONSTRUCTION.

CONTAIN ALL RIGHTS RESERVED BY NAME AND AT ONCE REPORT ANY DISCREPANCY.

State of Illinois
County of Cook

WE, PROFESSIONALS ASSOCIATED SURVEY, INC., do hereby certify that we have prepared the above described plat and that the plat is a true and correct representation of said survey.

William J. Johnson
WILLIAM J. JOHNSON

PETITIONER'S EXHIBIT

#

Wisewolf d/b/a MadCats

Outline of daily operations including

Hours of operation

Sunday: 9AM – 12AM

Monday: 3PM – 12 AM - Open only one Monday a week

Tuesday through Thursday: 3PM – 12 AM

Friday: 3PM - 1AM

Saturday: 9AM to 1AM

Number of employees

Permanent roles – General Manager, Chef, Entertainment director, Assistant General Manager & Assistant Chef

Serving / Bussing staff – 2-5 based on occupancy

Number of seats - 95

Overview of live entertainment including hours of performances

Sunday:

11AM – 2PM – Light acoustic jazz once or twice a month

5PM - 8PM – Local Blues / rock n roll bands

7PM -11:55PM - Blues Jam - 4th Sunday of each month

Monday: Open only 3rd Monday each month

7PM - 11:55PM – Juke box / LP music

Tuesday:

7PM -11:55PM – Open mic. night to encourage new performers including high school / youth bands

Wednesday through Thursday:

7PM -11PM – Local Blues / rock n roll bands

Friday / Saturday :

7PM -12 AM – Local Blues / rock n roll bands

% of anticipated take-out – Likely to be low, but hoping our food will be a hit and if so, we plan to encourage delivery services such as Uber Eats and Doordash

Full bar - Yes

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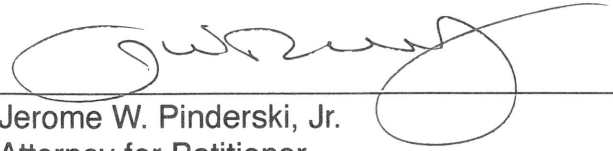
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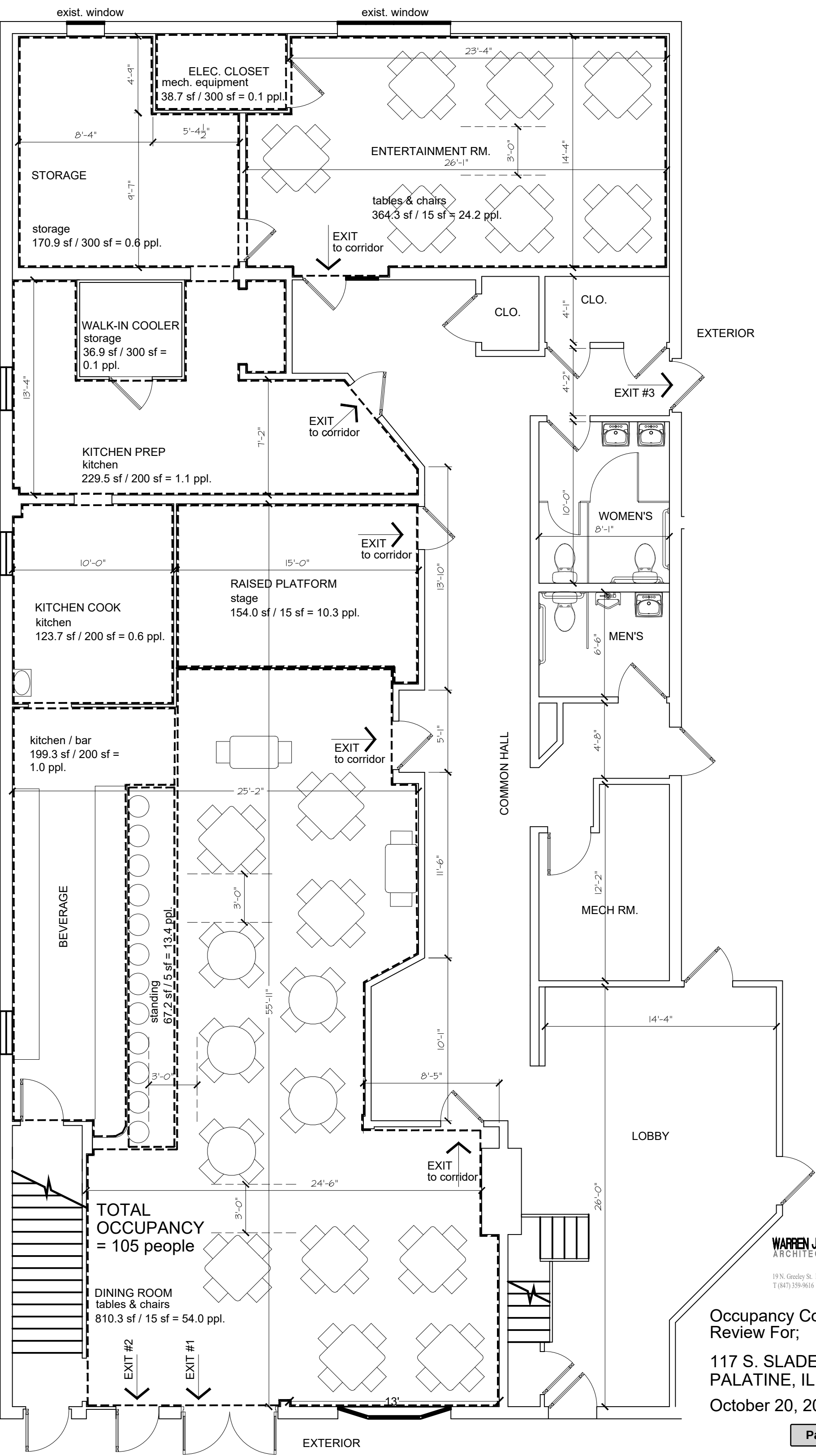
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Signed at Palatine, Illinois on August 14, 2020.

A handwritten signature in black ink, appearing to read "Jerome W. Pinderski, Jr.", is written over a horizontal line.

Jerome W. Pinderski, Jr.
Attorney for Petitioner



Attachment: Proposed Floor Plan (117 W. Slade Street - SU Restaurant/Live Entertainment)

WARREN JOHNSON
ARCHITECTS, INC.

19 N. Greeley St. Palatine, IL 60067
T (847) 359-9616

Occupancy Count
Review For;
117 S. SLADE ST.
PALATINE, IL 60067
October 20, 2020

OPENING ACTS

Buffalo Beer Cheese Dip Served with House Made Tortilla Chips **4.50**
Cheddar, Blue Cheese, Buffalo Sauce and BEER!

Loaded Potatoes

House Made Fries smothered in Buffalo Beer Cheese Dip, Bacon, Green Onions and Sour Cream **7.50**
Add: Chili **1.00**

Street Tacos (2) Served with Red Onion, Cilantro and Lime **4.50**
Choice of: Carne Asada, Carnitas, Pollo, Camarones (Shrimp) or Vegetarian
Add: Avocado **1.00**

Baked Artichoke and Spinach Dip Served with Grilled Pita **7.50**

Roasted Garlic Hummus Plate Served with Grilled Pita **7.50**
Marinated Peppers, Olives and Artichokes

Mad Wings Served with Carrot, Celery Sticks and Blue Cheese or Ranch Dressing **7.50**
Choice of Sauce: Funkadelic, Buffalo or Lemon Pepper

Soft Baked Pretzels Served with Buffalo Beer Cheese Dip and Spicy Grainy Mustard **5.95**
Giant pretzel sticks - soft and salty!

MAIN STAGE LINE UP

Choose your Protein

½ Pound Angus Beef Patty Grilled to order **10.95**

Grilled or Fried Chicken Breast **9.95**

Vegetarian or Vegan Patty **11.95**

Classic

Add cheese: Cheddar, Swiss, American or Blue Cheese **.50ea**

Add On: Bacon, Avocado, Egg, Jalapeno, Peanut Butter, Caramelized Onions, Sautéed Mushrooms **1.00ea**

Rock N Roll +2.00

Roasted Garlic Puree and Sharp Cheddar Spread

Blues +2.00

Cajun Spiced with Caramelized Onions, Sautéed Mushrooms and Crumble Blue Cheese.

The Beer Garden +2.00

Brown Ale Sauce Served on a Pretzel Bun with a side of Buffalo Beer Cheese Dip for dipping pleasure!

All Served with House Made Fries, Lettuce, Tomato, Onion, Cole Slaw and Pickle

STAGE LEFT

All Served with House Made Fries, Cole Slaw and Pickle

The Gobbler 9.95

Oven Roasted Turkey, Bacon, Swiss Cheese and Avocado on Grilled Sourdough with Dijon Mayo

Pulled Pork 10.95

Slow-Smoked Pork Shoulder with Caramelized Onions. Served on a Pretzel Bun or make it a Quesadilla!
Substitute Vegan Option of BBQ Jackfruit on Vegan Roll

The Tree Hugger 9.95

Grilled Seasonal Vegetables with Roasted Garlic Puree, Pickles Onions and Radishes in a Grilled Pita

BLT 8.95

The Classic upgraded with Candied Bacon, Fried Green Tomatoes and Garlic Aioli

The Tina Turner 10.95

Grilled Marinated Skirt Steak with Sautéed Mushrooms, Caramelized Onions and Horseradish Sauce

STAGE RIGHT

House Salad

Mixed Greens with Tomato, Red Onion, Shredded Carrots, Cucumber and House Made Croutons

Chopped Salad

Iceberg Lettuce with Diced Tomato, Red Onion, Cucumber, Grilled Chicken, Bacon, Ditalini Pasta and Blue Cheese and House Made Croutons

Caesar Salad

Crisp Romaine with Caesar Dressing, Parmesan, Tomato and House Made Croutons

Small Salad: **5.95** Large Salad: **7.95**

Add: Chicken **2.00**, Skirt Steak **3.00** or Shrimp **4.00**

Choice of Dressing: *Ranch, Thousand Island, Caesar, Blue Cheese, Balsamic Vinaigrette, Russian*

Soup of the Day

Cup **2.95** Bowl **4.50**

Chili of the Day

Cup **3.95** Bowl **4.95**

SCHOOL OF ROCK!

All meals include, House Made Fries and a Small Drink **7.50**

Burger (Add Cheese .50)

Mac and Cheese

Chicken Fingers

Grilled Cheese

LIBATIONS

Coke, Diet Coke, Fanta Orange, Sprite, Lemonade and Iced Tea
Bottled Root Beer

1.50
2.50

FINAL ACT

Please ask to see our current dessert menu!

From: [Connie Menn](#)
To: [Lyn Bremanis](#)
Subject: 117 W. Slade Street (02-15-429-003) Comments
Date: Monday, December 14, 2020 10:20:46 AM

Zoning Board of Appeals Members,

Thank you for the opportunity to share my comments with you regarding 117 W. Slade Street (02-15-429-003) via email.

As the owner of the residential and business property located at 15-37 North Greeley Street, I received the certified notice from Pinderski & Pinderski, Ltd. for this public hearing concerning a restaurant/bar with live entertainment requested to operate in the building adjacent to my property.

In my role, I speak for myself, my family member living in a residential unit, my children and grandchildren who frequent the property, as well as my current and future business and residential tenants.

For myself, my tenants, and my family, I consider a restaurant a fine addition to 117 W. Slade as the new business would be within feet of a residential and business entry/exit point and easy walking distance of our homes and businesses. I enjoy allowing children and families to use my parking lot as a space to park their bicycles when they visit *My Flavor It Place*. I do so as a neighborly way to encourage and sustain local small business success, and I look forward to welcoming a new neighbor to 117 W. Slade.

Unfortunately, I have concerns with the bar and live entertainment elements as proposed by the Petitioner. The bar and live entertainment elements proposed for this specific location raise three reservations to share with you today as part of your discussion and deliberations.

1. Noise. Noise is often inherent to live entertainment and late-night noise is frequently a critical part of the restaurant/bar atmosphere. Such noise, especially without proper noise control parameters, is not conducive to residential and professional tenants who enjoy the serenity of living and working between Towne Square park and Slade Street Station. Immediately, uncontrolled noise would be a nuisance for both my tenants and me. Over time, failure to control noise would negatively impact my tenants' quality of life, my ability to retain tenants, and my property value.

2. Second-hand smoke. I appreciate the Village's stance on prohibiting smoking in public places and enforcing the Smoke Free Illinois Act. Due to my property's proximity to 117 W. Slade Street's outdoor seating area and the strong correlation between alcohol and tobacco use, second-hand smoke coming from smokers distancing themselves from either the front entrance or the outdoor seating area poses a health and safety issue for me, my family, and my tenants. The current fence does not deter second-hand smoke from patrons at or near 117 W. Slade Street from entering my building.

3. Human waste. I am honored to own 15-37 North Greeley Street as it has been a family enterprise and family-owned property for three generations. During this time, other restaurant/bar combinations have operated within the blocks near our property. While I am hopeful that history does not repeat itself, the *type* of establishment proposed has historically

correlated with increased incidents of human urine and human waste left on my parking lot. This waste is typically left as patrons leave the restaurant/bar and relieve themselves either while waiting for transportation or en route to the train station. This infectious human waste is a public health hazard, a nuisance to tenants and the general public, and a costly aggravation for the building manager to clean and disinfect.

I appreciate your time to listen to and consider my concerns. Thank you for your consideration.

Sincerely,
Connie Menn

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, December 22, 2020 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: **Special Uses to permit a restaurant/bar with Live Entertainment pursuant to Section 11.02 (d) (11) & (19) of the Palatine Zoning Ordinance.**

The property is commonly known as 117 W. Slade Street (02-15-429-003).

The Petitioner is proposing to open a restaurant/bar with live entertainment, MadCats.

The above petition has been filed by Wisewolf LLC and is available for examination in the office of the Village Clerk, 200 E. Wood Street. FILE #: 20-49

VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 7th day of December, 2020
Published in Daily Herald
December 7, 2020 (4555359)

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

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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 12/07/2020 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 # 4555359

Attachment: Public Notice (117 W. Slade Street - SU Restaurant/Live Entertainment)