

VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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PLAN COMMISSION MINUTES • AUGUST 21, 2018

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	Present	
Robert Kolososki	Plan Commissioner	Present	
Stephen Fedota	Plan Commissioner	Present	

Staff present: Mr. Vyverberg, Ms. Katie Romack, and Mr. George Ruppert

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Aug 7, 2018 7:00 PM

Ms. Robins made a motion to amend the minutes stating she was absent.

Ms. Robins made a motion to approve the amended minutes; seconded by Mr. Hansen.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
AYES:	Hansen, Dwyer, Robins, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota

III. PUBLIC HEARING

1. 833 W. Hillside Street

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on August 6, 2018 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 Plat of Survey
4. Plat of Survey
5. Plat of Subdivision
6. Engineering Plans
7. Elevations

Sworn in Mr. Greg Rose KF Walter Homes and Mr. Tim Spies Spies and Associates

Mr. Rose gave a brief overview of the request explaining the subdivision has been seen a number of times by the board. He explained the lots are generally 150 feet wide and 132 feet deep and looking to subdivide each pin into 2 single family residences making it a 4-lot subdivision in an area that has seen this type pf subdivision. Mr. Rose stated it is a straight forward request and referred to the exhibits of similar homes that he has built in the area. He stated he is following through with same product he has been using in the past 10 years.

Sworn in Staff: Ms. Katie Romack

Ms. Romack gave a brief overview of the request.

Mr. Friedman asked if the purpose of the cash-in-lieu of detention is for any Village plan for storm water improvements or is set aside in case there is a need in the future.

Sworn in Staff: Mr. Ben Vyverberg and Mr. George Ruppert

Mr. Ruppert explained the cash-in-lieu of detention folds into the general fund within the Village. He further explained multiple programs with the Village use these funds. Mr. Ruppert stated there is no long term goal for a water shed study to improve overall storm sewers in the area as the drainage is functioning adequately in the area.

Chairman Dwyer read into record the email from Willie Cronin.

Mr. Vyverberg explained staff received the email earlier in the day. He further explained the section of code that describes the recapture process but pointed out the recapture is not in the purview of the Plan Commission. Mr. Vyverberg stated if Mr. Cronin wants to file for recapture he would have to fill out the forms

which will start with staff and then go to Village Council.

Chairman Dwyer asked if there will be an email response to explain the process to Willie.

Mr. Vyverberg answered yes explaining he did call Mr. Cronin to let him know he will be receiving an email response and his email will be submitted to the Plan Commission.

Mr. Hansen asked when he would be interested in starting and pulling permits. Mr. Rose stated within the next 60-90 days.

Mr. Hansen spoke to the upcoming ordinance that Village Council is set to approve mandating sprinklers in single family homes. He asked Mr. Rose if he is familiar with it and is planning on installing in the new homes.

Mr. Rose stated he is familiar but is not planning on installing in these homes. He explained if a permit is pulled after the date that is prescribed they would certainly go in.

Mr. Hansen asked if Mr. Rose felt an obligation to put in to make the homes safer.

Mr. Rose stated the homes built today are safe. He stated he intends building and selling the homes this year explaining that has nothing to do with the sprinklers but rather due to the purchase price of the land and the cost of the improvements being high making them want to move and sell quickly. Mr. Rose stated there will be a number of homes he will build in the future that will have sprinklers and he has no objection.

Sworn in Mr. Dan Seelye 828 W. Kenilworth Avenue, Palatine

Mr. Seelye stated his lot is adjacent to the proposal explaining his concern is with the drainage. He stated the storm drain in the back floods with heavy rains. He stated a few years ago staff came out with a borescope to go through the storm drain and try to figure out what was going on. Mr. Seelye explained from his understanding the Village did not requires the 2 homes on the corner of Kenilworth and Crescent to put in new pipes in the front of the house so trees were going through the old clay pipes. He spoke to staff having someone install a polymer lining inside the pipes to try to eliminate the issue which has gotten marginally better. He stated with heavy rains the storm drain backs up. He pointed out to tie in any extra homes will make it a severe problem stating it is the lowest part of the land in that area which is why it backs up. Mr. Seelye stated some sort of water retention system should be required because there is already an existing issue. He spoke to solutions other areas of Palatine have used and stated it is already an issue that it will become a major issue if tying in multiple homes to that storm drain.

Mr. Kolososki asked if they get water inside their home.

Mr. Seelye answered no explaining the worst it got was 6 feet up from fence and happens at least 2-3 times a year and will stay for some period of time. He stated he has called the Village when it doesn't disperse on its own and they do

something to release it.

Sworn in Benjamin and Jessica Hogg 820 W. Kenilworth Avenue, Palatine

Mr. Hogg agreed with Mr. Seelye pointing out the storm drain discussed is directly between their properties and the flooding is worse on their property and happens pretty regularly. He stated the water covers most of their backyard and leaves a mark on their fence about a foot above the ground. Mr. Hogg stated the storm sewer is insufficient for the current needs and adding multiple homes will only make it worse. He stated the water has overwhelmed his sump pump and have had flooding in his basement.

Ms. Hogg stated it is more than from the sump pump because they are getting water from sides and walls.

Mr. Hogg stated he has a picture of the flooding.
Mr. Friedman asked if the picture can be submitted.
Mr. Hogg answered yes.

Mrs. Hogg stated they have spoken to the Village, made complaints and have asked to have this fixed. She stated it has not been resolved satisfactorily and this will make the issue worse.

Chairman Dwyer asked if staff is aware of the history of flooding.

Mr. Vyverberg stated the Village Engineer can speak to the awareness of the history and the Petitioner's Engineer can speak to how their plans will address the storm water flow for the proposed development.

Mr. Ruppert stated he is unaware of any history. He stated he is a little familiar with the repair of the storm sewer along Kenilworth Avenue but would have to look into what repairs public works has done. Mr. Ruppert stated it sounds like it's an isolated depression area in the storm sewers that were extended by the previous developer to drain the low spot. Mr. Ruppert stated the Village priority is on structure flooding. He advised Mr. & Mrs. Hogg to contact Public Works and staff if they are getting structure flooding so they can work on this with them.

Mr. Hansen asked staff if this could be resolved or if it will be exacerbated by 4 new homes.

Mr. Ruppert explained in his review of the new homes directly north the drainage area that is currently draining there would be the same or slightly smaller to what is currently draining to that inlet by the addition of the 4 homes and the proposed grading plan.

Chairman Dwyer asked if the water would be draining in a different direction.

Mr. Ruppert answered yes explaining the proposed plan is to have the front of the house drain to the front and the back drains to the back. He stated based on the grading there will be no added drainage to that current drain.

Mr. Hansen clarified it won't be improved.

Mr. Ruppert stated he would have to investigate the storm sewer to determine

why it's not functioning correctly.

Ms. Robins asked what about the plans make it look like it may be improved.

Mr. Ruppert clarified the addition of the 4 homes will not make the drainage issues bigger rather will either be the same or better.

Ms. Robins asked if Mr. Ruppert knows that for sure.

Mr. Ruppert answered he can't say that without doing the math can't know for sure

Ms. Robins stated these people are looking to us to help them. She asked why this would not negatively impact them.

Mr. Vyverberg stated the Petitioner's Engineer can speak to the drainage related to the 4-lot development. He stated staff will follow up with the residents as it relates to that.

Mr. Spies explained the existing runoff pattern has the back half of the lots draining to the catch basin. He referred to the grading plan slide to show what they are proposing. He further explained the drainage from the middle to the front will drain to the front and the drainage from the middle to the back will drain to the back which is currently the case and this condition will be maintained.

Mr. Kolososki asked if they are taking into account the impervious surface.

Mr. Spies answered yes.

Mr. Seelye spoke to the land being flat and how the storm drains into Kenilworth Avenue, which is quite a bit higher. He stated he doesn't understand how it can get better by adding more water in that situation when there is already an issue. Mr. Seelye spoke to the elevation differential that results in water sitting. He agreed with Mr. Hogg that his fence has water marks as well. He stated he can't see it getting better so why not do a water retention system like Clyde Avenue or Kenilworth Avenue.

Chairman Dwyer asked staff why some sort of storm water detention isn't required.

Mr. Ruppert explained traditionally required detention is based on the need in the area or the requirements of the watershed management ordinance, which is managed by MWRD. He explained the acreage of this lot does not meet the threshold for required detention or volume control per the watershed management. Mr. Ruppert pointed out the same goes for the two lots to the south so that developer paid cash-in-lieu of detention there also.

Mr. Friedman asked Mr. Ruppert if he is familiar with the structure in between the 828 and 820 W. Kenilworth Avenue asking if it is some kind of detention structure or a catch basin that is more like an overflow valve for the property.

Mr. Ruppert stated to his understanding it is a catch basin to get the water out of the yards.

Mr. Friedman asked if they installed a second catch basin immediately to the

north that could follow the storm route to the north and east wouldn't it increase the odds of a functioning exit route.

Mr. Ruppert clarified Mr. Friedman was asking to install a new system going north and down hillside.

Mr. Friedman asked why in lieu of cash-in-lieu of detention why not put on the developer to solve the issue that is already on his parcel.

Mr. Ruppert stated the storm sewer on Quentin Road belongs to Cook County so they would not be allowed to connect to that so the only option would be to connect onto Crescent Avenue.

Mr. Friedman clarified the homes being discussed do not connect to Quentin Road.

Mr. Ruppert answered no explaining the sanitary sewer connects at Quentin Road but the storm sewer does not.

Mr. Seelye spoke to the storm sewer in the back of the lot being a 10 inch pipe up to Kenilworth Avenue and across towards crescent but pointed out it is high elevation so not designed to take anything.

Mr. Bettenhausen stated he was confused with staff's reasoning for extending the storm sewer to Hillside Street when the engineer is saying half the site to the north will be draining to the north. He asked if the sewer is extended to the Hillside Street ditch won't all the water be brought back to the 10-inch storm sewer.

Mr. Ruppert stated when the requirement was made he was unaware of the issues in the back yard. He spoke to some isolation drainage areas to the north that wasn't anticipated to get the storm sewer to drain these lots but rather to allow some of the additional lots to potentially hookup a private storm sewer.

Mr. Seelye asked if there is a solution to solve the water detention why not try to do so.

Sworn in Mr. Paul Sieben 870 W. Hillside Street, Palatine

Mr. Sieben the water flows downhill. He referred to the existing utility slide to show how the water flows over Hillside Street and overwhelms his storm sewer which results in a 10-foot side river. He pointed out the 3 existing catch basins. Mr. Sieben asked to take a step back and look at the entire storm drain in the entire area. He stated he doesn't have a problem with homes being built there he just wants to make sure the water gets drained away. He stated he hasn't had water in basement because has 2 sump pumps and battery backup.

Mr. Rose state he was not aware of what is going on behind this project. He stated part of the design is to build the homes up to drain the water away from the homes explaining the intent is to drain a good portion to the front and some to the rear. Mr. Rose stated they can run the gutters into the storm sewer directly. He stated he is here to work out something to make sure they are not exacerbating the problem.

Sworn in Ms. Jennifer Schwendener and Mr. Willie Cronin

Ms. Schwendener spoke to the email submitted today by Mr. Cronin. She stated they did not catch wind of the meeting until late Friday afternoon. She stated she wants to explain the reasons why Mr. Cronin wants this item withheld from the agenda tonight and a vote withheld. She stated the Hillside subdivision is proposing to utilize the storm water containment system that Mr. Cronin installed several years ago so they will be submitting paperwork to retrieve a recapture fee. Ms. Schwendener stated they are in discussion with Mr. Brankin about recapture fees involving similar parties so would like this matter to be removed from the agenda. She stated Mr. Cronin is objecting because the proposal is inconsistent with other developments in the area. She stated Mr. Cronin developed a 2-lot subdivision at 1109 W. Kenilworth Avenue, which he was required to install an open storm water detention pond. She stated Stonefield homes were also required to install an underground storm sewer retention system for their subdivision at the southwest corner of Kenilworth Avenue and Clyde Avenue so this development should be consistent with other developments in the area.

Chairman Dwyer stated the recapture is beyond the Plan Commission's purview so this will be recommended for approval with or without the recapture.

Mr. Vyverberg stated any discussions related to other properties that involve Mr. Cronin have no bearing on the proposal this evening. He stated if they would like to submit for recapture they can submit paperwork for review.

Chairman Dwyer asked about the storm water detention that was required for other subdivisions that seem to be smaller than the water ordinance would require. He stated the storm water in this area should be reviewed before it goes to Village Council.

Mr. Vyverberg stated they received this email in the afternoon. He stated later in the afternoon the Public Works Director and Village Engineer reviewed. Mr. Vyverberg pointed out the property at 1109 W. Kenilworth Avenue is approximately 1,700 feet from the subject area and in further review by Public Works and Engineering is in a different water shed in its entirety. He stated the Village Engineer has indicated this property does not meet the threshold requirement for detention and onsite detention is under the purview of Village Council and is a proposed condition as it relates to that.

Chairman Dwyer stated a re-analysis should be done of the area after the testimony they heard tonight.

Mr. Vyverberg stated yes will follow up.

Chairman Dwyer asked if a condition can be added for storm water management system to be reviewed prior to this going forward.

Mr. Vyverberg stated it is in the Plan Commission's purview to add the condition memorializing that.

STAFF RECOMMENDATIONS:

While several of the immediately adjacent properties remain R-1 zoning with larger lots, the proposal is consistent with recent developments in the area. Additionally, the subject properties are located within Sub-Area "A", which recommends that new subdivisions are designed with lot sizes of at least 9,000 square feet for interior lots. With that being said, Staff recommends approval of the proposal, subject to the following conditions:

1. The development shall substantially conform to the Plat of Subdivision by Spies & Associates, Inc. dated 06/11/2018 and the Engineering Plans by Spies & Associates, Inc. dated 06/06/2018 last revised 07/18/2018, except as such plans may be revised to conform to Village Codes and Ordinances.
2. A Public Improvement letter of credit or appropriate security shall be submitted in a manner acceptable to the Village Engineer.
3. Review fees in the amount of 1.5% of the total project improvement costs (as defined in the Village Code) shall be submitted in a manner acceptable to the Village Engineer.
4. The Final Plat of Subdivision shall be submitted on Mylar and significantly conform to the Plat of Subdivision prepared by Spies and Associates, Inc. dated 06/06/2018 and attached hereto.
5. A Subdivision Improvement Agreement shall be submitted.
6. Recording fees in the amount of \$300 shall be submitted.
7. The Final Engineering Plans and Final Engineer's Cost Estimate shall be revised in a manner acceptable to the Village Engineer.
8. Cash-in-lieu of detention shall be submitted in a manner acceptable to the Village Engineer.
9. Sidewalks shall be installed in a manner acceptable to the Village Engineer.
10. Parkway trees shall be planted across the frontage at a spacing no greater than 40' on center in a manner acceptable to the Director of Planning and Zoning.
11. Parkway trees and B-boxes shall be relocated out of the public sidewalk in a manner acceptable to the Village Engineer.
12. The ditch line shall be re-graded in a manner acceptable to the Village Engineer.
13. Culverts with flared end sections are required in a manner acceptable to the Village Engineer.
14. The storm sewer behind Lots 1 & 2 shall be extended to the parkway terminating with a catch basin in a manner acceptable to the Village Engineer.
15. The water main extension is eligible for recapture. The developer will need to submit an intent to recapture in writing before construction begins in a manner acceptable to the Village Engineer, pursuant to Section 9.04 of Appendix B.
16. Fire hydrants shall be installed in a location and manner acceptable to the Fire Marshal.
17. The monotony code shall apply.
18. Given the proximity to Quentin Road, a construction schedule and parking plan for contractors and material haulers shall be submitted in a manner acceptable to

the Village of Palatine prior to the issuance of a building permit

19. MWRD WMO, IEPA Water Construction, and Cook County Department of Transportation ROW permits shall be submitted in a manner acceptable to the Village Engineer.

Mr. Bettenhausen asked if there is any consideration to extend the sanitary sewer west so it comes straight out of house on Lot 4.

Mr. Spies explained that is typically done. He stated extending to the west is possible but can't tell what the depth would be because the ground drops off quickly.

Mr. Bettenhausen asked about the 90 degree bend.

Mr. Spies answered yes that is where the cleanout will be.

Mr. Noonan asked what size a storm water detention would be required.

Mr. Spies explained with MWRD it is 5 acres before it would be required.

Mr. Hansen asked Mr. Rose if he can and will meet all staff's conditions.

Mr. Rose answered yes.

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

Mr. Fedota asked about Condition #14 if it is referring to the parkway to the north. Ms. Romack answered yes on Hillside Avenue.

Mr. Fedota asked if the extension will allow more volume contained.

Mr. Ruppert clarified the 2 homes that are having an issue are not on a detention it's just a catch basin in the back to help drain the backyards. He further explained the intent on extending the storm sewer up to Hillside Avenue was before he knew about the issues with this tonight we would pull back and leave the catch basin where it is at and not extend to Hillside Avenue right-of-way.

Ms. Robins stated there are a lot of problems here and moving forward without a clear understanding is concerning.

Mr. Fedota stated from a variance perspective the only element is that one lot is 74.88 feet wide vs 75 feet wide. He stated he likes the concept and thinks it is a good use of land but the residents in the area that are currently being affected without any use of the land and a builder that was not aware of issues when proposal was started.

Mr. Hansen asked Mr. Fedota is he is proposing 3 lots instead.

Mr. Fedota answered no stating he doesn't think size is the issue rather it is the water detention.

Mr. Friedman asked if the board recommends removing Condition #8 and #14 would the result be a storm solution has to be designed and approved by Village

Engineering staff.

Chairman Dwyer answered no it is just a statement unless a condition is added which is beyond our purview.

Discussion on removing or revising conditions.

Mr. Bettenhausen stated he liked further analysis regarding the drainage issue maybe expand or revise cash-in-lieu of detention to say the developer will work with the Village and perhaps pay for any revisions or replacement of the existing sewer system.

Ms. Romack pointed out Condition #7 says the plans have to be acceptable to the Village Engineer.

Discussion on rewording the condition.

Ms. Romack stated ultimately it will be up to Village Council.

Ms. Robins made motion to approve and revise Condition #8 to say storm water management engineering should be redone considering the standing water in the area before it goes to Community Economic Development committee; Seconded by Mr. Noonan.

Mr. Dwyer summarized that this request has met the standards and was approved unanimously by a vote of 9-0. This item will tentatively go to the Community and Economic Development Committee of the Village Council on September 10, 2018.

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

2. 1500, 1532, and 1548 N. Hicks Road

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on August 6, 2018 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 Plat of Survey
4. Plat of Survey
5. Plat of Subdivision
6. Engineering Plans
7. Elevations

Mr. Rose stated he went back and tried to improve the original plan. He stated he had a neighborhood meeting where people's opinions and potential problems were expressed and made changes to the land plan and overall project. He stated there has been a lot of hard work to meet the Village, the plan commission, council and the neighbors.

Mr. Rose gave a brief overview of the request explaining KF Walter homes is endeavoring to purchase the properties at 1548 N Hicks and 2 vacant parcels to the south. He stated the plan is to improve property with 12 ranch townhomes featuring 4 building with 3 units each.

Mr. Rose spoke to changes from original proposal. He spoke to the storm water management and site and how stormwater currently runs off uninhibited through the northwest corn of the creek follow the path of least resistance. He referred to the grading plan slide and explained the design is to gather all rain water off site and place it into the storm water detention area. Mr. Rose pointed out water will not flow freely off the property as it does now, but rather will be detained at a runoff rate of approx. 1/3 of its current rate. He spoke to new storm inlets that will be installed referring to slide of Garden Ave and Elm Street profile to show locations.

Mr. Rose spoke to the architecture land planning. He stated the western units have a lookout basement condition. He stated their design has taken both the topography of the property and the surrounding conditions into consideration. Mr. Rose spoke to the changes to the building from the original submittal that now follow a step down pattern as you move to the north matching existing contours to blend in. He stated a 2 ½ story townhome or an office building would be obtrusive and out of character but ranch townhomes would be more appropriate with ridge lines 10-15ft. lower than conventional townhomes. Mr. Rose stated the ridgelines are now 20ft. as opposed to the original 22ft. and have added a dormer in the middle to break up the roof further. He spoke to the additional architectural elements including modified gable ends and increased

amount of brick throughout the buildings.

Mr. Rose spoke to the land plan and explained they have moved the entrance to the east which allows for a flatter design that blends with existing contours. He pointed out it increases the distance from the western buildings to the neighbors directly behind.

Mr. Rose spoke to density and traffic explaining the targeted age group for the community is expected to generate substantially less traffic than other potential uses. He spoke to the data he gathered from the IT manual referring to the Petitioners Narrative slide.

He spoke to the idea of an entrance off Hicks and how adding additional ingress egress off Hicks is not feasible given the perimeter that IDOT grants access to roads under their jurisdiction. He stated their future home owners would be better served with a safer more navigable entrance on of Garden. Mr. Rose stated Hicks south of Dundee doesn't warrant another access point whether IDOT would approve or not. He spoke to the total of 6 access points that currently exist and the fire station across the street.

Mr. Rose spoke to the Village's long term planning goals that see the site as suitable for retail and how it created additional burden to its single family neighbors including signage, lighting, dumpsters and traffic. He stated commercial space would have an even greater impact. Mr. Rose spoke to conventional townhomes and how they lack the aesthetic elements that foster a smooth transition between the retail and the single family. He stated the ranch townhomes as proposed would nestle nicely into this property. He spoke to their low ridgeline, being residential not retail and is age targeting making them the best fit.

Mr. Rose spoke to the comments on this proposal not fitting into the neighborhood. He pointed out the property has four sides with 2 sides being single family residences and the other 2 are commercial and retail. He stated they feel this ranch town home community is an excellent transition between the retail along Hicks and the single family homes to the south and west. Mr. Rose stated it not only fits into the Palatine's long term planning goals and meets a growing market for Palatine's maturing population who are looking for single level maintenance free living.

Mr. Hansen asked what targets people over 55.

Mr. Rose explained from a builder perspective the 55 or older is looking for a ranch. He stated it is quite easy to build townhomes but many are 2 ½ stories with a lot of stairs. Mr. Rose explained this proposal is a 2 bedroom 2 bath ranch unit with basement possibility. He spoke to other communities that have this and how they are very successful and not readily available to Palatine.

Mr. Hansen asked if he would preclude young married couples from moving in.

Mr. Rose answered no, but pointed out these ranches would be approx. 1300 sq.ft. On the single level and the price would be commensurate to someone buying a 1700-1900 sq.ft. townhome. .

Ms. Robins asked if these are considered individually owned condos with a home owners association.

Mr. Rose stated there will be a HOA

Mr. Spies briefly went through the utilities including the sewer, water, and storm sewer. He stated there is an 8 inch water main on north side that will connect to servicing each lot. He stated the sanitary sewer will come from approx. 300 ft. north of Elm and Garden, run southerly to Garden and then easterly to the site.

Mr. Spies spoke to the storm water management referring to the slide of the existing conditions on the Plat of Survey. He explained everything drains from the southeast corner toward the northwest corner of the site.

Chairman Dwyer pointed out the audience can't see the board Mr. Spies is pointing at.

Mr. Spies referred to slide to indicate the drainage. He explained a small percentage goes down Garden. He spoke to the existing run off and how they analyzed from both a 3 year perspective and a 100 year perspective. Mr. Spies stated in a 3 year they have found 1.68 cfs of run off cuts across property and goes north to Elm St. He stated the 100 year run off is approx. 3.86 cfs. He explained their proposal is to provide storm water detention along the western side of the property. Mr. Spies stated since they moved the buildings 10 ft. to the east it allowed them to flatten the basin out to provide a more natural slope between the buildings and the basin. He stated they are capturing all of the runoff from the site into the basin referring to slide to show direction. Mr. Spies pointed out the detention basin is sized for the 100 year storm event according to MWRD guidelines housing 0.48 acre feet of storage which will include 0.07 acre ft. of volume control. He stated at that point they will provide a storm water release that will work its way down the south side of the basin, down Garden to Elm to Home. Mr. Spies stated that release rate in the 100 year event will be 0.59 cfs so they are reducing the existing runoff from the site from 1.6 to 0.6 cubic feet per second. He stated that is the maximum release rate according to MWRD guidelines. Mr. Spies stated everything else will be stored on site. He stated if there is a storm that exceeds the 100 year event it will follow natural path which is to the northwest, cross the next site and westerly to Elm St.

Chairman Dwyer asked what the distance between the western edge of the property and the western edge of the detention basin

Mr. Spies explained the high water line is anywhere between 5-10 ft. off the western property line but in between that line they transition down to the basin through the use of 2 ft. step done landscape walls referring to display.

Chairman Dwyer asked if the sides will be stepped instead of sloped

Mr. Spies answered stepped and sloped

Chairman Dwyer asked if the distance is between 5-10ft from the high level of the basin and western edge of the property line.

Mr. Spies answered correct.

Chairman Dwyer expressed concern with planting that is supposed to be along the westerly edge and wants to ensure there is plenty of room.

Mr. Spies answered yes explaining they have provided area between the 2 walls

Mr. Spies re-explained to audience referring to the display.

Mr. Vyverberg stated they have made some substantial modifications from their initial plan. He spoke to the proposed comprehensive plan recommendations for the property. He spoke to the location being directly south of Walgreens with a drive thru, directly across the street from a larger commercial center on Dundee Rd and flanked on the west and south side by single family residential properties. He referred to the zoning map to show the existing zoning classifications pointing out the property is currently zone R1 single family, property to the east is PD and to the north B2 commercial.

Mr. Vyverberg spoke to the neighborhood meeting in July where a lot of these issues were discussed. He pointed out this subdivision presently is devoid of any sort of storm sewer structures so presently the flow is such that it is not being captured or controlled in any manner. He stated with the new proposal they will need to meet all the storm sewer guidelines for detention. Mr. Vyverberg pointed out the petitioner's engineer stated they are proposing to extend a significant amount of storm sewers in the neighborhood. He referred to the site plan slide and noted the detention area on the northwest side is upsized accordingly.

Mr. Vyverberg spoke to the Comprehensive plan from 1990 which was updated in 2010 which called this property out from single family residential to commercial. He stated in 2010 it noted the subject property as appropriate for office use.

Mr. Vyverberg referred to the slide to show the development changes since the initial Plan Commission meeting. He referred to the Garden Ave and Elm St Profile slides to show the new storm sewer locations and inlet locations.

Sworn in Mr. Walter Bilyk 1460 N Elm Street

Walter stated he is against because it is out of character with the subdivision which is a large lot single family home quiet subdivision. He stated they are not a high density zero lot line townhouse subdivision. He stated most of the neighbors are against except for the one neighbor that owns one of the lots in the proposal. He also stated the zoning should be consistent across the entire subdivision so if these lots are rezoned all lots should be zoned to R3. He stated in his opinion this development will have a negative impact on property values because of the inconsistency this high density proposal will have on the subdivision. The best use for these lots is building 3 single family homes consistent the existing subdivision housing stock.

Mr. Hansen pointed out that in staff's opinion it should not be single family or multi-family but rather small offices. He asked Walter if he would oppose to that as well

Walter stated he would have to see the proposal but what is subdivision if it is

going to change. He stated those three lots have always been part of their subdivision and when they were annexed by Palatine 25 years ago they were told it would be good and things wouldn't change. He restated it should be across the whole subdivision because this is inconsistent.

Sworn in Mr. Denny Schwantz 1536 N Elm Street

Denny stated his biggest problem with the proposal is that the 3 lots should exit on to Hicks since they exit on Hicks now. He stated the traffic from the commercial properties come down Elm already and now the multi family will be coming. He stated there is no reason it can't go out on Hicks road other than it may not be the highest dollar that they can get from the property. Denny pointed out the property faces Hicks not the neighborhood

Mr. Kolososki asked if he attended the community meeting

Denny answered no he was out of town but stated he did voice his opinion at the last Plan Commission meeting.

Sworn in Mr. George Limberg 1484 N Hicks

Mr. Limberg spoke at the preliminary plan hearing and attended the community meeting. He stated this is a single family residential subdivision with larger lots. He stated there were issues with density, drainage, and traffic which everyone still believes exists. He spoke to the density being due to the 12 units with garages and driveways with potentially dozens of cars entering onto Garden and Elm. Mr. Limberg spoke to drainage pointing out the pitch of the property runs from the southeast to the northwest corner by 13ft drop off so it is hard to believe that they are able to force that water south. He expressed concern that water will sit and attract mosquitos. Mr. Limberg stated there were concerns that the drainage would be large enough to hook up to Home Ave and the additional storm sewers that are being added may not be able to drain fast enough. Mr. Limberg stated at the community meeting they were told the same water drainage would happen as it does today which is currently a problem for some of the properties at the lower end. He stated they were told at the meeting that every design has its constraints which are not comforting. Mr. Limberg stated at the community meeting the builder said he didn't have experience building townhomes on his own but rather with other builders that he worked for. He pointed out there is no guarantee to bring in an older demographic and if this was really marketed to 55 or older then why does half the properties have basements when they want single family living. Mr. Limberg stated he is not sure why a cul-de-sac couldn't be done with single family homes that would be less dense and add value to the surrounding properties. He stated he was told the builder said he could not sell single family homes on the north side of town in Palatine High School District but he certainly could in the Fremd District. Mr. Limberg stated he heard the original proposal was for 6 single family homes and is not sure why that was not more strongly considered. He stated this proposal does not increase that value of the surrounding properties. He stated the cost of one lot in that subdivision is probably close to what a unit will cost. Mr. Limberg restated this is a single family residential subdivision with many newer modern brick homes in addition to frame homes. He pointed out there is no sidewalks which made it an

area that you can walk easily. He spoke to the wildlife they get including fox and deer and how this is what homeowners have paid for and would like to continue enjoying. Mr. Limberg stated this development will change the nature and culture of the subdivision. He spoke to the residents who came to the preliminary hearing to oppose and the discussion between the board members on if this type of development belonged in this neighborhood not plans specific or roof lines. He pointed out the board voted 9-0 against it in his belief for the neighborhood reason and not plans specifics.

Sworn in Ms. Czechowska 1535 N Elm Street

Ms. Czechowska stated she is here on behalf of her family and neighbors. She stated she is not an architect and can't speak to water but rather the voice of a not happy taxpayer. She expressed concern with the changes of zoning in the neighborhood. She spoke to the decision on choosing a location to buy a home and the many factors that go into it including safety, traffic and neighbors. She stated they have to come every few years to defend their community when investors come in to make money and change the environment next to their home. Ms. Czechowska stated she has spoken several Mr. Spies in front of the board to keep this as single family area pointing out this will change the community and will increase the traffic. She stated it looks like they are creating this spot zoning without any concerns for the rest of the neighbors. Ms. Czechowska spoke the plan for it to not only change the zoning but rather becoming a retirement community. She stated she is next to them and are not that old and have children and grandchildren living there so are not a retirement community.

Mr. Kolososki asked if she attended the neighborhood community meeting
Ms. Czechowska answered no stating she was out of town.

Chairman Dwyer stated the property is zoned R1 but that is generally a holding zoning or an old annexation zoning but what really matters is the Village Comprehensive plan. He pointed out in the 2010 Comprehensive Plan the Village has designated this as office space so in the Village's perspective this has already been changed from single family.

He stated the real choice is office or ranch townhomes that are being proposed

Discussion on the zoning and the Comprehensive Plan zoning.

Ms. Czechowska stated 15 years ago they built this house and their architect spoke to the Village who told us this was R1 single family area.

Mr. Vyverberg clarified in 1994 the comprehensive plan was amended and this area was marked as appropriate for commercial development which means the underlining while it was R1 the comprehensive plan for 20 years said this area is appropriate for commercial development. He stated the comprehensive plan was then amended in 2010 and the lots on Hicks Road directly south of the Walgreens were contemplated for office use. He spoke to the numerous proposals for townhouse developments and commercial developments that have come through for this property though none of which were approved by Village

Council. He explained Chairman Dwyer was trying to say is thought the underling zoning has not changed but for 20 years the long range recommendation for this area was commercial and in 2010 it was amended that single family residential for the no subject property lots but office use should be explored for the 3 lots that front on Hicks Rd.

Ms. Czechowska stated they are behind the Walgreens and this was what they were told 15 years ago. She spoke to the investment they put in and how this proposal will make their investment go down.

Chairman Dwyer asked if they have had a certified appraiser explain the effect of this development on your property value.

Ms. Czechowska answered No but everyone knows it

Chairman Dwyer stated that's not 100% accurate pointing out several areas have been developed with shopping centers or commercial areas and have not negatively affected the property values of the adjoining properties. He stated they need someone who is certified to give you this information.

Ms. Czechowska agreed to have a certified professional come out and assess how this plan will affect the area.

Sworn in Mr. Stan Stanczuk 225 E Home Ave

Mr. Stanczuk spoke to 1990 plan but he stated they were unincorporated at that time. He spoke to the Village wanting it to be commercial and asked is there not enough empty storage places. He spoke to the vacant office, retail property and asked if the Village really needs more. Mr. Stanczuk asked why not instead of making more commercial why not fill up the vacant properties.

Mr. Vyverberg explained he referred to 1990 comprehensive plan because the amendment was to the original plan. He spoke to the redevelopment plan to the Dundee corridor and at that time when this area was in the Village the plan was specifically amended. He explained the property is zoned R1 single family but from the 1994 amendment through the 2010 updated comprehensive plan it says it is appropriate for commercial development. Mr. Vyverberg further explained in 2010 after going through the process and none of the previous developments were approved the plan was amended to say an office use should be explored for the lots fronting on Hicks Rd. given the proximity of Walgreens to the north and the shopping center to the east.

Mr. Stanczuk stated maybe a new comprehensive plan should be done because of all the vacancies. He asked do we really need more office space when you can tear down the vacant storefronts. He stated to talk about office space in a subdivision is uncalled for.

Sworn in Mr. Thomas Smith 321 E Garden Ave

Mr. Smith stated he has been very controlled since his wife owns 1548 N Hicks Rd that is pending contract with Mr. Rose. He expressed concern and objection to the Comprehensive Plan references for this area. He stated that the neighborhood was not consulted on this topic. He does not agree with the Village's indication that commercial was previously recommended. He also

spoke to the all the proposals that have been denied by Council and how they have indicated that it should be single family. He stated he is upset that anyone would say if you don't take this proposal it will be commercial. He stated he will not say whether he approves or doesn't approve of the proposal but to say it has to be commercial because that is what was recommended.

Chairman Dwyer clarified the comprehensive plan stated it can be developed as office space not that it has to be.

Mr. Smith stated it can be developed as anything if you vote for it.

Chairman Dwyer explained the comprehensive plan is an extremely important document.

Mr. Smith asked about whether the neighbors were consulted. He stated people went to the hearings but no one listened.

Chairman Dwyer stated the comprehensive plan is a public hearing process.

Mr. Friedman asked if he has any input why it has remained vacant for so long, if there is a need for single family.

Mr. Smith stated the 2 lots they don't own are bank owned and they were asking a ridiculous high price. He further explained the property they owned was occupied by family.

Mr. Limburg agreed with the last two speakers and would respectfully say is the key words on the slide is "plan" and "recommendation" not requirement. He stated the same reason we are hear asking for single family is why the Village is accepting this application rather than asking for only office proposals.

Sworn in Ms. Elise Campos 336 E Garden

Ms. Campos stated this does not fit the character of the property. She stated they love all the giant trees with some of them being over 50 years old. She stated it is a wonderful place to raise children and should remain single family for as long as it can.

Mr. Noonan asked hypothetically if they propose to put a cul-de-sac with single family homes there is a chance a lot of trees would not make it

Ms. Campos stated that is a shame because they are beautiful properties with giant trees and animals that everyone enjoys. She stated you don't see these properties throughout town.

Sworn in Ms. Laurie Limberg 1520 N Elm

She stated they have 2 properties on the west side of Elm St that will be directly in the water shed of 1500 and 1532. She referred to the Comprehensive Plan slide with the highlighted property and asked why the Village allowed a single family home to be built in this designated area. Ms. Limberg stated the bank never had for sale signs out and were never trying to market them for single family. She spoke to the properties on Hicks being on well and septic and is one of the highest elevations in Palatine and once they demolished them they could

no longer be on well and septic so will need to be connected to water and sewer. She pointed out it is very expensive to tie into sanitary. She stated the big problem is they are right in the water shed at 1520. She spoke to the proposed drainage that will inundate the Home Ave people who already have issues which was discussed at the July meeting with the builder and the councilman. Ms. Limberg spoke to the drainage route being a jigsaw. She stated this development will never have a drop of water on their property because they sit 25 ft. above us and now they will have 12 basements. She asked are basements included in the detention calculations.

Mr. Vyverberg stated the petitioner's engineer can speak to the detention calculations they have prepared.

Mr. Spies explained the requirement for storm water detention is based on the surface runoff and changing the amount of impervious coverage on the property from the existing condition to the proposed condition. He further explained having basements or not makes no difference with surface run off and that they need to contend with for MWRD or with the Village Engineer.

Ms. Limburg stated the water is being routed to the detention so besides the surface it will be constantly pumping into their detention going down in a 12 inch. She stated when she spoke to Mr. Ruppert. She stated what she gathered from Mr. Spies the 12 Inch is only being designed to help this project and if it collects from other homes so be it. She stated at the neighborhood meeting it was asked why not make it 24" and Mr. Spies stated it would be going at a faster rate. She expressed her concern with the proposed drainage route causing the water to flow fast because of the pitch of the land. She spoke to the recent storms in Schaumburg and Barrington where water came up to the doors. She expressed concern with the water backing up and coming out of those 3 drains. Ms. Limberg stated the HOA president lives in Pepper tree and they put in a 12" pipe and it was greatly undersized. She stated they finally got a 36" and he said it is still undersized. She asked why they are only helping the development not the neighborhood.

Chairman Dwyer asked Mr. Spies if the size of the storm water pipe is it determined by the Water Reclamation District.

Mr. Spies stated in some cases. He explained he needs to provide a storm sewer that can handle 0.59 cfs run off for the 100 year storm event in the proposed condition. He stated that would probably be an 8" pipe but they are putting on a 12" pipe that would be restricted at the detention basin and run the oversized 12" all the way down. Mr. Spies explained they chose 12" because when they get down towards Home St. and along the southern leg of Elm they don't have the cover to provide a storm sewer pipe larger than 12" and re-grade the ditch to improve the conditions along Elm St.

Chairman Dwyer clarified with the restrictor even if they made the pipe bigger it wouldn't carry any more water

Mr. Spies answered that is correct.

Ms. Limburg asked why in this proposal we are going into the 50's with ditches along the north side of Garden Ave. She spoke to the proposed open ditch and how it is much smaller than the ditch that is currently on south Elm that is having issues. She spoke to a home that was built that they thought was on an aquifer but the basement is constantly pumping because it's on a water shed. She stated if they do this development then this detention will constantly be pouring the water out and when they do an elbow it will come up. She spoke to past proposals and how they said it would go fast and furious down. She expressed concern that there is no big picture on how this all will be routed.

She stated where they are actually developing it will be 1950 ditches on Garden and Elm and then culverts under the driveway where the development is and then on 336.

She stated this will come fast and furious right at us.

Chairman Dwyer asked Mr. Spies why they are remaining as culverts and ditches.

Mr. Spies stated it's because that's what is out there. He explained the swales they will put on the north side of Garden there is very little ditch there to begin with. Mr. Spies stated it's the same thing on the south side so they will be installing a swale along there which will improve that area and re-grading the ditch along Elm will also improve the area on the east side of Elm.

Ms. Limburg stated they are calling a swale now which means it's smaller than a ditch. She expressed concern with the elevation and how the water will flow right down and overflow over. She pointed out on the lot for 1500 there is not one drain on the proposal.

Chairman Dwyer stated this is getting outside of the Plan Commission's purview. He stated they can ask the Village Engineer review the storm water management plan but they are legally prohibited because they are not licensed engineers. He stated the village Engineer has already reviewed the storm water management plan.

She repeated her concerns.

Chairman Dwyer asked the objector to begin concluding to avoid repetition.

She asked if this was approved from MWRD to be put into the creek because it was mentioned when this came through in May their property sits behind the property where the creek is and Pepper Tree improved and they use the US army corps of Engineers and IDOT and they joined in their creek so now it backs up. She stated by doing this it will cause a problem on the back of the properties. She stated MWRD only approves if the Village approves. She stated they didn't address these issues even though they were brought up in the May meeting.

Mr. Noonan asked what she would like to see there

She answered it should be R1. She spoke to a development on Concord that had a road that did not encroach into the neighborhood pointing out this encroaches

into the neighborhood. She re-expressed her concern on water flow.

Ms. Campos stated the footprint of these properties is at least 75% coverage so they are taking out all the trees and vegetation and open space. She stated this is making the situation worse with covering so much of the property with cement which will make all the neighbors flood. She spoke to the neighbors' current flooding issues. Ms. Campos pointed out this development is on the highest elevation and everything runs down. She spoke to the only improvements since they were annexed including repaving of asphalt and cement on the side of the roads and fireplugs. She stated the village has not added to their value except for those things and they have been incorporated for over 15 years. She stated the Village is not helping us by putting that big development Ms. Campos expressed concern that if Buffalo creek floods it will come into her basement or their neighbor whose sump pumps run all the time. She restated her concern with it not blending with the neighborhood and changes the character. Ms. Campos stated they would like to see 3 single family homes on these properties. She stated they are all there for the same reason they like the way the neighborhood is now but it is not fair for other neighbor to suffer for their benefit.

Sworn in Mr. Laszlo Bordas 1444 N Elm Street

Mr. Bordas stated they would like to see what their benefit is from this development. He stated he loves this place. He stated the city wants their money, the developer wants their money but they want to keep it the same. Mr. Bordas agreed there is no need for more commercial space. He stated the water situation will not only be bad for them but will also be bad for the city.

STAFF RECOMMENDATION:

The current Village adopted Comprehensive Plan recognized that the future best use of these 3 lots should consider an office use, in addition to the previous recommendation for commercial land uses. The subject proposal provides a land use transition for the commercial properties and incorporates a moderate density. Also, the Petitioner made several architectural improvements and the storm sewer extensions will assist in managing storm water, in a subdivision that is presently devoid of any storm sewers.

Therefore, Staff recommends approval of the Preliminary Planned Development subject to the following conditions:

- 1) The final architecture, engineering, and site development plans shall substantially conform to the Spies and Associates Preliminary Engineering Plans, dated 01/25/2018 and the Mathias Jans Architect plans, dated 05/07/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
- 2) The Final Engineering Plans shall be revised in a manner acceptable to the Village Engineer, and include the following:
 - a. MWRD, WMO, and IEPA permits would be required. Site runoff, volume control and detention requirements apply.
 - b. The retaining wall design will need to have the appropriate structural engineering review and seal for Village review.
 - c. The driveway access cuts on Hicks Road shall be removed and replaced with barrier curb.

- d. The project engineer shall provide the necessary plan information to demonstrate sufficient overflow capacity for the proposed lookout units. This should include 1.3 feet of freeboard, if directed by the Village Engineer.
- e. The water main shall be extended east of unit 7 to the easement for the future connection to the Village's water main to complete the loop.
- 3) After the construction of the second building, the Petitioner's engineer shall submit updated impervious coverage calculations in a manner acceptable to the Village Engineer. This shall include any Village recommended changes to the impervious calculations and engineering plans for the development.
- 4) Prior to the issuance of a building permit for any building, the developer shall complete the detention basin installation and storm sewer extensions along Garden Avenue, south along Elm Street, including the required ditch line in the Elm Street and Garden Avenue ROW, with approval from the Village Engineer.
- 5) A construction management and traffic plan shall be submitted in a manner acceptable to the Directors of Public Works and Planning and Zoning. This traffic management plan shall outline the proposed development schedule and identify the material delivery routes and proposed parking areas for the contractors, prior to the completion of internal drive. The construction traffic and material deliveries should be directed to and from Hicks Road for access to the site. A component of this plan shall also include an initial notification, by standard mail, to the residential properties within 600 feet of the subject property, once the initial site development schedule is known.
- 6) As part of the implementation of the Final Planned Development, the Traffic Committee may review and recommend additional parking and traffic controls to the Village Council, including the parking adjustments/restrictions along Garden Avenue, proximate to the Subject Development.
- 7) Homeowners Declarations shall be submitted in a manner acceptable to the Village Attorney and Director of Planning and Zoning, and shall address the following items:
 - a. The internal road shall remain private and the Village will not be responsible for maintenance or snow removal. A snow removal and maintenance plan shall be submitted in a manner acceptable to the Director of Planning and Zoning and the Director of Fire Prevention.
 - b. The private maintenance responsibilities of the HOA for the detention basin and any appropriate plantings within the detention basin.
 - 8) A Planned Development letter of credit in the amount of \$120,000 shall be submitted in manner acceptable to the Village of Palatine.
 - 9) An engineer's estimate of probable cost shall be revised in a manner acceptable to the Village Engineer.
 - 10) A letter of credit in the amount of 110% of the engineer's cost estimate for the public improvements shall be submitted.
- 11) Review fees in the amount of 1.5% of the engineer's cost estimate of the total project improvements shall be submitted.
- 12) Any building not constructed by the Petitioner shall receive approval from Village Council prior to the issuance of a building permit.
- 13) One side of the private road shall be posted "No Parking Fire Lane", including the hammerhead with an ordinance created to enforce this requirement. This

request should be submitted through the Palatine Police Department.

- 14) A landscaping and screening plan shall be revised in a manner acceptable to the Director of Planning and Zoning.

Chairman Dwyer stated he would think they would have a final landscape plan before it goes further. He expressed concern if the area holds water for a few days it will kill the arborvitae.

Mr. Hansen pointed out a typo in condition #3 this should be revised to recommended for clarity.

Mr. Kolososki asked if they meet the lot coverage limitation for this site
Mr. Vyverberg explained under an umbrella of a planned development it is viewed as a zoning island onto itself as opposed to lot coverage or building coverage requirements for a zoning district.

Mr. Kolososki asked if the site is being overburdened given the size of lot and the amount of impervious surface being put there.

Mr. Vyverberg stated the evaluation would come from a staff perspective when there is not an underlining zoning district prescribing maximum lot coverage or building coverage the answer would come in the form of the review of the storm water detention proposal and the storm water calculations. He stated if anything came forth and there was not enough capacity then that would be how we would answer that question accordingly. Mr. Vyverberg stated since preliminary and final engineering plans have been reviewed and accepted by the Village Engineer and is subject to conditions it is seen as acceptable as proposed.

Mr. Bettenhausen asked if there will be any fence or railing be installed on top of the landscape wall.

Mr. Spies stated the landscape walls are approx. 2ft high generally

Mr. Bettenhausen pointed out the one on the south end is 5ft high

Mr. Spies asked what side he is referring to

Mr. Bettenhausen answered the south side of the landscape wall

Mr. Spies answered yes they would have one then

Mr. Bettenhausen expressed concern with the close proximity of the stairway to that landscape wall. He stated two of the units scale seems to be 2 ft. wide. He expressed concern for a resident falling and for emergency personal to get through. Mr. Bettenhausen stated 2ft seems close if residents want to maneuver around and go see their neighbors.

Mr. Spies stated they can take a look at it but he stated he believes the decks come out 6ft.

Mr. Bettenhausen stated he scaled each one and they vary in size. He asked if there will be sidewalks going around to the side entrance

Mr. Spies answered yes there would be from driveway to side entrance.

Mr. Bettenhausen stated they say they are targeting 55 plus but designs don't seem to reflect- since they have 3 entrances all with multiple stairs

Chairman Dwyer stated they are 55 not 85.

Mr. Bettenhausen stated if they are if moving in at 55 they may want to stay for a while. He asked if a concrete pad or landing will be at the base of the stairs at the stairway in the back.

Mr. Rose answered yes.

Chairman Dwyer stated the plans should be more finalized before it goes to council

Mr. Hansen asked Chairman Dwyer what his recommendation would be

Chairman Dwyer stated it is up to whoever wants to make the motion. He stated we could continue this to a date certain or can require the plans be in final format before it goes before community economic development.

Mr. Hansen asked Mr. Rose if he can and will agree and accomplish the conditions

Mr. Rose answered yes

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

Chairman Dwyer spoke to the location be commercial on two sides vs in the middle of the residential area.

Chairman Dwyer spoke to the concern of storm water stating the engineers have testified it meets the requirements and will reduce the flow of the property.

Mr. Bettenhausen stated he thinks the detention plan satisfies the requirements.

Chairman Dwyer spoke to the traffic concerns pointing out most townhomes have minimal traffic.

Mr. Fedota referred to the summary of average daily traffic and pointed out this is not necessarily senior but it is significantly less than what commercial traffic would be. He stated they did a nice job addressing that and documenting it.

Chairman Dwyer spoke to the question is this land use appropriate in this area and landscape screening. He asked is it possible with a good landscape plan this could be a transition form the commercial across the street.

Ms. Robins spoke to the question on how it will impact the property value stating we can guess but won't really know. She stated it is not the board's job to devalue property.

Mr. Noonan stated ultimately we don't know if it will devalue or add to value

Discussion on determining the value impact and adding a requirement to be done prior to it going to Village Council.

Ms. Robins spoke to the testimonies being very emotional and how the residents don't want this. She stated we have to listen to that. Ms. Robins stated maybe this needs to be on market longer.

Chairman Dwyer stated we have to determine if this is an appropriate use for the property.

Ms. Robins agreed with Chairman Dwyer that we have to listen and say if appropriate use but we also have to decide if it is an appropriate use for the existing neighborhood.

Chairman Dwyer asked if landscaping along the west border sufficient enough to provide a transitional use. He pointed out these buildings are less height than a single family home since homes in this area have a ridgeline of about 30ft.

Mr. Kolososki spoke to a project he was involved with by the library where they built berms that were 12' high but stated it probably could not be done on this project because of density. He spoke to density and how he doesn't object to the proposal but thinks they are trying to put too many units in.

Chairman Dwyer stated the exhibit from staff shows this is on low end
Mr. Kolososki stated he knows but stated there is a difference between a 2 acre project and a 20 acre project. He asked if it is practical for less than 2 acres

Mr. Hansen asked Mr. Kolososki what he would suggest to reduce the density.
Mr. Kolososki stated he would try to reduce the number of units and maybe keep the same configuration but have fewer units. He stated he feels there is too much impervious surface which will impact the runoff if they address it that's fine. He stated it is taking up pervious surface that could soak up some of the water.
Mr. Kolososki pointed out the 2 projects heard tonight storm water was a big issue and it's not going to go away so each project has to be looked at practically. He stated if there is anything the board can do to get the developer and Village staff to think a little harder about how to address these issues by the time they get to the board maybe it won't be that big of an issue.

Mr. Bettenhausen stated the board had the same discussion the first time these plans came through regarding the number of units and the density pointing out the board suggested reducing it to maybe 6-8 units

Mr. Fedota stated he was surprised it came back with 12.

Mr. Noonan complimented the developer for sitting down with the residents and trying to hash some things out.

Mr. Noonan made motion to deny; seconded by Mr. Bettenhausen

Mr. Dwyer summarized that this request failed to meet the standards and was denied by a vote of 5-4. This item will tentatively go to the Community and Economic Development Committee of the Village Council on September 10, 2018.

RESULT:	RECOMMEND TO DENY [5 TO 4]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Rodney Bettenhausen, Plan Commissioner
AYES:	Robins, Noonan, Williams, Bettenhausen, Kolososki
NAYS:	Hansen, Dwyer, Friedman, Fedota

IV. COMMUNICATIONS**V. ADJOURNMENT**

1. Motion to Adjourn

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Stephen Fedota, Plan Commissioner
SECONDER:	Patrick Noonan, Plan Commissioner
AYES:	Hansen, Dwyer, Robins, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota

