



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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PLAN COMMISSION MINUTES • SEPTEMBER 17, 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	Present	
Patrick Noonan	Plan Commissioner	Present	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Absent	
Robert Kolososki	Plan Commissioner	Absent	
Stephen Fedota	Plan Commissioner	Late	7:31 PM

Staff present: Ms. Katie Rivard

II. APPROVAL OF MINUTES

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

Mr. Noonan made a motion to approve the minutes of the August 20th Plan Commission meeting; seconded by Mr. Friedman

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

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.

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on September 2, 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. Plat of Survey
5. Engineering and Subdivision Plans

Sworn in petitioner Mr. Steve Haramaras

Mr. Haramaras stated the home has always been a single family residential home. He explained the previous owner got approval to change the zoning to Planned Development but never used it as a Planned Development. He explained they are currently selling the house and want it changed back to residential which is what it has been used for.

Mr. Hansen asked if changing the zoning back to residential will help to sell property

Mr. Haramaras stated he is not sure if it matters.

Discussion on zoning of the area.

Sworn in staff Ms. Katie Rivard

Ms. Rivard gave a brief overview explaining the subject property contains a 1-story single family residence on a 20,000 square foot platted lot on the northwest corner of Dundee and Lynda. She spoke to the approved 2005 Plan Development that was never implemented. She explained the Petitioner is seeking to rezone the property from the Planned Development to its previous R-2 zoning in order to maintain its single family use of the property. Ms. Rivard spoke to the surrounding zoning. She explained the property was sold to the Petitioner who never intended on following the Planned Development improvements or operate a real estate office. She spoke to the Comprehensive Plan and the Future Land Use Map recommending commercial redevelopment in a comprehensive manner rather than piecemeal.

Mr. Friedman asked if there is a time period that the Petitioner needed to act on the approved 2005 Planned Development agreement before it becomes null and void

Ms. Rivard answered yes Planned Developments expire after 3 years. She

explained it would need to be re-reviewed at this time even to use as a real estate office.

Mr. Friedman clarified the site improvements would need to be re-reviewed but the Planned Development status does not change.

Ms. Rivard explained once a property is rezoned it stays rezoned but the real estate office would have had to be done within the 3 years.

Chairman Dwyer asked about the future use on the plats on the north side of Dundee Road and what the Village's intent is.

Ms. Rivard explained the goal is to see a more comprehensive commercial redevelopment.

Mr. Friedman asked if the current designation encumbers the selling of the home. Ms. Rivard stated she is unsure and deferred to the Petitioner.

STAFF 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.

Mr. Hansen asked if the Petitioner agreed with staff recommendations. Mr. Haramaras answered yes.

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

Mr. Friedman pointed out it is already being used as a single family home so why would it not stay the same. He stated this seems like an unnecessary step.

Chairman Dwyer spoke to past requests that have gone through review.

Mr. Noonan made a motion to approve the request; seconded by Mr. Hansen

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to

the Community and Economic Development Committee of the Village Council on October 7, 2019.

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

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

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on September 2, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Draft language for refuse cart text amendment

Ms. Rivard gave a brief overview of the proposed text amendments

Mr. Hansen asked if there would be any penalties if residents do not comply. Ms. Rivard explained the Village Code Enforcement process that starts with a notice to the homeowner. She further explained if it comes to it the Village has an adjudication process.

Mr. Friedman asked if there was any discussion permitting the totes in the front yard if properly screened pointing out in his neighborhood there are enclosures that are designed to screen the totes.

Ms. Rivard stated it was not an option in the communities they surveyed. She explained the goal is to keep the garbage cans out of the front of the house and garage.

Chairman Dwyer stated it is possible to add the screenage verbiage to the motion. He pointed out the difficulty in concealing the totes depending how the properties are positioned.

Discussion on wording.

Chairman Dwyer asked what the word required in paragraph one section one is referring to.

Ms. Rivard explained it will be required for single-family and 2-flat properties.

Chairman Dwyer stated the word "applicable" may be more clearly understood than required.

Chairman Dwyer pointed out Points A and B refer to yard waste as well as recycling. He suggested it should read "all yard waste and Village approved refuse and recycling carts".

STAFF 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.

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

Mr. Friedman asked how to approach the concept of allowing in the front or side yard with screening.

Chairman Dwyer pointed out some properties the cart won't be visible and other yards they will be clearly visible.

Chairman Dwyer asked if discussed.

Ms. Rivard answered explained that other municipalities surveyed didn't have landscaping requirements. She pointed out it is hard to implement landscaping requirements when most already keep the totes in their interior side yard or garage. Ms. Rivard stated it leads to code enforcement issues. She stated staff can look into but it was not a component considered upon their review.

Discussion on screening or landscaping and wording to add as Letter C to the motion.

Mr. Noonan asked if the Village receives calls on recycling bins.

Ms. Rivard stated it is uncommon.

Ms. Robins stated she thinks if they allow screening it may become a much bigger discussion.

Mr. Friedman asked if the new refuse bins will be required.

Ms. Rivard stated residents will have an option to have smaller size not sure about the entire Groot contract. She explained the goal was to help with things such as animals getting into the bags and its more efficient for Groot.

Mr. Friedman stated he understands the benefits but pointed out it may be a burden to residents to find a place to store them.

Mr. Noonan stated it is common sense to not store in front to detract from the look of their home. He stated he has had both totes for years and it is tough to find a spot to put them both.

Discussion on the garbage bin program.

Chairman Dwyer suggested point one read "on all properties for which this article is applicable".

Discussion on allowing in front yard if appropriately screened.

Mr. Friedman made a motion to add C to include "may only be placed in a front yard if visually screened from the nearby public right of way".

Ms. Robins asked for clarification on the word screened.

Discussion on wording and how it is determined if the screening is acceptable and the difficulty of enforcement.

Ms. Rivard spoke to certain circumstances when a department head can grant some kind of exceptions. She stated adding the verbiage upon Village review would be appropriate. She pointed out the required front yard setback required for fencing.

Discussion on verbiage for Point C.

Mr. Fedota asked how front yard is determined.

Ms. Rivard read the definition of a front yard per the Village's Zoning Ordinance.

Discussion on front yard and required front yard.

Ms. Rivard referred to the aerial slide showing acceptable locations for refuse containers.

Mr. Friedman asked what prohibits the carts from being on the driveway on the corner house in the slide.

Ms. Rivard explained staff did not include anything to allow in side yard abutting a street. She stated it reads as interior side yard and rear yard only.

Discussion on location of bin storage and the ease of bringing them to the curb from such locations.

Clarification that condition C reads "may be placed elsewhere subject to Village review and approval".

Mr. Friedman made a motion to approve the text amendments with the recommended Point C and board recommended wording changes; seconded by Mr. Noonan.

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to the Community and Economic Development Committee of the Village Council on October 7, 2019

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

IV. COMMUNICATIONS

Ms. Rivard stated the following:

- Lexington on the Lake townhome proposal - 1150 W. Euclid Avenue - was denied by Village Council.
- Planet Fitness and Napleton was approved by Village Council.

V. ADJOURNMENT