

**City of Prospect Heights
Plan/Zoning Board of Appeals
May 22, 2024**

I. MEETING COMMENCEMENT:

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:06 pm by Chairman Kempa, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois.

II. ROLL CALL:

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

Absent: Commissioner DeGraf and Rygiel 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 April 25, 2024 MINUTES

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

ROLL CALL VOTE:

AYES: Commissioners Simmons, Mishevski, Patel and Chairman Kempa

NAYS:

ABSENT: Commissioner DeGraf & Rygiel

ABSTAIN: Commissioner

Motion carried 5:0:2:0

IV. OLD BUSINESS:

V. NEW BUSINESS:

1. PZBA Case No. 24-06 PUD – Public Hearing Amendments and Variations

Applicant: Manny Rafidia, Prospect Crossings Shopping Center

Address: 1215-1299 N. Rand Rd., Prospect Heights, IL 60070

Description of Request:

A. The petitioner is seeking an amendment to Ordinance #O-88-36 for consideration of amendments and variations to an existing PUD, per section 5-11-12 of the City of Prospect Heights Zoning Code;

- 1) Amend list of approved uses to include drive-thru restaurants;
- 2) Plat of Subdivision to create two out lot parcels for future development;
- 3) Reduction in total Off Street parking for the PUD; and
- 4) Increase the number of allowed secondary walls signs from 1 to 2 for the new out lots in the City's B-4 General Services PUD District.

Chairman Kempa requests a motion to open the public meeting for 24-06 PUD at 7:08 pm

Motion by Commissioner Simmons
Second by Commissioner Mishevski

VOICE VOTE:

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

NAYS:

ABSENT: Commissioner DeGraf & Rygiel

ABSTAIN:

Approved: 5:0:2:0

Director Peterson describes the case to be presented.

Chairman Kempa swears in all members of the public who wish to testify for case 24-06 PUD.

Manny Rafidia, 2 Star Lane South Barrington, IL – presents the case for the addition of out lot parcels at Prospect Crossings and the subsequent requests.

The commissioners ask questions of the applicant.

Wajih Alkayed 11313 Brook Crossing Dr Orland Park, IL – speaks about the size of the buildings represented for the out lots.

Commissioner Saewert confirms with Director Peterson lots 3 and 4 are the out lots to be subdivided and will require an updated packet.

Chairman Kempa swears in a member of the public who wishes to speak.

Mariusz Folta – 1225 N Stratford Rd. Arlington Heights, IL – asks for clarification on the location of the out lots.

Chairman Kempa requests a motion to close the public hearing for 24-06 PUD at 7:46 pm

Motion by Commissioner Patel

Second by Commissioner Saewert

ROLL CALL VOTE:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

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 24-06 PUD.

Motion by Commissioner Patel

Second by Commissioner Simmons

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel
ABSTAIN:
Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-06 PUD for item 1 to amend list of approved uses to include drive-thru restaurants.

Motion by Commissioner Simmons
Second by Commissioner Mishevski

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-06 PUD for item 2 for a Plat of Subdivision to create two out lot parcels for future development.

Motion by Commissioner Simmons
Second by Commissioner Mishevski

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-06 PUD for item 3 for a reduction in total Off Street parking for the PUD.

Motion by Commissioner Mishevski
Second by Commissioner Simmons

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-06 PUD for item 4 to increase the number of allowed secondary wall signs from 1 to 2 for the new out lots in the City's B-4 General Services PUD District with the condition of exterior elevation approval which would include signs and a traffic analysis for the final tenant.

Motion by Commissioner Patel
Second by Commissioner Mishevski

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel
ABSTAIN:
Approved 5:0:2:0

This case will appear to City council on Monday June 10, 2024 at 6:30 pm.

2. PZBA Case No. 24-07 SUB – Public Meeting/Plan Commission

Applicant: Darrion Roszkowiak
Address: 201 W. Kenilworth. Prospect heights, IL 60070

Description of Request: Mr. Roszkowiak owns the property at 201 W. Kenilworth which is part of Lot 9 in Smith and Dawson's 6th Addition to Country Club Acres subdivision. According to Section 5-3-17 (E2) of the City of Prospect Heights Municipal Code, the owner is required to create a single lot of record for the property.

Chairman Kempa requests a motion to open the public meeting for 24-07 SUB at 7:57 pm
Motion by Commissioner Simmons
Second by Commissioner Patel

VOICE VOTE:

AYES: Commissioners Mishevski, Simmons, Saewert, Patel and Chairman Kempa
NAYS:
ABSENT: Commissioner DeGraf & Rygiel
ABSTAIN:
Approved: 5:0:2:0

Chairman Kempa swears in the applicant.

Darrion Roszkowiak - 201 W Kenilworth Prospect Heights, IL

Director Peterson describes the case to be presented. He states the resident is looking to tear down the existing structure and build new within the already approved codes.

Chairman Kempa asks if anyone has any comments or questions pertaining to this case.

Chairman Kempa requests a motion to close the public hearing for 24-07 SUB at 8:01 pm
Motion by Commissioner Patel
Second by Commissioner Saewert

ROLL CALL VOTE:

AYES: Commissioners Saewert, Simmons, Mishevski, Patel and Chairman Kempa
NAYS:
ABSENT: Commissioner DeGraf and Rygiel
ABSTAIN:
Approved 5:0:2:0

Chairman Kempa requests a motion to accept into public record the testimony presented this evening for case 24-07 SUB.

Motion by Commissioner Simmons
Second by Commissioner Saewert

ROLL CALL:

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

NAYS:
ABSENT: Commissioner DeGraf and Rygiel
ABSTAIN:
Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-07 SUB to create a single lot of record for the property at 201 W. Kenilworth.

Motion by Commissioner Saewert
Second by Commissioner Simmons

ROLL CALL:

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

NAYS:
ABSENT: Commissioner DeGraf and Rygiel
ABSTAIN:
Approved 5:0:2:0

This case will appear to City council on Monday June 10, 2024 at 6:30 pm.

3. PZBA Case No. 24-08 V – Public Hearing

Applicant: Hector and Erica Salazar
Address: 309 E. Palatine Rd., Prospect Heights, IL 60070

Description of Request: Mr. and Mrs. Salazar are the contract purchasers for the property located at 309 E. Palatine Rd. The petitioners are seeking two variations:

- 1) Variation to reduce the minimum lot size from 20,000 sq. ft. to 14,727 sq. ft.;
- 2) To increase the allowable FAR from 20% to 21.5% (215 sq. ft.) to allow for the construction of a new single family home in the City's R-1 Single-Family Residential District.

Chairman Kempa requests a motion to open the public meeting for 24-08 V at 8:03 pm

Motion by Commissioner Patel
Second by Commissioner Saewert

VOICE VOTE:

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

NAYS:
ABSENT: Commissioner DeGraf & Rygiel
ABSTAIN:
Approved: 5:0:2:0

Director Peterson describes the case to be presented and states at the end of the project the address will be changed to 714 Glendale.

Chairman Kempa swears in all members of the public who wish to testify for case 24-08 V.

Hector and Erica Salazar – 113 Mandel Prospect Heights, IL describe the potential project pending approvals.

The commissioners ask questions to the applicants and Director Peterson including but not limited topics of soil testing for new home construction and visual and sound barrier for Palatine/Frontage Rd.

Director Peterson advises this is a corner lot and fencing must be kept at the twenty-five foot side yard building line. He indicated the PZBA could allow relief for a future variation request as a condition now to allow berm and screening with this case.

Chairman Kempa requests a motion to close the public hearing for 24-08 V at 8:20 pm

Motion by Commissioner Patel

Second by Commissioner Mishevski

ROLL CALL VOTE:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

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

Chairman Kempa requests a motion to accept into public record the evidence presented this evening for case 24-08 V.

Motion by Commissioner Simmons

Second by Commissioner Saewert

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-08 V for the variation to reduce the minimum lot size from 20,000 sq. ft. to 14,727 sq. ft.

Motion by Commissioner Patel

Second by Commissioner Saewert

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-08 V to increase the allowable FAR from 20% to 21.5% (215 sq. ft.) to allow for the construction of a new single family home in the City's R-1 Single-Family Residential District.

Motion by Commissioner Simmons

Second by Commissioner Patel

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 24-08 V to grant a variation for relief to allow the installation of buffering including fencing, shrubs or trees within the twenty-five ft. corner side-yard setback.

Motion by Commissioner Simmons

Second by Commissioner Patel

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0

This case will appear to City council on Monday June 10, 2024 at 6:30 pm.

VI. Public Comment

VII. Previous Application Updates

VIII. Communications

IX. Adjournment 8:31 pm

Motion to Adjourn: Commissioner Patel

Second: Commissioner Simmons

ROLL CALL:

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

NAYS:

ABSENT: Commissioner DeGraf and Rygiel

ABSTAIN:

Approved 5:0:2:0