

**City of Rolling Meadows
Planning and Zoning Commission
7:00 PM
April 6, 2021
APPROVED**

Call to Order

Chairman Rataiczky called the April 6, 2021 regular meeting of the Planning and Zoning Commission to order at 7:00 pm.

Roll call:

Presiding: Chairman Rataiczky

Present: Buckingham, Chubirka, Duvall, Sheehan

Absent: Fink, L. Morrison, S. Morrison, Sipple

Also Present: Jo Ellen Charlton, Assistant Director of Public Works; Elizabeth Payne, Administrative Services Coordinator

Chairman Rataiczky declared a quorum.

Approval of Minutes

Chairman Rataiczky asked for a motion to approve the minutes from the March 2, 2021 Planning and Zoning Commission meeting. Mr. Buckingham moved to approve the minutes as written and Ms. Sheehan seconded.

Motion carried by unanimous voice vote. Mr. Churbirka abstained. Minutes approved as written.

Pending Business:

- 1. Public Hearing and Consideration of a special use pursuant to Section V-4-A-3 of City Code Chapter 122 (City of Rolling Meadows Zoning Ordinance) to operate an “Indoor Athletic Facility” in an M-1 Zoning District, a variation from Section IV-8-A to reduce required parking spaces from 76 to the 62 provided on the lot, and other relief necessary to accommodate the indoor bicycle studio, 1225 Carnegie St. #108, Derek Oberg, Ascend Bike Studio, Petitioner**

Chairman Rataiczky asked for a motion to open the public hearing and enter the staff report included in the packet into the record. Mr. Duvall made the motion. Mr. Buckingham seconded. Motion carried by a unanimous voice vote.

Chairman Rataiczky asked if proper notice was given, and if the file was in order. Staff indicated that was the case.

Derek Oberg, 1225 Carnegie Ln #108, Rolling Meadows IL was sworn in by Chairman Rataiczky.

Mr. Oberg stated that he was seeking a special use permit to operate his business at 1225 Carnegie St., unit 108. His business was an indoor cycling gym where participants bring their own bikes and set

them up with “trainers” – machines that provide resistance according to skill level. The computers will tailor each session for the users.

This business is largely seasonal. Most participants come during the colder months, usually October through April, when it is harder to bike outside. Classes will be reduced in spring and summer for that reason. Mr. Oberg stated that the idea is to provide a safe space for people to train.

He was proposing no exterior changes to the space, or to the interior floor plan. The unit is set up as a warehouse with three offices, storage, and two restrooms. Initially, he will limit the business to ten trainers, but there is potential in the space to grow up to sixteen.

He chose Rolling Meadows since it was a family friendly community with convenient access to Route 53 and plenty of outdoor space, though residents need a safe space to bike in the colder, winter months. Most of his participants are from the area.

He understood that there had been some concern about parking on the site. During the winter months, he will operate Tuesday through Friday, with the majority of classes before or after normal business hours. One class on Tuesday and one on Wednesday will be held mid-morning. These tend to have lower attendance. Clients will be required to park in the front of the building, and will only be able to enter from the front.

He had been out and counted parking spaces, documenting with pictures, to make sure there were enough for his use. The majority of classes were outside of normal business hours, and should have minimal impact. The space was ideal for the growth of his business, but still should not exceed how other tenants use the lot.

Ms. Payne presented the staff report. She stated that staff had been working with the petitioner regarding the unit, and one of the main concerns was parking. The building in total contained nine units – some of them combined, and with this user, would be fully filled by six tenants. The building was zoned M-1, and surrounded by other buildings zoned M-1. Indoor athletic uses such as this one were classified as special uses in the M-1 district.

Staff charted the existing tenants, the sizes of their units, the number of employees, required parking, and hours of operation. According to what staff was able to find, there were a total of 26 employees. Staff does understand that some employees may be working remotely due to the coronavirus pandemic, so a condition was recommended to require modifications to class schedules on notice from the City.

Staff had an inspector go to the site, who corroborated Mr. Oberg’s findings on parking. Staff was not concerned about the parking situation on site. However, one tenant had contacted staff regarding the parking, expressing concern that the lot was always filled up from 7:00 am to 5:00 pm. Between what Mr. Oberg provided and staff’s own site visit, this concern was not witnessed.

There were a few additional site concerns. The rear of the building has overhead doors, and a larger semi backs in once per week. Staff is recommending conditions that patrons only park in the front of the building, and that signage be placed to direct them appropriately. There were also drainage concerns for the site. However, they were not caused by this site, but by the industrial condominium

complex to the west. Staff was working on a regional plan for the Northwest Industrial Area storm water.

The standards for the special use and variance were included in the staff report, and staff believed that they had been met. The zoning code had been updated to allow these types of uses in this area for a reason. As such, staff was recommending approval of the special use request.

QUESTIONS AND COMMENTS FROM THE AUDIENCE:

Chairman Rataiczuk opened the meeting for comments from the public. No members of the public came forward to comment.

Mr. Buckingham made a motion to close the public hearing. Mr. Duvall seconded. With a unanimous voice vote, the public hearing was closed.

QUESTIONS AND COMMENTS FROM THE BOARD:

Chairman Rataiczuk opened the meeting to Commissioners' questions and comments.

Mr. Chubirka asked about the person who had contacted staff regarding their concern. Ms. Payne stated that staff had asked for some specifics, but none had been provided. Staff informed her that they had been to the site, and noted no concerns. She indicated that staff had tried to reach out to the commenter regarding the findings, and the commenter was encouraged to come to the meeting.

Mr. Duvall asked if there was any possibility of expansion past sixteen trainers. Mr. Oberg replied there was not.

Mr. Buckingham asked if there was any data on parking during non-pandemic times. Ms. Payne replied there was not, which is why the condition regarding the modification of class schedules on notice from the City had been added.

Mr. Buckingham asked if the other tenants were true manufacturing. Ms. Payne replied that they were not. She provided a brief background on the existing tenants. If parking became an issue, then Mr. Oberg would reconsider his hours of operation. At this time, the two classes of concern would be offered on Tuesday and Wednesday at 9:00 am.

Mr. Buckingham asked for additional background on the business. Mr. Oberg stated that he had previously been a data analyst, and had coached for triathlons for the past ten years. He had gotten started coaching bicycle classes through bike shops. One decided to stop offering the classes, and offered to let him purchase the equipment, and he opened his first location in Palatine, which could allow for ten trainers. When his lease expired, he had to decide to either stay in his current location at his current size, or to find a new location to grow in.

Mr. Buckingham asked if he had existing clients. Mr. Oberg stated that he did, and has been working with them through the pandemic.

Ms. Sheehan asked if the units were individually owned. It was stated that they were leased, though each unit had its own exit and entrance. Ms. Sheehan noted that the traffic flow should be considered, as she had almost suffered a collision during a visit.

Mr. Sheehan asked if people bring their own bicycles, how they enter and if there are stairs. Mr. Oberg replied that clients come in through the front, and there are no stairs. Some take multiple classes and pay to store their bike at the facility.

Ms. Sheehan asked if the space was climate controlled. Mr. Oberg indicated that it was. Some doors might be open in nicer weather, but he would be cognizant of sound impact on his neighbors.

Ms. Sheehan asked if he would ever set up on the exterior. Mr. Oberg replied that he would not.

Ms. Sheehan asked why he would move to an industrial space if he was currently in a retail location. Mr. Oberg replied that he had looked at retail spaces, and could not find what he was looking for. The warehouse space provided what he needed, and was more cost-effective. His clients would seek him out wherever he was, and so he did not need the ease of a retail space.

Chairman Rataiczky asked if this was the only vacant unit. Ms. Payne replied that it was.

Chairman Rataiczky asked how investigation into parking would be triggered. Ms. Payne replied that it was complaint based. If a complaint is received, staff would investigate and verify the concerns, then contact the business owner. Chairman Rataiczky stated that he appreciated the documentation of the parking. Mr. Oberg stated that all the tenants would already be in by the time the mid-morning classes rolled around.

Chairman Rataiczky stated that, while parking might work in this case, parking requirements are going to change as these areas transition. In the future, he hopes to see a leaning towards redevelopment.

Mr. Duvall asked if a complaint is received due to parking, even if there is parking available in the back, if that is actionable. Staff replied it is not. An investigation is performed when a complaint comes in.

Mr. Buckingham asked if there was music during classes. Mr. Ober stated that there was, but low.

Ms. Sheehan asked if, once the variance was granted, staff lost jurisdiction to require changes and updates to the site. Ms. Payne replied that granting the variance is an allowance by the City, giving permission to move forward with less than the required amount of parking with the existing mix of tenants. If complaints are received, staff can work with the owner to address the concerns. There is also the condition written in to modify the class schedule if there are negative impacts on tenants. Ms. Sheehan asked if any discussion had been held with the owner. Ms. Payne replied that they had. He was aware of the concerns about the parking on the site, and he had been working with staff regarding drainage concerns.

Mr. Duvall moved that, based on the submitted petition and testimony presented, the Rolling Meadows Planning and Zoning Commission adopt the finding for special use and variation listed in the staff report prepared for the April 6, 2021 Planning and Zoning Commission meeting, and recommend to City Council approval of the special use for an indoor athletic studio in the 2,200 square foot space number 108 in the 1225 Carnegie Street building, subject to the following conditions:

- a. All customers of the proposed business will use the parking spaces in the front (south side) of the building.
- b. Code compliant directional signage shall be installed at the south side driveway entrance pursuant to a permit prior to occupying the space to direct customers to park on that side of the building.
- c. Within 60-days notice by the City that petitioner's use is generating parking that exceeds available parking during normal operating hours of other tenants in the building, petitioner will modify schedule to hours that don't conflict with other tenants' hours of operation.
- d. One additional code compliant handicapped parking space shall be provided pursuant to a duly issued permit by the City to increase the number of handicapped parking spaces from two to three.
- e. The parking variance will become null and void if the petitioner's business vacates the premises for any reason.

Mr. Buckingham seconded.

Roll call:

Mr. Duvall: Yes

Mr. Chubirka: Yes

Ms. Sheehan: No. The current tenants did not sign up to be next to a bike studio.

Mr. Buckingham: Yes

Chairman Rataiczky: Yes

Yeas – (4) – Buckingham, Chubirka, Duvall, Rataiczky

Nays – (1) – Sheehan

Absent – (4) – Fink, L. Morrison, S. Morrison, Sipple

Abstain – (0) – None

Motion Approved.

Chairman Rataiczky noted that this item will appear on the April 27, 2021 City Council agenda.

New Business – New Public Hearings:

- 1. Public Hearing and Consideration of a Variation from Section III-7-B-4 of City Code Chapter 122 (City of Rolling Meadows Zoning Ordinance) to reduce the south side yard setback from ten feet (10') to 5' to allow a two car garage in an R-3 Zoning District, and other relief necessary to accommodate a two car garage, 3801 Raven Lane, Randl Abraham, Petitioner.**

Chairman Rataiczky asked for a motion to open the public hearing and enter the staff report included in the packet into the record. **Mr. Buckingham** made the motion. Mr. Duvall seconded. Motion carried by a unanimous voice vote.

Chairman Rataiczky asked if proper notice was given, and if the file was in order. Staff indicated that was the case.

Randl Abraham, 3801 Raven Lane, Rolling Meadows IL was sworn in by Chairman Rataiczky.

Mr. Abraham stated he was the owner of the home and seeking a variance for the south side of the property to build a detached two car garage. Currently, there is a one car detached garage on the site, located 38 feet from the front lot line and ten feet from the south lot line. He proposes to keep the garage in roughly the same location with a 38 foot setback from the front lot line and a five foot setback from the south lot line. If the garage is set back 65 feet, as required by code for the reduced side yard setback, it would take nearly the entire rear yard. The garage as expanded would not obstruct his neighbor's views. He had spoken to his neighbors, and obtained written permission from them, though they were not able to attend the meeting.

Ms. Payne provided an overview of the staff report. The variance being requested was for a side yard setback reduction from ten feet to five feet to allow an expansion of an existing garage from one car to two car. The existing garage was permitted in its current location, and the code allows for a reduction in side yard setback if the accessory structure is set back at least 65 feet from the front lot line. Strict compliance with the code would hamper the petitioner's use and enjoyment of his property, as well as increase lot coverage. The five foot setback requested would need to be maintained due to the presence of an easement along the southern lot line.

The lot is an odd shape that makes it hard to build on. There is a 30 foot setback along Grouse Lane, and some rear space was lost in orienting the home towards Raven. The lot is also platted as smaller than required by about 500 square feet.

A two car garage is something that many lots are able to have while maintaining a rear yard, though they are typically more squared in shape.

Staff believes that this is the minimum required relief for the homeowner to enjoy the same abilities to use his property as others in the area, while still maintaining green space and use of the rear yard. As such, staff is recommending approval of the requested variance.

QUESTIONS AND COMMENTS FROM THE AUDIENCE:

Chairman Rataiczuk opened the meeting for comments from the public. No members of the public came forward to comment.

Mr. Duvall made a motion to close the public hearing. Mr. Buckingham seconded. With a unanimous voice vote, the public hearing was closed.

QUESTIONS AND COMMENTS FROM THE BOARD:

Chairman Rataiczuk opened the meeting to Commissioners' questions and comments.

Mr. Buckingham asked if the letters from the neighbors had been provided to staff. Ms. Payne read them into the record. The letters stated that the neighbors had no issue with the expansion of the garage from the current location.

Mr. Buckingham asked if the chain link fence belonged to the petitioner. Mr. Abraham indicated that it and the shrub belonged to him. Mr. Buckingham asked if they would stay. Mr. Abraham stated that he intended to keep them.

Mr. Buckingham asked if there were other two car garages in the area. Mr. Abraham replied that the properties directly to the west and to the south both had them.

Chairman Rataiczuk noted that this case is exactly why the code allowed for variances.

Mr. Buckingham made a motion that, based on the submitted petition and testimony presented, the Rolling Meadows Planning and Zoning Commission adopt the findings for variations listed in the staff report prepared for the April 6, 2021 Planning and Zoning Commission meeting, and recommend to City Council approval of the variation from Section III-7-B-4 of City Code Chapter 122 (City of Rolling Meadows Zoning Ordinance), to reduce the south side yard setback from ten feet (10') to five feet (5'), to allow a two car garage in an R-3 Zoning District, subject to the following conditions:

- a. Encroachment into the southern side yard setback variation is only authorized for construction of the two-car detached garage in the size and location as shown on the Plat and the Architectural Plans.
- b. The variation will become null and void unless constructed and approved by the City within two years of the date of Council approval.

Mr. Duvall seconded.

Roll call:

Mr. Duvall: Yes. Building on top of the existing garage limits minimizes impact.

Ms. Sheehan: Yes. The standards for variance have been met.

Mr. Buckingham: Yes

Mr. Chubirka: Yes. The lot is restrictive.

Chairman Rataiczky: Yes

Yeas – (5) – Buckingham, Chubirka, Duvall, Rataiczky, Sheehan

Nays – (0) – NONE

Absent – (4) – Fink, L. Morrison, S. Morrison, Sipple

Abstain – (0) – None

Motion Approved.

Chairman Rataiczky noted that this item will appear on the April 27, 2021 City Council agenda.

Discussion Items: NONE

Reports: Update of on-going projects and cases

Ms. Charlton stated that staff was continuing to work with the owners of the Plum Grove Shopping Center on the parking agreement, pursuant to the provision in the new zoning code that allows administrative approval of some parking agreements. It is the first one, and staff is working with the City attorneys to put a template together to ensure that multi-tenant buildings can move forward without variances, saving everyone time. Staff will continue to report on use of these agreements, as it can be a tool to help with adaptive reuse of these industrial spaces.

Ms. Payne stated that there are a few potential petitions for the May agenda. Spring Green, a lawn care facility at 3835 Industrial Avenue – a building owned by Molon Motors, was seeking a special use for outdoor storage. District 214 was also seeking a special use for a teaching facility in a residential area.

Adjournment

A motion to adjourn was made by Mr. Duvall and seconded by Mr. Sheehan. Motion carried by unanimous voice vote. The regular meeting of the April 6, 2021 Planning and Zoning Commission was adjourned at 8:20 pm.

Respectfully Submitted,



Elizabeth Payne
Administrative Services Coordinator
Community Development Division

Distribution:

Mayor
City Manager
Planning and Zoning Commissioners
Community Development Department
Clerk's Office

Minutes approved at the May 4, 2021 Planning and Zoning Commission meeting as written.