

AGENDA
PLANNING AND ZONING COMMISSION MEETING NO.
March 20, 2024 - 7:00 PM
Village Hall - Board Room
300 Plaza Circle, Mundelein, IL 60060

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ATTENDANCE

IV. MINUTES APPROVAL

- A. Approve the Planning and Zoning Commission Regular meeting minutes from February 7, 2024

V. PUBLIC COMMENTARY

VI. OLD BUSINESS

VII. NEW BUSINESS

- A. PUBLIC HEARING - PZC-02-2024 - 143 N Seymour Avenue - Hidden Door Tattoo Studio

Motion to recommend **approval/denial** of a use variation to **Table 20.36-1 of Section 20.36.020** to permit a tattoo shop in the C-5-R Downtown Residential zoning district at 143 North Seymour Avenue, Mundelein, Illinois.

VIII. QUESTIONS AND COMMENTS

IX. ADJOURNMENT

The Village of Mundelein, in compliance with the Americans with Disabilities Act, requests that persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions about the accessibility of the meeting or facilities, to contact the ADA Coordinator at 847-949-3200 to allow the Village to arrange accommodations for those persons.

MINUTES OF A PLANNING & ZONING COMMISSION MEETING

Meeting called to order at 7:00 PM

PLEDGE OF ALLEGIANCE

ATTENDANCE

Present: Kevin Anderson, Kerry Garesche, Terri Roswick (Chair), and Sophia Schneckloth
Absent: Jennifer Holden and Steven Petti
Also Present: Jessica Marvin – Associate Planner, Colleen Malec – Senior Planner and Erin Swanson – Recording Secretary

REVIEW/APPROVAL OF MINUTES

Motion by K. Anderson, seconded by K. Garesche to approve the Planning and Zoning Commission Meeting minutes of January 3, 2024.

AYES: K. Anderson, K. Garesche, T. Roswick, S. Schneckloth
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

GENERAL PUBLIC COMMENTARY

None

NEW BUSINESS

1290 Townline Road – Plat of Dedication and Easement

STAFF OVERVIEW

C. Malec detailed of the history of the property. The petitioner previously brought a case before the PZC and the case was put on hold by the Planning and Zoning Commission while the petitioner records a plat that shows a cross-access easement between two of the parcels to Townline Road and dedicates a portion to the Leighton Tower Road right of way. Also included in the new plat is a utility easement at the request of Mundelein Public Works to have access to the sewer line.

Motion made by K. Anderson, seconded by S. Schneckloth to recommend approval of the Plat of Dedication and Easement for 1290 Townline Road, Mundelein, Illinois.

AYES: K. Anderson, S. Schneckloth, K. Garesche, T. Roswick
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Public Hearing – PZC-18-2023 – Belle Tire – 2025-2035 S Lake Street

Motion made by K. Garesche, seconded by S. Schneckloth to open Public Hearing PZC-18-2023.

AYES: K. Garesche, S. Schneckloth, K. Anderson, T. Roswick,
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

STAFF OVERVIEW

C. Malec reviewed the attached PowerPoint and the details of the incoming business and history of the property. The petitioner is requesting approval of a Special Use to allow for Motor Vehicle Service and Repair, Minor. The petitioner also requested a variation to allow for a 60-foot flagpole and a variation regarding building transparency along a public street at 2025-2035 S Lake Street, Mundelein, Illinois.

PETITIONER PRESENTATION

John Nierzwicki of Contour Land Group was sworn in to represent Belle Tire. John is a civil engineer and gave a history of the Belle Tire company and discussed their expansion into several local municipalities. Mr. Nierzwicki fielded questions on the attempts to meet the Village of Mundelein's transparency code while meeting the State of Illinois energy code as well as questions on the reason behind the request to have a 60-foot flagpole. Mr. Nierzwicki stated that there is not a hardship requiring the extended flagpole height, but it is a traditional and standard installation at Belle Tire facilities.

COMMISSION DISCUSSION

Commissioners discussed the transparency zoning regulations and if any additional windows could be added to meet this requirement. They also discussed the location of the 30-foot easement to allow the Park District access to the park behind the parcel, and questioned who would be required to maintain the easement. The commission strongly recommended to the petitioner that they work with the Park District to craft an agreement on long-term maintenance of the easement. The commission questioned whether the requested flagpole was a zoning hardship and if a flag of that size would be a safety concern along a main roadway.

PUBLIC COMMENTS

No public comments

Motion made by K. Garesche, seconded by S. Schneckloth to recommend approval of a Special Use pursuant to Section 20.32.020 for Motor Vehicle Service and Repair, Minor at 2025-2035 S Lake Street, Mundelein, Illinois, with the following conditions:

- a) An offsite stormwater management easement that is acceptable to the Village Engineer must be recorded prior to issuance of any building permits.
- b) A 30' access easement that is acceptable to the Village Engineer and Village Legal Counsel must be granted to the property owner to the east on the south side of the Belle Tire property prior to issuance of any building permits.

AYES: K. Garesche, S. Schneckloth, K. Anderson, T. Roswick
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Garesche, seconded by S. Schneckloth to recommend denial of a variation from Table 20.52-1 of Section 20.52.060 regarding maximum flagpole height for a proposed Belle Tire facility at 2025-235 S Lake Street, Mundelein, Illinois.

AYES: K. Garesche, S. Schneckloth, K. Anderson, T. Roswick
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Garesche, seconded by S. Schneckloth to recommend approval of a variation from Section 20.32.040(A)(2)(b) regarding minimum building transparency along a public street for a proposed Belle Tire facility at 2025-2035 S Lake Street, Mundelein, Illinois.

AYES: K. Garesche, S. Schneckloth, K. Anderson, T. Roswick
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Garesche, seconded by K. Anderson to recommend approval of a Preliminary and Final Plat of Subdivision for the Belle Tire Mundelein Consolidation.

AYES: K. Garesche, K. Anderson, T. Roswick, S. Schneckloth
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Garesche, seconded by K. Anderson to close Public Hearing PZC-18-2023.

AYES: K. Garesche, K. Anderson, T. Roswick, S. Schneckloth
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Public Hearing – PZC-19-2023 – 615 N Lake Street

Motion made by K. Anderson, seconded by K. Garesche to open the Public Hearing PZC-19-2023.

AYES: K. Anderson, K. Garesche, T. Roswick, S. Schneckloth
NAYS: None
ABSENT: J. Holden, S. Petti

Motion Carried 4-0

STAFF OVERVIEW

J. Marvin reviewed the attached PowerPoint and the details of the incoming business and history of the property. The petitioner is requesting approval of a Variation to allow a motor vehicle aftermarket enhancement establishment in the Downtown Corridor Subdistrict. The petitioner is also requesting a variation for a reduction in the required number of parking spaces from 12 to 3 for the property located at 615 N Lake Street, Mundelein, Illinois.

PETITIONER PRESENTATION

Brooke Vahosky of Turbo Armory was sworn in. She discussed the retail and service aspects of the business and described that this will be a small family-run business that offers services by appointment only, so parking should not be an issue. Customers will drop their car off and pick it up.

Gusti Konstantinov of Turbo Armory was sworn in and went into further detail as to the services they wish to provide the community, as well as the planned operations.

PUBLIC COMMENTS

Rob Scharf of Mundelein Automotive was sworn in. Mr. Scharf described a history of the property stating that the building was built in the 1930s. He mentioned that the building had been abandoned for quite a lengthy period at this point, and he's looking forward to a business coming in and restoring it.

COMMISSION DISCUSSION

The Commission discussed parking issues with the Alley and concerns in general with customer and staff parking. Commissioners also discussed the goals of Mundelein to be welcoming to newer businesses and felt it would be a good fit for the space despite the zoning restricting automotive services in the Downtown Corridor Subdistrict. Concerns came up about the current drains in the vacant building, but the commissioners agreed this would be met during the permitting process.

Motion made by K. Anderson, seconded by K. Garesche to recommend approval of a variation to Table 20.36-1 of Section 20.36.020 to permit a motor vehicle aftermarket enhancement establishment in the C-5-C Downtown Corridor Subdistrict with the findings of facts as presented with the following condition:

- a) No detailing, washing cars, or repairing of cars can occur outside of the building.

AYES: K. Anderson, K. Garesche, T. Roswick, S. Schneckloth

NAYS: None

ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Garesche, seconded by S. Schneckloth to recommend approval of a variation to Table 20.56-1 of Section 20.56.130 to permit a reduction in the required number of parking spaces for a motor vehicle aftermarket enhancement establishment with the findings of facts as presented all at the property located at 615 N Lake Street, Mundelein, Illinois with the following condition:

- a) No motor vehicles, supplies, or equipment may be stored in the alley or in the required parking spaces.

AYES: K. Garesche, S. Schneckloth, K. Anderson, T. Roswick

NAYS: None

ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Anderson, seconded by S. Schneckloth to close Public Hearing PZC-19-2023.

AYES: K. Anderson, S. Schneckloth, K. Garesche, T. Roswick

NAYS: None

ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Motion made by K. Garesche, seconded by S. Schneckloth to adjourn the Planning & Zoning Commission Meeting of February 7, 2024.

AYES: K. Garesche, S. Schneckloth, K. Anderson, T. Roswick

NAYS: None

ABSENT: J. Holden, S. Petti

Motion Carried 4-0

Meeting adjourned at 8:38 PM

Respectfully submitted,

A handwritten signature in cursive script that reads "Erin Swanson".

Erin Swanson

Recording Secretary

ES/CM/JM/AO

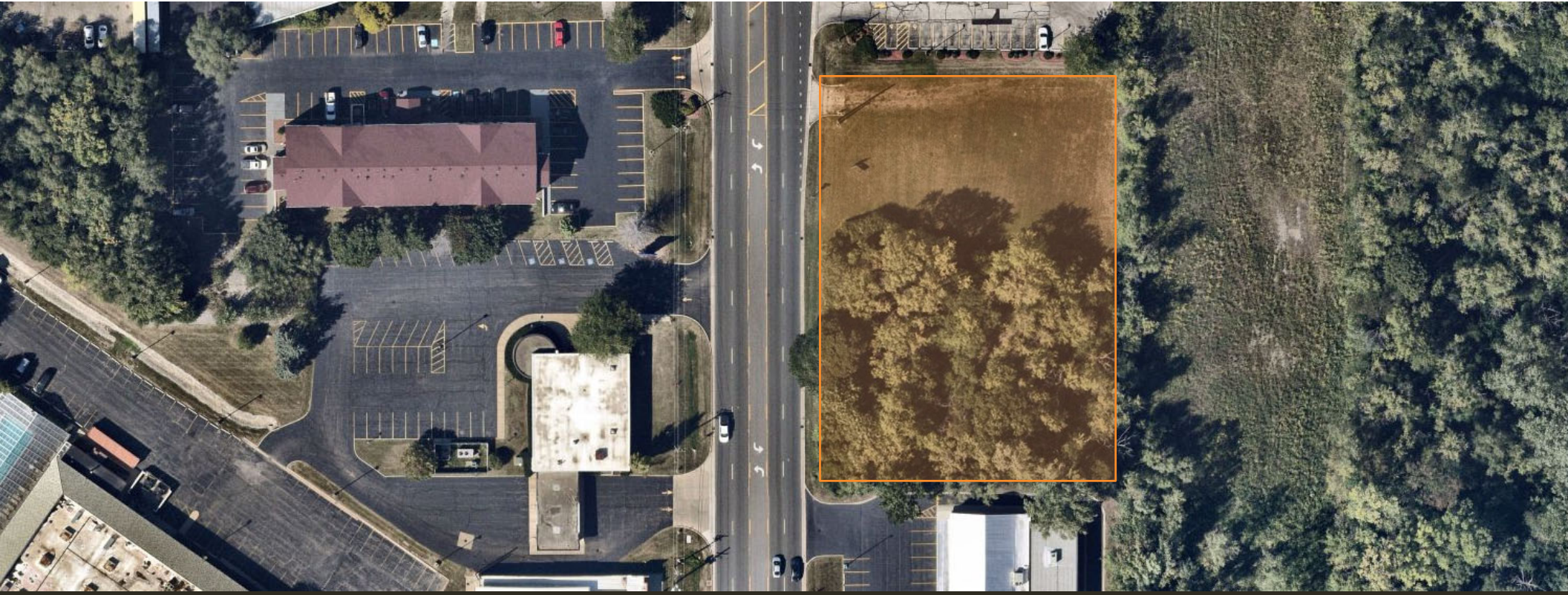
Sign-In Sheet

NAME/COMPANY

ADDRESS

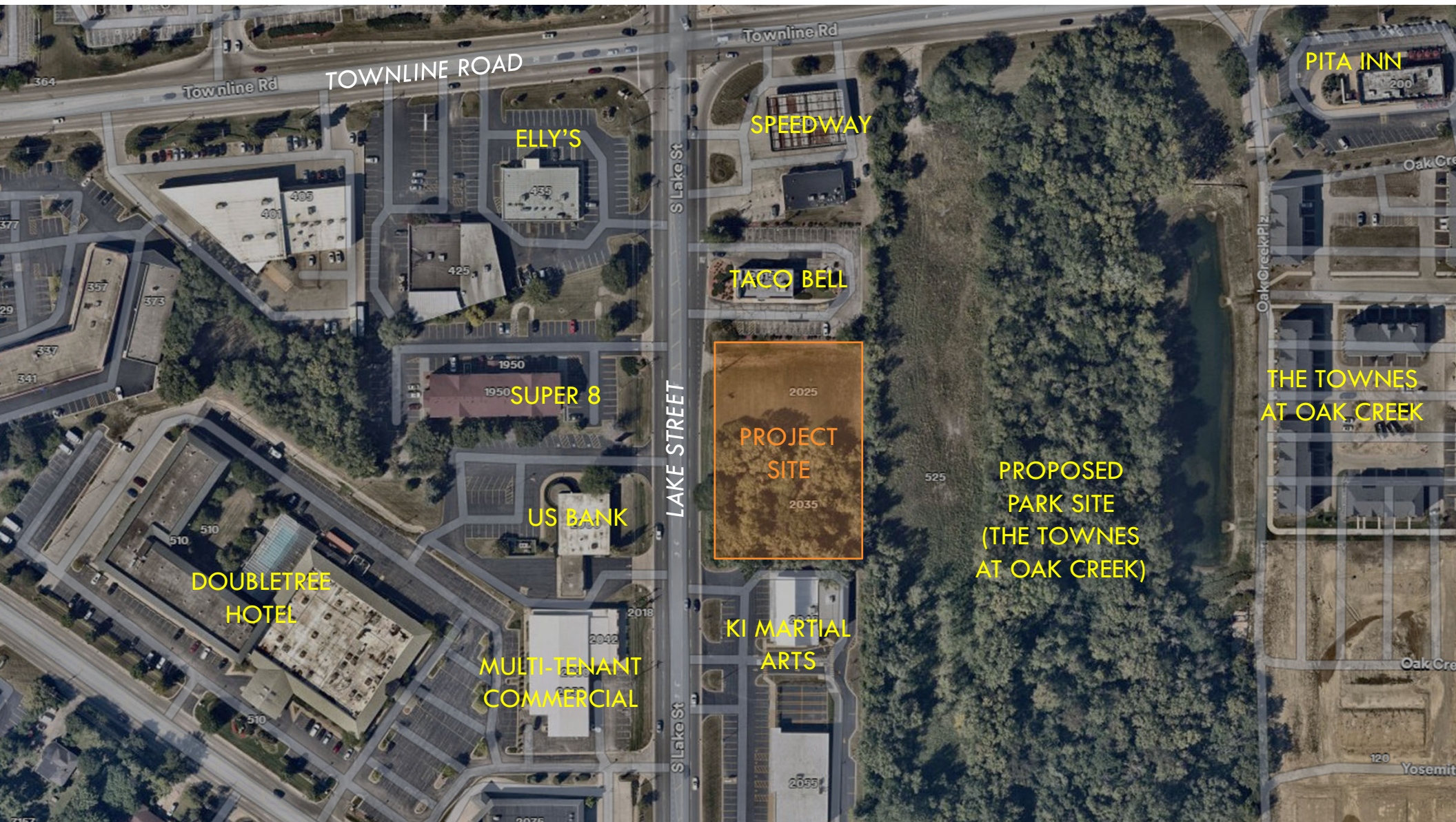
PHONE/EMAIL

Name: Brooke Vahosky	615 N LAKE ST	Phone: 847-924-9210
Company: Turbo Amory PPF		Email:
Name: Gusti Konstantina	615 N LAKE ST	Phone: 224-716-0454
Company: Turbo Amory PPF		Email:
Name: JOHN MIEREWICKI	2225-2035 136th ST	Phone: 765-430-2042
Company: CONTOUR	NOBLESVILLE, IN	Email:
Name: Chung	122 Jannette	Phone: 847-722-8886
Company:		Email:
Name: ROB SCHAU		Phone:
Company: MUNDLEIN ANTIQUARIAN		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
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BELLE TIRE
PZC-18-2023
2025-2035 S. LAKE

Staff Presentation
February 7, 2024



PROPERTY HISTORY

Occupied by a two-story apartment building known as “Vernon Apartments” and was subject to significant disrepair and neglect. It was demolished in 2011 and the property has been vacant since.



BELLE TIRE

Approached the Village in 2021 while exploring multiple sites.

Belle Tire is headquartered in Michigan and currently expanding in Illinois, with a number of new locations in the region (nearby include Vernon Hills and Palatine).

Proposed:

- Tire facility
 - Sells and install passenger vehicle tires, parts, and offers minor automotive repair
- Brick and cast stone veneer building
- 9,800 SF and one story
- 48 parking stalls (40 required)
- 6' high vinyl fence along rear property line (with gate)



SPECIAL USE REQUEST

Belle Tire's use is categorized as **Motor Vehicle Service and Repair (Minor)**, which is a Special Use in the C-2 General Commercial zoning district.

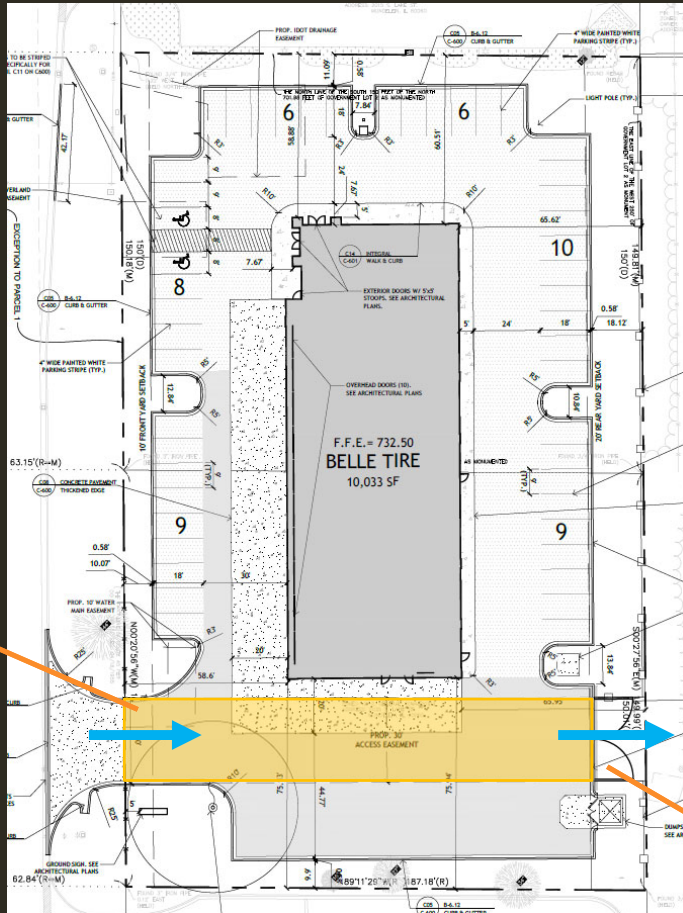
Special Uses acknowledge that the use is generally appropriate in that zoning district unless unique site elements cause the project to be unsuitable or fail to meet the **Use Standards (right)**.

Note: Major Motor Vehicle Service and Repair is not a permitted use in the C-2 District (body work, collision, painting, etc.). Belle Tire is not proposing any major repair.

Motor Vehicle Repair Use Standards

1. Minor motor vehicle service and repair shops and motor vehicle aftermarket enhancement establishments **may not store the same vehicles outdoors on the site for longer than seventy-two hours**. Major motor vehicle service and repair shops may not store the same vehicles outdoors on the site for longer than fifteen days. **No required off-street parking may be used for vehicle storage.**
2. All driveways must be located and designed to ensure that they will not adversely affect the **safety and efficiency of traffic circulation** on adjoining streets.
3. All **operations must be fully enclosed**. Only vehicles being serviced at the establishment may be stored outdoors. Wrecked or junked vehicles may not be stored on-site. **Where the property abuts a residential use, the facility must install an opaque fence at least six feet high on the property line to buffer the residential use.**
4. Minor motor vehicle service and repair shops may also include gas stations as an accessory use. All gas stations that are part of such an establishment must comply with the regulations of this title.
5. The **sale of used or new automobiles is not permitted.**
6. No motor vehicles may be stored and no repair work may be conducted in the **public right-of-way.**
7. All equipment and parts must be **stored indoors.**

MPRD ACCESS EASEMENT



PROPOSED PARK AT TOWNES AT OAK CREEK



VARIATIONS

1. Maximum Flagpole Height

Belle Tire desires to install a **60' high flagpole to display a 20' x 30' American flag**, which is a standard installation at their facilities.

The Zoning Ordinance limits flagpoles to a maximum height of **35'** in all zoning districts.

2. Minimum Building Transparency

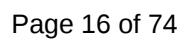
The Zoning Ordinance requires **50% building transparency on any facades facing a public street** between a height of **2'** and **8'** above grade.

The building has been designed with as much transparency as possible while still meeting State Energy Code, but falls short at **42% transparency**.





Applicant proposes a Plat of Consolidation to **consolidate the two parcels into one lot.**



QUESTIONS FOR STAFF?

FINDINGS OF FACT – BELLE TIRE – 2025-2035 S. LAKE

1. SPECIAL USE

CASE NUMBER	PZC-18-2023
PUBLIC HEARING DATE	February 7, 2024
Motion to recommend approval of a Special Use pursuant to Section 20.32.020 for Motor Vehicle Service and Repair, Minor at 2025-2035 S. Lake Street, Mundelein, Illinois, with certain conditions.	
On February 7, 2024, the Planning and Zoning Commission voted 4-0 for approval of a Special Use Permit for the aforementioned use.	
1. The establishment, maintenance, and operation of the special use in the specific location proposed will not endanger the public health, safety, or general welfare of any portion of the community.	
The Commission finds that the proposed tire facility will not endanger the public health, safety, or general welfare of the community because it A) meets all standards put in place by various regulating bodies, 2) has limited peak hour vehicular trips and is not expected to create traffic congestion, 3) contributes to the municipal tax base growth, 4) does not require special safety support other than standard emergency services, and 5) the applicant has taken measures to limit noise and light impacts on neighboring properties.	
2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use.	
The Commission finds that the proposed special use is compatible with adjacent properties. The use is in a regional commercial corridor and is consistent with nearby commercial businesses, which include a wide range of automotive service uses. The size and scale of the proposed one-story building is similar in size, intensity, and quality of the surrounding properties. Hours of operation are either similar or more restrictive than neighboring businesses.	
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Village land use policies.	
The Commission finds that the special use at this location is consistent with the spirit and intent of the Ordinance and the Village land use policies. The proposed development is located with the area that the Comprehensive Plan identifies as “Auto-Oriented Small- to Mid-Size Retail” on the Future Land Use Map. South Lake Street has been identified as an area with neglected properties, and the proposed development will improve a long-vacant lot.	
4. The special use conforms to the applicable regulations of the zoning district in which it is to be located.	
The Commission finds that, at the level of detail provided at this stage, the project meets all regulations of the C-2 General Commercial zoning district with the exception of the two requested variations.	

2. Variation – Maximum Flagpole Height

CASE NUMBER	PZC-18-2023
PUBLIC HEARING DATE	February 7, 2024
VARIATION	Motion to recommend denial of a variation from Table 20.52-1 of Section 20.52.060 regarding maximum flagpole height for a proposed Belle Tire facility at 2025-2035 S. Lake Street, Mundelein, Illinois.
On February 7, 2024, the Planning and Zoning Commission voted 4-0 to recommend denial of the aforementioned variation.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
DENIAL	The Planning and Zoning Commission finds that, as stated by the Petitioner during the public hearing, there is not a hardship created by the Zoning Ordinance’s maximum flagpole height (35’), and that the proposed 60’ flagpole is a desire based on Belle Tire’s standard installation practices. The Petitioner stated that about 75% percent of locations have the 60’ high flagpole, and in some communities they have had to shorten it.
2. The plight of the owner is due to unique circumstances;	

DENIAL	The Commission finds that there is no unique land-based circumstances creating a need for a 60' high flagpole. Belle Tire's desire for the requested flagpole height is not unique to Motor Vehicle Repair and Service establishments (only unique to company culture and tradition, which is self-created), and could therefore be requested by any business in the same fashion. Due to the lack of unique circumstances, approval of the requested variation could result in setting precedence for similar requests.
3. The variation, if granted, will not alter the essential character of the locality;	
DENIAL	The flagpole height variation, if granted, could alter the essential character of the locality. The maximum building height of the district is 40' (or three stories), and the flagpole would far exceed the height of any buildings in the area.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
DENIAL	The surroundings, shape, or topographical conditions of the property do not impact the flagpole variation request either positively or negatively.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
DENIAL	The alleged difficulty or hardship was created by Belle Tire, who has created an association with the proposed pole height and flag size across the Belle Tire chain.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
DENIAL	The proposed flagpole, due to its height, would likely be visible from the nearby Townes at Oak Creek neighborhood and future public park, which is adjacent to the Belle Tire site. The proposed 60' building height is in excess of the 40' maximum building height in the C-2 district and will far exceed the height of any buildings in the area.
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
DENIAL	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impairs property values within the neighborhood.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
DENIAL	The proposed variation is not consistent with the spirit and intent of this Ordinance and Village land use policies, which contain a specific maximum flagpole height that was determined to be appropriate for the Mundelein community.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
DENIAL	The value of the property in question will not be reduced if permitted to be used only under the conditions allowed by the C-2 General Commercial regulations.

3. Variation – Building Transparency

CASE NUMBER	PZC-18-2023
PUBLIC HEARING DATE	February 7, 2024
VARIATION	Motion to recommend approval of a variation from Section 20.32.040(A)(2)(b) regarding minimum building transparency along a public street for a proposed Belle Tire facility at 2025-2035 S. Lake Street, Mundelein, Illinois.
On February 7, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned variation.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards</i>	

are as follows:

1. The strict application of the terms of this Ordinance will result in undue hardship;

APPROVAL	The strict application of the ground floor transparency requirements results in undue hardship because Belle Tire has made a good faith effort to meet the 50% transparency requirement on the west elevation, getting as close as possible (42%). However, the amount of glass shown on the overhead doors is the maximum amount allowed by the Illinois Energy Code. Strict application would cause the building to be in violation of the State Energy Code. Glass windows doors have been introduced wherever possible (where a structural column is not present).
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2. The plight of the owner is due to unique circumstances;

APPROVAL	The plight of the owner is due to unique circumstances. Before the State Energy Code was enforced, standard overhead bay doors were 95% clear glass. The applicant desires to meet, and exceed, the transparency requirements, but is limited by the State Energy Code.
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3. The variation, if granted, will not alter the essential character of the locality;

APPROVAL	The proposed ground transparency of 42% will not alter the essential character of the locality, as many buildings in the immediate area were constructed prior to the establishment of the 50% transparency requirement. It is unlikely that the visual difference between 42% and 50% transparency will be noticeable to customers of the business and drivers on Route 45.
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The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

APPROVAL	As the property is located adjacent to a significant State Route, the strict application of the ordinance requires the building to be located in a way that orients the overhead bays towards the right-of-way. If the applicant were to “flip” the building to try to meet transparency requirements, little transparency would be possible because inventory is stored on that side of the building.
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2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.

APPROVAL	The alleged difficulty or hardship was not created by any person presently having proprietary interest in the property in question, as the State Energy Code is preventing the applicant from meeting the Village’s transparency requirement.
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3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.

APPROVAL	A transparency reduction of 8% is unlikely to be noticeable by the public or cause any negative impacts on the public welfare.
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4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.

APPROVAL	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impairs property values within the neighborhood.
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5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.

APPROVAL	The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which seek to encourage architectural quality and interest in commercial corridors. The proposed architectural design meets and exceeds the remaining requirements of the C-2 General Commercial zoning district.
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6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

APPROVAL	The value of the property in question may be reduced if the variation for ground floor transparency is not granted, as it would prohibit the applicant from using the site for the proposed use.
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Village Staff Overview: PZC-19-2023

615 North Lake Street – February 7, 2024

Location Map: 615 North Lake Street



Aerial



History

- The building at 615 N. Lake Street was constructed prior to 1946 (outlined in blue).
- Occupied in the past by a series of automotive businesses.
 - Midas Muffler, Gerber Glass, and Best Car Care II
- Best Car Care II operated from 2009-2012 and the building has sat vacant since then.



Turbo Armory PPF

- The petitioner is proposing a luxury car detailing business with a retail component for customers to purchase detailing products and accessories.
- The services they will be offering are car detailing, window tinting, and paint protection film services, all by appointment only.
 - Each service can take anywhere from one to eight hours to complete.
- Motor Vehicle Aftermarket Enhancements includes the uses above and decal application, vehicle wrapping, audio installation, wheel personalization, and reupholstering.
 - The applicant **will not** be conducting any Minor or Major Motor Vehicle Service and Repairs at the subject property.

Variation Request #1

- To permit a motor vehicle aftermarket enhancement business in the C-5-C Downtown Corridor Subdistrict.

Zoning Ordinance

Table 20.36-1 of Section 20.36.020

- A motor vehicle aftermarket enhancement use is **not permitted** within the C-5-C Downtown Corridor Subdistrict.
 - In 2012, the current Zoning Ordinance was adopted and intentionally removed industrial use and certain automotive uses as a permitted use in an effort to phase those uses out of the Downtown as those types of businesses closed or were redeveloped.

Variation Request #2

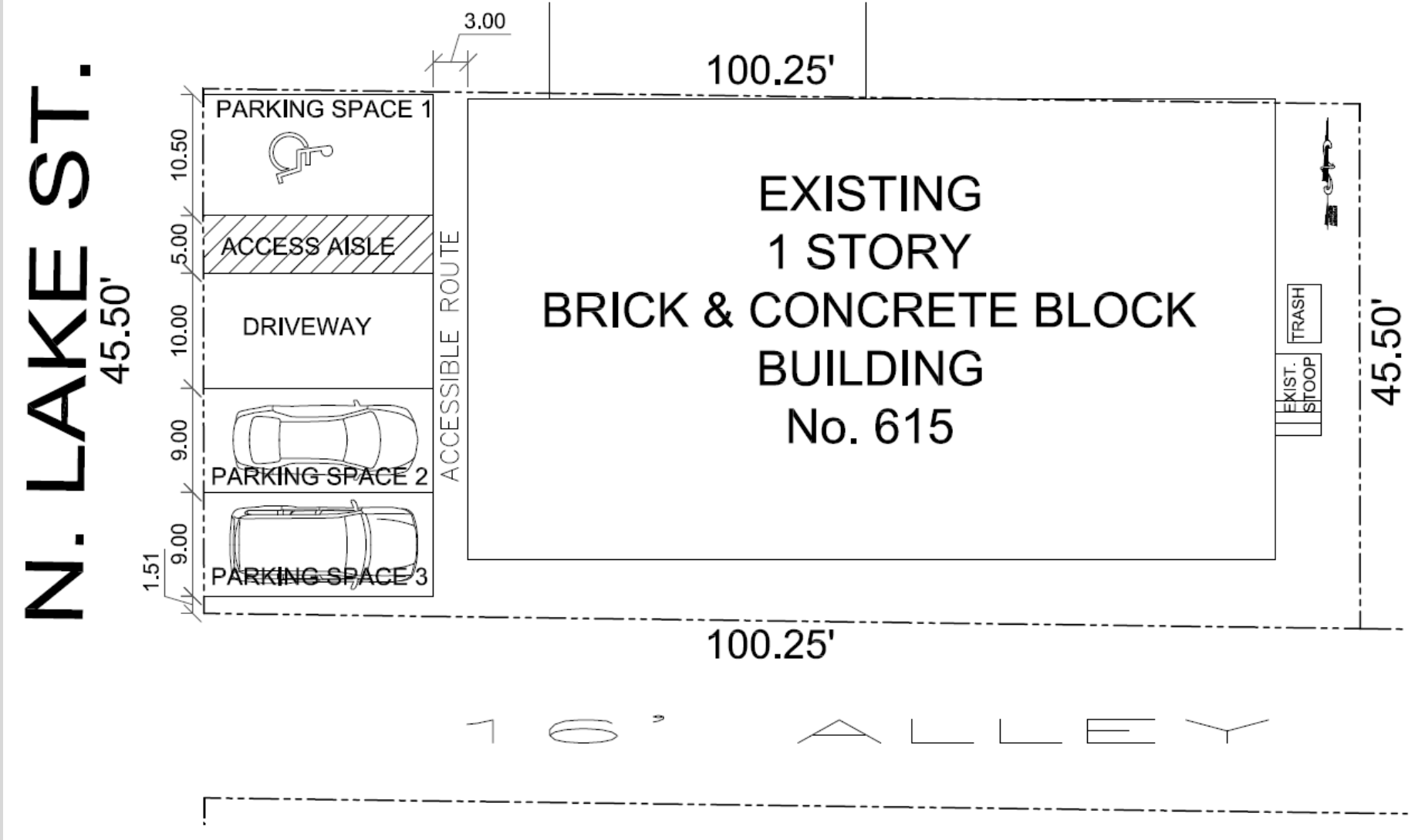
- To permit a reduction in the number of required parking spaces for a motor vehicle aftermarket enhancement business.
 - The Downtown district **does not** have parking regulations for Motor Vehicle Aftermarket Enhancements businesses (since they aren't permitted), and that the code instructs us to apply the closest regulation, which is the parking requirement for outside of the Downtown.

Zoning Ordinance

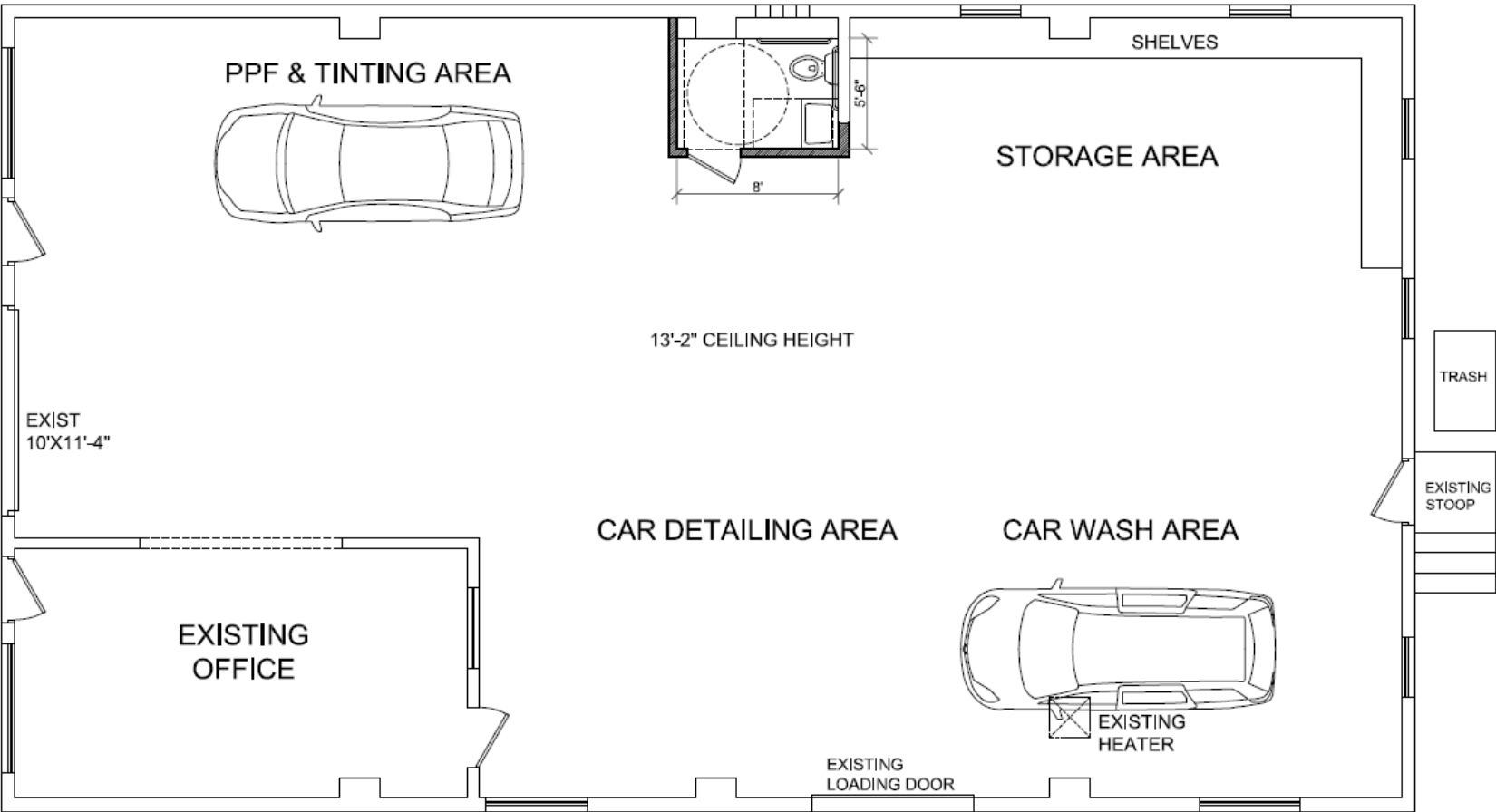
Table 20.56-1 of Section 20.56.130

- The petitioner is requesting the minimum number of parking spaces to be **reduced to 3**.

Site Plan



Site Plan



01 PROPOSED FLOOR PLAN

SCALE: 3/16"=1'-0"



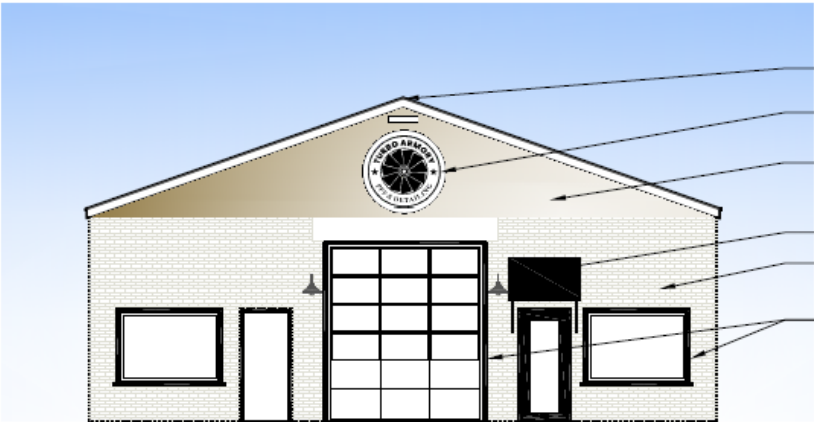
Required Parking

- Motor Vehicle Aftermarket Enhancement use requires a minimum of 12 parking stalls.
 - 6 parking stalls for the 3 service bays, and 6 parking stalls for the 2,800 square feet of GFA.
 - The Zoning Ordinance requires a minimum of **12 parking spaces** for the proposed use (6 parking stalls for the 3 service bays, and 6 parking stalls for the 2,800 square feet of GFA).
- **Formula:** 2 parking stalls per service bay + 2 parking stalls per 1,000 square feet of GFA + 1 parking stall for every vehicle used in conjunction with the business (e.g. courtesy cars, tow truck, etc.)
- All outdoor parking will be required in designated off-street parking spaces, and no vehicles should be stored outdoors at any point.

Required Parking

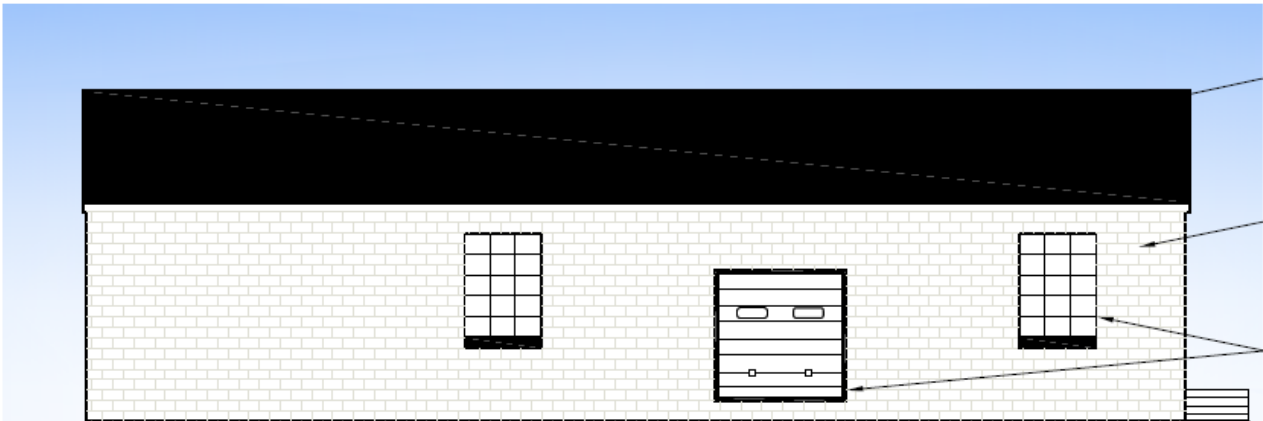
Formula	Site Data	Parking Spaces Required
2 Parking Stalls per Service Bay	3 Service Bays	6 Spaces
2 Parking Stalls per 1,000 SF of GFA	2,800 SF of GFA	6 Spaces (rounded up)
1 Parking Stall for Every Company Vehicle (Tow Truck, etc.)	0 Company Vehicles	0 Spaces
	Total Required Spaces:	12 Spaces

Site Plan



- ROOF TO REMAIN (COLOR BLACK)
- NEW SIGN W/ BUSINESS LOGO
- WOOD SIDING TO BE REPLACED IF REQUIRED
TO BE PAINTED & RESTORED IN NATURAL WOOD FINISH
- BLACK AWNING
- BRICK TO BE PAINTED WHITE
- DOOR & WINDOW TRIMS TO BE BLACK

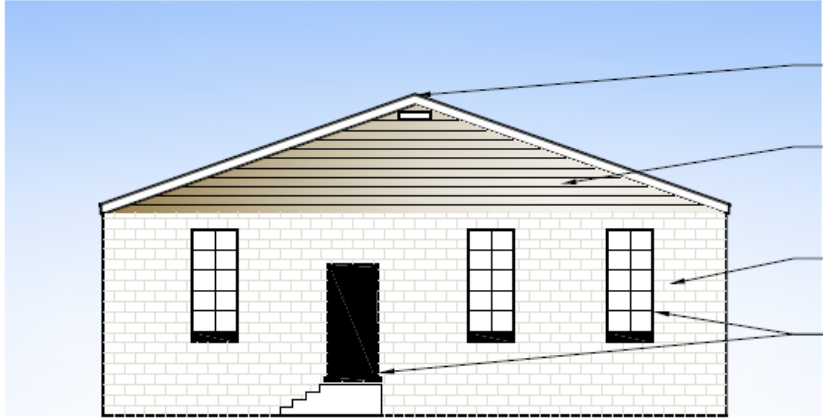
01 PROPOSED WEST ELEVATION (FRONT)
SCALE: 1/8"=1'-0"



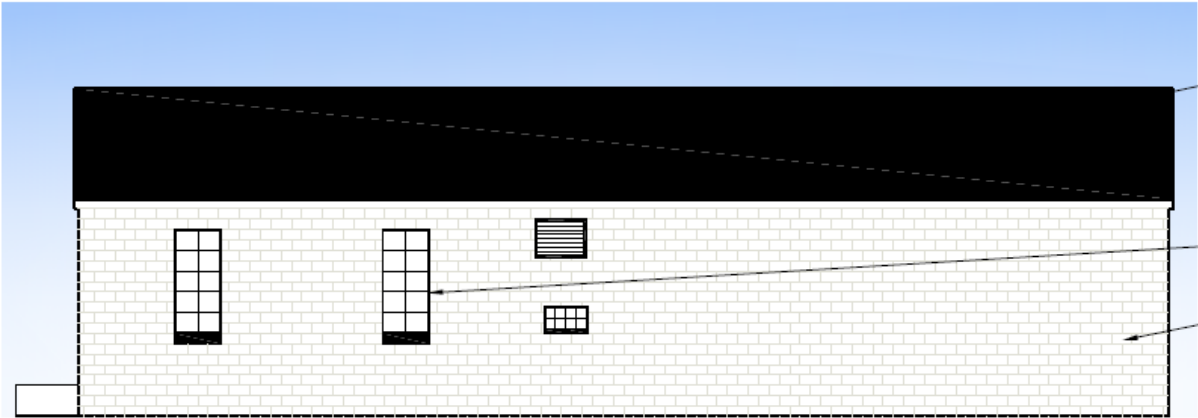
- ROOF TO REMAIN (COLOR BLACK)
- CONCRETE BLOCK TO BE PAINTED WHITE
- DOOR & WINDOW TRIMS TO BE BLACK

02 PROPOSED SOUTH ELEVATION (RIGHT SIDE)
SCALE: 1/8"=1'-0"

Site Plan



01 EAST ELEVATION (REAR)
SCALE: 1/8"=1'-0"



02 NORTH ELEVATION (LEFT SIDE)
SCALE: 1/8"=1'-0"











Comprehensive Plan

- The Comprehensive Plan has various goals and objectives for the downtown area, some excerpts from the comprehensive plan are below:
 - Create a vibrant, urban space.
 - Attract new businesses and create employment opportunities.
 - Reuse buildings where possible.
- The subject property is identified in the long term as an opportunity for redevelopment due to its location as a gateway into the downtown.

The Downtown North Implementation Plan

- Envisions downtown Mundelein building on the existing assets and suggests land use changes from industrial to a mix of residential and commercial uses.
- Suggests that in the near term, emphasis should be placed on the development of vacant buildings and parcels or properties that are in need of substantial improvements.
- Recommends reusing buildings where possible.
 - We are incentivizing the reuse and updating of traditional downtown buildings through existing programs.
 - We are retaining the character of the existing downtown area where appropriate.

Mundelein Automotive

15 E. Maple Avenue
(Not Permitted -Grandfathered In)



BP Gas Station

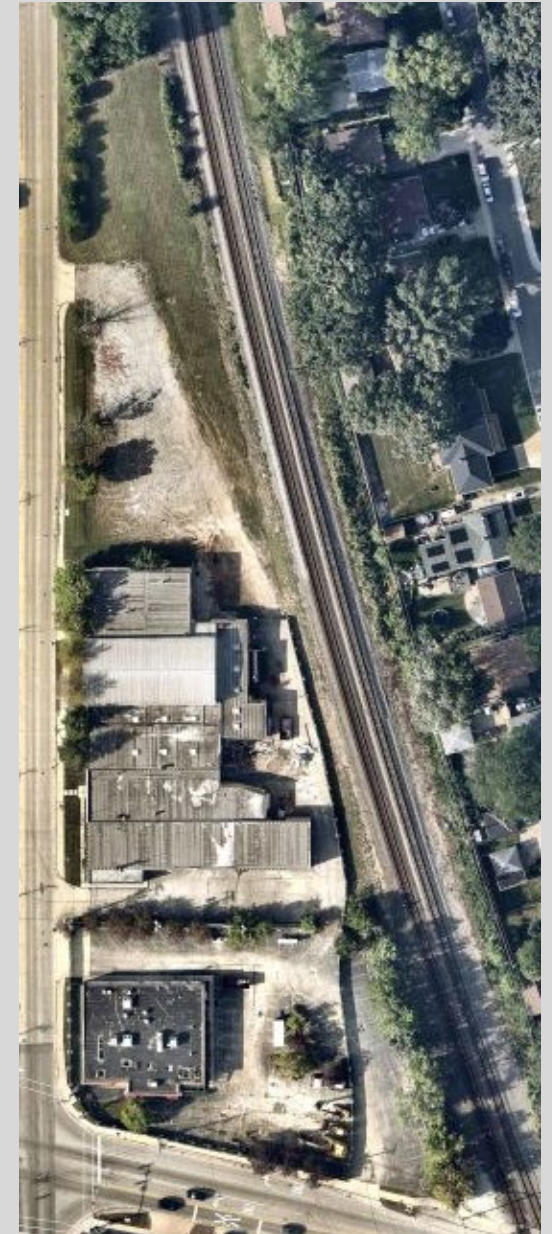
628 N. Lake Street
(Permitted Use)



Thorntons Gas Station

739 N. Lake Street

(Permitted Use - Under Construction)



Gustafson Body Shop

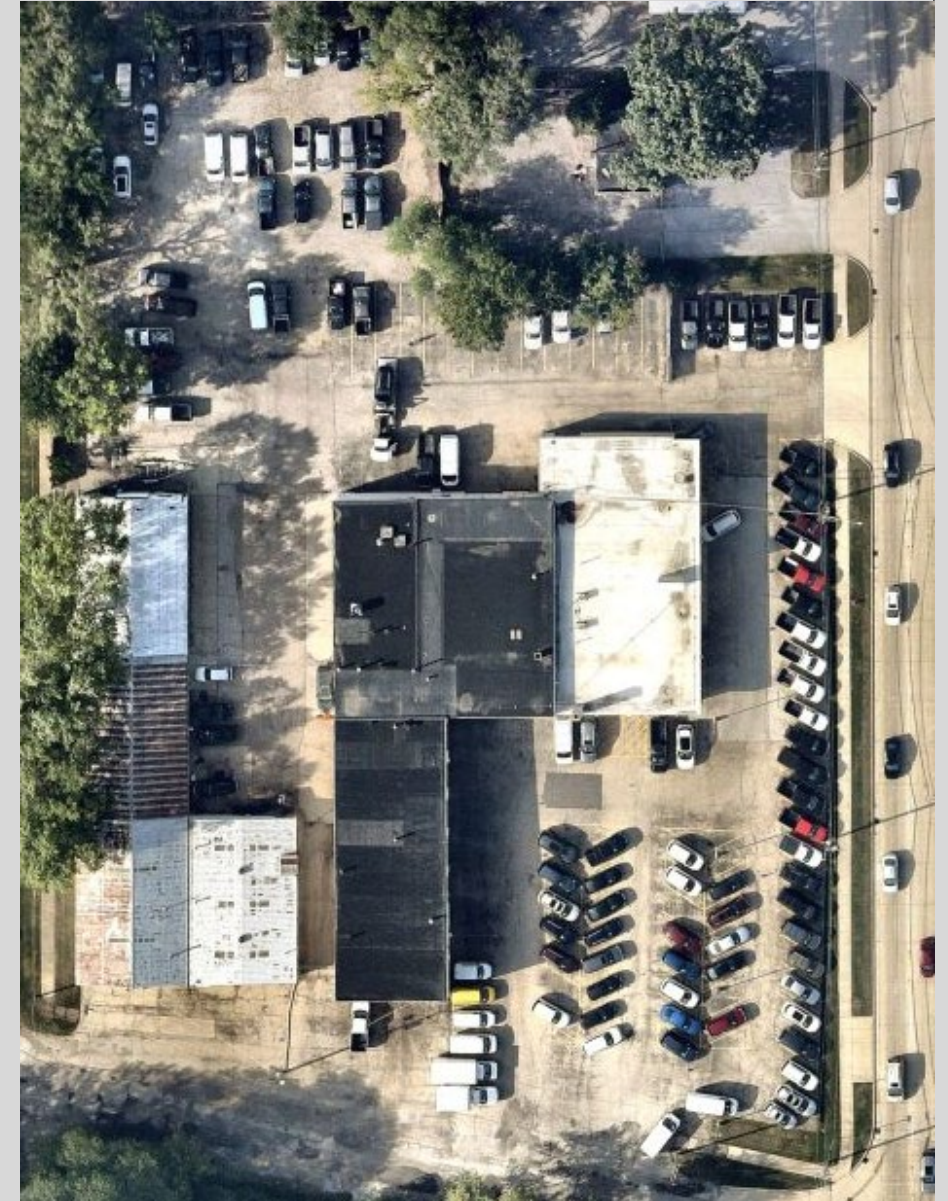
23-35 E. Maple Avenue
(Not Permitted - Grandfathered In)



Auto Land Group

822 N. Lake Street

(Permitted Use - Obtained a SUP)



Mundelein Tire and Service

900 N. Lake Street
(Not Permitted - Grandfathered In)



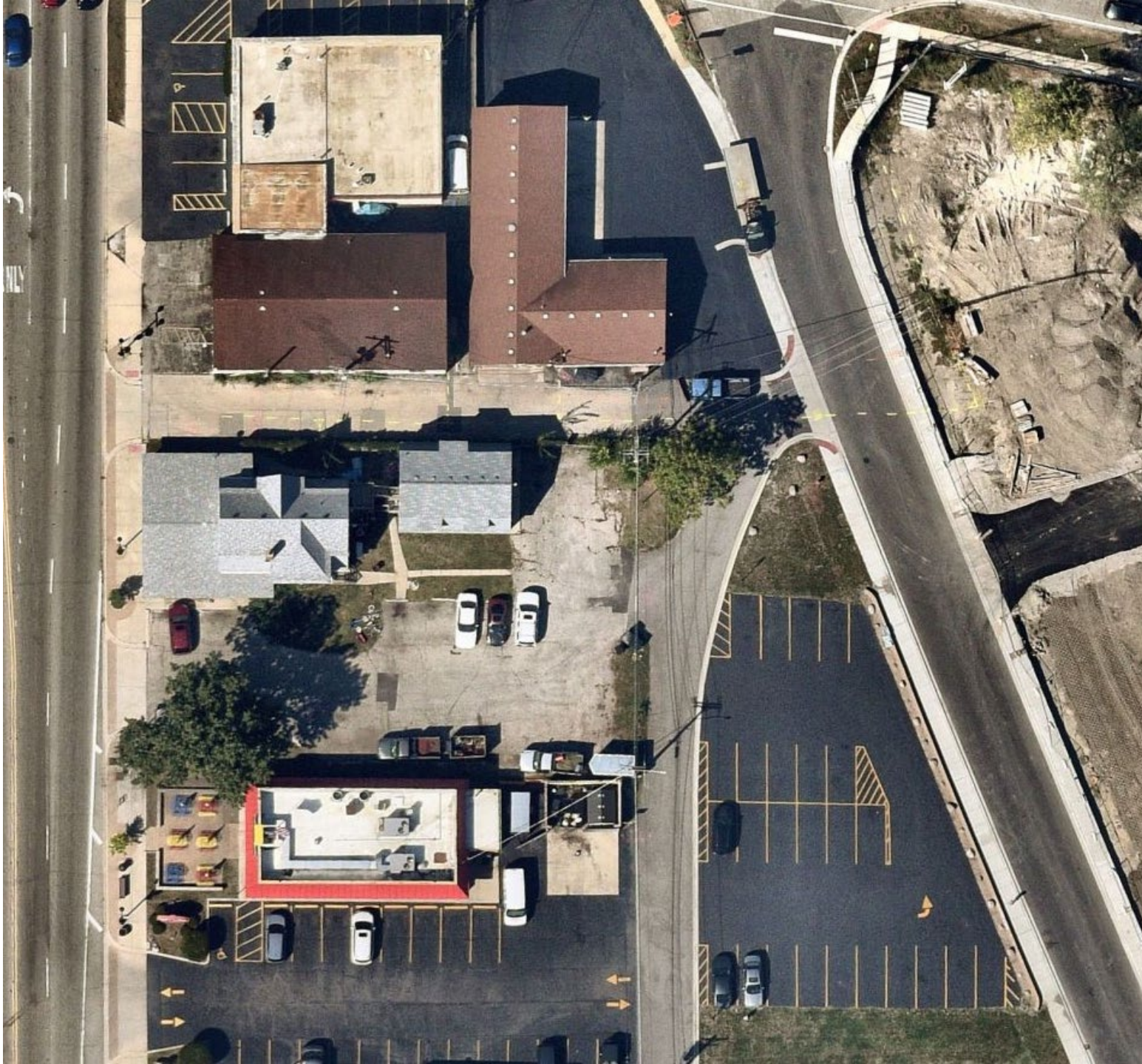
Standards for Granting a Variation

No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning and Zoning Commission and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:

- a. The strict application of the terms of this Ordinance will result in undue hardship.
- b. The plight of the owner is due to unique circumstances.
- c. The variation, if granted, will not alter the essential character of the locality.

The Zoning Administrator, Planning and Zoning Commission and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate:

- a. The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
- b. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.
- c. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.
- d. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood.
- e. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.
- f. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.



FINDINGS OF FACT – VARIATION

CASE NUMBER	PZC-19-2023
PUBLIC HEARING DATE	February 7, 2024
VARIATION	A variation from Table 20.36-1 of Section 20.36.020 to permit motor vehicle aftermarket enhancement in the C-5-C Downtown Corridor Subdistrict.
MOTION	<u>Motion</u> by K. Garesche second by S. Schneckloth to approve the Findings of Fact as published for PZC-19-2023 relating to a variation to Table 20.36-1 of Section 20.36.020 to permit motor vehicle aftermarket enhancement in the C-5-C Downtown Corridor Subdistrict.
On February 7, 2024, the Planning and Zoning Commission voted 4 - 0 for approval of a use variation to Table 20.36-1 of Section 20.36.020 to permit motor vehicle aftermarket enhancement in the C-5-C Downtown Corridor Subdistrict.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the Zoning Ordinance does not permit motor vehicle aftermarket enhancements businesses, which is the hardship the petitioner is experiencing. The Zoning Ordinance does not anticipate specific building conditions, and in this case, the building was constructed prior to 1946 therefore by omission it is not a permitted use. The building was constructed for a very specific use, automotive repair, and contains overhead doors, repair bays, and other configurations specific to that type of business. A change of use would require a significant and costly buildout.	
2. The plight of the owner is due to unique circumstances;	
The plight of the petitioner is due to unique circumstances since the building was constructed for a very specific use, automotive repair, and has been vacant for at least 10 years. A change of use could require a significant and costly buildout.	
3. The variation, if granted, will not alter the essential character of the locality;	
The variation will not alter the essential character of the locality, as an automotive business is consistent with similar legal nonconforming uses found within the C-5-C Downtown Corridor Subdistrict.	
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
The Commission finds that the particular surroundings, shape or topographical conditions of the specific property involved do not create a hardship or difficulty to the applicant.	
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
The Commission finds that the petitioner has not created this hardship because of the uniqueness of the building being suited for a specific use (automotive repair).	
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
The Commission finds that the granting of the requested variation will not be detrimental to the public welfare in which the property is located.	
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
The Commission finds that the proposed variation is somewhat consistent with the spirit and intent of this Ordinance and Village land use policies, which permits certain less-intense automotive uses in the C-5-C Downtown Corridor Subdistrict, such as motor	

vehicle rental establishments and a motor vehicle dealership (both with a Special Use Permit). The Comprehensive Plan also contains goals to preserve and adapt the existing building stock where possible, especially in the Downtown.

6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The value of the property in question may be reduced, as the building is built for a specific type of user that is no longer permitted in the C-5-C zoning district..

FINDINGS OF FACT – VARIATION

CASE NUMBER	PZC-19-2023
PUBLIC HEARING DATE	February 7, 2024
VARIATION	A variation from Table 20.56-1 of Section 20.56.130 to permit a reduction in the number of required parking spaces for a motor vehicle aftermarket enhancement business.
DRAFT MOTION	<u>Motion</u> by K. Garesche, second by S. Schneckloth to approve the Findings of Fact as published for PZC-19-2023 relating to a variation to Table 20.56-1 of Section 20.56.130 to permit a reduction in the number of required parking spaces for a motor vehicle aftermarket enhancement business.
On February 7, 2024, the Planning and Zoning Commission voted 4 - 0 for approval of a variation to Table 20.56-1 of Section 20.56.130 to permit a reduction in the number of required parking spaces for a motor vehicle aftermarket enhancement business.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the building was built prior to 1946, when traffic and parking needs were vastly different. Furthermore, the Zoning Ordinance does not include a parking requirement for “Motor Vehicle Aftermarket Enhancement” businesses in the Downtown Zoning District, which has its own unique set of parking requirements catered to a more urban neighborhood.	
2. The plight of the owner is due to unique circumstances;	
The plight of the owner is due to unique circumstances since the building was constructed prior to 1946. The Zoning Ordinance does not include parking requirements for “Motor Vehicle Aftermarket Enhancement” uses in the Downtown. The property only has 3 parking spaces with no room for expansion and there is public parking nearby.	
3. The variation, if granted, will not alter the essential character of the locality;	
The variation will not alter the essential character of the locality since the parking configuration has been existing prior to the adoption of the 2012 Zoning Ordinance parking requirements, and public parking is located nearby that is intended to absorb overflow parking from surrounding businesses, residences, and events.	
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
The Commission finds that there is hardship attributable to the shape, surroundings, and topographical conditions of the property because the subject property cannot accommodate additional parking because it is landlocked and completely built out. Additionally, the building was built prior to 1946 with no room for expansion or alteration.	
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
The Commission find that the petitioner has not created this hardship because of the building being built prior to 1946 with no room for expansion or alteration.	
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
The Commission finds that the granting of the requested variation will not be detrimental to the public welfare in which the property is located because the use is not anticipated to generate more parking than can be accommodated on-site.	
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	

The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies. The Downtown chapter has reduced parking requirements compared to the non-Downtown zoning districts because of more walkability and the presence of more street parking and public parking lots.

6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The value of the property in question could be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. The minimum parking requirements hinder many permitted uses within the C-5-C Downtown Corridor Subdistrict because the site can only accommodate 3 parking spaces with no room for expansion.

Committee Report

To: Mayor and Board of Trustees

From: Amanda Orenchuk, Director of Community Development

For: Planning and Zoning Commission Meeting of March 20, 2024

Subject: PUBLIC HEARING - PZC-02-2024 - 143 N Seymour Avenue - Hidden Door Tattoo Studio

Financial Impact:

N/A

Attachments:

1. Property Location Map
2. Certificate of Publication
3. Petitioner's Packet

Background:

143 North Seymour Avenue is a commercial unit in the Mundelein Shopping Center, which is currently occupied by the Carpets in the Park carpet showroom. Neighboring units are occupied by Just for Fun Roller Rink, Rogan's Shoes, North Shore Classics, Morrison's Laundry and Cleaners, Faded Best Barber, and the American Legion Post 867. The building is under multiple ownership, with six individual property owners across the shopping center. The owner of 143 North Seymour Avenue, A & O Syros LLC, owns all units east of Rogan's Shoes.



The economic vitality of the shopping center has declined in the last few decades due to poor visibility, a changing demand for brick-and-mortar retail, and challenges posed by separate ownership. The underperformance of a shopping center can indicate that the "highest and best use"

of a property is no longer commercial due to either site-specific conditions or changes to the economy and consumer behavior. Because the site is close to Downtown amenities such as the Metra Station and parks, but lacks visibility and accessibility, Village planning documents envision that the property will ultimately transition to residential uses.

In 2012, the Village undertook a complete overhaul of the Zoning Ordinance, which included a new structuring of zoning districts (including the creation of the Downtown zoning district). Under the prior Zoning Ordinance, this property was zoned as C-2 Commercial. In 2012, the Village assigned this property the C-5-R (Downtown Residential) classification because, at the time, there was a renewed interest in redevelopment of the property. At the time, the new zoning designation anticipated the future residential use of the property. However, while there is still interest in redevelopment, a project is yet to be seen in 2024.

Mr. & Mrs. Kerbs owned the property from the late 1990s until 2012, when the property foreclosed and Mrs. Olga Goumas Liakos was granted the Mortgage in Possession. Mrs. Goumas has managed the property up until recently, when her son, George Goumas, took over under A & O Syros LLC within the last few years. Mrs. Goumas Liakos expressed a desire to sell the property; however, it has been Mr. Goumas's desire since managing the property to retain ownership and find additional tenants.

Because the C-5-R (Downtown Residential) zoning district does not permit commercial uses, all existing businesses were grandfathered in upon the 2012 rezoning. However, a space loses its grandfathered status when a unit is vacant for an extended period or if the use of the unit changes. Any new businesses must obtain use variations to operate in this zoning district. This particular unit (143 North Seymour Avenue) is currently occupied by Carpets in the Park, a carpet showroom. The property owner would like to rent the unit out to a new tattoo shop tenant, Hidden Door Tattoo Studio.

Four other tenants of the shopping center have received use variations since 2012:

- 2014 - Epic Healthy Living - Community Center (No longer in operation)
- 2014 - Carpets in the Park - Retail carpet sales
- 2015 - North Shore Classics - Indoor classic car dealership
- 2022 - Faded Best - Barbershop
- 2023 - TLC Massage and Spa - Nail Salon

Variation Requested

The petitioner is requesting a use variation to operate a tattoo shop in the C-5-R Downtown Residential Zoning District, which is categorized as a "Personal Services Establishment". Permitted uses in the C-5-R district are limited to residential uses and therefore a variation is required for any commercial business to occupy the space.

Staff Comments

This will be Mr. Motta's first tattoo shop, although he has 6 years of experience in the tattoo

industry. Along with his business partner, Javier Chavez who is also an established tattoo artist, the two anticipate bringing in a large client base from their current location in Palatine.

This use is in conformance with the neighboring services uses in the shopping center.

Public Comments

No public commentary was received at the time of this report.

Analysis

Staff recommends approval of the requested use variation due to the unique hardship that the Zoning Ordinance imposes upon the owners and tenants of this shopping center, which was a result of rezoning that the Village undertook in 2012. The rezoning was consented to by the shopping center owners, but not caused by the actions of any owners nor tenants.

While the future use of this land is envisioned as residential, there is not currently a developer actively engaged in acquiring these parcels for a project. In the meantime, it benefits both the community and property owners to permit the shopping center to continue to operate rather than forcing the center to remain vacant until a redevelopment is proposed. Three other businesses in the shopping center that have opened since 2012 obtained variations from the Village Board. The proposed use as a tattoo shop is in line with the retail and service-oriented nature of other businesses in the vicinity.

Recommendation:

Motion to recommend **approval/denial** of a use variation to **Table 20.36-1 of Section 20.36.020** to permit a tattoo shop in the C-5-R Downtown Residential zoning district at 143 North Seymour Avenue, Mundelein, Illinois.

Location Map: 143 N. Seymour Avenue



Legend



143 N. Seymour Avenue

NOTICE OF HEARING BEFORE THE
VILLAGE OF MUNDELEIN PLANNING & ZONING
COMMISSION

NOTICE IS HEREBY GIVEN that on March 20, 2024, at the hour of 7:00 p.m., there will be a public hearing before the Village of Mundelein Planning and Zoning Commission at the Mundelein Village Hall, 300 Plaza Circle, Mundelein, Illinois, concerning a petition by Jose Motta on behalf of Hidden Door Tattoo Studio is requesting a Variation pursuant to Table 20.36-1 of Section 20.36.020 to permit a **Personal Services Establishment (Tattoo Shop)** in the C-5-R Downtown Residential zoning district at 143 N. Seymour Avenue, Mundelein, IL (PIN 11-30-109-005), in accordance with the application on file with the Village of Mundelein.

If you cannot attend the meeting in-person and you wish to submit a question or comment to be provided to the Planning and Zoning Commission, please email your full name and your question or comment to planning@mundelein.org. Please put "Public Commentary" in the subject line. Comments received during the meeting, but after the public commentary portion has ended, will be provided to the Commission Members after the meeting.

CASE NO.: PZC-02-2024

The name and address of the Petitioner:
Hidden Door Tattoo Studio c/o Jose Motta
534 Sequoia Trail
Roselle, Illinois 60172

This Notice is an invitation to all interested persons to submit oral or written testimony or other evidence concerning the above case to the Village of Mundelein Planning and Zoning Commission to planning@mundelein.org. Comments received by 5:00 p.m. CT on March 11, 2024, will be included in the meeting agenda packet. Comments received after this date will be provided to the Commissioners on the day of the public hearing. Persons with questions are encouraged to call the Village of Mundelein at (847) 949-3282.

The Planning and Zoning Commission's actions are not final for this case. The Planning and Zoning Commission will forward its findings and recommendations to the Village Board of Trustees for final consideration and action. Dated at Mundelein, Illinois, this 29th day of February 2024.

Terry Roswick /s/
Chairman
Planning and Zoning Commission
Published in Daily Herald March 2, 2024 (4612651)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Lake County
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Lake County DAILY HERALD**. That said **Lake County DAILY HERALD** is a secular newspaper, published in Libertyville, Lake County, State of Illinois, and has been in general circulation daily throughout Lake County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Lake County DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 03/02/2024

in said **Lake County DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY


Designee of the Publisher of the Daily Herald

Control # 4612651



TYPICAL PLANNING AND ZONING COMMISSION PROCESS

Meeting Schedule

The Planning and Zoning Commission consists of seven members who act as a recommending body to the Village Board. The Planning and Zoning Commission meet the first and third Wednesday of each month at the Village Hall, located at 300 Plaza Circle, Mundelein, Illinois. Meetings begin at 7:00 p.m.

Preliminary Conference

Prior to filling out this form you must first meet with a representative of Community Development to discuss the proposal and determine the necessary process for approval. A concept plan consisting of measurable sketches with a scale/ruler, existing and proposed site data, and site photo(s) should be available for review by a planner. To schedule a preliminary conference contact Community Development at (847) 949-3282.

Petition Submittal

Submit one (1) legible copy, no larger than 11" x 17" of the full petition application to Community Development. The petition must be complete with all attachments. Applications and fees can be mailed to Community Development, 300 Plaza Circle, Mundelein, Illinois 60060. Community Development staff will review the application and may request additional materials prior to acceptance.

Internal Department Review

After Community Development accepts the Draft Petition the Fire, Police, Public Works and Engineering, Building Department, and Community Development Divisions will review the proposal and provide comments. Petitioners may be asked to provide additional and/or electronic copies of the petition at this time. Upon review, staff will provide feedback to the petitioner, if applicable. If it is determined that the documents are in compliance with Village codes, a Planning and Zoning Commission hearing will be scheduled. If changes are required, the petitioner shall resubmit revised plans for another departmental review, which will delay the date for a public hearing.

Final Petition

After all issues have been adequately addressed, staff will direct the petitioner through the public hearing process. The Planning and Zoning Commission shall evaluate the application, based upon the evidence presented at the public hearing, recommend approval, approval with conditions, or denial of the application, and forward its recommendation to the Village Board within sixty (60) days. The Village Board shall consider the variation within sixty (60) days of receipt of the Planning and Zoning Commission recommendation.

The initial submittal must contain:

- ☐ Completed Application – Pages 3-7
(Write N/A where items do not apply)
- ☐ Current or accurate Plat of Survey or Preliminary Plat of Subdivision – We can pull this from the prior application if not on hand
 - a. One (1) no larger than 11" x 17"
- ☐ Preliminary Drawings
 - a. Site Plan – indicating all site improvements, such as sign locations, screened trash container areas, loading docks, fire lanes, area lighting, parking, handicap parking, all dimensions and project data (building area, land area, floor area ratio, coverage, parking calculations, etc.)
 - b. Preliminary Building Elevations, including height (if applicable)
 - c. Preliminary Floor Plan (if applicable)
 - d. Tree Preservation Plan (if applicable)
 - e. Preliminary Engineering (if applicable)
- ☐ Photos of the property
- ☐ Other Supporting Documentation (if applicable)
 - ☐ Traffic Impact Study
 - ☐ Market Study
 - ☐ _____
 - ☐ _____
- ☐ Application Fee:

VARIATION FEES	
Variation Type	Fee
Variation - Single Family Residential	\$150
Each Additional Variation	\$50 each
Without a Permit	\$200
Variation - Residential Developer	\$300
Each Additional Variation	\$50 each
Without a Permit	\$300
Variation - Non-Residential	\$300
Each Additional Variation	\$50 each
Without a Permit	\$600

(Additional fees may apply if additional actions are required)

Additional submittal requirements:

- ☐ Affidavit of Notification and Certified Mail receipts, return receipts, and undeliverable envelopes
(See Exhibit A and B. Must be submitted to Community Development prior to public hearing)

↳ Provide after neighbor notices are mailed out

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

PROPERTY INFORMATION

Address 143 N Seymour Ave, Mundelein IL
Property Index Numbers (PIN) 1130109005 60060
Size of Property 27,366 sq ft (sq. ft./acres)
Size of Building Space 750 sq ft (sq. ft.)
Size of Space Utilized 750 square feet

ZONING

Current Zoning C-5-R
Proposed Zoning C-5-R
Current Use carpet in the park
Proposed Use tattoo shop

PETITIONER INFORMATION

Business/Org. Name Motta INC
Name Jose motta
Title co-owner
Address 534 sequoia tr.
City, State, Zip Roselle IL 60172
Phone (847) 217-5880
Email josemotta628@gmail.com
Petitioner Status: ☐ Owner ☒ Lessee ☐ Contract Purchaser

PROPERTY OWNER INFORMATION

Business/Org. Name A&O Syros LLC
Name George Goumas
Title owner
Address 8427 North Oriole Ave
City, State, Zip Niles, Illinois, 60714
Phone (773) 951-8687
Email ggoumas1970@yahoo.com

SECTION OF ZONING ORDINANCE: 20.36.020

DESCRIPTION OF PROPOSED ZONING VARIATION (Attach additional pages, if necessary)

- see attachment

STANDARDS FOR GRANTING A VARIATION

In evaluating the proposed variation, the Zoning Administrator, Planning and Zoning Commission and Village Board will make findings based on the standards imposed by Section 20.16.020 of the Zoning Ordinance. **Please provide a detailed response to each of the following criteria (attach additional pages, if necessary):**

- a. The strict application of the terms of this Ordinance will result in undue hardship.
The hardship would be the fact that the location is zone residential
- b. The plight of the owner is due to unique circumstances.
and not allowing me to open a business. Zone residential is the shop corner.
- c. The variation, if granted, will not alter the essential character of the locality.
it won't become into a shop corner.

The Zoning Administrator, Planning and Zoning Commission, and Village Board, in making its findings, may further inquire into the following evidentiary issues, as well as any others deemed appropriate. **Please provide a detailed response to each of the following criteria (attach additional pages, if necessary):**

- a. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of regulations were to be carried out.
- b. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.
- c. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.
- d. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
- e. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.
- f. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

COUNTY OF LAKE)
STATE OF ILLINOIS)

I, George Goumas, under oath, state that I am

X the sole)
an) owner of the property
an authorized officer of the)

commonly described as (Address) 143 N Seymour Ave and that such property is owned by

(Printed Name) George Goumas as of this date. As owner of the property, I do

hereby authorize Jose Motta (Printed Name or Not Applicable) to represent me in the following

Planning and Zoning Commission/Village Board matter, Zoning Special Use
Permit for Tattoo Shop (Action).

[Signature]
Signature

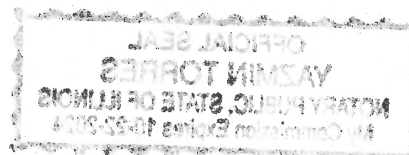
Subscribed and sworn to before me

this 28 day of February, 2024.

[Signature]
Notary Public Signature



(Address) 143 N Seymour Ave Mundelein, IL 60060



REQUIRED SIGNATURES

The undersigned states under oath that he/she/they are the **Legal Owner(s)** of record of the realty described in this Planning and Zoning Commission Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature (Owner):

Printed Name: George Quarn

Date: 2/28/24

Title: Owner

Signature (Owner): _____

Printed Name: _____

Date: _____

Title: _____

The undersigned states under oath that he/she/they are the **Contract Purchaser** of record of the realty described in this Planning and Zoning Commission Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature Contract Purchaser: _____

Printed Name: _____

Date: _____

Title: _____

The undersigned states under oath that he/she/they are the **Lessee** of record of the realty described in this Planning and Zoning Commission Application, and the statements that he/she/they made in the foregoing application are true in substance and in fact.

Signature Lessee:

Printed Name: Jose Antonio Muth

Date: 2/15/24

Title: co-owner

EXHIBIT A

NOTIFICATION REQUIREMENTS

The petitioner is required to notify all property owners and tax payers within 250 feet of the subject property **after the Planning and Zoning Commission hearing date has been scheduled and staff has given authorization to send.** (Please see Exhibit B for sample letter). The notification must be sent USPS Certified Mail, Return Receipt Requested. Mailing labels must contain the property owner name or taxpayer name, address, and property identification number (PIN). Notification must be postmarked no more than thirty (30) days and no less than fifteen (15) days prior to the public hearing date. All certified receipts must be submitted to Community Development. Petitioners can obtain property owner information from the following sources:

Lake County
18 North County Street
Waukegan, IL 60085
847-377-2323

Libertyville Township
359 Merrill Court
Libertyville, Illinois 60048
847-816-6800
Fax 847-816-0861

Fremont Township
22376 West Erhart Road
Mundelein, Illinois 60060
847-223-2847
Fax 847-223-2858

Vernon Township
3050 North Main Street
Buffalo Grove, IL 60089
847-634-4600
Fax 847-634-1569

A Public Hearing Notice sign is required on the subject property and will be placed by the Village. Postings of the public notice will be done no more than thirty (30) days and no less than fifteen (15) days prior to the public hearing date.

The Village will publish the notification in the *Daily Herald*. The *Daily Herald* requires five-day lead time for publishing public notices. Therefore, in order to have the notification published no later than fifteen (15) days prior to the public hearing, we must be able to provide the necessary information twenty-one (21) days prior to the date of the hearing.

FAILURE TO COMPLY WITH THE NOTIFICATION REQUIREMENTS WILL CAUSE THE PUBLIC HEARING TO BE POSTPONED

EXHIBIT B

NEIGHBOR NOTIFICATION LETTER SAMPLE

DATE

**NOTICE
TO ALL INTERESTED PARTIES**

The Planning and Zoning Commission will address the petition for NAME/COMPANY. (Case PZC-XX-YEAR), ADDRESS _____, Mundelein, concerning a petition requesting _____. The Planning and Zoning Commission will address this petition on DATE, at TIME, at the Village Hall, 300 Plaza Circle, Mundelein, Illinois 60060. All interested parties may attend this meeting and voice their opinions and concerns.

If you have any questions, please do not hesitate to call Community Development at (847) 949-3282, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Sincerely,



AFFIDAVIT OF NOTIFICATION

(See Exhibit A)

COUNTY OF LAKE)
)
STATE OF ILLINOIS)

I, Jose A. Motta, under oath, state that I am

_____ the sole)
_____ an) owner of the property
X _____ an authorized officer of the)

Hereby swear and affirm that in accordance with the provisions of Chapter 3.3 of the Zoning Ordinance, have notified by certified mail, return receipt requested, all property owners and taxpayers within two hundred and fifty (250) feet of the subject property, attached hereto as Exhibit A, on this 27 day of Feb, 2024.

[Signature]
Signature

Subscribed and sworn to before me

this 27 day of February, 2024.

[Signature]
Notary Public





Hidden Door Tattoo Studio business proposal

Jose Motta and Javier Chavez plan to open a full functioning tattoo shop, with a welcoming and friendly atmosphere. A positive space that welcomes all walks of life in the community and surrounding areas.

Our product and services

Hidden Door Tattoo Studio aims to maximize profits in the tattoo industry. We want to reassure all of our services are done with the highest regards to our clients.

The type of services that will be provided at our establishment will be in the list as follows:

- Designing customized body modification art.
- We will provide pre-designed flash art for clients to choose from.
- Tattoo memorabilia such as t-shirts, hats, bags, etc.
- Other related consulting and advisory services.

Our mission and vision statement

Our mission is to provide beautiful, and memorable art work that will withhold the test of time and be something our clients will love for life.

We have a safe, clean environment and strive to deliver an enjoyable experience for everyone who comes and visits us.

-We do not tattoo anyone under the age of 18. No exception.

-We do not tattoo anything that is derogatory or hateful, meaning sexist, racist, transphobic or homophobic.

Our vision is to establish a successful tattoo studio in Illinois that will eventually produce more studio' in selected surrounding areas.

Business structure

Hidden Door Tattoo Studio is a full functioning tattoo facility that humbly intends to start directly in the Mundelein location. We are committed to hire the best and strive towards growth and greatness. We will ensure that we hire professional artist when needed and or individuals who are qualified. Qualified individuals are expected to work diligently to ensure the business is prospering.

Job roles and responsibilities

-Owner/Tattoo Artist will be active in and out of the establishment full time while tattooing on appointment basis only.

-Shop manager/Tattoo Artist

-Tattoo Artist

-Receptionist will monitor online website, assist with walk-ins, answer phone calls, book tattoo appointments, and booking consultation with artist of choice.

Hours of operation are as follows:

-Tuesday - Saturday 12PM - 10PM

-Closed on Holidays

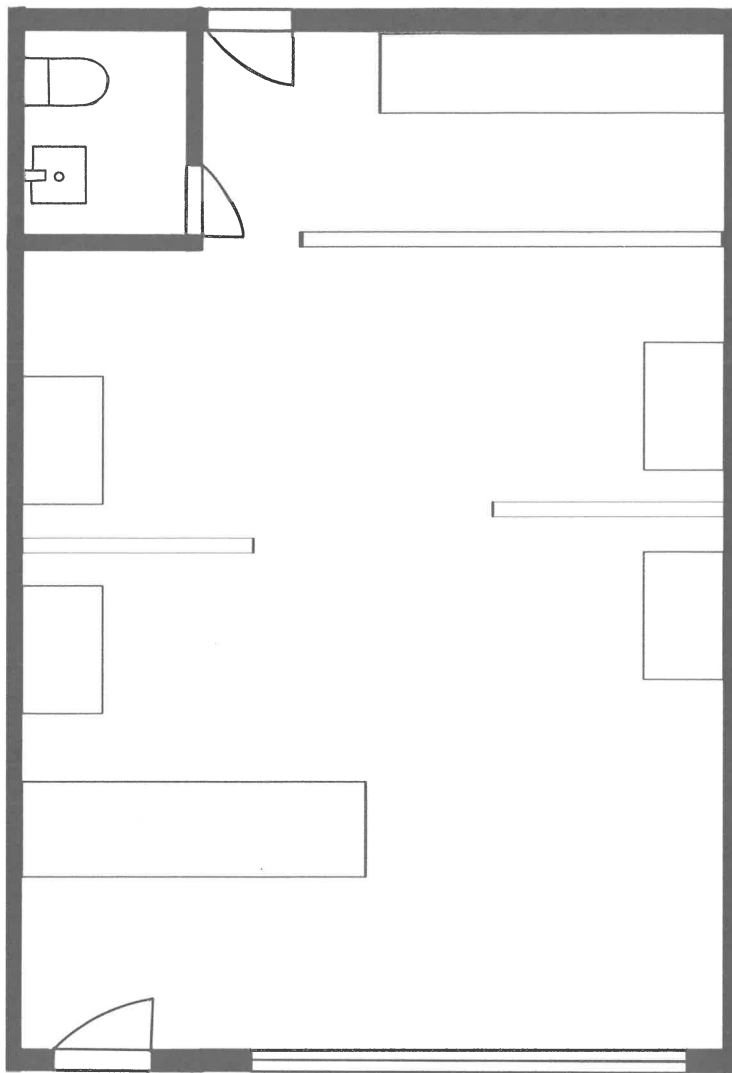
Marketing strategies/ sales

- All social media platforms
- Website and apps
- Networking through local business
- Personal appearances at events
- Tattoo conventions
- Flyers/business cards
- Word of mouth

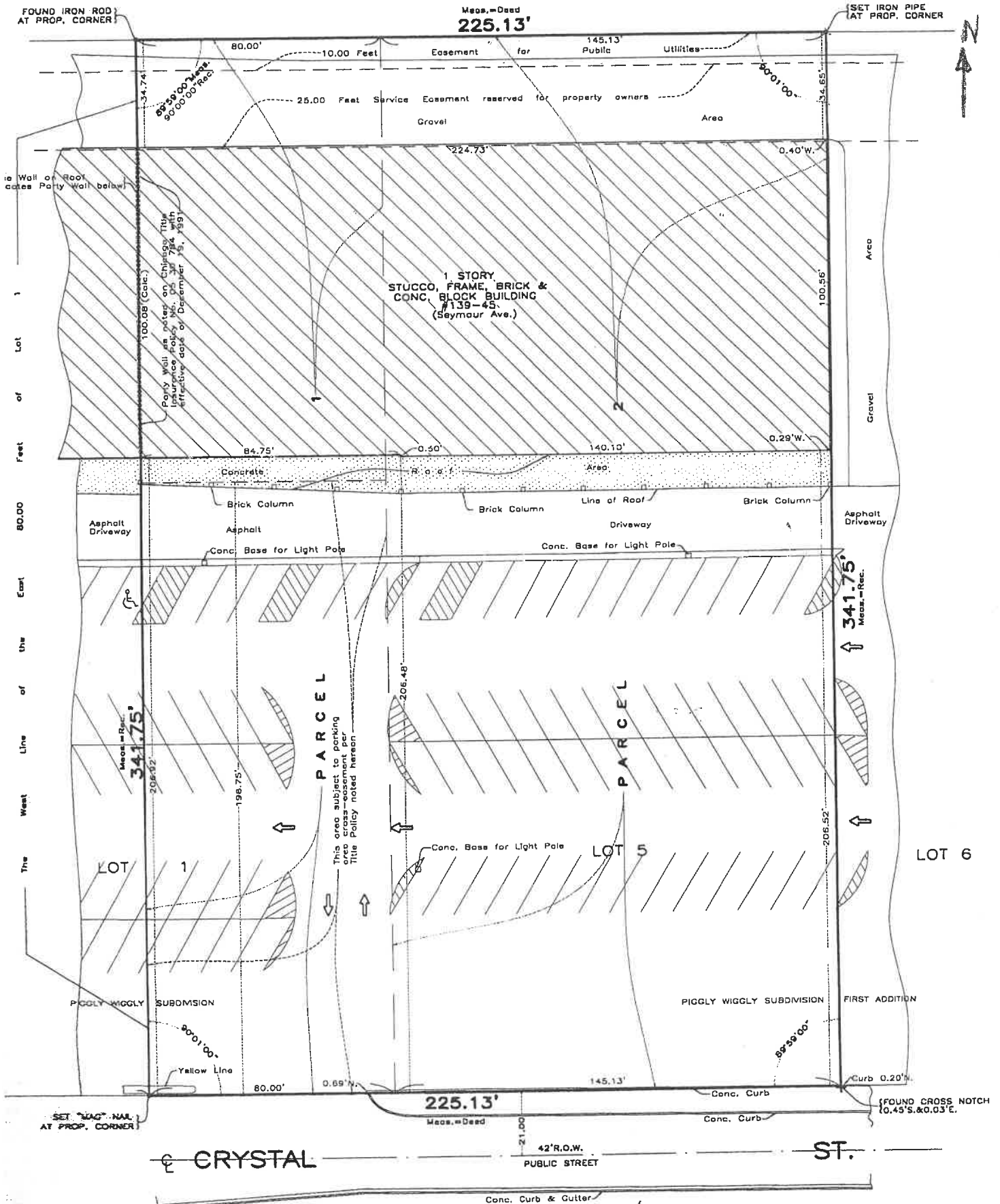
Hidden Door Tattoo Studio leads with 6 years of experience in the tattoo industry.

Jose Motta a disabled veteran, served 4 years honorably in the United States Marine Corps. and Graduated from Elmhurst University with a bachelors in Art: Graphic Design.

Javier Chavez a well established artist and former college athlete, both plan on joining together to create a well rounded business that will be a pillar to this community for many years to come.



LAND TOTAL NET AREA: 76,938.18 SQ.FT. = 1.766 ACRE.
COMMONLY KNOWN AS: 139-145 N. SEYMOUR AVENUE, MUNDELEIN, ILLINOIS.



TOTAL LOT AREA $225.13 \times 341.78 = 76398$
BLDG. $224.73 \times 100.56 = 22598$

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS.
THIS IS NOT AN ALTA SURVEY.



