

**City of Prospect Heights
Plan/Zoning Board of Appeals
April 25, 2024**

I. MEETING COMMENCEMENT:

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:02 pm by Chairman Kempa, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois.

II. ROLL CALL:

Present: Chairman Kempa, Commissioners Patel, Saewert, Rygiel, Simmons and Mishevski

Absent: Commissioner DeGraf absent by prior notice

Quorum is present.

Present at the meeting: Director of Building & Development Daniel A. Peterson and Recording Secretary: Jenn Myzia

III. APPROVAL OF March 20, 2024 MINUTES

Motion made by Commissioner Simmons seconded by Commissioner Mishevski to approve the meeting minutes with corrections.

ROLL CALL VOTE:

AYES: Commissioners DeGraf, Simmons, Mishevski, Patel and Chairman Kempa

NAYS:

ABSENT: Commissioner DeGraf

ABSTAIN: Commissioner Saewert

Motion carried 5:0:1:1

IV. OLD BUSINESS:

VIII. Communications

A. Zoning Map – two significant changes.

a. Deletion of the O1 District on Sanders Rd.

b. Creation of new B5 District along Palatine/Frontage

B. Contractor Fraud

C. Cook County Economic Interest for Board Members deadline is May 1, 2024

V. NEW BUSINESS:

1. PZBA Case No. 24-05 SU – Public Hearing

Applicant: Tsvetelina Dimitrova, ABC Kid's Academy

Address: 11-15 S. Wolf Rd. Prospect heights, IL 60070

Description of Request:

A. Requesting a Special Use Permit to operate a daycare center in a B-1 Zoning District per 5-7-2 C of the City of Prospect Heights Zoning Code.

Chairman Kempa requests a motion to open the public meeting for 24-05 SU at 7:11 pm

Motion by Commissioner Saewert
Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners Mishevski, Simmons, Rygiel, Saewert, Patel and Chairman Kempa

NAYS:

ABSENT: Commissioner DeGraf

ABSTAIN:

Approved: 6:0:1:0

Director Peterson describes the case about to be presented.

Chairman Kempa swears in the applicant's representative.

Yavor Goranov of YKG Architects & Builders located at 730 Euclid Ave. Glen Ellyn, IL 60137 represents himself and the applicant. He states that he designed Sweet Little Angel in Schaumburg for Ms. Dimitrova and this proposed daycare will be her third daycare center. Ms. Dimitrova will be renting three units, 11, 13 & 15 S. Wolf Rd.

Chairman Kempa confirms the proposed operating hours will be 7am-6pm and asks the estimated number of employees.

Mr. Goranov responds that the estimated number of employees is ten.

Director Peterson states in the pre-application interview Ms. Dimitrova stated she would meet and exceed the state requirement per age group.

Chairman Kempa asks for commissioner questions to the applicant representative.

Commissioner Saewert asks for clarification on the isolation room and clarification on the playground area and the fence surrounding.

Mr. Goranov responds to clarify the fenced in versus non-fenced areas.

Director Peterson explains the DCFS requirements that were placed for the daycare that existed at this location prior to this application.

Commissioner Saewert asks if the square footage of the playground area is regulated by the State.

Mr. Goranov explains there are guidelines however all the different groups of children will rotate use of the playground.

Commissioner Saewert asks the owners of the property or Director Peterson to speak about the condition of the paving in the back of the property which the children will use to access the playground.

Mr. Goranov responds with his concerns in regard to the existing roof and the patches to that have been made as repairs and expresses his hopes that the City Building Department authorities take the appropriate measures in regard to the condition of the roof as it could potentially have serious consequences for a future daycare.

Commissioner Saewert asks Director Peterson if these concerns in regard to the roof and the asphalt can be an additional requirement to an approval.

Chairman Kempa states the owners of the property are in attendance and the questions can be directed towards the owners.

Chairman Kempa swears in the owners of the property.

Ramon Solhkhah son of the owner Nariman Solhkhah. Mr. Solhkhah states the roof had been repaired under permit and should be in okay condition and is guaranteed. In regard to the asphalt Mr. Solhkhah does have a proposal for repairs however there has been an issue with water pipes leaking below for the past three years. Mr. Solhkhah states the water company, Illinois America Water, has come out to do an assessment and another leak has been discovered, partly in the water companies pipes which they will repair and partly in the ownership pipes. Mr. Solhkhah has a plumber scheduled to come evaluate and make repairs needed. Mr. Solhkhah expresses once the repairs are made and with the new tenant coming in the repairs will be made and the estimated completion is the end of summer.

Director Peterson speaks to the steps that had been taken to repair the roof in the previous year and adds he believes the roof is in the end of its life stages. He also states the son and daughter, Ramon and Ana) of the owner Nariman Solhkhah have taken over on the property maintenance and have been taking the appropriate steps putting a plan together. Director Peterson states he believes adding a maintenance / repair condition to the approval or at minimum a mandate of where to walk the children to safely reach the playground until such repairs can be made.

Chairman Kempa requests for any questions from the commissioners.

Chairman Kempa requests a motion to close the public hearing for 24-05 SU at 7:30 pm

Motion by Commissioner Patel

Second by Commissioner Saewert

ROLL CALL VOTE:

AYES: Commissioners Saewert, Rygiel, Simmons, Mishevski, Patel and Chairman Kempa

NAYS:

ABSENT: Commissioner DeGraf

ABSTAIN:

Approved 6:0:1:0

Chairman Kempa asks for any additional comments or discussion from the commissioners.

Chairman Kempa requests a motion to enter into evidence presented this evening for case 24-05 SU.

Motion by Commissioner Simmons

Second by Commissioner Mishevski

ROLL CALL:

AYES: Commissioners Saewert, Patel, Rygiel, Simmons, Mishevski & Chairman Kempa

NAYS:

ABSENT: Commissioner DeGraf

ABSTAIN:

Approved 6:0:1:0

Director Peterson asks Mr. Goranov how long he believes it will take to remodel/construct the proposed daycare.

Mr. Goranov states three – four months.

Director Peterson states the reason for the timeline is to have a standard for a repair timeframe for the property ownership.

Chairman Kempa requests a motion to recommend that City Council approve case 24-05 SU for a Special Use Permit to operate a daycare center in a B-1 Zoning District over 5-7-2 C of the City of Prospect Heights Zoning Code with the condition that the owners bring the rear section of building to a safe operating condition per proposal marked as Exhibit 8 prior to issuance of occupancy.

Motion by Commissioner Simmons
Second by Commissioner Mishevski

ROLL CALL:

AYES: Commissioners Saewert, Patel, Rygiel, Simmons, Mishevski & Chairman Kempa

NAYS:

ABSENT: Commissioner DeGraf

ABSTAIN:

Approved 6:0:1:0

This case will appear to City council on Monday May 13, 2024 at 6:30 pm.

VI. Public Comment

VII. Previous Application Updates

IX. Adjournment 7:38 pm

Motion to Adjourn: Commissioner Patel
Second: Commissioner Saewert

ROLL CALL:

AYES: Commissioners Saewert, Simmons, Rygiel, Patel, Mishevski and Chairman Kempa

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved 6:0:1:0