



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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<http://www.palatine.il.us>

PLANNING AND ZONING COMMISSION

MINUTES • JULY 25, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Patrick Noonan	Commissioner	Absent	
Cindy Roth-Wurster	Commissioner	Absent	
Eric Friedman	Vice Chairperson	Present	
Jan Wood	Chairperson	Present	
Jerry Luszczak	Commissioner	Absent	
Rodney Bettenhausen	Commissioner	Present	
Robert Kolososki	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
Stephen Fedota	Commissioner	Absent	

Staff Present: Mr. Ben Vyverberg & Ms. Lyn Bremanis

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Jul 11, 2023 7:00 PM

Mr. Friedman made a motion to approve the minutes of July 11, 2023; seconded by Mr. Cavanaugh

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Eric Friedman, Vice Chairperson
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczak, Fedota

III. PUBLIC HEARING

1. 37 N. Plum Grove Road

2. 849 W. Kenilworth Avenue

Notice was published in the Journal and Topics on July 6, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Spot Survey
4. Site plan & Elevations
5. Public Notice

Ms. Bremanis gave a brief outline of the request explaining the petitioner recently received a Special Use for a front yard setback reduction for an addition. As part of the addition, the detached garage was replaced and upon completion of the spot survey, at the end of construction, the garage was determined to have 4.6' setback from the side lot line, instead of the required minimum 5 feet. Therefore, the petitioner is requesting:

- Variation to permit an accessory structure to be set back 4 feet from the side lot line, instead of the minimum required 5 feet.

Sworn in petitioner: Mr. Joel Christell 849 W. Kenilworth Avenue, owner

Mr. Christell stated they did not intend to encroach, but contractor used neighbors' fence for reference instead of lot line. He explained the fence runs on an angle so garage setbacks run from 4.9 ft to 4.6 ft going north. He stated the garage is built but did not intend to not meet code Mr. Christell stated they spoke to the neighbor on that side who is in support and has no issues.

Commissioner Kolososki asked if the neighbors provided any written sign off. Mr. Christell answered no just a verbal approval.

Commissioner Kolososki asked if the fence runs the along whole side of lot. Mr. Christell answered yes along with landscaping.

Commissioner Friedman asked when the issue was discovered. Mr. Christell explained during the spot survey review.

Ms. Bremanis gave a brief overview stating the garage size and height did not change and still meet code. She stated they were granted a variation for lot coverage which is still applicable since the size did not change. Ms. Bremanis stated Community Services and Engineering have reviewed and had no issues.

STAFF RECOMMENDATION:

The Petitioner is in the process of constructing a new detached garage and the

approved plans met code. However, when the spot survey was completed, it found that the garage encroached approximately 0.4 feet into the required 5-foot side yard setback. The new garage should not alter the essential character of the neighborhood. In addition, there is an existing solid 6-foot fence along the adjacent side lot line that will buffer the neighbor from the encroachment. Therefore, Staff recommends approval of the Variation subject to the following conditions:

1. The Variation shall substantially conform to the boundary survey prepared by Exacta Land Surveyors, dated 05/01/2023, except as said plans may be revised to conform to the Village Code of Ordinances

There were no further questions. The public hearing was closed.

Commissioner Cavanaugh made a motion to approve subject staff's conditions; seconded by Commissioner Kolososki

DELIBERATIONS:

Commissioner Kolososki stated the relief is only for a few inches and it is not the homeowner's job to make sure layout is correct. He stated it is a mistake, but not egregious.

Commissioner Cavanaugh agreed with Commissioner Kolososki. He stated it is in the same position as previous garage that was existing nonconforming.

Chairman Wood stated it meets the standards of reasonable return. She stated it is a small amount of relief and error in laying foundation.

Commissioner Friedman stated it should have been caught during pre-pour.

Commissioner Kolososki stated the fence probably fooled everyone. He stated many issues such as snow on the ground can make it hard to determine.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on August 7, 2023

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Robert Kolososki, Commissioner
AYES:	Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczak, Fedota

3. 841 N Martin Drive

Notice was published in the Daily Herald on July 10, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Site Plan
4. Fence Elevations
5. Public Notice

Ms. Bremanis gave a brief outline of the request explaining the petitioner is proposing to install a 6-foot tall solid fence, which would be set back approximately 29 feet from the front property line abutting W. Northwest Highway. Therefore, the petitioner is requesting:

- Special Use to permit a fence in the front yard.

Sworn in petitioner: Mr. Anthony Cinquegrani 841 N. Martin Drive, owner

Mr. Cinquegrani explained he wants to put a 6ft cedar fence along his property that abuts Northwest Highway with a setback of 25ft to provide a site and sound barrier from traffic. He stated he spoke to the neighbor at 840 N Martin Drive who has no objection. He referred to the aerial slide stated they and the other 3 properties along Northwest Highway were annexed in the 90's and are surrounded by unincorporated. Mr. Cinquegrani stated the front of his house faces Martin Drive so they would consider Northwest the side yard but the Village considers it their front yard. He stated someone purchased the lot behind them and there is talk to put townhomes but not sure if that's possible but just in case he wants a fence. He explained it will be a u-shaped fence referring to site plan slide to show location.

Commissioner Cavanaugh asked if the setback is 29ft or 25ft.

Mr. Cinquegrani stated 29ft.

Commissioner Kolososki asked if they are keeping the trees.

Mr. Cinquegrani answered yes.

Commissioner Bettenhausen asked about the chain link fence on the plat of survey.

Mr. Cinquegrani stated they took down in because it was a disarray and in middle of the trees.

Ms. Bremanis gave a brief overview stating the property is zoned R1 which gives the 40ft setback. She spoke to the vacant property to the east, pointing out that

even if it is developed in the future, the fence would be setback 29ft so staff does not see any line of site issues even for future construction. She stated Community Services and Engineering have reviewed and did not identify any issues. Ms. Bremanis referred to existing conditions slide to indicate the location of fence and existing landscaping.

STAFF RECOMMENDATION:

The Petitioner is requesting to construct a 6-foot solid fence to be set back approximately 29 feet off the front lot line along Northwest Highway. There is significant, and dense, landscaping that presently exists in the front yard, and the proposed fence would be located behind said landscaping. In addition, the house is situated facing Martin Drive therefore the required front yard functions as a side yard. Given the proposed 29-foot setback, landscaping, and location along a busy roadway the fence should not have a negative impact on surrounding properties. Therefore, Staff recommends approval of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the site plan and fence elevation submitted by the Petitioner, Anthony Cinquegrani submitted 06/27/2023, except as said plans may be changed to conform to the Village Code of Ordinances.
2. The existing landscaping between the proposed fence and the front lot line shall be maintained.

There were no further questions. The public hearing was closed.

Commissioner Cavanaugh made a motion to approve subject staff's conditions; seconded by Commissioner Bettenhausen

DELIBERATIONS:

Commissioner Cavanaugh stated it meets the standards and won't be visible because of landscaping. He stated it won't change any vistas or aesthetics of area.

Commissioner Friedman stated he had concerns about impact of developing neighboring properties but staff addressed and has no issues.

Ms. Bremanis referred to the site plan to show the small area that requires relief.

Chairman Wood agreed with Commissioner Friedman but property is vacant and it doesn't seem to cause a problem with public health safety and welfare and no injury to surrounding areas. She stated the standards have been met.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on August 7, 2023

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Rodney Bettenhausen, Commissioner
AYES:	Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczak, Fedota

4. 587 W. Helen Road

Notice was published in the Journal & Topics on July 6, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Public Notice

Chairman Wood read into record an email from neighbor against the petition

Mr. Vyverberg gave a brief outline of the request explaining the petitioner is proposing to construct a circular driveway that will exceed the maximum permitted driveway width of 30 feet. The circular driveway would result in two curb cuts on West Helen Road. Therefore, the Petitioner is requesting:

- Variation to permit a residential driveway to exceed the maximum permitted 30 feet in width to construct a circular driveway; and
- Variation to permit a residential driveway to be 35 feet wide within 5 feet of the front property line, instead of the maximum permitted 25 feet.

Sworn in petitioner: Mr. Greg Rose West Chicago, IL (builder) & Mr. Philmore Morrison 587 W. Helen Road

Mr. Rose is requesting to construct a circular drive in for a very large home on a very large property. He stated the drive fits well with the large home and will add curb appeal and allow landscaping. He pointed out the home is setback from the road so won't overwhelm the property. Mr. Rose explained they are requesting a narrow entrance of 12ft to the west and 23ft to the east. He pointed out there are other circular drives on this street. He spoke to the safety aspect being right at the crest of Helen Road which is a significant through street of the Village. He stated both directions are downhill curves so this will serve the community both people parking and people driving through. Mr. Rose spoke to current code allowance of 25ft and how there should be flexibility for larger properties.

Mr. Morrison stated the circular driveway will look good with the home. He stated they moved from Chicago to start a family and if were involved in the beginning would have requested before they started. He spoke to the layout of the garage with multiple entrances. He stated there are no driveways across street but there is a large tree preventing parking on that side so everyone parks on their side. Mr. Morrison stated they do not want to impact neighbors so want to have guests park off street in their driveway. He pointed out there is also a fire hydrant that limits street parking. He stated they want to utilize the land to build a driveway that commensurate with home. Mr. Morrison stated he thinks the landscaping they have planned will be appreciated and noted by the Village Beautification

committee.

Chairman Wood asked if the concern is for room for visitors' cars.

Mr. Morrison answered yes. He spoke to the visibility issues, due to no street lights and the large tree that protrudes into street. He stated he thinks it's better to not have vehicle parked on the street.

Chairman Wood asked if they considered reducing the size.

Mr. Rose stated a 12ft entrance with the front load and side load garage would not be aesthetically great. He stated the code does not take in account for large properties and size of garage.

Chairman Wood asked if a circular drive was contemplated at beginning of construction.

Mr. Rose answered no.

Commissioner Bettenhausen asked what type of vehicle will be parked in garage.

Mr. Morrison stated a larger pickup truck.

Commissioner Bettenhausen asked if they considered 15ft and 10ft.

Mr. Phillmore stated they considered shrinking to make smaller but aesthetically it doesn't fit home.

Chairman Wood asked if driveway been started.

Mr. Rose stated they cut it and found out they were exceeding the limit.

Chairman Wood asked how long has home been there.

Mr. Rose stated they started construction in 2020.

Commissioner Kolososki how wide is strip on east side where truck will go.

Discussion on width referring to site plan slide.

Commissioner Kolososki asked if they plan on parking 2 or 3 cars in garage.

Mr. Morrison stated they will try to make turn to park 3.

Commissioner Kolososki stated they have ability to stack cars in garage and have plenty of room to park more cars in drive within code.

Commissioner Cavanaugh clarified the purpose is for parking and safety.

Mr. Phillmore answered yes.

Chairman Wood spoke to the neighbor's concerns on snow removal of the larger driveway and the 2 curb cuts will reduce the street parking.

Mr. Rose agreed that the parking on the street is an issue.

Mr. Morrison stated there is no home across from driveway so can't push snow on someone else's property.

Commissioner Friedman spoke to letter and clarified their concern of snow is more for drainage swale.

Mr. Rose stated the driveway would have to be approved by the Village engineer and will be designed by engineer to ensure water is being managed properly.

Mr. Vyverberg gave a brief overview. He spoke to the other existing circular driveways both having building permits and working with Village to be within ordinance. He stated the subject property is a larger property at 100ft wide so lot coverage and building coverage are not of concern.

Commissioner Cavanaugh asked about the property to the west.

Mr. Vyverberg stated they met maximum driveway width at the property line and were given a permit as a single-family residence property. He spoke to the petitioner's request for multiple variations on width relief.

Chairman Wood asked why does the code restrict to 25 ft.

Mr. Vyverberg explained there are many factors, but ultimately it is to not create multiple curb cuts that exceed a manageable width for residential properties.

Chairman Wood asked if there are other driveways in the Village that are that large.

Mr. Vyverberg stated any driveway requests at this size would require relief.

Chairman Wood asked how many have exceeded the max at the property line.

Mr. Vyverberg stated he can think of one that was annexed in from Cook County with preexisting conditions. He stated it is not a typical relief.

STAFF RECOMMENDATION:

The circular driveway proposed by the Petitioner would allow for easier access in and out of the subject property. The overall width of the proposed driveway is comparable to other approved recently approved driveway width variations (e.g. Illinois Avenue and Austin Lane), but those examples also complied the maximum driveway width at the property line. There are two existing circular driveways in the neighborhood. Nonetheless, Staff did not find that there was adequate justification provided to permit the driveway width within 5 feet of the front property line to exceed the maximum permitted 25 feet. The proposed circular drive would function sufficiently if said driveway width within 5 feet of the property line complied with Village Code.

Therefore, Staff recommends denial of the Variation. However, if the Petitioner agrees to reduce the driveway width within the first 5 feet of the property to comply with the 25-foot maximum width, then Staff would recommend action at the discretion of Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The Variation shall substantially conform to the Site Plan submitted by the Petitioner, Greg Rose, except as such plans may be changed to conform to the

Villages Codes and Ordinances.

Chairman Wood asked if staff is recommending denial of both variations.
Mr. Vyverberg answered yes.

Mr. Rose stated the 42.5 ft can't be any smaller with a side load garage. He stated the vast majority of properties are 75 ft wide compared to a lot of 100 ft wide the drive differential should be comparably.

There were no further questions. The public hearing was closed.

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

DELIBERATIONS:

Commissioner Kolososki stated he sees a lot of horseshoe driveways and every town have their own stipulation. He agreed it is difficult to get 3 cars in garage but can't criticize the ordinance. He stated it is unfortunate since the house is already configured.

Commissioner Cavanaugh stated he is sympathetic, but not sure if it is necessary. He stated he understands the safety concerns with the street.

Commissioner Friedman stated he thinks there are other solutions that can meet code.

Chairman Wood stated she is familiar with the area and agrees with the petitioner about the tree problem and safety concern with the lack of sidewalks. She stated the concerns are valid. She stated she thinks a single 25' driveway can be enough but understands the benefit of the circular drive. Chairman Wood stated she understands staffs concerns but thinks large home so aesthetics should be considered

Motion to approve failed: 2-3

Ayes: Cavanaugh, Wood

Nays: Bettenhausen, Kolososki, Friedman

Commissioner Friedman made a motion to deny; seconded by Mr. Cavanaugh

Chairman Wood summarized that this request was denied by a vote of 3-2. This item will tentatively go to Village Council on August 14, 2023.

RESULT:	RECOMMEND TO DENY [3 TO 2]
MOVER:	Eric Friedman, Vice Chairperson
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Friedman, Bettenhausen, Kolososki
NAYS:	Wood, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczyk, Fedota

5. 1347 N Grove Avenue

Notice was published in the Journal & Topics on July 6, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use & Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Elevations and Floor Plans
6. Aerial- Utilities
7. Aerial- common neighborhood properties
8. Public Notice

Ms. Bremanis gave a brief outline of the request explaining the petitioner is proposing to build a new single-family home on the vacant lot directly east of 1347 N. Grove Avenue. In addition, a private drive is proposed connecting the vacant property to Grove Avenue through the north side of 1347 N. Grove Avenue. Therefore, the petitioner is requesting:

- Special Use to permit a new single-family residence to be set back 41 feet from the rear property line, instead of the minimum required 50 feet; and
- Variation for the driveway width to be 29 feet in total width within 5 feet of the lot line instead of the maximum permitted 25 feet.

Sworn in petitioner: Mr. Muhammed Alobaidi 1347 N. Grove Avenue

Mr. Alobaidi stated they have lived in the Village for almost 2 years. He stated his family is growing and the home is becoming too small. Mr. Alobaidi explained they are looking to build a new home on the back lot which would need an additional driveway to access. He explained the need for the relief is for the driveway access which is 4ft more than minimum required. He stated the only way to build within code is to cut the existing driveway which will not look right. He stated the special use request would not even be needed, if they were zoned the same as neighboring properties.

Chairman Wood asked if they own both lots. She asked what will happen to existing house.

Mr. Alobaidi answered yes and stated it will remain.

Chairman Wood asked about setback relief

Mr. Alobaidi tried with stay within setback but would have to be very narrow at 29ft and would not be consistent with neighborhood.

Ms. Bremanis gave a brief overview stating it is zoned R-1 and is approximately

15,488 square feet and is conforming to the pre-1958 R-1 lot area standards. She stated when annexed it was planned under the sub area plan to be developed under the R1A standards, with front yard setback being 30ft and the rear yard being 45ft. versus the R-1 standards of 40ft & 50ft. Ms. Bremanis explained the petitioner could have accommodated the required setbacks if zoned R1A. She spoke to the driveway options and referred to the aerial slide to show alternative location using the right of way. She stated based on elevations there is a 6-7ft drop along Coolidge Ave undeveloped property and is highly densely wooded. Ms. Bremanis referred to existing conditions slide to show what proposed driveway would look like. She stated the home will be required to hook into water and possibly septic if Cook County deems it not able to take care of proposed home. She stated Community Services and Fire Prevention reviewed and had no issues. She stated Engineering reviewed and identified the utility hookup conditions.

Commissioner Friedman asked staff how the front and backyard are determined. Ms. Bremanis explained they took Coolidge Ave as their front yard.

Commissioner Bettenhausen asked about the easement width being the same as the drive. He asked if that's enough if they need waterline access won't they need more

Ms. Bremanis stated staff told them to identify the easements, but the final plans would be reviewed and submitted in a manner acceptable to the Village Engineer.

Discussion on easements and additional 2ft gap to lot line.

STAFF RECOMMENDATION:

The Petitioner has applied to reduce the required rear yard setback from 50 feet to 41 feet. The existing residence to the south has a legal non-conforming rear yard setback of approximately 20 feet from its' eastern lot line, which is roughly half of what the petitioner is proposing. It was constructed in unincorporated Cook County and annexed into the Village. In addition, the proposed side yard setbacks for the subject property exceed the required 15-foot setback, leaving a significant amount of open space. Therefore, the rear yard setback reduction should not impact the surrounding properties.

Due to the circumstance of being a land locked without direct access to an improved right of way, a private drive is proposed to allow access to the subject property. In adding the private drive, the total width of the two driveways exceeds the maximum 25 feet allowed width within 5 feet of the front lot line with a proposed 29 feet, thus requiring a Variation.

Due to the uniqueness of the proposed driveway access crossing the adjacent lot, and adding a second curb cut, this is ultimately a policy decision for the Planning and Zoning Commission to recommend and the Village Council to determine. Therefore, Staff recommends action and the discretion of the

Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval of Special Use and Variation, Staff recommends the following conditions:

1. The Special Use and Variation shall substantially conform to the site plan and architectural plans prepared by the Urban Design Group, submitted on 06/10/2023, except as said plans may be revised to conform to the Village Code of Ordinances.
2. Connection to the public water supply shall be required for the new construction.
3. A complete septic evaluation/design report shall be submitted showing sufficient area for a new system and separation from all adjoining wells shall be provided for both lots. If both properties cannot support a new septic system in the allowed area the public sanitary main shall be extended the north corner of the property and the two structures shall be connected to the public sanitary main.
4. An easement shall be submitted in a manner acceptable to the Village Attorney and Village Engineer for both cross access across the proposed driveway and for the proposed waterline and any additional utilities.

Ms. Bremanis pointed out house to south is setback 29ft and has a private drive, as well, but had access to right of way to build an access drive.

Commissioner Kolososki asked if there is any chance the streets will be put in. Ms. Bremanis stated Public Works has no current plans.

There were no further questions. The public hearing was closed.

Commissioner Cavanaugh made a motion to approve subject staff's conditions; seconded by Commissioner Kolososki

DELIBERATIONS:

Commissioner Kolososki stated it is a tight situation, but it works. He pointed out they are not asking for anything excessive. He stated it is a small project that fills a small area.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on August 14, 2023

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Robert Kolososki, Commissioner
AYES:	Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczak, Fedota

6. 101 W. Palatine Road

Notice was published in the Journal & Topics on July 6, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Final Planned Development
2. Proof of Ownership
3. Preliminary Planned Development Conditions
4. Final Architectural Plans- The Trieuth at Palatine
5. Engineering Plans
6. Draft Apartment Building Rules and Regulations- The Trieuth at Palatine
7. Public Notice

Chairman Wood spoke about an objectors' exhibit from resident at 132 W. Johnson Street.

Mr. Vyverberg gave a brief outline of the request explaining the subject property (0.40-acres), located at the southwest corner of Brockway Street and Palatine Road, previously contained a multi-tenant one-story commercial building (including Kramer Photography). The previous building was demolished in 2021 and the site remains vacant at this time. The Petitioner received Preliminary Planned Development in November 2022 to allow a 3-story, 18-unit apartment building and roof-top amenity area. The Petitioner is now seeking Final Planned Development to effectuate the initial approval granted. Therefore, the Petitioner is requesting approval of the following:

- Final Planned Development to allow an 18-unit, 3-story apartment building, with a rooftop resident amenity area.

Sworn in petitioner: Mr. Vu Trieu owner & Mr. Jim Tinaglia architect

Mr. Tinaglia stated nothing has changed from preliminary. He stated they completed all the drawings that match original request. Mr. Tinaglia stated they addressed the minor details that wanted to wrap up including fence.

Commissioner Kolososki asked about parking update.

Mr. Vyverberg stated there are 34 parking spaces. He stated this is compliant with other developments and was approved at the preliminary planned development review.

Chairman Wood clarified it is strictly residential.

Mr. Tinaglia answered yes.

Chairman Wood read into record the neighbor objection letter raising concerns about the open parking.

Mr. Vyverberg explained the original planned development site plan fence

contemplation with open area but stated the new design will close it off.

Chairman Wood asked if the new design will resolve the neighbor's concern.

Mr. Vyverberg stated from a staff perspective, it softens the impact of a solid masonry building being near the property line and immediate adjacent to another 2-story brick building.

Commissioner Kolososki asked about snow removal.

Mr. Tinaglia explained there will be snow melts systems but will need removal during a heavy winter. He stated they tried to be sensitive to neighbors. He stated there are countless open parking facilities so is comfortable with it.

Commissioner Kolososki explained the concern about 5ft not being high enough and asked if they would be open to 6ft for security.

Mr. Tinaglia stated they can consider but pointed out the fence is enclosed.

Commissioner Friedman asked if rendering was same after plan commission.

Mr. Vyverberg referred to slide indicating there were changes that were approved at Village Council.

Mr. Tinaglia stated they took the advice from Plan Commission to make these changes.

Commissioner Bettenhausen referred to packet page 121, E101 of plans. He stated in the lower right corner it refers to an amber light at entrance of garage door asked if that's to alert pedestrians.

Mr. Tinaglia answered yes.

Commissioner Bettenhausen asked about the rules and regulations pointing out section on parking in garages had 3 sections but unsure how they all apply to this building.

Vu stated the attorney drafted the initial document.

Mr. Vyverberg explained staff requested draft rules, but will need to be reviewed and approved by the Village.

Mr. Vyverberg gave a brief overview explaining when they came through originally for preliminary planned development approval the maximum height was shown as 50ft 2inches and the final plans are slightly shorter. He spoke the parking and tenant amenity area that were part of the preliminary approval. He stated it is all residential with 2-bedroom units of varying sizes and a roof top amenity area, which will have rules, including the hours of operation that will be approved and finalized by the Village attorney. Mr. Vyverberg stated the building will be setback an additional 5ft to allow better traffic visibility for turning onto Palatine Road. He referred to the elevation slides to show comparability to the Palatine Bank and Trust and the AT&T building to the south. He stated from a density perspective it is comparable to other developments in the area and is consistent for residential uses in the TOD Plan.

STAFF RECOMMENDATION:

The residential apartment building conforms to the residential use recommendations of the Downtown Land Use Guide and the TOD plan. Additionally, the proposed Final architectural and engineering plans conditionally comply with the Preliminary Planned Development approval and reflect the approval from November 2022. The greater setback along Palatine Road will reestablish a pedestrian separation that the previous building did not provide. The plans also reflect a material quality that is comparable to other existing downtown buildings and comply with the Downtown Design Guidelines. Therefore, Staff recommends approval of the Final Planned Development, subject to the Preliminary Planned Development approval and the following conditions:

- 1) The Final Engineering Plans shall be revised in a manner acceptable to the Village Engineer.
- 2) The final architectural fencing plan around the exterior of the parking stalls shall be submitted in a manner acceptable to the Director of Planning and Zoning.
- 3) The development shall substantially conform to the architectural plans prepared by Tinaglia Architects, last revised on 5/19/23, except as such plans may be changed to conform to Village Codes and Ordinances.
- 4) A traffic control plan showing, not only the Maintenance of Traffic (MOT) for the public utility connections, but also the traffic plan during construction, this would include the construction management plan and material delivery routes and contractor parking during construction and shall be submitted in a manner acceptable to the Village Engineer. The traffic plan shall be submitted in conjunction with the building permit submission.
- 5) The Final Plat of Easement Vacation (10-foot easement on the south side of the property - per the ALTA survey dated 12/13/19 by MM Surveying Company) and, if required by the Village, Plat of Consolidation shall be submitted in a manner acceptable to the Village Engineer.
- 6) An Engineers Estimate of Probable Cost (EEOPC) shall be submitted in a manner acceptable to the Village Engineer and shall include a line item for traffic control and protection. Planning review fees based upon the final accepted EEOPC shall be submitted in a manner acceptable to the Village Engineer.
- 7) A Public Improvement letter of credit in an amount of 115% of the approved EEOPC, for said public improvements, shall be submitted in a manner acceptable to the Village Engineer.
- 8) A Planned Development letter of credit shall be submitted in a manner acceptable to the Director of Planning and Zoning.

- 9) All extra agency permits shall be submitted in a manner acceptable to the Village Engineer. At a minimum, this shall include an IDOT permit, an MWRD letter of determination, and an MWRD sewer permit.
- 10) The final rules and regulations draft for the building operations shall be revised in a manner acceptable to the Village Attorney and Director of Planning and Zoning.

Commissioner Kolososki asked if they could add condition for 6ft fence.

Mr. Vyverberg stated from a staff's perspective there is latitude within condition #2 that the fence height can be amended.

There were no further questions. The public hearing was closed.

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

DELIBERATIONS:

Commissioner Kolososki stated it proportionately fits in to area. He stated it is nice looking and is filling in a corner that needs to be filled in. He stated a commercial building would have been a mistake.

Chairman Wood stated she wasn't involved with the preliminary review but proposal looks good and is aesthetically pleasing and will add to the property. She stated she thinks the additional 5ft setback is good improvement. She stated she agrees it is not overwhelming and fits with neighboring properties and is a great development.

Commissioner Friedman stated he originally voted against but appreciates the changes. He stated he understands the reason for no business and understands Staffs' and Councils' comments.

Chairman Wood stated she understands the want for retail but pointed out it is a struggle to fill those spaces and there are spaces available in the Village.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on August 14, 2023

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Robert Kolososki, Commissioner
AYES:	Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczak, Fedota

IV. COMMUNICATIONS**V. ADJOURNMENT**

1. Motion to Adjourn

Mr. Friedman made a motion to adjourn; seconded by Mr. Kolososki

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Eric Friedman, Vice Chairperson
SECONDER:	Robert Kolososki, Commissioner
AYES:	Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Noonan, Roth-Wurster, Luszczak, Fedota

