

VILLAGE OF PALATINE

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

PLAN COMMISSION MINUTES • MAY 1, 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	Absent	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Present	
Robert Kolososki	Plan Commissioner	Present	
Stephen Fedota	Plan Commissioner	Absent	

Staff present: Ms. Katie Romack and Mr. Ben Vyverberg

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Feb 6, 2018 7:00 PM

Ms. Williams made a motion to approve the minutes of February 6, 2018; seconded by Mr. Kolososki.

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

III. PUBLIC HEARING

1. 111 E. Palatine Road

Chairman Dwyer read the notice of public hearing.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Application for Special Use and Variation
3. Proof of Ownership
4. Plat of Survey
5. Floor Plans
6. Letter from the Petitioner dated 2-27-18
7. Photos submitted by the Petitioner
8. Response letter from Architect dated 3-27-18
9. 0-032-97 Amend Appendix A Zoning Ordinance
10. Surrounding Zoning Map

Sworn in Mr. Ron Kalbas 838 W. Ellis Street Palatine, IL & Mr. Tom Buckley, architect, 5928 Eton Drive Hoffman Estates

Mr. Kalbas explained his property is a farm home built in 1919. He stated he bought the property in 2005 and anticipated putting a 12-unit condo building there. He stated he was renting the whole house, but the first floor has separate kitchen so would like to subdivide and make it into a duplex so he can rent out the first and second floor. Mr. Kalbas stated he plans on making minor changes like updating the bathroom. He explained the location is in between sun maid cleaners and 2 office building to east.

Sworn in staff: Ms. Katie Romack and Mr. Ben Vyverberg

Ms. Romack gave the background of the property. She stated it has been an existing rental property since before 2011, but vacant since January 2018. She stated before it was a rental it was the Camelot Care Center, which was a residence for children. Ms. Romack explained under the current R-2 zoning multi-family dwellings are not permitted but pointed out in 1997 the Village approved a text amendment to allow the Special Use review of non-conforming multi-family dwellings to determine if those dwellings were legal or illegal. She spoke to the 3 conditions of the Special Use that need to be met being:

1. The dwelling shall contain three or fewer dwelling units
2. The dwelling shall have been in continuous use as a multi-family dwelling since January 1, 1987; and
3. The owner of the dwelling shall obtain a rental license from the Health Department as required by Sec. 10-15 of the Palatine Code of Ordinances.

Ms. Romack stated the Petitioner is requesting a variation for Condition #2 because there is no proof that it has been in continuous use as a multi-family dwelling since January 1, 1987. She spoke to the current configuration and how it meets the definition of a duplex. She further explained the request is not

changing the current configuration and the slight changes they are making will require a building permit and will address life safety code violations. She referred to the photo slides and stated the basement would be a common space. She showed current condition slides of pictures taken by staff.

Ms. Robins spoke to the one door on the north elevation and asked if both tenants will use the same door.

Mr. Buckley stated there will be 2 exit and entrances for each unit but they will share a common stairway. He showed location on the floor plan slide. Mr. Buckley further explained the sketches were drawn by Mr. Kalbas and are being redrawn.

Mr. Hanson asked if the front door enters into a common hallway.

Mr. Buckley answered no that door services only the first floor.

Ms. Robins asked if the second floor entrance is on the side of the house.

Mr. Buckley explained they would most likely enter through the common hallway but stated there is a required exit out of the second floor with an exterior stairway.

Mr. Friedman asked if there will be an added secured second floor landing in the shared stairway.

Mr. Buckley stated it will be rebuilt. He explained the need for fire separation and how the stairway will be open from grade level up to second floor but both units will have fire rated doors.

Mr. Kolososki asked what the setback is from the last riser of the stair for the second unit to the lot line.

Ms. Romack stated it is approximately 30 feet or more.

STAFF RECOMMENDATIONS:

While the proposal does not follow the recommendations of the future comprehensive plan, which identifies the future of this property as a business use, the subject property has been used as a multi-family dwelling since before 2011 and as a residence for children prior to being a rental. In addition, the 1997 text amendment was approved to specifically address existing non-conforming multi-family residential dwellings as a Special Use in the single-family residential districts. Staff believes this proposal will not have a negative impact on the surrounding properties as this area of Palatine Road currently has a mix of commercial, single-family residential and multi-family residential uses. Therefore, Staff recommends approval of the proposal subject to the following conditions:

1. The Special Use and Variation request shall substantially conform to the floor plans prepared by the Petitioner dated 02/23/2018, except as such plans may be revised to conform to Village Codes and Ordinances.
2. A rental license shall be obtained.

3. The parking lot shall be repaired and striped in a manner acceptable to the Village of Palatine.
4. Parking lot lighting shall be installed in a manner acceptable to the Village of Palatine.
5. The dumpster location and enclosure shall be installed in a manner acceptable to the Village of Palatine.
6. A building permit shall be obtained for any life safety or other building improvements, which require a building permit.

DELIBERATIONS:

Mr. Bettenhausen asked if the striping condition is for parking identification.
Ms. Romack answered yes.

Mr. Hanson asked if Mr. Kalbas can and will meet all 6 conditions.
Mr. Kalbas answered yes.

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

Mr. Kolososki stated his only concern is that the building is old but since they are going through the permit process that will take care of any life safety concerns. He stated he sees no other issues.

Mr. Dwyer agreed and stated they are not changing much.

Ms. Robins made motion to approve subject staffs conditions; seconded by Mr. Friedman.

Mr. Dwyer summarized that this request had met the standards and was unanimously approved by a vote of 7-0. This item will go to the Community and Economic Development Committee of the Village Council on May 14, 2018.

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

2. Text Amendments Appendix B - Village of Palatine Subdivision, Site Development, and Floodplain Regulations; Section 2.01 (Definitions), Section 6.08 (Floodplain Regulations), and Section 8.08 (Stormwater drainage and management)

Mr. Vyverberg spoke to the changes to the Subdivision Ordinance adopted by Village council in 2013 that were a reflection of MWRD and the Watershed Management Ordinance (WMO) that had an effective date of 2014. He further explained rather than accepting any changes WMO makes Palatine chose to structure our Subdivision Ordinance with specific requirements to meet the goals and objectives for the Village within the Subdivision Ordinance, but Palatine did not adopt the WMO by prescription. He stated if they make changes it would require technical changes to ours.

Mr. Vyverberg stated he discussed the changes with the Village Engineer and the engineering department. He referred to the Text amendment slides and summarized the changes:

1. Technical definitional changes which are a reflection of the changes made by MWRD
2. Related to detention facilities, volume control practices, site constraints, and sub watershed
3. Specific regulations regarding elevation of structures

Mr. Vyverberg stated the Village Engineer is recommending adopting them accordingly. He mentioned Chairman Dwyer has submitted non-substantive corrections related to the text amendments which have been forwarded to the Village Engineer. He stated in his reread of the corrections they seem to be procedural and assume the Village Engineer will not have an issue so there will be a slight change relative to that.

Mr. Vyverberg stated staff recommends approval for inclusion in the subdivision ordinance as proposed.

Mr. Dwyer asked about the definition of demolition.

Mr. Vyverberg explained he isn't certain if the implication to return to a natural vacant state is permanent or intermediary but will follow up with the Village Engineer accordingly.

Discussion on the wording used in the definition of demolition.

Mr. Friedman asked about the accessory structure change and if the change related to sanitary facilities specifically means bathroom or if it would include a utility sink.

Mr. Vyverberg stated he had this discussion with the Village Engineer and the response back was the intention is bathroom facilities as it relates to it. He further explained our building code would contemplate one as plumbing and the other as a sanitary fixture.

Ms. Robins pointed out Palatine is misspelled in Section 1 #3 on packet page 38.

Mr. Dwyer stated that is an existing Ordinance going back to 1997.

Mr. Vyverberg clarified that was part of the zoning ordinance for the request for

111 E. Palatine Road for multifamily dwellings in the R-2.

Mr. Kolososki asked for clarification on the definition of site constraints as related to poor soil conditions.

Mr. Vyverberg stated he doesn't want to speculate and will clarify with the Village Engineer.

STAFF RECOMMENDATION

Mr. Vyverberg stated staff recommends approval with the corrected changes.

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

Mr. Dwyer stated they are technical updates to match what MWRD has done with their ordinance.

Ms. Williams made a motion to approve the request with the corrected changes; seconded by Mr. Bettenhausen.

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

IV. COMMUNICATIONS

Mr. Vyverberg stated 1000 E. Dundee Road has submitted for their site development permit.

Mr. Vyverberg stated there will be 4 items on the May 15th agenda:

1. 12-unit townhouse proposal at Hicks Road and Garden Avenue
2. Proposed 2-lot subdivision requesting a Preliminary Plat of Subdivision for the lot West of Michigan Avenue in the Old World Subdivision.
3. Related to the Old World Subdivision request staff will make a presentation of some of the review done to the development patterns within the West Michigan Avenue / Plum Grove Road Corridor
4. Several acre parcel at 366 N. Quentin Road seeking Preliminary Planned Development and Preliminary Plat of Subdivision for a 4-lot subdivisions with a cul-de-sac

Mr. Dwyer asked if there was a community block grant hearing this year.

Mr. Vyverberg explained there was but Plan Commission was not utilized for it.

V. ADJOURNMENT

1. Motion to Adjourn

Ms. Robins made a motion to adjourn; seconded by Mr. Kolososki,

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

