

**PLANNING AND ZONING COMMISSION
&
HISTORIC COMMISSION**

**Village of East Dundee
December 3, 2020
7:00 PM**

This meeting will be conducted via teleconference call by authorization of Gov. Pritzker waiving a portion of the IL Open Meetings Act to allow local governments to hold “remote” meetings to help control the spread of COVID-19

Zoom Meeting Link: <https://us02web.zoom.us/j/89617312618>

Meeting ID: **896 1731 2618**

Passcode: **057159**

If you need to download Zoom, use this link and download “Zoom Client for Meetings”: <https://zoom.us/download>

Computer Audio Only

Click on the “Join Audio Conference by Computer” link when joining the meeting.

To join by **PHONE ONLY**

Dial: **312-626-6799**

Meeting ID/Access Code: **896 1731 2618**

Passcode: **057159**

Please....

Mute Your Microphone.

Zoom has a “Mute Microphone” option. Please keep your microphone muted to cut down on feedback. Unmute to speak.

IF BY PHONE ONLY, press *6 to mute/unmute

Raise your Hand.

A hand icon will appear beside your username and lets the meeting's managers know you have a question, input, or otherwise need some attention when possible. Click on the icon labeled "Participants" at the bottom of your screen. Click the button labeled "Raise Hand".

IF BY PHONE ONLY, press *9 to raise hand

Refrain from the group chat feature.

EAST DUNDEE

**PLANNING AND ZONING COMMISSION
&
HISTORIC COMMISSION
AGENDA
Thursday, December 3, 2020
7:00 PM**

CALL TO ORDER

ROLL CALL / DECLARATION OF QUORUM

APPOINT AN ACTING CHAIRMAN

APPROVAL OF MINUTES

1. [Planning and Zoning & Historic Commission Meeting Minutes dated November 5, 2020](#)

PUBLIC COMMENT

HISTORIC COMMISSION

1. [Certificate of Appropriateness for Signage: Five Points Jiu Jitsu - 104 N. River Street](#)
 - a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for signage at 104 N. River Street

NEW BUSINESS

1. [PUBLIC HEARING \(PIN 03-25-126-006\) - to consider a request for a variance from Section 157.127\(B\) of the Zoning Chapter of the East Dundee Village Code requiring loading berths](#)

- a. Motion to recommend approval/denial of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths
- b. Motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths

OTHER BUSINESS

ADJOURNMENT

Chairman Brewer called the Planning and Zoning & Historic Commission meeting to order at 7:00 p.m. Roll: 7 Present (Brewer, Holliman, Muscat, Scarpelli, Schock, Bernstein and Steneck). 2 Absent (Apke and Meyer). Also present were Village Administrator Jennifer Johnsen, Assistant Village Administrator Brad Mitchell, Building Inspector Chris Ranieri, Village Engineer Joe Heinz and Village Clerk Katherine Diehl.

APPROVAL OF MINUTES:

1. Planning and Zoning & Historic Commission Meeting Minutes dated October 8, 2020

Motion to approve the September 3, 2020 meeting minutes by Schock/Muscat. 7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

PUBLIC COMMENT: None

HISTORIC COMMISSION:

1. Certificate of Appropriateness for Second Story Addition: 1 E. Main Street

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for a second story addition to the building located at 1 E. Main Street

Property owner Brett Wozniak addressed the Commission with his request to add a 1,000 square foot second story addition on the north side of the building and a roof top deck to the balance of the roof. Commissioner Holliman stated that the proposed renderings have too modern of an appearance to fit into the historic district. Chairman Brewer suggested adding an awning or veranda to the south façade. Wozniak was open to the idea of adding an awning or veranda.

Motion to Approve the Certificate of appropriateness for a second story addition to the building located at 1 E. Main Street by Scarpelli/Holliman. 7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

2. Certificate of Appropriateness for Awning Sign: Eastside Café Coffee & Wine Bar, 316 N. River Street

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Eastside Café Coffee & Wine Bar proposed Awning Sign

Applicant Kate Micheletto stated that she is rebranding the Uncommon Palate and is changing the name to Eastside Café Coffee & Wine Bar. She plans to remove the current arbor structure and add a black awning displaying the new name in white lettering.

Motion to Approve the Certificate of appropriateness for Eastside Café Coffee & Wine Bar proposed Awning Sign by Muscat/Steneck.. 7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

NEW BUSINESS

- 1. PUBLIC HEARING (PIN: 03-25-151-007)** – to consider a request to rezone the Lot 6 property in the Gateway Crossing from B-3 Service Business District to the M-1 Limited Manufacturing District

Motion to open the public hearing by Scarpelli/Holliman.

7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

David Plote, owner of Tramlaw LLC, and Kevin Seay, Vice President of Entitlements and Development of Plote Property Management LLC, addressed the Commission with their request to rezone Lot 6. Mr. Seay explained that Plote purchased the property in 2017 as an addition to the purchase of the former adjacent Walmart property. He said the subject property has been marketed as a retail site for many years and remains vacant today. The property has poor visibility from both Routes 25 and 72 and is screened visually by the Wendy's restaurant and Walmart building. Seay stated that there are no real opportunities for retail development on the site. He advised that they get calls frequently on the subject property for industrial uses. Plote wants to retain ownership of the land and do a build-to-suit which will allow them to take control of the tenants and the uses. He stated that rezoning the property from a B-3 to an M-1 will give a greater chance of finding a user.

Commissioner Scarpelli stated that he fully supports this. He agreed that the site sits lower than Route 25 and is not feasible as a commercial use today. He said it has sat vacant for a long time.

There were no questions or comments from the public.

Motion to close the public hearing by Scarpelli/Holliman.

7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

Motion to recommend approval of a request to rezone the Lot 6 property in the Gateway Crossing from B-3 Service Business District to the M-1 Limited Manufacturing District by Scarpelli/Berstein..

7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

Motion to approve a Findings of Fact to recommend approval of a request to rezone the Lot 6 property in the Gateway Crossing from B-3 Service Business District to the M-1 Limited Manufacturing District by Holliman/Muscat.

7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

OTHER BUSINESS: None

Motion to adjourn the Planning and Zoning & Historic Commission Meeting at 7:24 p.m.by Schock/Holliman.

7 Ayes (Holliman, Muscat, Scarpelli, Schock, Bernstein, Steneck and Brewer). 0 Nays. 2 Absent (Apke and Meyer). Motion carries.

EAST DUNDEE

Historic Commission Meeting Memorandum

To: Historic Commission
CC: Jennifer Johnsen, Village Administrator
From: Brad Mitchell, Assistant Village Administrator
Chris Ranieri, Building Inspector
Subject: 104 N. River Street Window Banners
Date: December 3, 2020

The Village has received an application from Michael Peters, owner of Five Points Jiu Jitsu located at 104 N. River Street for window banners as shown below. The Petitioner put up these window banners but was unaware that a sign permit and approval by the Historic Commission is required. The Petitioner has indicated that these banners are temporary and not permanent. The banners are vinyl, black and white, and each banner is 36" x 60". Each banner is temporarily installed using double-sided tape.



As the property is located within the Village's Historic District, the application requires review by the Planning and Zoning Commission acting as the Historic District

Commission (HDC). The proposed window banners should be reviewed according to the following applicable guidelines. Attached, please find the Certificate of Appropriateness application.

1. All signs shall be of material that was or could have been used at the time the building was erected. Substitute materials with the same appearance may be approved.
2. External florescent, neon or other bright or garish colors shall not be approved. Historic colors and earth tones are recommended.
3. Lettering shall be of a style compatible with the time the building was erected.
4. All three-dimensional signs shall be of a style used at the time the building was erected and should pertain to the type of business conducted within and shall be required to obtain HDC approval.
5. Signs may be externally illuminated only by fixtures compatible with the period in which the building was erected.
6. All signs shall be constructed or painted in a workmanlike manner and all lettering intended to be of a uniform size and style.
7. Signs of a period other than when the building was erected may be approved if of special design merit.
8. Any original sign that was used at any time on a building prior to the year 1900 or an authentic facsimile thereof may be replaced on that building subject to HDC approval.
9. Within the historic district, signs shall identify only the name of the business and the general type of goods, produces or service offered. In addition to lettering, graphics may include a trademark, symbol or other representation directly related to the use but not advertising a specific brand sold within the building. A brand name or symbol may be included, however, if the business is a franchise and/or it is the major brand sold or service offered on the premises.
10. The style, composition and appearance of all signs within the historic district shall comply as much as possible with any further design guidelines which may be adopted by the Village for administration of the district.

Action Requested: Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Five Points Jiu Jitsu window banners.

Attachments: Certificate of Appropriateness Application



**EAST DUNDEE HISTORIC COMMISSION
CERTIFICATE OF APPROPRIATENESS**

Please submit this application along with supporting documents (**one [1] original and nine [9] copies**). Your application will be reviewed by the East Dundee Historic Commission. You are strongly urged to attend this meeting in person. If you would like assistance with the preparation of this application, or if you have any questions concerning your request or the review procedure, call the village office at 847-426-2822.

MUST BE SUBMITTED A MINIMUM OF 8 DAYS PRIOR TO MEETING. THE HISTORIC COMMISSION MEETS ON THE SECOND THURSDAY OF EVERY MONTH IMMEDIATELY FOLLOWING THE PLANNING/ZONING MEETING.

ADDRESS OF PROPOSED WORK 104 N. River ST

APPLICANTS NAME Michael Peters

TELEPHONE NUMBER (Home) 630-363-1142 (Work) _____

PROPERTY OWNERS NAME Desai, Amish PHONE # 630-728-3371

Nature of proposed change: (*check all that apply*)

- New Construction Extensive renovation Minor Renovation, Repair or Alteration
 Sign Demolition Facade
 Other temporary banner signs on windows

*Sign: **Must include the lettering style and size.**

Describe all changes proposed for the structures exterior. Include plans, photographs and any other information as needed. Give size, style, and precise location of lettering, if any; and any other information that will assist the commission in their deliberations. Use attachments as necessary. Include a date when the project will be completed.

As a new member to the business community, I am still becoming familiar with all of the regulations. I was unaware I need it a permit to put up window signage. I am seeking approval to put temporary banners on each of the windows. The signs will not be permanent. The banners are vinyl, black and white, and one banner per window (36in x 60 in-4 banners), and they will be temporary installed with double-side tape. My budge needs to grow first before I expand on permean signage. See attached photos. Thank you.

Circle one or more of the East Dundee Historic Code Provisions that apply.

- A. The historic or architectural value and significance of the district and the surrounding area will not be lessened.
B. The relationship of any architectural features of the building and the surrounding area will be positively affected.
C. The general design, arrangement, and materials proposed to be used will be maintained.

I, the undersigned, hereby state that all of the information presented in this application is true and complete, to the best of my knowledge.

Signature:  Date: 11/23/2020

HISTORIC COMMISSION USE ONLY

This application has been (**Approved / Denied**)



Village of East Dundee
Building Basic Application
 120 Barrington Ave. East Dundee, IL 60118
 Phone: (847) 426-2822 Fax: (847) 426-2956

Sign Application

Date: 11-23-20

Permit No: _____

Address of Proposed Sign: 104 N. River St

Business Name: Five Points Ju Jitsu Owner Phone: 630-363-1142

Owner/Manager Name & Address: Michael Peters City: Hampshire

State: IL Zip Code: 60140 Parcel No: _____

Contractors Name: _____

Address: _____ Phone: _____

Contact Name: _____ Email: _____

Plat of Survey attached indicating location of sign: Yes No Zoning Classification: _____

Front Façade Wall Area _____ Height from Grade _____

Note: A scale, color drawing is required for all signage to determine compliance.

✓ CHECK ALL BOXES THAT APPLY

- Freestanding
- Electric
- Wall
- Monument
- Banner
- Window
- Canopy/Awning
- Face Change
- Temporary
- Other

Sign Dimensions: 36 x 60 = 15 Sq. ft. (x4)

Approved: _____

Not Approved: _____

Cost of Sign: \$ 150.00

Owner or Authorized Agent

Print Name

Building Official

Received by _____ Check# _____ Cash _____ Date: _____ Historical Approval _____ Charge # 421000



Five
Points
Jiu
Jitsu



104

Five
Points
Jiu
Jitsu



Five
Points
Jiu
Jitsu





Planning and Zoning Commission Meeting Memorandum

To: Planning and Zoning Commission
CC: Jennifer Johnsen, Village Administrator
From: Brad Mitchell, Assistant Village Administrator
Chris Ranieri, Building Inspector
Joseph D. Heinz, P.E.
Subject: 250 Patricia Lane Variance Request
Date: December 3, 2020

BACKGROUND

The Village received a variance application from Joe Palumbo of Pal Land LLC, the petitioner and owner of 250 Patricia Lane. The building at 250 Patricia Lane, located in the M-1 Limited Manufacturing District, is a modern pre-cast storage and maintenance facility with associated parking and landscaping improvements. It should be noted that the building has already been built. The current building includes one (1) loading berth to maintain efficient operations for all users of the facility. Per the Village Code, two (2) loading berths are required as the facility is over 40,000 SF:

§ 157.127 REQUIRED LOADING BERTHS.

(B) Manufacturing, fabricating assembly, disassembly, warehousing storing, cleaning, servicing, testing and repairing establishments, for such a building containing 5,000 to 40,000 square feet of floor area: one loading berth, plus one additional loading berth for each additional 40,000 square feet of floor area or fraction thereof.

This variance was not identified by staff during the initial building permit approval process.

VARIANCE REQUEST (PETITIONER)

1. Variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths.

The request is for only one (1) loading berth instead of the required two (2).

Village staff is supportive of the request for the following reasons:

- It is the opinion of Village staff that the petitioner is better able to determine the number of loading berths needed at the facility to adequately serve the facility.

- The loading berth requirement, adopted in 1986, has not been reviewed for applicability to 2020 needs and is more of a building functionality need rather than a zoning requirement. For example, many industrial units are no longer occupied for the purpose of warehousing and distribution.

In order to consider the variance, the Planning and Zoning Commission should consider the following standards. The Village's response is on the attached draft Findings of Fact. The attached application includes the petitioner's response to these standards.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.
4. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced.
5. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.
6. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
7. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
8. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
9. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The Commission may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation upon other property in the neighborhood. Village staff is not recommending that any conditions be placed upon the granting of the variation.

ACTION REQUESTED

1. Discussion and motion to recommend approval/denial of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths.
2. Discussion and motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths

ATTACHMENTS

1. Variance Application
2. Public Notice
3. Findings of Fact

VILLAGE OF EAST DUNDEE



APPLICATION FOR DEVELOPMENT APPROVAL:
SPECIAL USE, REZONING AND VARIANCE REVIEW AND APPROVAL

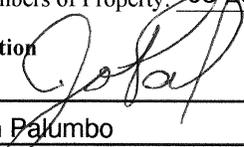
This form is to be used for all special use applications (except Planned Developments) to be heard by the Village of East Dundee. To complete the form properly, please review the accompanying *Village of East Dundee Instruction Manual for Application for Development Review*. Failure to complete this form properly will delay its consideration.

PART I. GENERAL INFORMATION

A. Project Information

- 1. Project/Owner Name: 250 Patricia Lane - Terra Business Park / Pal Land LLC
- 2. Project Location: 250 Patricia Lane, East Dundee, Illinois
- 3. Brief Project Description:
The proposed development includes a modern pre-cast storage and maintenance facility with associated parking and landscape improvements.
- 4. Project Property Legal Description:
Lot 5 in Patricia Lane Resubdivision, being a resubdivision of Lot 4 in Lot in Terra Business Park resubdivision, being a resubdivision of part of section 24 and 25, Township 42 North, Range 8 East of the third principal meridian, according to the plat of said Patricia Lane Resubdivision, Recorded _____ as document _____, in Kane County, Illinois.
- 5. Project Property Size in Acres and Square Feet: 420,817 SQ. FT. (9.6606 ACRES)
- 6. Current Zoning Status: M1
- 7. Current Use Status: Truck maintenance and parking
- 8. Surrounding Land Use Zoning: _____
R1 to the west, M1 to the north, B3 to the southeast
- 9. Parcel Index Numbers of Property: 03-25-126-006

B. Owner Information

- 1. Signature: 
- 2. Name: Joseph Palumbo
- 3. Address: 201 Christina Drive, East Dundee, Illinois 60118
- 4. Phone Number: 847-844-0842 Fax: _____ Email: PALJOE@msn.com

C. Billing Information (Name and address all bills should be sent to)

- 1. Name/Company: Pal Land LLC
- 2. Address: 201 Christina Drive, East Dundee, Illinois 60118
- 3. Phone Number: 847-844-0842 Fax: 224-484-8539 Email: PALJOE@msn.com

PART II. APPLICATION REQUIREMENTS

The following table provides the type and quantity of materials required to be submitted with a special use application. The number associated with each material corresponds with the number used in Part II of the *Village of East Dundee Instruction Manual for Application for Development Approval* where each material is described in greater detail.

Please note that when two quantities of drawings are required (such as: 5/15), the first number indicates the number of full-size drawings to be submitted (at a scale of at least 1" = 20' and no larger than 30" x 42") and the second number indicates the number of reduced (11"x17") copies to be submitted. At least one of the original full-size drawings should be signed and sealed by the preparer. For ease of distribution, please collate into packets all of the materials where multiple copies are required. Packet contents should be assembled in order, except for drawings which should all be collated together at the back of the packet.

The required materials and number of copies shown below are the minimum necessary to submit a complete application. Village staff, consultants, review agencies, commissions, and boards may require additional materials and/or copies as necessary to fully evaluate the proposed project.

Official Use Only

Item # ^(a)	Application Material	Initial Application		Revisions		Second Set of Revisions	
		# Copies Required	# Copies Received	# Copies Required	# Copies Received	# Copies Required	# Copies Received
1.	Completed Development Application AND a) Agreement to Pay Costs Incurred and Hold the Village Harmless b) Affidavit of Ownership & Control c) Affidavit & Disclosure d) Findings of Fact	1					
2.	Project Narrative	20					
3.	Basic Application Fee	X					
4.	Property Owners within 250 feet	X					
7.	Survey / Legal Description	5/15					
9.	Photographs of Existing Property and Area	20					
11.	Site Plan	5/15					
12.	Building Elevations	5/15					
13.	Floor Plans	5/15					
14.	Roof Plan	5/15					
15.	Color Rendering	20					
17.	Landscape Plan	20					
20.	Simple Drainage Plan	1/12					
23.	Utility Impact Report ^(b)	20					
24.	Utility Improvement Plan ^{(b)(c)}	5/15					
25.	Traffic Study ^(b)	12					

^(a) Please see *Village of East Dundee Instruction Manual* for complete description of item.

^(b) Applies only to projects with more than 15,000 sq. ft. of commercial/industrial floor area or more than 25 residential units.

^(c) Applies only to projects proposing to remove or construct public utilities.

PART III. JUSTIFICATION OF THE PROPOSED SPECIAL USE

Please answer all questions but be concise and brief in your answers. If additional pages are needed to complete your answers, please be sure to include the appropriate and complete question number for each response. Applicants are encouraged to refer to drawings or other application materials as necessary to add clarity to their answers. **Applicants are also encouraged to refer to Special Use Criteria Section 157.224(C)(2) or Variances, Section 157.207(C) or Rezoning.**

IF YOU ARE APPLYING FOR A REZONING PLEASE WRITE A PARAGRAPH ON WHAT THE CURRENT ZONING IS AND WHY YOU ARE REQUESTING A REZONING

FOR A SPECIAL USE COMPLETE THE FOLLOWING, FOR VARIANCES ONLY SKIP TO PAGE #4:

1. Will the Special Use be injurious to the enjoyment of other property in the immediate vicinity for the purposes already permitted, nor will the special use substantially diminish and impair property values within the neighborhood?

N/A

2. Will the establishment of the Special Use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?

N/A

3. Have or will adequate utilities, access roads, drainage or necessary facilities be provided for?

N/A

4. Have or will adequate measures be taken to provide ingress and egress to minimize traffic congestion in the public streets?

N/A

5. How is the proposed special use in harmony with the purposes, goals, objectives, policies and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?

N/A

IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

Landscape Plan requirements - Village Code Chapter §158.03

2. For this site, what does the Code require?

A landscape plan should be submitted for review. The submitted landscape plan does not follow the requirements set forth in the Village Code Chapter §158. The plan should be prepared by a landscape architect and shall meet the landscape requirements for the Type 2 Perimeter and Interior Parkway locations. A 7' wide landscape island is required at the end of all parking rows and also required to break up parking stalls so that there is a maximum of ten (10) stalls in a row.

3. What is proposed?

We are proposing 4 Norway Maple Trees along the frontage of Patricia Lane, 4 honey locust trees, and 4 Prariefire Crabapple along the south property line for screening and aesthetics. Near the front entrance, 10 Karl Foersters grass will be planted, along with 10 summer beauty Allium, and 2 Miss Kim Lilac Trees. 13 Stella-D-Oro Day Lilies are proposed in the greenspace between the ADA parking and the building. All beds will be Bark mulched, similar to the replica facility across Patricia Lane. In the green space near the loading berth, 17 Hostas will be planted along with 9 Karl Foersters grass.

4. What unique circumstances have caused the need for a variance?

Per the Type 2 landscape screening requirements, min 3' shrubs and trees are required along at least 50% of the length of the parked areas. We meet this requirement with our proposed plantings. Per the landscape island requirement, our intent was to match the prior approved replica facility across Patricia Lane. We have more than 10 stalls in a row throughout the property, but there are landscaped islands at the end of all parking rows, including plantings that meet all requirements laid out in the Code of Ordinances.

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

Trees shall be provided in a quantity equal to one large deciduous tree per 40 feet of parking lot length. Tree spacing shall be determined by tree species and design considerations. Up to 25% of the required trees in this screening shall be continuous along the entire parking area and a minimum of six feet high. Shrubs shall be a minimum of three feet in height when screening a parking lot from adjacent non-residential uses. Up to 25% of the required trees in this screening alternative may be small deciduous trees (Crab apples, etc.).

We have satisfied this requirement with our proposed plantings.

IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

A request for a variance for Section 157.127 REQUIRED LOADING BERTHS.

2. For this site, what does the Code require?

Manufacturing, fabricating assembly, disassembly, warehousing storing, cleaning, servicing, testing and repairing establishments, for such a building containing 5,000 to 40,000 square feet of floor area: one loading berth, plus one additional loading berth for each additional 40,000 square feet of floor area or fraction thereof.

3. What is proposed?

The current facility being just over 40,000 SF in floor area, only requires one loading berth to maintain efficient operations for all users.

4. What unique circumstances have caused the need for a variance?

Increased delivery efficiency and better auto movement throughout the site have reduced need for multiple loading berths.

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

The proposed facility will meet the industry standard for this building type.

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

Identical Plantings were proposed and established across Patricia at the replica facility located at 200 Christina Drive, with the intention to do the same for this proposed development.

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

n/a

8. Other than financial return, what other purposes is the variance request based on?

Since green space on this site is somewhat limited, all landscape requirements per East Dundee code may be easily met with the plantings stated above, without the need for a licensed landscape architect to design a plan.

9. Has the alleged difficulty been created by any person presently having an interest in the property?

no

10. Please give an explanation for any questions answered YES .

- | | | |
|--|-----|-------------------------------------|
| a. Will the granting of the variation be detrimental to the public welfare? (Circle) | YES | <input checked="" type="radio"/> NO |
| b. Injurious to surround properties? (Circle) | YES | <input checked="" type="radio"/> NO |
| c. Impair an adequate supply of light and air to adjacent property? (Circle) | YES | <input checked="" type="radio"/> NO |
| d. Endanger public health and safety? (Circle) | YES | <input checked="" type="radio"/> NO |
| e. Substantially diminish property values within the neighborhood? (Circle) | YES | <input checked="" type="radio"/> NO |
| f. Conformance to the Land Use Plan? (Circle) | YES | <input checked="" type="radio"/> NO |

VILLAGE OF EAST DUNDEE



PLANNING AND ZONING & HISTORIC COMMISSION MEETING SCHEDULE
MEETING TIME 7:00PM
***THURSDAY EVENING UNLESS DENOTED**

Planning & Zoning petitions must be received 35 days prior to meeting date for petitions requiring Public hearings. 15 days prior when no Public hearing is required.

Historic Commission Meetings (as needed)

Applications submittals must be received & approved by the Building official for presentation to the Commission minimum of 15 days prior to meeting date.

Per ordinance, the Historic Commission must meet within 15 days of application submittal acceptance date and be dully considered by the Commission or a Certificate of Appropriateness would be deemed issued for failure to meet in the designated time.

NA

VILLAGE OF EAST DUNDEE



**APPLICATION AGREEMENT
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS**

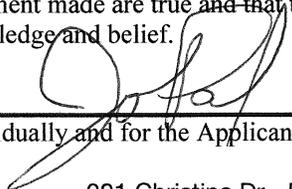
The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted to the Village of East Dundee by the applicant, including the services as those provided by the Village Staff, Village Attorney, Village Engineer, Planner and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

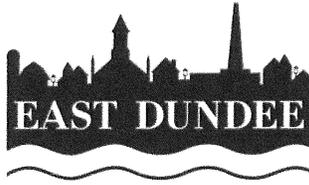
The owner hereby authorizes, support and consents to this request for variation, and further authorizes, agrees and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice (signage) upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

	10/21/20
Individually and for the Applicant	Date
201 Christina Dr - East Dundee, IL 60118	847-844-0842
Address	Phone Number

Project Description:
Pre-cast building construction and land development for 250 Patricia Lane

VILLAGE OF EAST DUNDEE



Affidavit of Ownership & Control

I (We), Joseph Palumbo do hereby certify or affirm that I am the owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: 

Owner: Joseph Palumbo

Address: 201 Christina Drive
East Dundee, IL 60118, _____

Phone: 847-844-0842

SUBSCRIBED AND SWORN TO before me this
_____ day of _____, _____.

(NOTARY SIGNATURE)

(NOTARY STAMP)

VILLAGE OF EAST DUNDEE



Affidavit & Disclosure Agreement

To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be billed to the applicant. Upon payment of all bills to the Village the applicant will receive their deposit back.

Signature: 

Print Name: Joseph Palumbo

Project Address: 250 Patricia Lane

State of Illinois)
County of Kane) SS
Village of East Dundee)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on December 3, 2020 at 7:00 P.M. via teleconference call by authorization of Gov. Pritzker waiving a portion of the Illinois Open Meetings act to allow local governments to hold "remote" meetings to help control the spread of COVID-19

1. A request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths.

Property Legal Description:

LOT 5 IN PATRICIA LANE RESUBDIVISION, BEING A RESUBDIVISION OF LOT 4 IN LOT IN TERRA BUSINESS PARK RESUBDIVISION, BEING A RESUBDIVISION OF PART OF SECTION 24 AND 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID PATRICIA LANE RESUBDIVISION, IN THE VILLAGE OF EAST DUNDEE, SITUATED IN THE COUNTY OF KANE, IN THE STATE OF ILLINOIS.

PIN: 03-25-126-006

All interested persons will be given an opportunity to be heard.



Planning and Zoning Commission Meeting

Findings of Fact – Variance

Property Location: 250 Patricia Lane

Variance(s) requested: Variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths.

Hearing date: December 3, 2020

The Planning and Zoning Commission has made the following findings regarding the variation request:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

Yes, without the variance, the facility would have an excessive amount of loading docks for what is needed for the functionality of the facility.

- 2. The plight of the owner is due to unique circumstances; Yes/No/N.A. and**

Yes, increased delivery efficiency and better auto movement throughout the site have reduced the need for multiple loading berths.

- 3. The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

Yes, the building meets the industry standard for this building type.

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever they are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

- 1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**

Yes, it would require a renovation to the building and alter the look to add a loading dock that is unnecessary for the needs of the facility.

- 2. The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**

Yes, should these conditions reoccur on a development with the same zoning classification, the basis for the variation would be applicable. The loading berth requirement, adopted in 1986, has not been reviewed for applicability to 2020 needs and is more of a building functionality need rather than a zoning requirement. For example, many industrial units are no longer occupied for the purpose of warehousing and distribution.

- 3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**

Yes, the purpose of the variation request is not to make more money out of property.

- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**

Yes

- 5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; Yes/No/N.A.**

Yes, granting of the variance would not be detrimental or injurious to the surrounding properties.

- 6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

Yes, the proposed variation would not have any of the above negative effects.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

___ ayes ___ nays ___ absent ___ abstain

Date: _____
_____ Planning and Zoning Commission Chairman