

PLANNING AND ZONING COMMISSION MEETING

City Council Chambers

3600 Kirchoff Rd.

Rolling Meadows, IL 60008

Tuesday, April 5, 2022

7:00 p.m.

MINUTES

Call to Order

Chairman Duvall called the April 5, 2022 regular meeting of the Planning and Zoning Commission to order at 7:01 p.m.

Roll Call/Declaration of a Quorum:

Presiding: Chairman Duvall

Present: Buckingham, Chubirka, Sheehan, S. Morrison, Duvall

Absent: L. Morrison, Sipple

Also Present: JoEllen Charlton, Assistant Director of Public Works, Elizabeth Kwandras, and Interim Superintendent of Community Development, Vickie Wiley, Community Development, and Martha Corner, Business Advocate.

Chairman Duvall declared a quorum

Approval of Minutes: March 1, 2022 Planning and Zoning Commission Meeting

Chairman Duvall asked for a motion to approve the minutes from the March 1, 2021 Planning and Zoning Commission meeting. Commissioner Chiburka made a motion to approve the minutes as written, which was seconded by Commissioner S. Morrison.

Motion carried by unanimous voice vote. Minutes approved as written.

Pending Business: None

New Business – (New Public Hearings):

1. Public hearing and consideration of a petition for a special use pursuant to Section 122-301(3) of the City of Rolling Meadows Zoning Code of Ordinances to allow an “Indoor Athletic Facility” for an indoor soccer training facility, a variation from Section 122-163 from the City of Rolling Meadows Code of Ordinances to reduce the required number of parking spaces for an Indoor Athletic Facility from the approximately 59 parking spaces required to 21 parking spaces, and other relief necessary to accommodate the indoor soccer field, in an M-1 Zoning District, 3660 Edison Place, Legion, Inc, Petitioner

Open Public Hearing:

Chairman Duvall asked if proper notice was give, and if the file was in order. Ms. Kwandras stated that the file is in order but proper notice was not given.

Ms. Charlton: Because the hearing wasn’t properly noticed, they will need to provide new notice for a new hearing. It does not make sense to continue this particular hearing. We will skip this item and it will be re-noticed for the next meeting.

2. Public hearing and consideration of a petition for a special use pursuant to Section 122-301(3) of the City of Rolling Meadows Zoning Code of Ordinances to allow a private Montessori school, and other relief necessary to accommodate the Montessori School, in an R-2 Zoning District, 2720 Kirchoff Road, Janis Smith, Still Waters Preschool Co-op and Educational Services, Petitioner.

Chairman Duvall asked if proper notice was give, and if the file was in order. Ms. Kwandras stated that the file is in order and proper notice was given.

Commissioner Buckingham made a motion, by which Commissioner Chiburka seconded.

Motion carried by a unanimous voice vote.

Open Public Hearing:

Chairman Duvall swore in Ms. Janice Smith

Petitioners Presentation:

Janice Smith, I am the primary teacher as well as the President of the Board for a non-profit, Still Waters Preschool Co-op and Educational Services.

We are looking forward to this opportunity to reestablish our preschool. We started in 2006 at a church located in Chicago and we were there for 11 years. We were told with a year notice that they needed that space for something else and we found another location in Forest Park that we could move to. We attempted to start our preschool at this location, but we had a lot of things against us and then Covid hit in the middle of that. We were trying to make our promotions and we couldn’t anymore. When we were finally coming out of Covid, that church also decided that they were going to reuse that room for a different purpose. We have not been in operation since the end of 2018, when we lost our space. I’m a member of Christ the Covenant

Church Chicago that meets in the Community Church of Rolling Meadows and I'm also the Sunday school teacher. At the time we lost our facility in Forest Park, I asked if I could move my Bible teaching materials to the classroom that we were using at Rolling Meadows and my church said yes, that would be great. I then thought about what am I going to do with the preschool? I am extremely healthy, I have a fair amount of energy and I have a lot of teaching materials. I thought I should try and so I approached the Community Church, they cleaned out a room right next to our Sunday school room and there is a door between the two rooms. To me that is an ideal place because I will have access to not only my Bible teaching materials, but also the Montessori things. I have set it up so that people can see what it's like. I conducted some sample classes for some of the young families at my church to see what interest level there was. I knew the families, but they had never seen my classroom. They have become quite impressed by that, but we discovered that we need to go through this process first. I was informed that I should not continue the sample classes there and so we have not. The parents have been so excited about having the possibilities of this shared community, for this small classroom that we are now rotating through the parents homes and meeting once a week. I gather some things from the classroom and take it to various places. This is all in hopes of trying to establish this preschool and have a small group in operation so we can invite people in to see what happens here in Rolling Meadows. That is what we are requesting this special use for because that is a requirement of Rolling Meadows. We are looking forward to this and our name Still Waters comes from Psalm 23:2, The Lord is my Shepard, and he leads me beside still waters. The vision of the still waters being in the rolling meadows, not just the green pastures, was a delightful picture to me and an encouragement to all of us, yet we still need to know from you if it is okay with you for us to go ahead with this plan.

QUESTIONS AND COMMENTS FROM THE BOARD:

Ms. S. Morrison: How many children can you accommodate?

Ms. Smith: I think 12 and right now I don't think we have more than 4 gathering together.

Ms. S. Morrison: The Church was chosen because there is a Sunday school there?

Ms. Smith: There is a lot of sharing going back in forth, so if I need to move an extra table in I can just grab it out of another room. It makes it really convenient for me even though I would have two rooms which have materials that are mine, it is still not all the things I have.

Ms. S. Morrison: I'm assuming the facilities are geared for children?

Ms. Smith - Because I have my own cabinets and things, it basically is fine.

Ms. S. Morrison: Restrooms?

Ms. Smith: Restrooms are at the end of the hall, but it is okay and we will manage that in a way that helps them be responsible, but have adult supervision to be sure that everyone is using that facility in an appropriate way.

Mr. Duvall: Thank you. Any other questions or comments?

Mr. Buckingham: Are your families mostly through the church?

Ms. Smith: Right now they are through the church because they are the people that know me. To come to a program where you don't know anyone and not being able to see it in operation, people really need to come and see me carrying out the program and see the materials and the care that I take. Right now it's only people

that know me through the Sunday school and we have one family who is on a mom's group on Facebook that came. Our goal is to have anyone who is interested in a Christian Montessori influenced preschool program that is a parent participation program, where the parents stay on site. All those things are required for how we operate.

Ms. S. Morrison: Do you meet every day or once a week?

Ms. Smith: Right now we are meeting once a week in homes. In the past we have met 2 days a week. Because we want to encourage parents to participate and be involved with their children, they have to be on site for insurance purposes. It is not really convenient for people to not be there for more than 2 days, but we have a unique part of our program that is probably almost unheard of. Parents who are committed to us can check out materials that includes the lovely Montessori materials that we have. They can check it out to utilize it in their homes. Some of these families will be home schooling. We encourage them to be involved in their children's education and this is a first opportunity for them, wherever they go after that is their choice.

Chairman Duvall requested staff report

Staff Report Highlights:

The property in question is located is one that we are all familiar with located at the Community Church of Rolling Meadows. They were here a few months ago to get a variation for their sign and a text amendment a couple of months before that. The property is zoned R-2, with R-2 single family homes to the north and east, and C-2 properties to the south (the former Taco Bell and Meadow Square commercial lots) and west (Rolling Meadows Shopping Center).

The petitioner has been running the Still Waters Montessori School since 2006 and are now looking to make their home here in Rolling Meadows. The school is planning to use several rooms in the east wing. Initially they planned to run it twice per week, on Tuesdays and Thursdays and as the program grows potentially expanding to up to four times per week. The maximum number of families that can be accommodated at any one time would be 12 (12 students). My understanding of the program would be some students would come on Tuesdays and Thursdays and the others on the other two days.

The Community Church parking lot is extremely large, containing over 100 parking spaces with little to no use during the week. The lot is well-maintained, and hosts many larger events throughout the year, including Cornfest and City Markets. It is unlikely that actual parking will exceed 15 and there is ample space for them to be accommodated. To staff's knowledge, no other activities or events are occurring at the same time as the Still Waters preschool so there should be no overlap in parking needs. The Community Church has two entrances onto Kirchoff, and one onto Meadow. Vehicles arriving or leaving can use any of the three, and will have less impact on surrounding traffic than typical Sunday church services. No modifications to the building or lot are required. The rooms will be used as existing, with materials brought in by the petitioner, and stored on site.

STANDARDS AND FINDINGS OF FACT:

Mr. Chiburka: Is the deviation from the code because it becomes a school now?

Ms. Kwandras: It's not a deviation from the code. The code allows special uses. We as the City can see in those areas, but we have to be mindful of additional impact and make sure that it is going into the right places with the right modifications. In this case it is a school use, so that does qualify it as a special use, it's not

directly associated with the church, that's a separate entity, so that is why it has to go through the special use process.

Mr. Chiburka: If the school was to expand, would they have to come back?

Ms. Kwandras: No, the special use would take into consideration the fact that they might expand in the future.

Mr. Buckingham: Does the church have its own special use or are they grandfathered?

Ms. Kwandras: I believe they are legal, non-conforming. I don't think they needed a special use when they came in, but they would now under the current code.

Mr. Buckingham: Because it's a different entity?

Ms. Kwandras: Yes

Mr. Duvall: There are other churches that are in our zone districts?

Ms. Kwandras: Yes

Ms. S. Morrison: Ms. Smith, this is a nonprofit business though? Does it generate revenue?

Ms. Smith: We are hoping it won't be all out of my pocket. There are many things we have to find out. We have to see what the interest level in this particular location.

Mr. Duvall: In your submittal, you described the fact that you basically hatched this idea when you were approached by the interim pastor of the church.

Ms. Smith: He was the interim pastor that was there for a few months. He was the one who observed me teaching part of the Sunday school during Covid. The pastor has several children and when they were preparing for worship, I would be teaching the children so they wouldn't be under foot and getting into trouble. I did it in the foyer and that is where he saw me teaching. We entered into the conversation at the time and I told him of the need.

Mr. Duvall: Is he know the full time pastor?

Ms. Smith: No he is not.

Ms. Smith: I have been working with the Board, Ross Heart.

Ms. Kwandras: One of the requirements that we will we often have if the petitioner doesn't own the property that they are going into, is permission from the land lord. In this case, we do have a letter of file from Ross Heart giving Ms. Smith the permission to operate and apply for the special use.

Mr. Duvall: So the head trustee has authorized this operation regardless of who is pastor.

Ms. Kwandras: Correct

Mr. Duvall: Reflecting on Commissioner Morrison's comments, do you run a fixed time of day schedule? Your report said that there is going to be 2 sessions in the morning and I see it as a wonderful use and a well thought out idea, but as a neighbor, traffic on Meadow Dr. between 8:40-9:00 am is brutal. The users of this facility are going to have to accept this because 80% of the kids that attend Kimball Hill School get a ride.

Ms. Kwandras: Per the Petitioners materials, the Montessori will be meeting 9:30-12:30 on Tuesdays and Thursdays, so we are hoping there will be little impact.

Mr. Duvall: Okay

Ms. Smith – I have seen the cars over there and I've seen cars cut through the parking lot. I've warned the parents about those kinds of things also. In regards to use of the parking area during the week, the contract that I have with the Community Church of Rolling Meadows is that should they have something else going on they will talk to me and then we may have to not hold class if there is an overlap at that time. In the past at our location at the City, it was a polling place. Whenever there was an election we cancelled preschool for safety purposes.

Mr. Buckingham: I really liked your letter and congratulations to you on your program. This is a great venue for this.

Ms. Smith: We get ready for the year not knowing who is going to be involved, but these families enter our hearts in just a couple of months and so I look forward to not only running the program, but having my heart expand with the love that we share together.

Mr. Buckingham: Fantastic, thank you again.

Mr. Buckingham made a motion to close the public hearing and Ms. S. Morrison seconded.

5 Yays

Public comment of this meeting is now closed. We are asking the Commission for approve, deny or modify the request from the Petitioner.

Mr. Chiburka made a motion to approve based on a recommendation to approve Based on the submitted petition and testimony presented, I make a motion that the Rolling Meadows Planning and Zoning Commission adopt the findings for a special use listed in the staff report prepared for the April 5, 2022 Planning and Zoning Commission meeting, and recommend to City Council approval of the special use to allow a private Montessori school for Still Waters Preschool Co-op & Educational Services.

Mr. Buckingham seconded

Roll:

Chiburka

Buckingham

Sheehan

Ms. S. Morrison

Chairman Duvall

5 Yays

0 Nays

Motion is carried and the recommendation to approve will be sent to the Rolling Meadows City Council Meeting on April 26, 2022 meeting for first reading.

Staff

Ms. Kwandras: Just a couple of things before I turn it over to Ms. Charlton. We are going to be meeting in May, hopefully 3660 Edison will be back and have proper notice. We might have another petition coming forward for another church on West Frontage. In addition to that, typically according to the ordinance that creates and governs the P&ZC, every year the Commission elects this officer. Please give consideration if you would like to be an officer, there are two main positions, the Chairman and the Vice-Chairman. The May meeting please check your calendars because Commissioner Sipple will not be able to be here again. Please check and see if May 3rd is a possibility for everybody and if it's not, please let me know a.s.a.p. so we can look for alternate dates so I can make sure the legal notice is appropriate.

Ms. Charlton – Special projects

We are working with Raising Cane at the Bueno Beef site in Market Place of Rolling Meadows Shopping Place. They were able to rotate the building in a way that makes access to the property a little less cumbersome. Originally they had it coming from the east, which would have backed onto Golf Rd and we had a lot of concerns. They were able to address those concerns and are finalizing their plans. We will probably see that in June.

The gas station on Kirchoff Rd just west of Comet, that is looking to redeveloped the side and add a little bigger building. They are still going through some preliminary site plans so I don't think they will be ready in May.

We are also working with the Fire Haul on the redevelopment/reuse of the fire station property on Meadow. We did have an open session discussion with Council about that and based on that conversation we are putting together some bullet points for a draft development agreement that would outline the terms of the sale and use and try to hone in on all of that conversation that Council is having about "How do we insure the use?" We don't want to sell it to them and have it fail and have a vacant building. Particularly because they are looking for a deal that they would pay less for the property than it's appraised value so that is considered sort of an incentive. For that incentive what will the City be able to negotiate in that agreement? We are working on that with our city's attorneys pretty closely.

We have nothing from the Holidome. We know they still want to come and keep saying they are going to submit things, but I still don't have anything to provide you.

Cannabis: We went through those text amendments and had public hearings and nobody from the public showed up to comment about the cannabis text amendments, particularly those that were for commercial cannabis dispensaries, east of New Wilke Rd.

Chairman Duvall: Over in the zoning triangle?

Ms. Charlton: Yes, and when that hit the City Council meetings there was some promotional materials from a firm out of Texas or Florida that was suggesting Rolling Meadows should scrutinize that and as a result the elected officials did field a lot of calls with questions and concerns from their constituents. That text amendment did pass on a 4 to 3 vote, so there were some differences of opinion. I thought that would end with the dispensary discussion, the following meeting we had your recommendation from the Carnegie Craft

Grower, which you reviewed as a special use pursuant to early text amendments. The use did meet those standards and you made that recommendation. Some of the elected officials continued to be contacted by their constituents that no cannabis usage should be considered. In that particular 1st reading we had two officials absent from the reading. It was approved on 1st reading by a 3 to 2 vote, by the majority of the people there so it can advance to 2nd reading, but the State's statute require for anything to be approved requires not less than 4 votes from the Council. We need to have a full Council there and they would need to have 4 positive votes before that special use could be approved. That is preceding to Council next Tuesday for 2nd reading. I just wanted everybody to have that information based on that case because I know you all worked really hard on that.

There are a lot of changes happening in Public Works. We celebrated Bill Suchecki, our Streets Superintendent, 38 years of service retirement party. He is a lifelong resident of the community and served the community in several capacities for all of that time.

Rob Horne has announced that he is taking another job in Arlington Heights as their Assistant Director of Public Works. His last day with the City will be on April 19th. Obviously we are already in the process of trying to identify, advertise and interview for Bill Suchecki's position. The City Manager will jump on the opportunity to start interviewing for the Public Works. We will be very busy in Public Works for 6-9 approximately accommodating that. What that means for me here at this meeting is you will probably see a lot less of me, Elizabeth is doing a fantastic job in her role as the Community Development Superintendent. Unless she needs me here, I will need to take on some more responsibility until the Public Works Directors position is filled. You can always call me or stop by, I would love to stay involved with all of the business that this group does, you all do really great work, so thank you.

Commissioner Duvall: I have one question regarding the 3 to 2 Council vote that was on the Carnegie St. grow facility. There is a for sale sign in front of that building that went up about 3 days ago. Did the 3 to 2 vote constitute a non-action and will there be two readings on that motion again.

Ms. Charlton - It constitutes an approval of the 1st reading capable of sending it to 2nd reading.

Mr. Duvall – The Council has to have 4 yes votes?

Mr. Chiburka: Is anything happening with the Taco Bell now that they have found the owner?

Ms. Kwandras: It's a slow process, the owner is aware the property needs to be maintained and that's really the only commitment that we've gotten out of them. There has been plenty of interest in this site. If you combine that lot with the other two commercial sites that is in front of Meadows Square, you could do something really cool there.

Mr. Chiburka: Are they two different owners?

Ms. Kwandras: Yes, but if somebody was to buy all 3 lots and develop them together that could be pretty cool. As of right now we are not getting a lot of communication with the owner of the former Taco Bell.

Mr. Duvall: I watched the COW meeting, based on what we were going to hear tonight and the request from a lot of petitioners, it appears that parking is going to become this nonstop issue with anybody trying to repurpose a site. The question is, is there anything other than just continuing to grant special use issues. I'm thinking about what could happen with the fire station on Meadow if they actually develop it and it takes off and becomes popular enough, where are they going to put all the cars?

Ms. Kwandras: That is something that staff is reviewing with the business owners to discuss where that parking would go. We are hoping it's successful, so we are looking into different avenues for that. A lot of these industrial sites that you are seeing were built as industrial which doesn't include a lot of parking. What we have to take into consideration is that these buildings are very old and some adaptive reuse of these buildings is necessary and that requires some creative thinking, which is why we modified the zoning code to allow for off-site parking arrangements and all of that. Unfortunately, the requirements of the variances are probably going to go forward unless somebody tears down those buildings. Until that time, as new users come in, especially in the NW industrial park you're going to see more of these.

Ms. Charlton: Chairman Duvall is your question more is there a different process?

Mr. Duvall: No, I understand the process, but my point is, is this going to be done on a case by case basis?

Ms. Kwandras: Yes, that is the purpose of this Commission.

Mr. Duvall: Does staff encourage these people reach out to their neighbors and ask if they would be amendable to this?

Ms. Kwandras: If it is warranted for the use, then yes. The zoning code does not allow for handshake agreements anymore, so in order for it to count we need something in writing.

Mr. Chiburka: If they brought a shared use agreement to you would they even have to come here?

Ms. Kwandras: It depends, if it was a special use than yes. The zoning code does allow for off-site parking under certain circumstances to be applied towards the parking requirement administratively.

Ms. Kwandras: Based on their business plan

Ms. Charlton: The other thing I would like to say about shared parking agreements from their perspective makes a lot of sense too. They are asking an adjoining property owner for long term perpetual agreement that will allow them to park there as long as they are there. If I'm the owner of that property and I'm thinking I'm going to be done with this business in 5 years, why would I sign an agreement like that? It would limit my ability to sell my business or my property because we can't accept something unless we know they will continue to have access to it. The other part of it is you just conditioned their occupancy. If the parking goes away how do we tell that business they can't operate there anymore. It's hard to achieve because parking is very limited over there. Nobody wants to sign away their rights to their parking like we would need them to.

Mr. Duvall: I understand that, it just seems in the last 3 or 4 meetings a question of parking comes up with a condition of approval for a request.

Ms. Kwandras: What I can tell you Chairman Duvall is that staff does examine various possibilities before we bring forward a variance request for you. The definition of the variance is the least required amount of relief from the code.

Ms. Charlton: The other benefit to the fire haul example, because of how they are proposing to phase the projects, we could actually condition through the development agreement the fact that they couldn't go to phase two unless or until they are able to expand or add more parking per the agreement. The Church to the south expressed concern about losing the ability to keep and maintain their exempt property tax status. We will continue to work with them and try to come up with some strategies so that if they are successful. Every parking in Rolling Meadows needs to be able to be accommodated on site because we don't have off street

parking anywhere. It is a bit of a challenge, but we will try to address those concerns, both for you and your staff reports and the conditions on the variations as well as the developmental agreement in the case of the fire haul.

Mr. Duvall: We could put a condition to recommend approval. Would the City ever consider making street parking an option under certain conditions?

Ms. Charlton: Not to meet the parking requirement in an area where we are already pretty narrow on industrial streets by industrial standards. There are a lot of curb cuts and a lot of semis that are trying to maneuver through. The other non-conforming issue we have a lot of up there are the loading docks. You have to maneuver in the street to back into the dock.

Mr. Buckingham: Are we saying that the third party parking agreements need to be perpetual.

They need to be as long as that use is in existence. The special use shall become null and void unless the parking that they are providing is maintained or to secure additional off street parking in compliance with the zoning ordinance.

Ms. S. Morrison: What is the plan for the fire house on Meadow?

Ms. Charlton: A food haul. Think of it as somebody that is selling somebody booth space to various start up food vendors, once which intends to be Leaky Keg Craft Brewer.

Motion to close public hearing:

Mr. Chiburka made a motion to close the public hearing, seconded by Mr. Buckingham

Motion carried by unanimous vote

Next meeting will be May e @ 7:00 pm.

Adjourned at 7:58 pm.

Respectfully Submitted,

Vickie Wiley

Administrative/Clerk

Community Development Division

