



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

PLAN COMMISSION

AGENDA • SEPTEMBER 17, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Aug 20, 2019 7:00 PM

III. PUBLIC HEARING

1. 704 E. Dundee Road - Rezoning of an existing single-family residential property from its current Planned Development District designation to the R-2 - Single-family Residential District.
2. Text amendments to Article 3 - Rules and Definitions and Article 10 - Residential Districts - Section 10.01 - General Requirements of all residential districts of the Village of Palatine Zoning Ordinance

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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PLAN COMMISSION MINUTES • AUGUST 20, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Conrad Hansen	Plan Commissioner	Present	
Dennis Dwyer	Chairman	Present	
Jane Robins	Plan Commissioner	Absent	
Patrick Noonan	Plan Commissioner	Present	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Present	
Robert Kolososki	Plan Commissioner	Present	
Stephen Fedota	Plan Commissioner	Present	

Staff present: Ms. Katie Rivard

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Aug 6, 2019 7:00 PM - **Accepted**

Mr. Noonan made a motion to approve the minutes of August 6, 2019; seconded by Mr. Fedota.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Stephen Fedota, Plan Commissioner
AYES:	Hansen, Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota
ABSENT:	Robins

Minutes Acceptance: Minutes of Aug 20, 2019 7:00 PM (Approval of Minutes)

III. PUBLIC HEARINGS

1. 223 E. Northwest Highway - **Recommended to Approve**

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on August 5, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Petition for Hearing
3. Proof of Ownership
4. Palatine Plaza Plat of Survey
5. Palatine Plaza Site Plan
6. Floor Plan
7. Business Plan

Sworn in Petitioner: Mr. Michael Ng - Planet Fitness

Dave Heidke - Architect

Ninos Oshana - General Contractor (Stages Construction)

Albert Barr - Planet Fitness Construction Team member

Charlie Margosian and Charlie Margosian Sr. - Landlords

Mr. Ng stated they are proposing to open Planet Fitness in a portion of the former Hobby Lobby space. He explained it is a 18,840 sq. ft. tenant improvement project with no exterior facade work. Mr. Ng stated Planet Fitness offers traditional weights and black card amenity which includes tanning, hydro massage, massage chairs, and an open seating lounge area. He explained they are a 24/7 operating fitness center. He spoke to the parking and neighboring tenants referring to the site plan slide to show location. Mr. Ng stated Planet Fitness promotes health and wellness and they would like to be part of the Palatine community. He stated they have over 1,800 locations throughout the US and over 45 in the Chicagoland area.

Mr. Hansen asked if they would fill the entire remaining space.

Mr. Ng explained they are taking a portion of it.

Mr. Hansen clarified there would still be vacancy.

Mr. Ng answered yes.

Mr. Ng spoke to the typical fitness center layout referring to the floor plan slide. He spoke to the location and proposed signage referring to the existing condition slides.

Mr. Hansen asked if there would be an exterior change for the tenant that fills the remaining space.

Mr. Margosian stated Mr. Hansen is correct explaining they haven't determined

who the third tenant will be. He further explained there will be a new entrance for the remaining 15,000 sq. ft space to the east but work will be held off until they have a tenant.

Mr. Kolososki asked if the name will be on the façade.

Mr. Ng answered yes there will be exterior signage on both the building and pylon signage visible to Northwest Highway.

Mr. Friedman asked if the pylon is part of the center's existing signage.

Mr. Ng answered yes.

Mr. Margosian explained the signage is part of another zoning variance request that was reviewed by the ZBA.

Mr. Kolososki what is max number of people in gym.

Mr. Ng stated he doesn't have an exact number but peak hours are weekdays early morning and early evenings to late evenings. He added weekend peak hours are early mornings. Mr. Ng explained they are projecting somewhere between 500-700 members but not at one time.

Mr. Kolososki asked what the approximate number of members is at one time.

Mr. Ng explained it is difficult to answer and varies by seasons.

Chairman Dwyer asked if they have experience from other locations.

Mr. Ng explained it is approximately 200-300 at peak hours.

Mr. Hansen asked how many go to gym at 2 a.m.

Mr. Ng pointed out the club is always staffed by a minimum of 4 staff for safety. He explained the attendance varies by locations but average is approximately 25-50.

Mr. Margosian stated they have been the owner of Palatine Plaza since 1998. He spoke to the vacancy since Hobby Lobby left 3 years ago. He further explained they have been working with Planet Fitness for some time and feels they will be a good fit being a low cost option but their facilities are nice and clean.

Mr. Hansen asked if the gym will sell anything.

Mr. Ng answered yes explaining they will have a small portion of retail including apparel, workout gear, tanning lotions and drinks.

Mr. Hansen clarified they will generate sales tax.

Mr. Ng answered yes.

Mr. Friedman pointed out the limited parking on that side of the center and asked if the peak hours of the gym the reason why it will work is.

Mr. Margosian explained they considered many factors one being peak operations. He explained it doesn't tend to be as busy with many of the sections. He further explained it is a nice compliment with the pet resorts model since they use a small portion of the parking because people drop dogs off and are not

there for long periods of time so these spots are available for gym.

Mr. Fedota asked if there is a plan if the gym starts to utilize the spots designated for the pet resort.

Mr. Margosian stated there is no formal plan but will listen to suggestions. He explained the other tenant isn't concerned but if there is an issue they will address it.

Mr. Fedota asked what type of tenant they are looking at for the other third of the space.

Mr. Margosian explained they have no firm prospects but would be nice to get a retail use to compliment some of the service uses. He pointed out retail users for large tenant spaces are few and far between.

Mr. Bettenhausen asked if the lot striping will remain the same.

Mr. Margosian answered yes that's the plan.

Mr. Margosian Sr. stated they have owned the center since 1998 and visits it frequently and has never seen the parking at that end filled.

Sworn in staff: Ms. Katie Rivard

Ms. Rivard gave a brief overview of request explaining Planet Fitness is proposing an 18,000 sq. ft. fitness center in the Palatine Plaza. She spoke to the hours of operations with their peak hours being from 4pm-10pm Monday-Friday and 9am-12pm Saturday and Sunday. Ms. Rivard spoke to the parking requirements and the variation of 30 spaces requested. She pointed out the third tenant space is accounted for in the parking calculation.

Mr. Fedota clarified the space is considered assembly use.

Ms. Rivard answered yes.

Mr. Hansen stated he visited the center at 4:00 p.m. and the lot had 2 vehicles in it which included his own.

STAFF RECOMMENDATIONS:

The proposed health club is occupying a portion of the former Hobby Lobby space in the Palatine Plaza shopping center. This use is compatible with the other retail, service, and restaurant uses that presently occupy the shopping center. While a Variation for 30 parking spaces is required, the Petitioner's business plan and justification indicate that the frequency and need for parking is clustered at particular times during the day, as opposed to a continual use throughout their hours of operation. Also, the required parking variation is also a reflection of how the Zoning Ordinance regulates parking for health clubs, as an assembly use. The required parking takes must provide parking for 30% of the maximum capacity of the tenant space, as determined by the Life Safety Code.

Given the current tenant mix and anticipated non-conflicting times of significant parking demand, Staff believes that there are the necessary parking resources to

accommodate

this use. The proposed use should complement the surrounding uses and properties and should not alter the essential character of the locality. Therefore, Staff recommends approval of the Special Use and Variation, subject to the following conditions:

1. The Special Use and Variation shall substantially conform to the floor plan prepared by RGLA Solutions, Inc., dated 07/10/2019, and the business plan submitted by the Petitioner, Michael Ng (Planet Fitness), except such plans may be changed to conform to Village Codes and Ordinances.
2. The parking variation is granted to the Subject Property, in consideration of the floorplan, business plan, and site plan for Planet Fitness. If the Subject Business is sold or transferred or used in a different manner, additional Village review will be required.

Mr. Hansen asked the Petitioner can he and will he comply with the conditions. Mr. Ng answered yes to the best of his knowledge.

Mr. Noonan made a motion to close the public hearing; seconded by Ms. Williams.

DISCUSSION:

Mr. Noonan made a motion to approve subject staff's conditions; seconded by Mr. Kolososki.

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to the Community and Economic Development Committee of the Village Council on September 3, 2019.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Robert Kolososki, Plan Commissioner
AYES:	Hansen, Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota
ABSENT:	Robins

2. 1811 & 1911 N. Rand Road - **Recommended to Approve**

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on August 5, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Petition for Hearing
3. Proof of Ownership
4. Final Plat of Subdivision
5. Engineering Plans
6. Napleton Lot 5 Narrative dated 8/15/2019
7. Email regarding petition dated 8/15/19

Sworn in Petitioner:

Ms. Megan Rosche - Attorney for Petitioner

Mr. Michael Mondus - SpaceCo Engineering

Ms. Rosche stated they are requesting a Planned Development Amendment explaining last year they filed for Preliminary and Final Planned Development for a new car dealership that was approved. She spoke to the current construction that is underway. Ms. Rosche explained Lot 5 was always planned for future development. She further explained this request would be to take the current lot that is covered in trees and vegetation and replace with 95 additional parking spaces for use by the car dealership. She stated the lot would be gated and lighted. Ms. Rosche acknowledged the regulations for lighting and screening. She spoke to the location and surrounding properties. Ms. Rosche stated they will keep some vegetation pursuant to the Village.

Mr. Hansen asked about Lot 4 which is overgrown.

Mr. Mondus referred to the overall landscaping plan and explained Lot 4 is part of the carwash. He explained the overgrown area is Lot 5.

Discussion on Lot 5 location.

Mr. Mondus stated he believes it was the dump when they built the Menards.

Mr. Kolososki asked if the lights will be on 24 hours.

Ms. Rosche explained the hours of operation are Monday-Friday 8am-9pm, Saturday 8am-6pm and closed on Sunday.

Mr. Hansen asked if there would be security lighting.

Mr. Mondus explained the current lighting at the dealerships would be extended onto Lot 5.

Ms. Rosche stated there will be 6-foot tall board-on-board fence. She further explained it will be gated with no entrance off of Old Hicks Road.

Mr. Fedota asked if there were screening requirements in the original plan along

Old Hicks Road.

Mr. Mondus explained in the original Planned Development the agreement was to keep the fence that was existing along the Menards property line. He further explained during demo they realized the fence was not supported properly and created a safety issue. Mr. Mondus stated they have been working with staff on a solution and the current plan is to replace with board-on-board fencing per Village approval.

Mr. Fedota asked if the fence will continue along Old Hicks Road.

Mr. Mondus explained it will tie into the cemetery fencing showing the location on site plan slide. He pointed out there is extensive vegetation on both sides of the road.

Mr. Kolososki asked if they will keep the vegetation bordering Old Hicks Road.

Mr. Mondus explained the frontage will need to be cut down for grading but they will plant parkway trees and dedicate the right of way. He further explained they are installing fencing with bushes in front to offer screening.

Mr. Friedman asked if the detention basin is specifically for the paved area.

Mr. Mondus answered it is just for this lot.

Mr. Bettenhausen asked if the lot will only be used during normal business hours.

Ms. Rosche explained the lot will be used to store overflow cars and only accessible to employees.

Mr. Bettenhausen clarified there will be security lighting through the night.

Ms. Rosche stated it will have the same lighting as the rest of dealership and it's gated.

Discussion on dealerships lighting.

Mr. Mondus stated he thinks there will be security lighting overnight.

Discussion on lighting foot candles.

Chairman Dwyer asked to make a note to address the lighting at the Economic Development Committee.

Ms. Rivard pointed out there is a condition to address the lighting.

Mr. Fedota asked if there will be outdoor paging speakers in this area.

Ms. Rosche stated there will not be any additional speakers other than what was already approved.

Ms. Rivard gave a brief overview of the request explaining the proposed lot will provide 95 parking spaces with access only through the car dealership. She stated the plans call for a new 6-foot tall board-on-board fence along Old Hicks Road and will keep the existing landscaping to the north and south. She spoke to the proposed new parkway trees and bushes. Ms. Rivard stated it will be gated, have security lights and only be accessible to employees. She spoke to the surrounding properties and explained the required landscaping and buffer.

Chairman Dwyer read into record an email that was submitted to Staff.

Sworn in Ms. Deborah Lustyk 1830 N. Laurel Drive

Ms. Lustyk stated the back of her property faces Old Hicks Road so she has a clear view to construction site and is having issues with the dust coming into her house. She spoke to Menard's privacy fence that was taken down and expressed concern of safety with the new driveway. She spoke to the current crime issues in the area and stated she thinks this will add more crime to the area.

Discussion on access to the Lot being only internal.

Ms. Lustyk asked if there will be a privacy fence.

Ms. Rivard explained the chain-link fence will be replaced with a board-on-board fence.

Ms. Lustyk spoke to her concerns with the construction.

Ms. Rivard explained they can further discuss her construction concerns after the meeting but they are not part of this request.

Ms. Lustyk clarified where the Lot will be located.

Ms. Rivard explained the location referring to site plan slides repeating there is no entrance off of Old Hicks Road.

Ms. Lustyk expressed safety concerns with car theft.

Chairman Dwyer pointed out there will already be car parking explaining this is just additional.

Ms. Lustyk stated she thinks it should be located somewhere other than backing to a residential area.

Sworn in Ms. Eleonora Ekberg 727 E. Rand Grove Lane

Ms. Ekberg spoke to neighboring towns and their business growth pointing out Palatine has many car dealerships. She stated the area has many families and elderly that needs protection pointing out the area has a lot of criminals. She expressed concern with pollution from car dealerships.

Chairman Dwyer explained her concerns are important but are not related to the proposal and pointed out the dealership will help people by creating sales tax and jobs.

Ms. Ekberg she disagreed with Chairman Dwyer pointing out the other towns has closed their dealerships. She expressed concern with the property values going down.

Chairman Dwyer explained without a licensed appraiser the board cannot accept testimony on property values.

Discussion on dealership causing more crime.

Chairman Dwyer repeated the testimony is not related to the current petition.

Sworn in Mr. Manjit Singh Grewal 1836 N. Laurel Drive

Minutes Acceptance: Minutes of Aug 20, 2019 7:00 PM (Approval of Minutes)

Mr. Grewal stated he has lived in his home for 27 years and have seen the property change multiple times. He expressed his concern with the appearance of the construction and with lighting and noise pollution. He asked about the buildings being built and what they will be used for.

Chairman Dwyer pointed out the buildings are the dealership that is already approved and is outside of the scope of this hearing.

Mr. Noonan explained that was passed over a year ago.

Mr. Grewal expressed concern about the lighting on Lot 5.

Chairman Dwyer explained the difference in lighting during operation and security lighting after hours pointing out the Village has code requirements that will need to be followed.

Mr. Grewal expressed concern with the dealership.

Mr. Noonan asked about the noise when Menard's diesel trucks dropped off lumber pointing out their hours are longer than the dealership.

Mr. Grewal answered yes but it became white noise and since they closed it has been quiet. He pointed out Menards had a fence and asked about the proposed fence.

Ms. Rivard explained they are proposing a board-on-board fence.

STAFF RECOMMENDATION:

The proposed limited use of Lot 5 for the periodic storage of vehicles is not inconsistent with the approved Napleton Planned Development. Also, the parking lot is not open to the public and may only be accessed through the existing parking lots of the commercial developments. Notwithstanding its lack of development, this lot previously maintained a commercial planned development designation and was also included in the Napleton Planned Development. The parking lot with landscaping and screening should further buffer the residential properties from the commercial developments on Rand Road. Therefore, Staff recommends approval of the Planned Development Amendment, subject to the following conditions:

1. The development shall substantially conform to the Engineering plans prepared by Spaceco Inc., dated 06/12/2019, last revised 08/16/2019, and business/operations' plan for the parking lot dated August 15, 2019, except as such plans may be revised to conform to Village Codes and Ordinances.
2. The final fencing and landscaping plan shall be revised in a manner acceptable to the Director of Planning and Zoning and include sufficient screening to comply with Section 7.04 (g) of the Village of Palatine Zoning Ordinance. The landscaping and screening surrounding the parking shall be maintained, in order to screen the commercial parking lot from the residential properties and in satisfaction of Section 7.04 (f) and (g) of the Zoning Ordinance.
3. Review fees in the amount of total project improvement costs, as required by Code, shall be submitted in a manner acceptable to the Director of Planning and

Zoning and Village Engineer.

4. The final lighting and photometric plan shall be revised in a manner acceptable to the Village Engineer, in compliance with Code and with a specific focus to shield the residential properties from any glare, light spillage, or visual impact. This may also include specific light shields or hooding, as directed by the Village Engineer.

Mr. Noonan asked if they wanted to build a paint shop would they need relief.

Ms. Rivard explained any changes to the Planned Development would likely need additional zoning review.

Mr. Fedota asked about the screening limitation on height of fencing.

Ms. Rivard explained it is height based on the zoning district.

Mr. Hansen asked Ms. Rosche if she can and will comply with Staff's 4 conditions.

Ms. Rosche answered yes.

Mr. Noonan made a motion to close the public hearing; seconded by Ms. Williams.

Chairman Dwyer pointed out residents have concerns with dealership in general but that's already been approved and outside of the scope of discussion.

Mr. Fedota pointed out this space is more secure than the regular area being used for inventory overflow storage and will be locked with fencing all around. He stated it is just an extension of what is already approved.

Mr. Friedman stated he thinks Staff has an opportunity and obligation to make sure lighting and screening is appropriate which will address the residents concern.

Mr. Fedota spoke to the concerns of the paging system which will not be part of this request.

Mr. Noonan made a motion to approve subject to staff's conditions; seconded by Mr. Friedman.

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to the Community and Economic Development Committee of the Village Council on September 9, 2019.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Eric Friedman, Plan Commissioner
AYES:	Hansen, Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota
ABSENT:	Robins

IV. COMMUNICATIONS

V. ADJOURNMENT

Minutes Acceptance: Minutes of Aug 20, 2019 7:00 PM (Approval of Minutes)

**VILLAGE OF PALATINE
Plan Commission**

SCHEDULED 09/17/19 07:00 PM

CASE STAFF STATEMENT (ID # 5554)

704 E. Dundee Road - Rezoning of an existing single-family residential property from its current Planned Development District designation to the R-2 - Single-family Residential District.

CASE NUMBER: 19-54

PETITIONER: Gus Haramaras and Steve Haramaras (United Invesco L.P.)

LOCATION: 704 E. Dundee Road

PROPOSAL: Rezoning of an existing single-family residential property from its current Planned Development District designation to the R-2 - Single-family Residential District.

ZONING AND LAND USE: Planned Development / Single-Family Residential

SURROUNDING CONDITIONS:

North:	R-2 Single-Family Residential
South:	Planned Development (Deer Grove Shopping Center)
East:	Planned Development (Dundee Point Shopping Center)
West:	R-2 Single-Family Residential

COMPREHENSIVE PLAN: Current: Single-Family Residential
Future: Retail

BACKGROUND:

The Subject Property contains a one-story single-family residence on a platted lot in the Capri Village Subdivision. In 2005, the Subject Property received Final Planned Development approval and was rezoned to Planned Development. The Planned Development allowed the conversion of the existing house into a real estate office, with an associated parking lot. Nevertheless, the real estate office and Planned Development designation were never implemented and the required improvements were not made. Therefore, the Petitioners are seeking to rezone the property from Planned Development to its previous R-2 Single-Family Residential zoning, in order to maintain the current single-family residential use of the property.

ANALYSIS:

- The Subject Property is 20,000 square feet and located at the northwest corner of E. Dundee Road and Lynda Drive. It was annexed into the Village in 1999. The property is improved with a single-family home and accessory structure, with driveway access directly to E. Dundee Road.
- The properties to the west are also zoned R-2 for single-family residential uses and are similarly improved with single-family homes along this section of Dundee Road. PNC Bank and the Dundee Point shopping center, which are both zoned Planned Development, are directly to the east. This lot is also directly north and across Dundee Road from Deer Grove Shopping Center.
- In June 2005, Final Planned Development approval was granted to the then owners to permit a real estate office, subject to 15 additional conditions. The Planned Development required various Public Improvements, the addition of parking lot and landscaping improvements, and the granting of cross access easements for the properties to the west.
- Ultimately, although the Planned Development was approved and the property subsequently rezoned, none of the Planned Development requirements were ever completed. And, the existing single-family home has been maintained and used as a residence continuously since that time.
- The property was ultimately sold to the current owners and Petitioners and has been continuously used as a single-family home, notwithstanding the Planned Development designation.
- Upon the acquisition of the property, the Petitioners never intended to complete the required Planned Development improvements and operate a real estate or other professional, non-medical, office from this location. As such, they now intend to sell the property for the continued use as a single-family residential home. Rezoning this property back to its existing designation will further align the use and zoning.
- In 2007, Village Council denied a Preliminary Planned Development request for the construction of a new commercial building at 658 E. Dundee Road (west of the subject property). While the 2011 Comprehensive Plan recommends the commercial redevelopment of the residential properties on the north side of Dundee Road, between Rand and Hicks, the Sub Area recommendation, within the Comprehensive Plan further encourage commercial redevelopment in a comprehensive manner, rather than piecemeal development.

- Additionally, the Planned Development was never effectuated and none of the required conditions of approval were ever started. Therefore, the proposed request aligns with the consistent use of the property since its annexation and over the last fourteen years since the Planned Development was approved. Staff notes that this circumstance would be materially different had the Planned Development and required improvements been implemented and the request was to either undo the commercial zoning or retrofit the property into a residential use.

RECOMMENDATIONS:

The Petitioners are requesting to rezone the property to R-2 Single-Family Residential to allow the continued operation of a single-family residential dwelling at the subject property. While the property was rezoned to Planned Development in 2005 to allow a professional office use with related improvements, the property continued its use as single-family home. The Future Land Use Map recommends a commercial designation for the subject property and adjacent residential lots on the north side of Dundee between Rand and Hicks. The Dundee Road Sub-Area recommendations and the Village Council policy direction, provided through denying a previous piecemeal commercial development proposal, reinforce the comprehensive redevelopment recommendation. Based upon the unimplemented Planned Development and consistent single-family residential use of the Subject Property, Staff recommends approval of the rezoning to R-2 single-family residential to maintain the current and continuous use as a single-family home.

ATTACHMENTS:

- Aerial map - 704 E. Dundee Road
- Plat of Survey
- 704 E Dundee Road - 2005 PD and Rezoning
- ORD Rezone - 704 E. Dundee Road - #O-120-05
- Current Village of Palatine Zoning Map
- Current Village of Palatine Future Land Use Map
- Previous Village of Palatine Comprehensive Plan - Future Land Use Map
- Application
- Public Notice 704 E. Dundee Road

704 E. Dundee Road - Zoning Map

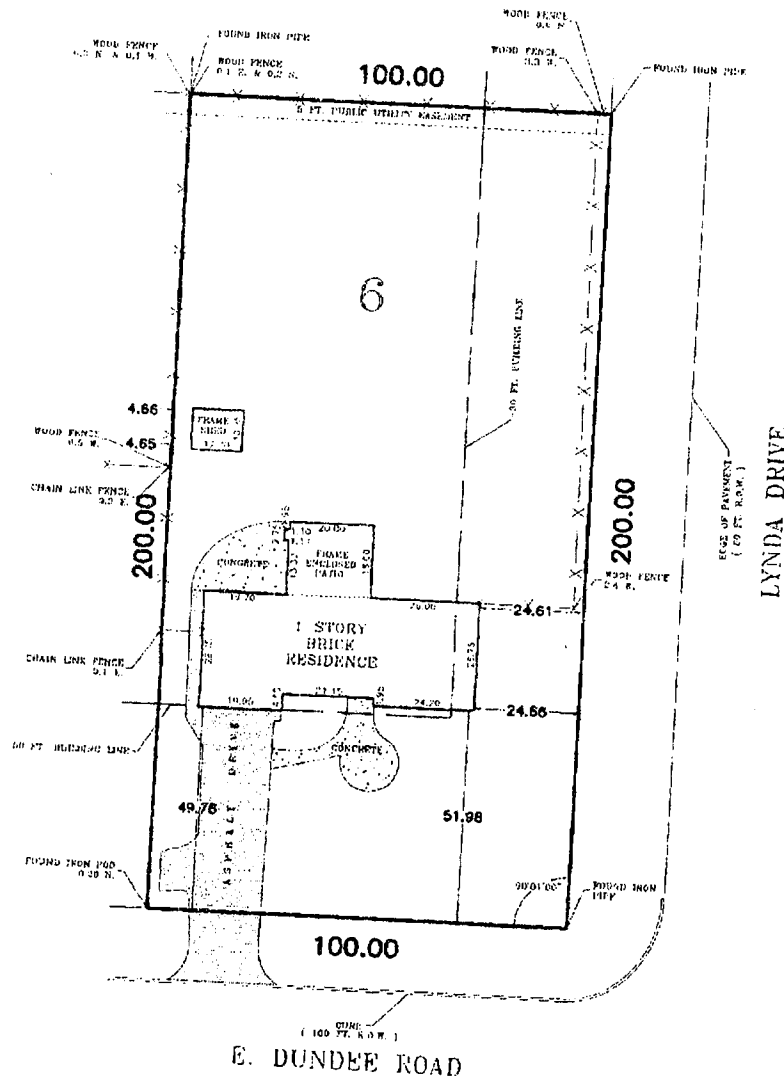
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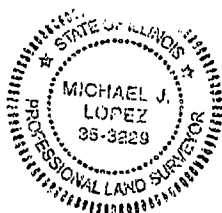
PLAT OF SURVEY

OF LOT 6 IN CAMEL VILLAGE, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 1,
AND PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDRESS: 704 E. DUNDEE ROAD, PALATINE, ILLINOIS



SCALE: 1"=30'



TO: DARRELL E. MAGANON

THIS IS TO CERTIFY THAT WE, PREFERRED SURVEY, INC., ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION NO. 116 HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THAT SURVEY. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS WITH THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY MY LICENSE RENEWS ON NOVEMBER 30, 2003.

GIVEN UNDER OUR HAND AND SEAL AT GLEN ELLYN, ILLINOIS, THIS
31ST DAY OF MAY A.D. 2001

ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION

PREFERRED SURVEY, INC.

790 W. Roosevelt Road/Building 22 GLEN ELLYN, ILL.

ORDINANCE NO. 0-121-05

**ORDINANCE GRANTING FINAL
PLANNED DEVELOPMENT APPROVAL
704 E. DUNDEE ROAD (CASE NO. 04-168)**

Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)

**Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
On June 20, 2005**

ORDINANCE NO. 0-121-05

**AN ORDINANCE GRANTING
FINAL PLANNED DEVELOPMENT APPROVAL FOR THE PROPERTY AT
704 E. DUNDEE ROAD (CASE NO. 04-168)**

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on June 7, 2005 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Final Planned Development approval.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That final approval of a Planned Development is hereby granted pursuant to Section 13.05 of the Palatine Zoning Ordinance for the real estate described as follows, to wit:

Lot 6 in Capri Village, a subdivision of part of the Southwest quarter of Section 1, and part of the Southeast quarter of Section 2, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois

commonly known as 704 E. Dundee Road (PIN #02-02-411-012).

SECTION 2: That final approval of a Planned Development is hereby granted to the above described property pursuant to Section 13.05 of the Palatine Zoning Ordinance, subject to the following conditions:

1. The Planed Development shall substantially conform to the Site Plan attached hereto as Exhibit 'A', the Architectural Plans attached hereto as Exhibit 'B', and the Landscape Plan attached hereto as Exhibit 'C' except as such plans may be changed to conform to Village Codes and Ordinances and the following conditions:
2. A letter of credit in the amount of 110% of the costs of public improvements shall be submitted in a manner and amount acceptable to the Village Engineer.
3. An engineer's cost estimate of the costs of public improvements shall be submitted. The cost estimate shall include revisions as stated in conditions #4, 5, 8 and 9 below.
4. The Site Pan shall be revised to include sidewalks along the Lynda Drive frontage.
5. The Landscape Plan shall be revised to indicate parkway trees planted along both frontages at a spacing of no greater than 40' on center.
6. Details of the parking lot construction shall be submitted in a manner acceptable to the Village Engineer.
7. Details of the dumpster enclosure shall be submitted including materials and colors.
8. An inspection manhole shall be installed at the sanitary sewer service line.
9. Parking lot lighting shall be provided. A lighting plan shall be submitted including photometrics. Details of the lighting shall be included.
10. Any freestanding sign shall be a monument style sign and shall not exceed 6' in height or 40 square feet. No attached signage shall be permitted. The

freestanding sign shall not be illuminated between the hours of 9:00 PM and 10:00 AM. A sign detail shall be submitted in a manner acceptable to the Director of Planning and Zoning. The freestanding sign shall be installed in the southeast corner of the property in a manner acceptable to the Village Manager.

11. Cross access easements shall be provided for future access to the lots to the west. A Plat of Easement shall be submitted in a manner acceptable to the Director of Planning and Zoning.
12. Only professional office uses shall be permitted at this location excluding medical and dental offices.
13. Signage shall be installed at the driveway entrance on Dundee Road which indicates "Employee Parking Only". Details of the sign shall be submitted.
14. Signage shall be installed at the driveway exit onto Dundee Road which indicates "Right Turn Only".
15. IDOT and MWRD permits shall be submitted.

SECTION 3: That the petition for preliminary and final planned development, a copy of the public notice, be attached hereto and form a part of this ordinance.

SECTION 4: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 20 day of June, 2005

AYES: 4 **NAYS:** 3 **ABSENT:** 0 **PASS:** 0

APPROVED by me this 20 day of June, 2005


 Mayor of the Village of Palatine

ATTESTED and **FILED** in the office of the Village Clerk this 20 day of
June, 2005


 Village Clerk

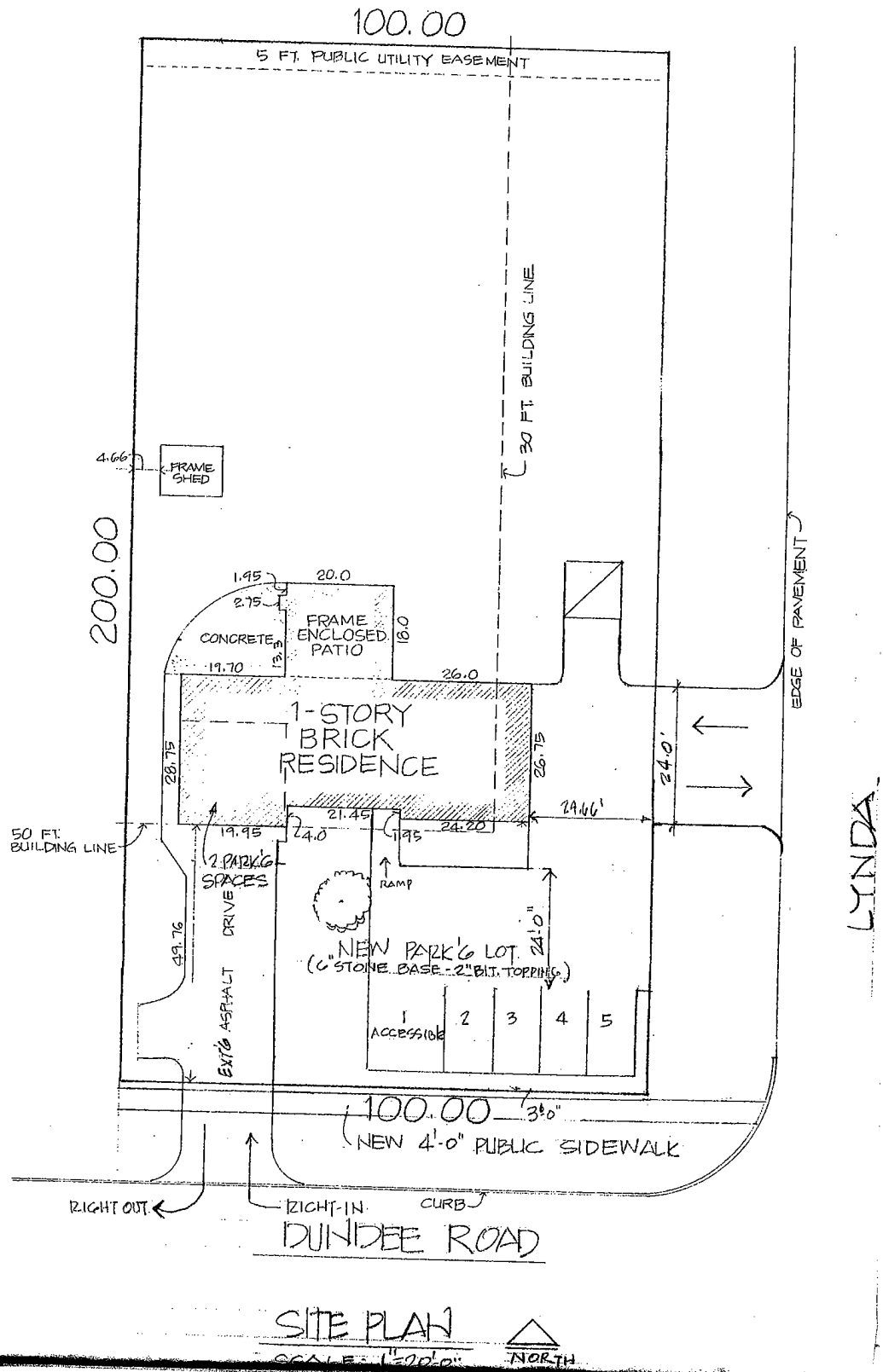
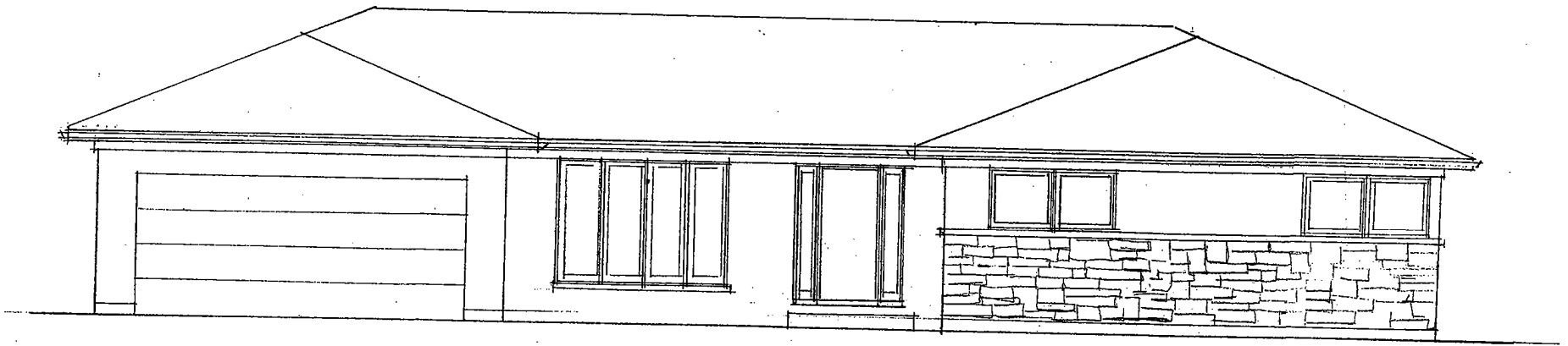
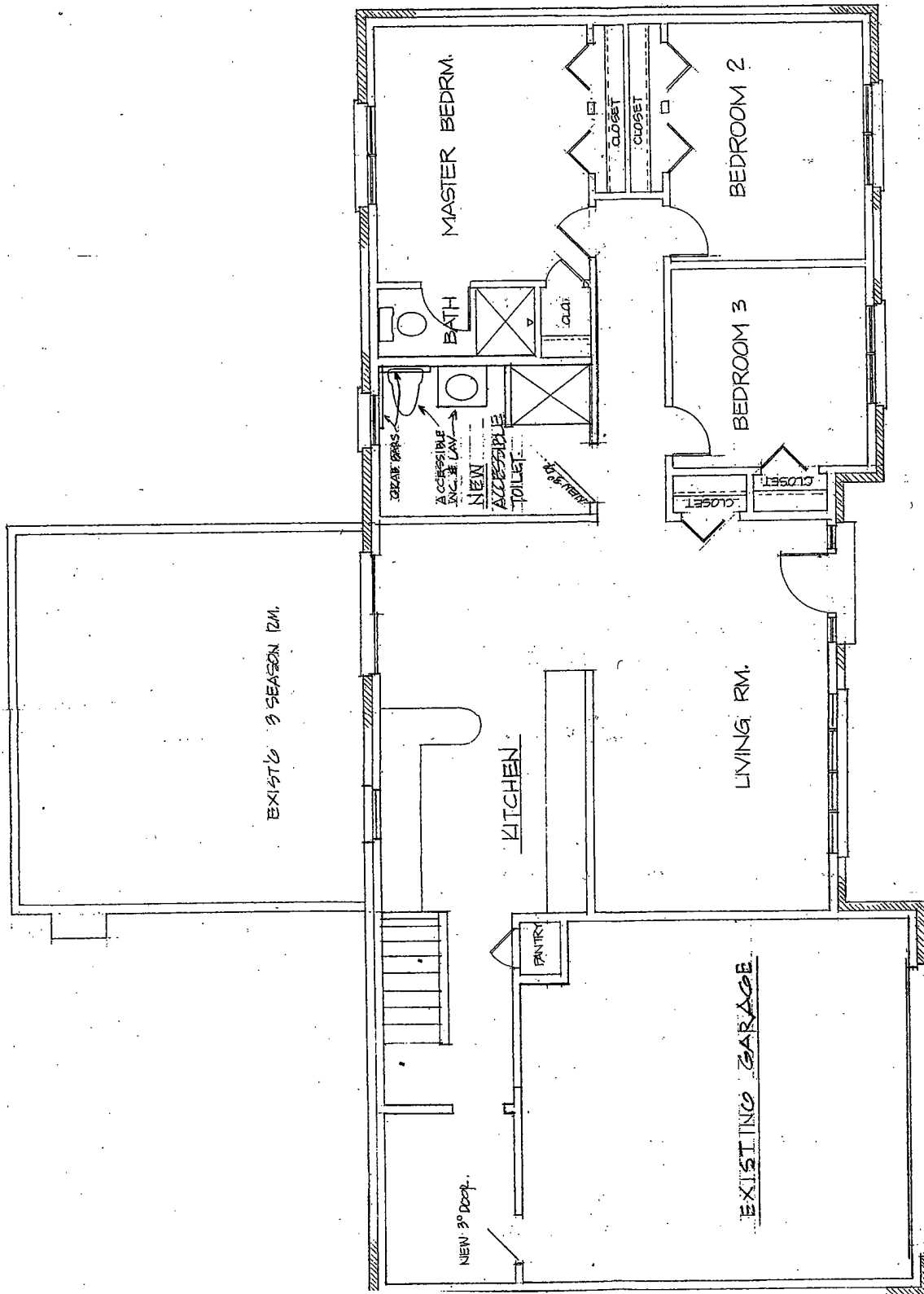


EXHIBIT "A"

EXHIBIT "B"
(1 of 2)

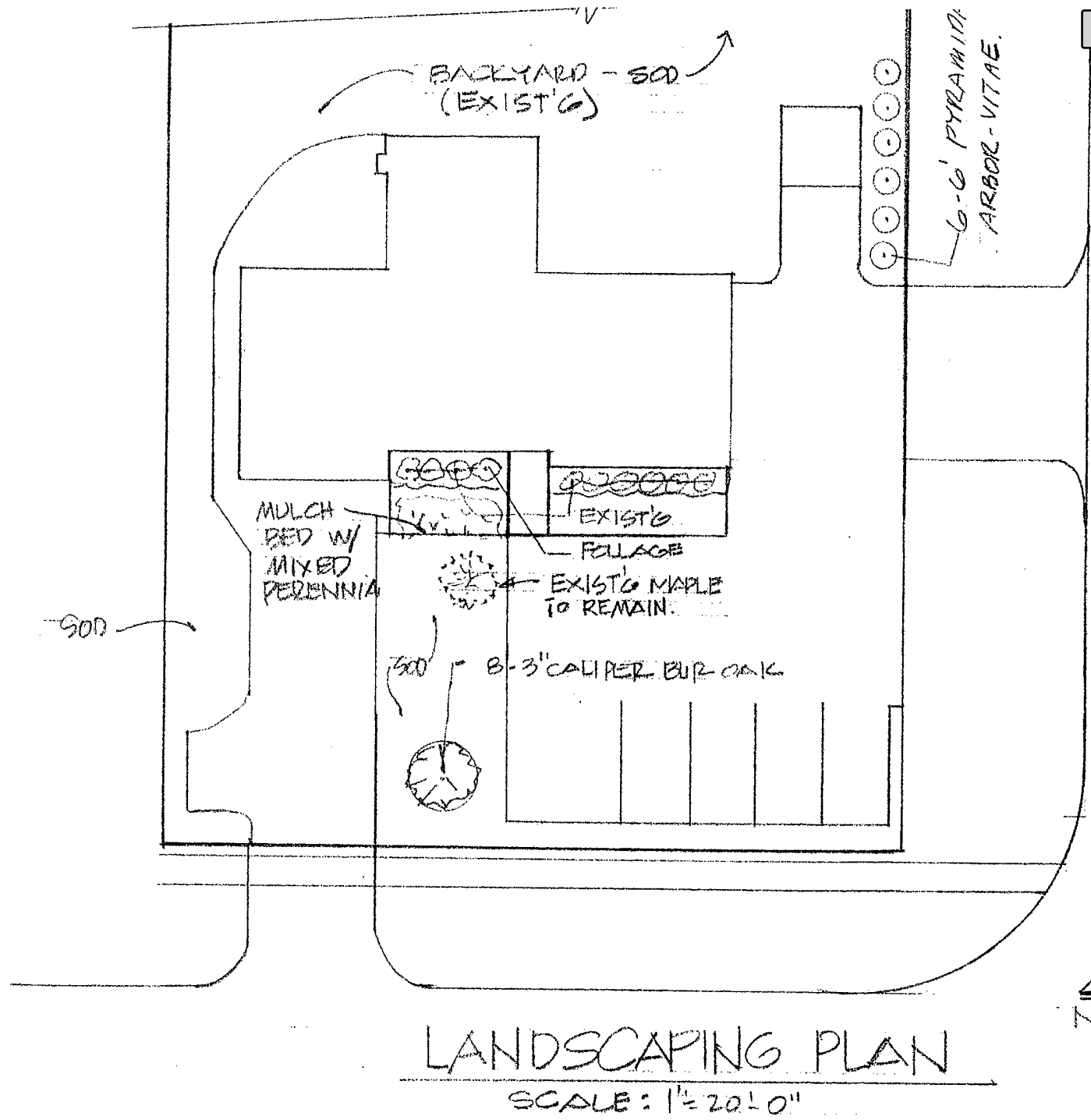


Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)



FIRST FLOOR PLAN
1/4" = 1'-0"

Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)



DEPT. OF COMMUNITY DEVELOPMENT

VILLAGE OF PALATINE

PETITION FOR HEARING

PRELIMINARY AND FINAL PLANNED
DEVELOPMENT (ONE STEP)

FOR OFFICE USE ONLY

Zoning Docket # _____

Property recorded in Torrens _____

Filing Fee \$ _____ Date Filed _____

PLEASE TYPE OR PRINT IN INK:

1. Name of Petitioner(s): GRAZYNA PINASAddress: 704 E. DUNDEE

Telephone No. _____

Business Telephone No. _____

2. Authorized Agent of Petitioner (if different):

Name: ROBERT KOLOSOWSKIAddress: 415 S. MIDDLETON, PALATINE

Telephone No. _____

Relationship to petitioner: ACHIT GUT

City, State, Zip

3. Property interest of Petitioner(s): OWNER

Owner, Lessee, Contract Purchaser, etc.

4. Address of the property for which this application is being filed: 704 E. DUNDEE

Palatine, Illinois

5. All existing land uses on the property are: Residential6. Current zoning of property in question: R-2 Size of the property: 1/2 acres

7. Briefly describe the proposed Planned Development with regard to types of uses proposed, number and types of units, development mix, amenities to be provided, etc.:

PROFESSIONAL OFFICES EXCLUDING MEDICAL OR DENTAL.

8. Describe any variations from the Village Ordinances which would be required if the proposed Planned Development were to be developed as a traditionally zoned project (if any):

PARKING LOT SETBACKS.

PETITIONER'S EXHIBIT

/

Packet Pg. 27

Preliminary and Final Planned Development
(One Step)

Page 2

9. The attached Checklist of Documents outlines all required submittals before a project may be scheduled for the required public hearing by the Plan Commission. All required documents must be submitted with this petition. Return the completed checklist along with the required submittals. All documents are subject to staff review and approval before the item is scheduled for a public hearing.
10. This applicant's signature below indicates that the information contained in this application and on any accompanying documents is true and correct to the best of his(her) knowledge.

Date: June 7 2005

Gina R. Smith

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

Notary Public

Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Public Notice

A public hearing will be held before the Plan Commission on Tuesday, June 7, 2005, at 8:00 p.m. in the Village Council Chambers in the Palatine Community Center, 200 E. Wood Street, relative to a request for Preliminary and Final Planned Development to permit a Professional Real Estate Office; and Rezoning from "R-2" Single Family to "P" Planned Development.

The property is commonly known as 704 E. Dundee Road (PIN #02-02-411-012). The above petition has been filed by Grazyna and Zdzislaw Pinas and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

CASE NO: 04-168
VILLAGE OF PALATINE
Dennis Dwyer, Chair
Palatine Plan Commission
DATED: This 23rd day of May, 2005
Published in Daily Herald
May 23, 2005 (3538436)N

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 **DAILY HERALD**.

That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Arlington Heights, Barrington, Barrington Hills,

Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Gurnee, Hampshire, Hainesville, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Green Oaks

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the 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 May 23, 2005 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Heely Bratovich*
Authorized Agent

Control # T3538436

Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)

TYPE: ORDINANCE **SUBMITTED BY:** PLANNING & ZONING **DATE:** 6/20/2005

DESCRIPTION: Consider: 1) Rezoning from R-2 Single-Family Residential to P Planned Development; and 2) Preliminary and Final Planned Development approval to permit the conversion of an existing single-family home into a real estate office for the property at 704 E. Dundee Road.

(Pinas)

(District: 3)

COMMITTEE ACTION:

DATE:

BACKGROUND:

The Subject Property contains a one-story single-family residence with related improvements. The Petitioners, owners of the property, are seeking to convert the existing house into a real estate office. Professional offices are not a permitted use within the Village's residential zoning districts; therefore, the Petitioner is seeking approval of the following:

1. **Rezoning from R-2 Single-Family Residential to P Planned Development; and**
2. **Preliminary & Final Planned Development to permit a real estate office.**

KEY ISSUES:

- The Subject Property contains a single-family residence with related improvements. Dundee Point shopping center is currently under construction directly east of the Subject Property (on the east side of Lynda Drive, north of Dundee Road).
- The Petitioner is proposing to remodel the interior of the building to permit a real estate office to operate at this location. The exterior of the existing structure would not change.
- A new parking lot would be constructed in the front of the existing residence. Access would be provided by a curb cut on Lynda Drive.
- The parking lot would contain 5 parking spaces including one handicap space. An additional two garage spaces would be maintained with access from the existing driveway. The Petitioner would provide 7 total spaces as required by code for this use and square footage.

ALTERNATIVES:

1. Recommend approval of the Rezoning and Preliminary/Final Planned Development
2. Do not recommend approval of the Rezoning and Preliminary/Final Planned Development

RECOMMENDATION:

Public Hearing: 6/7/05 Plan Commission

Residents Testifying: None

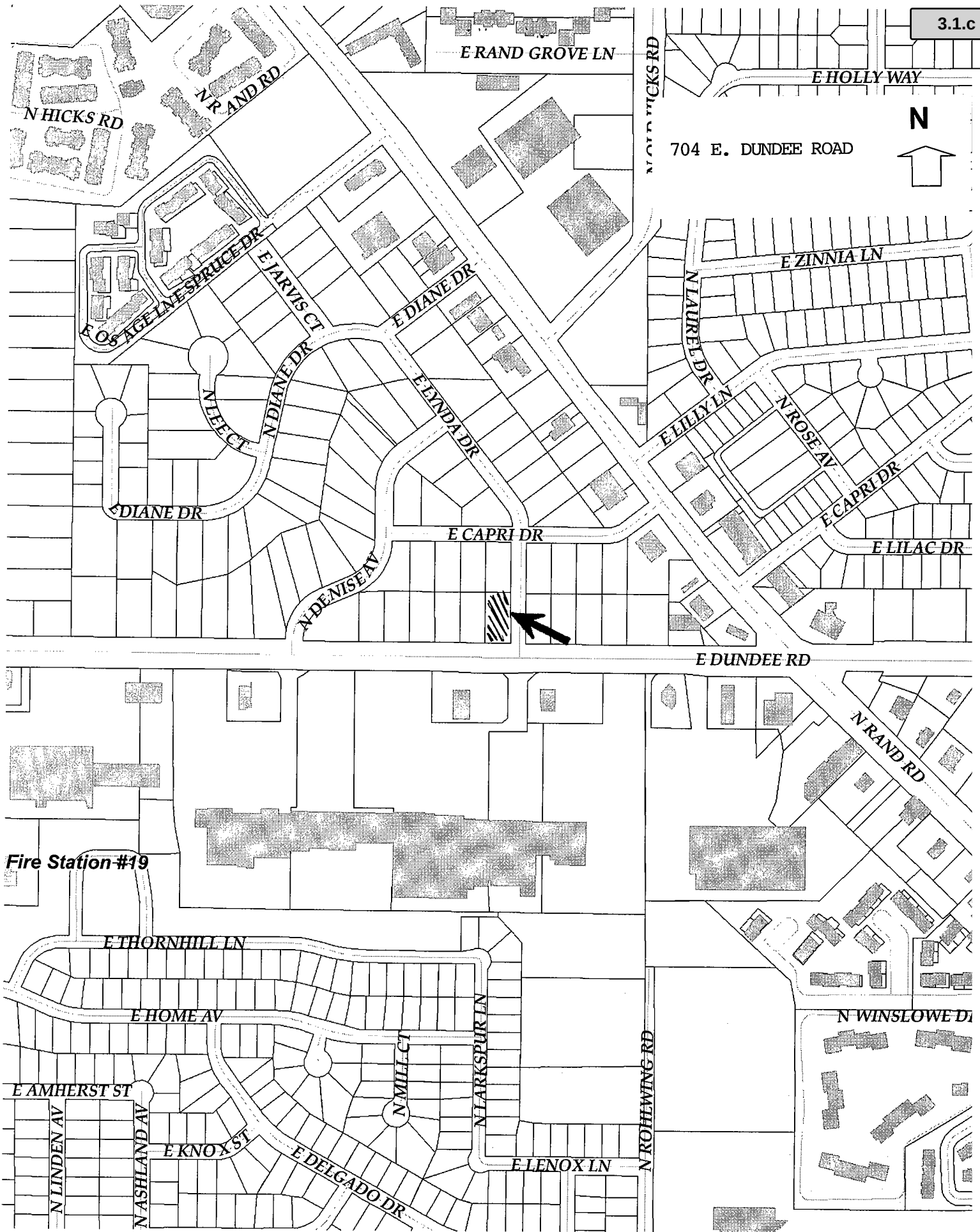
Concerns: None

Vote: The PC voted 4 to 3 to approve the Rezoning. Staff recommends approval subject to the attached conditions.

ACTION REQUIRED:

Consider a rezoning from R-2 Single-Family Residential to P Planed Development and Preliminary & Final Planned Development to permit the conversion of the existing home at 704 E. Dundee Road into a real estate office.

Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)



Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)

OK - 6/8/05

PLAN COMMISSION
Tuesday, June 7, 2005

Present: Dennis Dwyer, Teri Williams, Kevin Thomas, Bill Laymon, Bob Greenlees, Conrad Hansen, Andy McPherson, Planner Kevin Anderson.

Absent: Sally Sinacore, Russ Smith.

The minutes of the May 17 meeting were approved as distributed.

Report of Public Hearing – Case 04-168 – 704 E. Dundee rd.

The notice of public hearing was read by the chairman. The petitioners in Case 04-168, Gazyna and Zdzislaw Pinas, seek preliminary and final approval of a planned development to permit a professional real estate office and rezoning from R2 single family residential to P for one lot at 704 E. Dundee rd.

The following petitioners' exhibits were introduced:

1. Petition for Preliminary and Final Planned Development (one step)
2. Petition for Rezoning
3. Palatine Real Estate Interest Disclosure Form
4. Bill of Sale
5. Affidavit of Title
6. Plat of Survey
7. Site Plan, Landscaping Plan, Architectural Plans

Gazyna Pinas was sworn in. She said she has remodeled her home at 704 E. Dundee rd. Efforts to sell it as a single family residence have failed during the past year which she attributes to "the amount of business and commercial property on Dundee rd. making the house undesirable for single family use." Mrs. Pinas said she does have a potential renter for the building for use as a real estate office. Therefore, she is seeking the planned development and rezoning to accommodate this use.

Kevin Anderson was sworn in. He described surrounding uses and zones and gave background on the site.

north and west	single family residential	R2
south and east	commercial	P

Anderson said Dundee Point shopping center is currently under construction directly east across Lynda dr. from this site. The petitioner proposes to remodel the interior of the building to accommodate the real estate office use. No exterior changes are proposed. A parking lot with access from Lynda dr. would be built in front of the structure. It would contain five parking spaces, including one handicap space. An additional two garage spaces would be maintained with access from the existing driveway. This number of parking spaces meets village requirements.

Anderson said staff feels this request is mainly a question of land use and compatibility with the surrounding properties. He said the existing commercial uses to the east and south and frontage on Dundee Road make this property undesirable as a single-family residence. Also, the single family appearance and proposed low intensity professional office use would provide a buffer and transition between the existing commercial and single-family residential uses.

Mrs. Pinas said she plans to keep the two trees in front of the building. The tree on the east side will be removed.

Hansen said he is concerned that changing the use here will create a domino effect extending to Hicks rd. Anderson responded that by restricting the use to professional offices only, the village plans to keep other commercial uses out. Hence, the use of the planned development tool here.

Thomas suggested that it would be prudent for the village to study and create a sub-area plan here. Anderson responded that this could be considered.

Attachment: 704 E Dundee Road - 2005 PD and Rezoning (704 E. Dundee Road - Rezoning)

plan commission
june 7, 2005

page 2

Concerning the positioning of parking to the front of the building rather than in the ample rear yard, Anderson said staff feels parking in the rear would be preferable and easily accommodated since the lot dimensions are 100 x 200 feet. However, the petitioner preferred parking where it is proposed.

Staff Recommendation

Staff recommends approval subject to the following conditions:

1. The Planned Development shall substantially conform to the Site Plan attached hereto as Exhibit 'A', the Architectural Plans attached hereto as Exhibit 'B', and the Landscape Plan attached hereto as Exhibit 'C' except as such plans may be changed to conform to Village Codes and Ordinances and the following conditions:
2. A letter of credit in the amount of 110 percent of the costs of public improvements shall be submitted in a manner and amount acceptable to the Village Engineer.
3. An engineer's cost estimate of the costs of public improvements shall be submitted. The cost estimate shall include revisions as stated in conditions #4, #5, #8 and #9 below.
4. The Site Plan shall be revised to include sidewalks along the Lynda Drive frontage.
5. The Landscape Plan shall be revised to indicate parkway trees planted along both frontages at a spacing of no greater than 40' on center.
6. Details of the parking lot construction shall be submitted in a manner acceptable to the Village Engineer.
7. Details of the dumpster enclosure shall be submitted, including materials and colors.
8. An inspection manhole shall be installed at the sanitary sewer service line.
9. Parking lot lighting shall be provided. A lighting plan shall be submitted including photometrics. Details of the lighting shall be included.
10. Any freestanding sign shall be a monument style sign and shall not exceed 6 feet in height or 40 square feet. No attached signage shall be permitted. The freestanding sign shall not be illuminated between the hours of 9:00 p.m. and 10:00 a.m.. A sign detail shall be submitted in a manner acceptable to the Director of Planning and Zoning.
11. Cross access easements shall be provided for future access to the lots to the west. A Plat of Easement shall be submitted in a manner acceptable to the Director of Planning and Zoning.
12. Only professional office uses shall be permitted at this location, excluding medical and dental offices.
13. Signage shall be installed at the driveway entrance on Dundee Road which indicates "Employee Parking Only". Details of the sign shall be submitted.
14. Signage shall be installed at the driveway exit onto Dundee Road which indicates "Right Turn Only".
15. IDOT and MWRD permits shall be submitted.

Mrs. Pinas said she is able to comply with all staff conditions. She said the parking lot has been placed in front to match that of the bank across the street and to keep a large expanse of green between the building and its neighbor to the north.

The public hearing was closed at 8:20 p.m.

During discussion Thomas repeated his recommendation for a sub-area study and plan.

McPherson said he is concerned about the precedent being set by a change for one lot. He would like to see a unified plan.

Laymon said he is concerned about setting a precedent here.

Citing the area of Rand rd. between Euclid and hwy. 83 in Mt. Prospect, Hansen noted that single family on streets with high traffic volumes seem to be doable.

RECOMMENDATION

Thomas moved, Greenlees seconded that the plan commission recommend to the village council that it approve the request of the petitioners in Case 04-168, Gazyna and Zdzislaw Pinas, who seek preliminary and final approval of a planned development to permit a professional real estate office and rezoning from R2 single family residential to P for one lot at 704 E. Dundee rd.

Such approval shall be contingent upon petitioners' compliance with the 15 staff conditions listed above.

Those voting aye: Greenlees, Thomas, Hansen, Dwyer.

Those voting nay: Mrs. Williams, McPherson, Laymon.

The motion carried.

plan commission
june 7, 2005

page 3

Finding of Fact

The plan commission recommends that the village council authorize staff to do a study and create a sub-area plan for this area, most imminently the homes bounded by E. Capri dr., Lynda dr., Dundee rd., and N. Denise ave.

Report of Public Hearing – Case #04-191 – 1580 W. Algonquin

The notice of public hearing was read by the chairman. The petitioner in Case 04-191, Russell McElwain, seeks an amendment to PUD Ordinance O-56-03 to permit several changes to previously approved plans for a development at 1580 W. Algonquin rd. (Maison du Comte).

The following petitioner's exhibits were introduced:

1. Petition for Planned Development Amendment
2. Palatine Real Estate Interest Disclosure Form
3. Real Estate Contract
4. Plat of Easement
5. Site Plan
6. Engineering Plans revised 5/10/05

The following persons were sworn in to address the petition:

James Lennon, attorney
Russell McElwain, developer
Wayne Romanchuk, resident of Phase I

Lennon said the developer's plan for Phase I for 68 townhomes in Maison du Comte was approved in Palatine in August 2002. Phase II consisting of 38 additional homes, has been approved in Inverness. To connect the two phases, he needs to make some adjustments to the PUD:

1. Relocation of two guest parking spaces
2. Connection of the cul-de-sac at Rue St. James Place to an access dr. for proposed Phase II
3. Removal of a privacy wall along the east lot line
4. Granting of an easement to permit roadway access to proposed Phase II.

Lennon explained that the linkage by extending the road necessitates relocating the two guest parking spaces. In addition, the road will replace the privacy wall that was originally proposed. Both the Algonquin rd. and Roselle rd. entrances are/will be gated.

Romanchuk said he is a resident of Maison du Comte. He feels the second access (Roselle rd.) is positive. Residents favor the new plans, he added.

McElwain said the Roselle rd. access which does include a deceleration lane, is governed by Cook county.

Lennon presented Petitioner's Exhibit #7, a signed petition of approval from the present Maison du Comte residents.

McElwain said he will work with ComEd to relocate a utility box which is 1 foot from the retaining wall (Unit #64) of the present development and in the route of the new street connection. He added that he is in the process of trying to acquire land to the west for Phase III, 71 additional units.

During his staff presentation Anderson said the petitioner has completed approximately 75 percent of the units in Phase I. Dwyer said the staff caveat that the petitioner supply evidence of consent of homeowners in Phase I for McElwain's plans had been met by the submission of Petitioner's Exhibit #7. The proposed roadway connecting the two phases requires an easement on Phase I. The Phase II proposal, although located in the Village of Inverness, requires connection to Palatine sewer and water.

DEPT. OF COMMUNITY DEVELOPMENT

VILLAGE OF PALATINE

PETITION FOR HEARING

Zoning District #	
Property recorded in	Records
Filing Fee \$	Date filed 7-29-11

REZONING

PLEASE TYPE OR PRINT IN INK:

- Name of Petitioner(s): GRACYNA & ZDZISLAN PINAS
 Address: 704 E. DUNDEE RD PALATINE 60074
City, State, Zip
 Telephone No. Business No. _____ Fax No. _____
- Authorized Agent of Petitioner (if different):
 Name: ROBERT KAWOSOSKI
 Address: 415 S. Middleton Ave
City, State, Zip
 Telephone No. Fax No. Same
 Relationship to Petitioner: ARCHITECT
- Property interest of Petitioner(s): Owner
Owner, Lessee, Contract Purchaser, etc.
- Address of the property for which this application is being filed: 704 E. Dundee Rd
Palatine IL. Palatine, Illinois
- This petition is for: (check one)
☒ Rezoning of currently incorporated property (within Village limits)
☐ Rezoning of currently unincorporated property, in conjunction with annexation
- All existing land uses on the property are: Residential
- The proposed use(s) on the property, if this petition is approved is (are): BUSINESS
- Current zoning of property: R-2 Size of the Property: 0.459 acres
- Proposed new zoning classification: B-2

PETITIONER'S EXHIBIT

2

PETITIONER JUSTIFICATION:

The petitioner is required to present specific evidence, not opinions) to justify the proposed rezoning. Please respond to the following questions, attaching a separate sheet of necessary:

10. Describe why the subject property cannot be reasonably developed in accordance with the existing zoning classification. *THE AMOUNT OF BUSINESS AND COMMERCIAL property on Dundee has made this house undesirable for single family use.*
11. Is the proposed zoning classification similar to or harmonious with the existing zoning of surrounding properties? Explain. *yes - all Along Dundee THE MAJORITY OF USE IS BUSINESS & commercial.*
12. Does the proposed zoning classification conflict with the Village Comprehensive Plan? Explain. (A copy of the Comprehensive Plan can be viewed at the Village Hall, 200 E. Wood Street)
NO.
13. Will any of the uses permitted under the proposed zoning classification have an injurious effect on the value and/or the use and enjoyment of surrounding properties.
NO!
14. The petitioner's signature below indicates that the information contained in this application and on any accompanying documents is true and correct to the best of his/her knowledge.

Date: *Sept 20 2004*

Grace Pinal

ORDINANCE NO. 0-120-05

**ORDINANCE REZONING CERTAIN PROPERTY
FROM "R-2" TO "P" PLANNED DEVELOPMENT
704 E. DUNDEE ROAD (CASE NO. 04-168)**

Attachment: ORD Rezone - 704 E. Dundee Road - #O-120-05 (704 E. Dundee Road - Rezoning)

**Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
On June 20, 2005**

ORDINANCE NO. 0-120-05**AN ORDINANCE REZONING CERTAIN PROPERTY
FROM "R-2" TO "P" PLANNED DEVELOPMENT
704 E. DUNDEE ROAD (CASE NO. 04-168)**

WHEREAS, pursuant to a public hearing held on June 7, 2005 before the Plan Commission of the Village of Palatine, in accordance with the applicable provision of the Village Code, and they have reported their findings on a proposal for rezoning the following legally described property from "R-2" to "P" Planned Development District:

Lot 6 in Capri Village, a subdivision of part of the Southwest quarter of Section 1, and part of the Southeast quarter of Section 2, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois

commonly known as 704 E. Dundee Road (PIN #02-02-411-012).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of its home rule power:

SECTION 1: That the Zoning Ordinance of the Village of Palatine, as amended, is hereby further amended by classifying the property described above as "P"

06/10/2005 7:28 AM

Attachment: ORD Rezone - 704 E. Dundee Road - #O-120-05 (704 E. Dundee Road - Rezoning)

Planned Development District zoning.

SECTION 2: That the Zoning Map of the Village of Palatine is hereby amended to reflect this change.

SECTION 3: That this ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 20 day of June, 2005

AYES: 4 NAYS: 3 ABSENT: 0 PASS: 0

APPROVED by me this 20 day of June, 2005



Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

20 day of June, 2005



Village Clerk

Attachment: ORD Rezoning - 704 E. Dundee Road - #O-120-05 (704 E. Dundee Road - Rezoning)

3.1.e



704 E. Dundee Road - Future Land Use Map

3.1.f

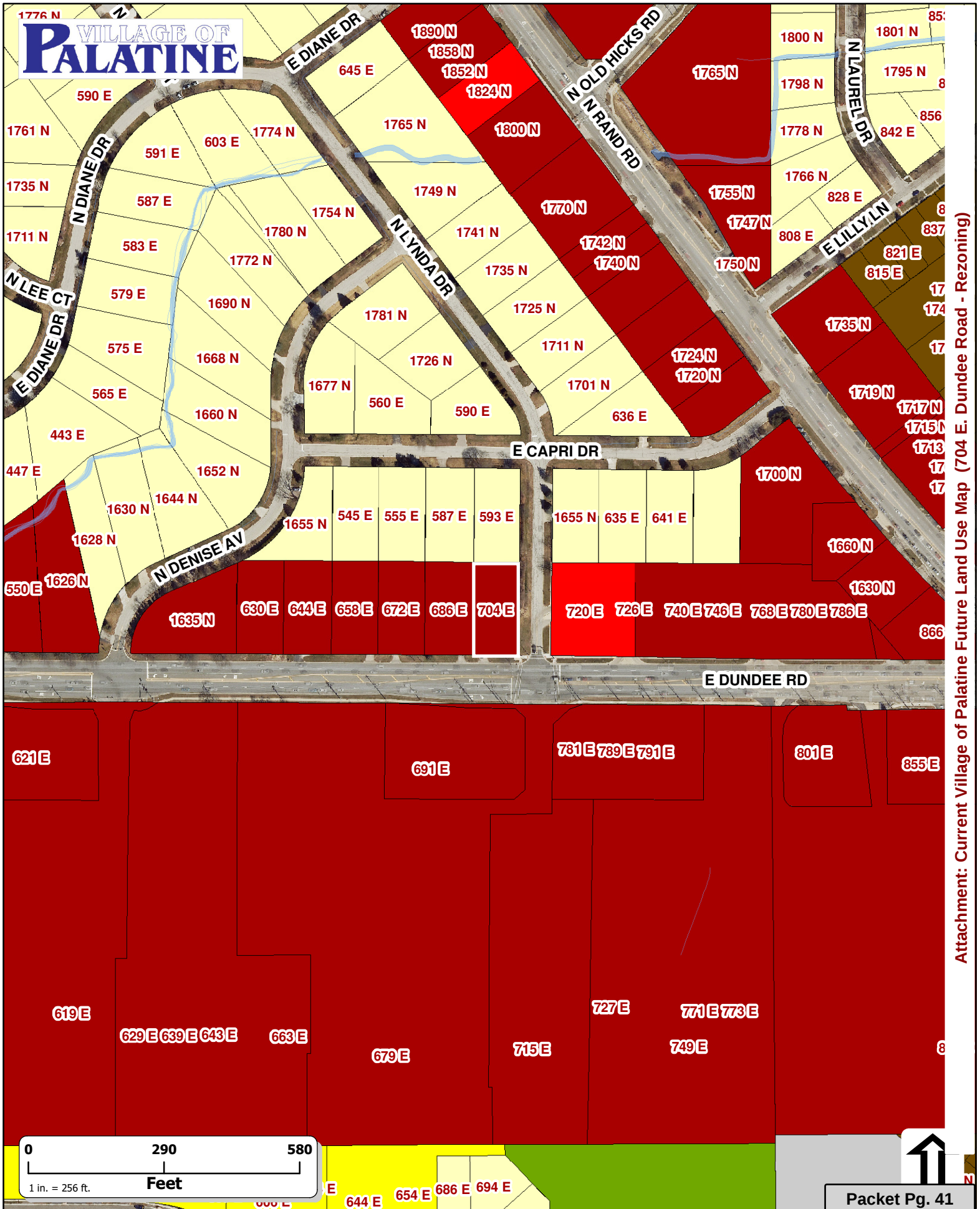
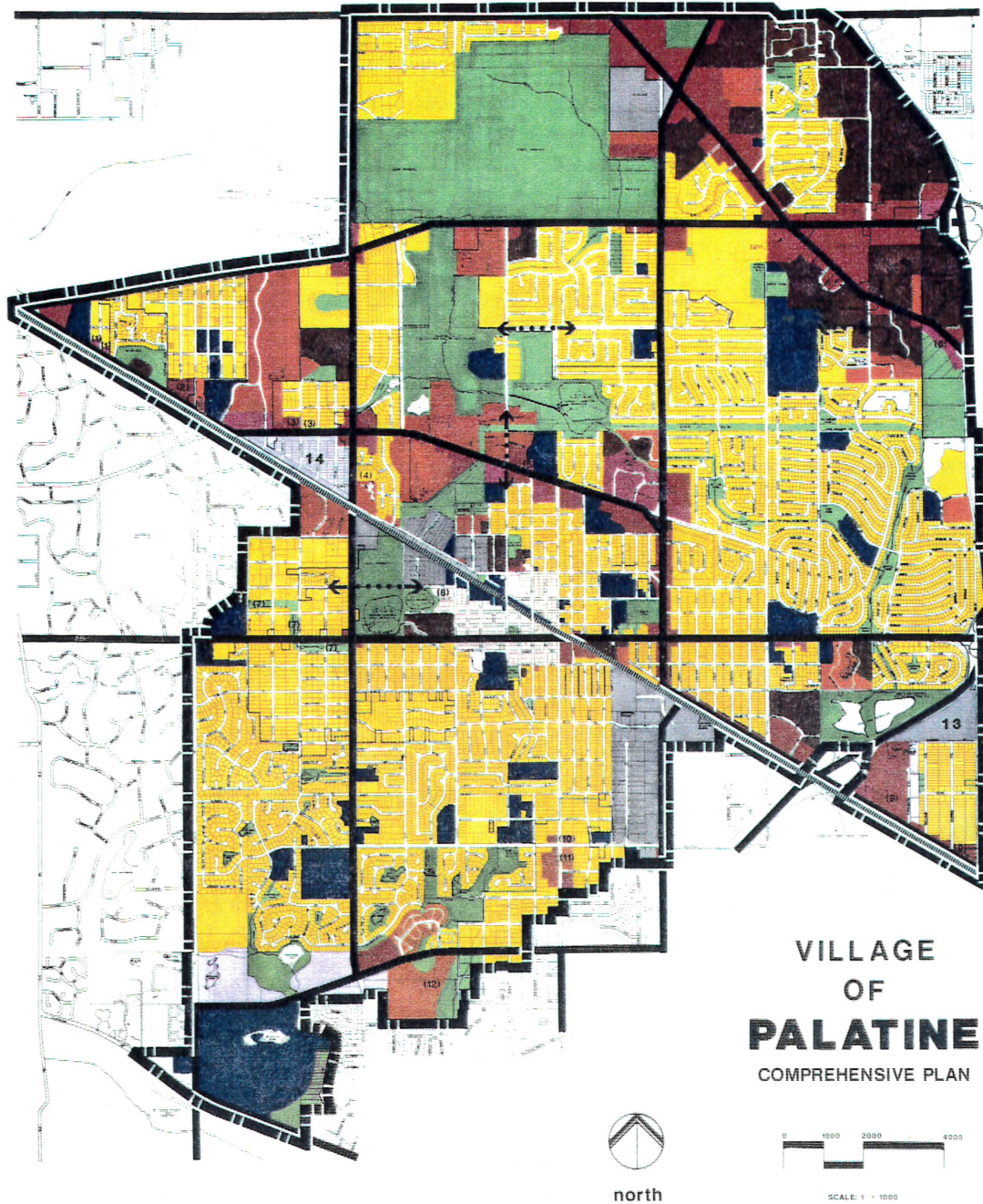


FIGURE 15



LAND USE AND TRANSPORTATION PLAN

- | | |
|--|-------------------------------------|
| PROPOSED VILLAGE BOUNDARIES | OFFICE |
| SINGLE-FAMILY | OFFICE RESEARCH |
| MEDIUM DENSITY MULTI-FAMILY (6-12 DU/AC) | COMMERCIAL |
| HIGH DENSITY MULTI-FAMILY (13+ DU/AC) | MIXED USE DOWNTOWN |
| PUBLIC & QUASI-PUBLIC OPEN SPACE | LIGHT INDUSTRY |
| PUBLIC, QUASI-PUBLIC & INSTITUTIONAL BLDGS | EXISTING MAJOR ROADS |
| RAILROAD | PROPOSED ROAD EXTENSION OR WIDENING |

(1) FOOTNOTE CORRESPONDING TO SUPPLEMENTAL DISCUSSION ABOUT SITE IN THE PLAN TEXT (SEE LAND USE CHAPTER)

camiros ltd.

411 South Wells Street
Chicago, Illinois 60607
(312) 922-9211



Lenet Design Group
411 South Wells Street
Chicago, Illinois 60607
(312) 427-0080



REZONING

Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339

Telephone: (847) 359-9047 • Fax (847) 963-6247

www.palatine.il.us

Office Use Only	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline

Date received

PLEASE TYPE OR PRINT IN INK:

1. Name of Petitioner(s): United Invesco L.P.

2. Authorized Agent of Petitioner (if different):

Name: Gus Haramaras, Steve Haramaras

Address: 6440 W. Howard Street, Niles IL 60714

Telephone No. [REDACTED] Business No. 877-447-4768

Relationship to Petitioner: General Partners

3. Property Interest of Petitioner(s): Owner
Owner, Lessee, Contract Purchaser, etc.

4. Address of the property for which this application is being filed:

704 E. Dundee Road

5. This petition is for: (check one)

- ☒ Rezoning of currently incorporated property (within Village limits)
☐ Rezoning of currently unincorporated property, in conjunction with annexation

6. All existing land use(s) on the property are:

7. The proposed use(s) on the property, if this petition is approved is (are):

8. Current zoning of property: _____ Size of the Property: .5 acres

9. Proposed new zoning classification: R-2

PETITIONER JUSTIFICATION:

The Petitioner is required to present specific evidence, not opinions, to justify the proposed rezoning. Please respond to the following questions, attaching a separate sheet if necessary:

10. Describe why the subject property cannot be reasonably developed in accordance with the existing zoning classification.

The property has always been used as a residential single family home. It was never used for commercial purposes.

11. Is the proposed zoning classification similar to or harmonious with the existing zoning of surrounding properties? Explain.

Yes

12. Does the proposed zoning classification conflict with the Village's Comprehensive Plan? Explain.

No

13. Will any of the uses permitted under the proposed zoning classification have an injurious effect on the value and/or the use and enjoyment of surrounding properties?

No

14. The petitioner's signature below indicates that the information contained in this application and on any accompanying documents is true and correct to the best of his/her knowledge.

Signature: _____

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end, written over a horizontal line.

Date: _____

8/19/2019

Attachment: Application (704 E. Dundee Road - Rezoning)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Plan Commission on Tuesday, September 17, 2019 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
 1. Rezoning of an existing single-family residential property from its current Planned Development District designation to the R-2 - Single-family Residential District.
 The property is commonly known as 704 E. Dundee Road (PIN # 02-02-411-012). The Petitioners, Steve and Gus Horomaras - United Investco L.P., are requesting to restore the previous R-2 single-family zoning district classification from the current Planned Development District zoning classification. The Planned Development was never implemented or completed and the requested rezoning would allow the single-family residential use to continue.
 FILE #: 19-54
 VILLAGE OF PALATINE
 Dennis Dwyer, Chair
 Palatine Plan Commission
 DATED: This 30th day of August 2019.
 Published in Daily Herald
 September 2, 2019 (4531464)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

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 **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the 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 09/02/2019 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
 DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4531464

Attachment: Public Notice 704 E. Dundee Road (704 E. Dundee Road - Rezoning)

VILLAGE OF PALATINE
Plan Commission

SCHEDULED 09/17/19 07:00 PM

CASE STAFF STATEMENT (ID # 5553)

**Text amendments to Article 3 - Rules and Definitions and
Article 10 - Residential Districts - Section 10.01 - General
Requirements of all residential districts of the Village of
Palatine Zoning Ordinance**

CASE NUMBER: 19-55

PETITIONER: Village of Palatine

LOCATION: Village of Palatine

PROPOSAL: Text amendments to Article 3 - Rules and Definitions and Article 10 - Residential Districts- Section 10.01 - General Requirements of all residential districts.

These amendments are all of Appendix A (Village of Palatine Zoning Ordinance) of the Village of Palatine Code of Ordinances.

BACKGROUND:

Staff is recommending a text amendment to Article 3 Rules and Definitions (Staff determined that there are appropriate definitions within both the waste hauling contract and Chapter 8 (Garbage and refuse) of the Village Code. Therefore, no new definitions are proposed for the Zoning Ordinance.) and Article 10 Residential Districts Section 10.01 General Requirements of all residential districts. All amendments are within Appendix A (Village of Palatine Zoning Ordinance) of the Village of Palatine Code of Ordinances.

ANALYSIS:

- Residential solid waste collection and hauling is provided throughout the Village of Palatine through a contract with Groot Industries. In June 2019, Village Council approved an amended contract with Groot Industries. The amended contract includes a provision that all residents would be provided with a refuse cart at no additional costs for both refuse and recycling materials. Staff has determined that prior to the delivery of the refuse carts, it is recommended to amend the Zoning Ordinance to include relevant language regarding the storage

and location of refuse and recycling carts and debris.

- Beginning January 1, 2020, single-family dwellings and two-flat residences will be provided a 95-gallon wheeled refuse cart at no additional cost. Currently, residents have the option to rent a 95-gallon refuse cart directly from Groot for an annual fee.
- Currently, the Zoning Ordinance does not include language relative to the storage and location of refuse and recycling carts. In preparation for this text amendment, Staff reviewed multiple other municipal ordinances to better understand how the placement of such carts are typically regulated. Typically, most municipalities do not allow for the storage of refuse carts or garbage cans in the front or corner side yards. The communities surveyed allowed for indoor storage or exceptions to allow for such storage in the interior side yard or in the rear yard adjacent to and behind the dwelling or detached garage.
- The proposed text amendment will allow residents to store the carts and debris to be stored in the rear yard adjacent to and behind the dwelling, within a detached garage or shed, or in the interior side yard, outside of the front yard. Refuse and recycling carts and landscape material would not be permitted to be stored in the front yard, except when being put out for pick-up, in compliance with the Code requirements.
- Staff is recommending the following language within Section 10.01 of the Palatine Zoning Ordinance.

(h) Storage of Village approved refuse and recycling carts and debris on private property. Refuse and recycling carts and debris shall be stored on private property, excepting when being put out for pick-up, in compliance with the Village Code requirements. All refuse and recycling must be stored inside an approved cart, which must be stored in a garage, shed, dwelling, or building and outside of public view, or within the following exceptions:

(1) On all required residential property, all Village approved refuse and recycling carts may be stored outdoors, provided the following:

- a. Carts and yard waste, either bundled or in appropriate yard waste bags, may be placed in the rear yard and kept adjacent to and behind the dwelling or detached garage or shed.
- b. Carts and yard waste, either bundled or in appropriate yard waste bags, may be placed in the interior side yard and outside of the front yard.

- All required residential properties shall follow all other Village Code requirements for refuse, yard waste and recycling.

RECOMMENDATIONS:

Staff recommends approval of the proposed Text Amendment to Article 10 - Residential Districts- Section 10.01 - General Requirements of all residential districts of the Palatine Zoning Ordinance.

ATTACHMENTS:

- Draft language for refuse cart text amendment
- Public Notice

ARTICLE X. RESIDENTIAL DISTRICTS

10.01. General requirements of all residential districts.

(a) *Dwelling standards.*

- (1) Every dwelling shall conform to the housing standards established by Chapter 10 of the Municipal Code.
- (2) Every dwelling hereinafter erected or altered shall conform to the building code.
- (3) Every dwelling shall be maintained in a neat and orderly condition.
- (4) All accessory uses and permitted obstructions shall be utilized in a tasteful manner and shall not provide a nuisance to any surrounding property.

(b) *Building line.* Where a building line has been established in the recording of a plat of subdivision, such building line shall determine the yard requirements of this ordinance and shall be observed.

- (1) Where no building line has been established, setback requirements of the particular residential district shall be followed.
- (2) Where there is a conflict between the established building line and the setback of the zoning district, the more restrictive shall apply.

(c) *Structures per lot.*

- (1) Each lot in every zoning district in this Article X shall be improved with no more than one principal structure, together with any permissible accessory building.
- (2) Accessory structures shall be permitted only with a principal structure.
- (3) A residentially zoned parcel of land, whether created as a Lot as defined in the Zoning Ordinance of the Village of Palatine or whether created by a real estate tax division by Cook County, which parcel of land is improved with a principal structure, all on or before December 31, 2005, shall be considered a buildable parcel of land and shall be subject to the applicable bulk requirements of the zoning district in which it is located. (Ord. 0-37-06, §1, 2/13/06)

(d) *Permitted obstructions.* For the purpose of residential districts, the following shall not be considered as obstructions when located in the required yards:

- (1) In any required front yard or required side yard abutting a street:
 - a. Overhanging roof, eave, canopy, awning, gutter, cornice or other architectural feature, projecting not more than three (3) feet;
 - b. Fences, in accordance with Section 6.03 of this appendix;
 - c. Bay windows, projecting not more than two (2) feet;
 - d. Driveways in accordance with Section 7.04(i) of this appendix;
 - e. Flagpoles;
 - f. Landscape features;
 - g. Retaining walls;
 - h. Sidewalks, which are permitted to terminate, without a setback, into a public sidewalk at the property line; (Ord. No. 0-102-13, 8/19/13)
 - i. Mailboxes;

- j. Ornamental light fixtures;
 - k. Steps or stairs;
 - l. Stoops, not exceeding nine (9) feet in width and five (5) feet in depth. The stoop may include a roof, provided the roof does not project more than one (1) foot beyond the outside edge of the stoop;
 - m. Landscaping embellishments; including but not limited to steps, arbors or trellises, the aggregate total of which shall not exceed twenty-five (25) percent of the required yard area; and
 - n. Chimneys, projecting not more than three (3) feet.
 - o. Basketball backboard systems. For the purposes of this Section, typical basketball backboard systems are contemplated and the measurement shall be taken to the pole. Notwithstanding the provisions of this Section, all existing basketball backboard systems (as of July 21, 2008) located in the front yard shall not be deemed illegal or non-conforming solely by their location. (Ord. #0-98-08, §1, 7/21/08)
- (2) In any required side yard or required rear yard:
- a. Accessory off-street parking;
 - b. Accessory structures, in compliance with Section 6.01 of this appendix;
 - c. Overhanging roof, eave, canopy, awning, gutter, cornice or other architectural feature, projecting not more than three (3) feet;
 - d. Fences, in accordance with Section 6.03 of this appendix;
 - e. Bay windows, projecting not more than two (2) feet;
 - f. Driveways in accordance with Section 7.04 (i) of this appendix;
 - g. Flagpoles;
 - h. Landscape features;
 - i. Retaining walls;
 - j. Sidewalks;
 - k. Mailboxes
 - l. Ornamental light fixtures;
 - m. Steps or stairs;
 - n. Stoops, not exceeding four (4) feet in width and four (4) feet in depth. The stoop may include a roof, provided the roof does not project more than one (1) foot beyond the outside edge of the stoop.
 - o. Landscaping embellishments; including but not limited to steps, arbors or trellises, the aggregate total of which shall not exceed twenty-five (25) percent of the required yard area;
 - p. Chimneys, projecting not more than three (3) feet;
 - q. Patios, decks, and terraces that are 16" or less above grade;
 - r. Compressor or condenser units and heating pump systems for residential air conditioning systems and/or heating systems, and permanent electric generators projecting not more than four (4) feet into the yard and maintaining a minimum two (2) foot setback from any lot line; (Ord. 0-117-11, §1, 10/10/11)
 - s. Dumpster enclosures;
 - t. Laundry drying equipment (rear yard only);

- u. Porches, breezeways, balconies, decks, terraces and patios more than 16” above grade, greenhouses or any structure permanently attached to the principal building, the aggregate floor area of which is less than ten (10) percent of the required rear yard area, and located at least twenty-five (25) feet from the rear lot line, and not encroaching in the required side yard setback of that district. The principal building or portions therein are not considered as permitted obstructions. Any addition or portion of the principal structure approved as a permitted encroachment prior to February 20, 2007 shall be considered as conforming to the Zoning Ordinance. (Ord. 0-84-05, §6, 4/18/05; Ord. 0-60-06, §7, 4/3/06; Ord. 0-13-07, §7, 2/20/07)
 - v. Basketball backboard systems. For the purposes of this Section, typical basketball backboard systems are contemplated and the measurement shall be taken to the pole. Notwithstanding the provisions of this Section, basketball backboard systems shall maintain a minimum (2) foot setback from the side and rear property lines. (Ord. No. 0-102-13, 8/19/13)
- (3) Exceptions to the above permitted obstructions:
- a. On a corner lot, no obstruction higher than thirty (30) inches above curb level shall be located in any portion of a required front or side yard situated within twenty (20) feet of the lot corners formed by the intersection of any two (2) streets or the street lines extended.
 - b. No permitted obstruction other than landscaping and fences shall be located any closer than two (2) feet to a rear lot line or interior side lot line and no closer than five (5) feet to a front lot line or side lot line abutting a street. (Ord. 0-60-06, §9, 4/3/06)

(e) *Swimming pool standards.*

- (1) All swimming pools must comply with all applicable standards as stated in the building code.
- (2) All swimming pools shall be located in rear or side yards only, and may not be located in a side yard abutting a street.
- (3) Any portion thereof and accessory equipment, such as a deck or filter enclosure, shall not be located closer than five (5) feet from any rear or side lot line.

(f) *Development in residential districts.* All excavation, movement of earth, site development and execution of an erosion and sedimentation control plan in any residential district shall be subject to the rules and regulations of the erosion and sedimentation control ordinance found in the subdivision ordinance [Appendix B].

(g) *Use of floodplain areas.* All properties deemed to be in the floodplain shall be subject to the regulations of section 4.12 of this ordinance and rules and regulations of the floodplain ordinance found in the subdivision ordinance [Appendix B].

(h) *Temporary Model Home Regulations.*

- (1) Temporary model homes may only be used to offer for sale, dwelling units located within the same subdivision or planned unit development in which the model home is located.
- (2) Building materials may be stored only within the garage space of each model home but not upon the lot on which the model is situated.
- (3) Sales offices and construction offices may be contained in a model home; provided that the appearance of the model home is not substantially different from that of the other dwelling

- units in the subdivision or planned unit development.
- (4) Temporary off-street parking facilities shall be provided containing not less than 5 parking spaces, subject to Section 7.04 of the Palatine Zoning Ordinance.
- (5) Exterior lighting may be used to illuminate the model home; provided that lights are sufficiently screened so that private dwelling units and traffic are not adversely affected by the lighting. (Ord. 0-115-00 9/25/00)

(h) Storage of Village approved refuse and recycling carts and debris on private property. Refuse and recycling carts and debris shall be stored on private property, excepting when being put out for pick-up, in compliance with the Village Code requirements. All refuse and recycling must be stored inside an approved cart, which must be stored in a garage, shed, dwelling, or building and outside of public view, or within the following exceptions:

(1) On all required residential property, all Village approved refuse and recycling carts may be stored outdoors, provided the following:

- a. Carts and yard waste, either bundled or in appropriate yard waste bags, may be placed in the rear yard and kept adjacent to and behind the dwelling or detached garage or shed.*
- b. Carts and yard waste, either bundled or in appropriate yard waste bags, may be placed in the interior side yard and outside of the front yard.*

PUBLIC NOTICE
 A public hearing will be held before the Palatine Plan Commission on Tuesday, September 17, 2019 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
 1. Text amendments to Article 3 - Rules and Definitions and Article 10 - Residential Districts- Section 10.01 - General Requirements of all residential districts.
 These amendments are all of Appendix A (Village of Palatine Zoning Ordinance) of the Village of Palatine Code of Ordinances.
 The proposed text amendments to the Village of Palatine Zoning Ordinance will identify the permitted storage locations for refuse/garbage and recycling carts/containers.
 The above petition has been filed by the Village of Palatine and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 19-55
 VILLAGE OF PALATINE
 Dennis Dwyer, Chair
 Palatine Plan Commission
 DATED: This 30th day of August 2019.
 Published in Daily Herald
 September 2, 2019 (4531568)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

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County(ies) of Cook, Kane, Lake, McHenry
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IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
 DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4531568

Attachment: Public Notice (Text Amendment - Article 3 and Article 10 - Refuse and recycling carts)