

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 • APRIL 4, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Dennis Dwyer	Chairman	Present	
Patrick Noonan	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Present	
Robert Kolososki	Plan Commissioner	Present	
Stephen Fedota	Plan Commissioner	Present	

II. PUBLIC HEARING

1. 180-190 N. Smith Street - Preliminary Planned Development to allow a 6-story mixed use building, with an enclosed rooftop amenity area, ground floor commercial uses, and 85 residential rental units

Case #PPD-000002-2023

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on March 20th, 2023 and mailed to the owners of the surrounding properties.

The following petitioner’s exhibits were introduced:

1. Village Submittal - Elevations, Floorplans and Site Plan 2120 Durty Nellies Redev Ariel 01
2. 180 N Smith St. Unit Proposed Residential Unit Mix (85) Units
3. Preliminary Planned Development Application
4. 4125-Preliminary Staff Review Letter 3-2-23
5. Public Notice

Sworn in Staff: Ben Vyverberg

Sworn in Petitioner: Jim Tinaglia - Tinaglia Architects

Mr. Tinaglia explains the vision for the property located at 180-190 N Smith Street. He states that the current business, Durty Nellies, is not going away. The current building is 19,000 sq feet and is difficult to maintain, pay taxes, and keep going. The plan is to have commercial development on the first floor with tenant space to keep Durty Nellies and residential living units on the upper floors and

refers to a rendering. He explains that there will be a central main entrance for the residents to enter and exit. The bank will remain and will also be on the 1st floor. There is 5 stories of residential living area and the top floor will have an outdoor space for seasonal entertainment. He states that it stands 81' tall which is 42' shorter than The Providence on the other side of town. He explains the building design and states that the far wings are 2-3 stories tall, 4-stories closer to the center and 6-stories in the middle. Height matches the existing parking garage. Their plan is to have a bridge to the existing parking garage. Parking for this development is being reviewed and is working with the village on the recommendation for parking. Currently, the top floor of the parking garage is 232 parking stalls and it's not being used at this time. Indoor or underground parking is not an option and would kill the plan. He states that this development would be a benefit for downtown businesses.

Mr. Dwyer states that the nature of Dirty Nellies would change dramatically.

Mr. Tinaglia expands on what Dirty Nellies would look like.

Mr. Dwyer clarifies that Preliminary Planned Development can be misleading and is not preliminary. Its approval is subject to conditions that come with the motion to approve. If all conditions are met and the petition is approved, things can't be changed later.

Mr. Vyverberg provides background on the project and presents floor plans of each floor and talks about the distribution of square footage on each floor. He presents architectural renderings and elevations of the property. He states that the original Dirty Nellies development was developed as a 3 lot subdivision. The Planned Development was approved in 2002. The Preliminary Planned Development process is predominantly a Land use question - the off-street parking questions and requirements would have to be addressed as part of Final Planned Development. The parking code currently requires 2 spaces per unit or 170 spaces. There are 68 spaces dedicated in the deck 3-hour parking for the commercial uses (Nellie's and the Gateway building). He talks about potential parking resources explains the density of the proposed plan. He presents a table and elevations of the existing developments and provides the density specs for each of the properties.

Mr. Vyverberg reads an email into record from Jonathan Vetter, resident, opposing the development, which was made part of the record and noted in the exhibit folder.

Mr. Kolososki asks about the parking alternatives.

Mr. Vyverberg states that the Metra parking use has not been determined. At this time there seems to be three options:

- A. Hamilton partners lease of parking spaces to petitioner.
- B. Village provides approval of parking spaces at upper deck of parking garage.
- C. The lot to the east provides spaces

Mr. Kolososki asks if another level could be put onto the parking garage.

Mr. Vyverberg states it has not been considered at this time.
Mr. Fedota asks what the occupancy is of the office building.
Mr. Vyverberg states he does not have a specific number. Multi-use tenancy on the first floor exists at this time, but does not have a firm count.
Mr. Dwyer asks if Providence has enclosed parking or an open lot.
Mr. Vyverberg states that Providence does have underground parking. References back to his breakdown of developments and parking availability.
Dr. Dwyer states that occupants of the new development may not like having to walk any distance to their residence or their car.
Mr. Bettenhausen asks where the Hamilton Partners has spaces on the 2nd and 3rd level and part of the 1st floor.

Norbert Krookstadt Unit 112 of the Parktowne complex on W. Wood Street.
He states his main concern is parking. He asks if any of the units would be Air B&B or short term rentals.

Mr. Tinaglia states that parking is being worked on with the Village and staff. They are here to make sure the land use is appropriate and then parking number can be determined. He states that this is an apartment project. They are not condos and Management Company will be maintaining and managing units and there would be restriction in the leases.

Amy Feld - 162 S Fremont St
Previous landscape architect
She states it would be desirable to have development closer to the street because it would give it a more downtown feel with parking behind the building. She states the balconies would have a more attractive view.

Kim Lind
141 Maple Street
Palatine Station
States it would be great for the neighborhood. She provides another idea regarding parking and states that handicapped accessible units may reduce the number of spots required. She states that there is not many properties that offer handicapped accessibility.

Dawn Odoy
240 W Wilson Street
Concerns about parking, congestion and noise. Also concerned about the existing drainage issues at Colfax.
Mr. Vyverberg states that engineering solutions are being evaluated and the Village is working with MWRD. Village Council has approved engineering plans and the project could begin within the next 8 months.
Dawn states there has been flooding issues and asks if the drainage would be addressed prior to construction.
Mr. Vyverberg states that is the intention. Public Works is working diligently to resolve the issue on Smith & Colfax, in conjunction with MWRD. The Village Engineer would not approve a development for this area without the drainage

issues being resolved.

Dawn asks if this is a done deal.

Mr. Dwyer states that it is up to the Village Council. If the Council approves the preliminary planned development its land use would be approved. The petitioner would have to meet all conditions for approval. He states that we are a recommending body and hear all the testimony. The Village Council utilizes the information from the Planned Development meeting to approve or deny.

James Farksun

313 W Wood Street

States he is pro-development and believes it will keep the area alive with activity and help to keep the area secure.

John Julian

135 N Cedar Street

Would like information on the masonry design and the roof materials that will be used. Also asks what restrictions would be in the tenant leases regarding balcony storage or BBQ'ing on the balconies. He inquires if there will be setback or height requirements. He also states that it will be a good development and will benefit the businesses in the area.

Mr. Tinaglia states the development would be harmonious with the neighborhood. The exterior of the building will have traditional brick and traditional asphalt shingles. 1st floor areas will have cast stone and black metal balconies. Design is using materials that people are familiar and comfortable with. The space on the roof is not envisioned with bands on the roof top. The vision is for a cocktail hour on date night. He states the area is unique and is not available in any other town. He states the front area is pedestrian friendly. They are working with the MWRD requirements and the Village rules to not interfere with recommendations.

Benedict Martorano

222 N Brockway Street

He states that the worry regarding rooftop noise should not be an issue. There is already rooftop music in the existing establishment. He enjoys the entertainment. He is in favor of the new development. He states that the problem in the downtown area is the buildings that contain 1st floor parking and provides a brick wall view which is unappealing. He asks if the entire structure will be torn down. He also asks how construction traffic will be managed.

Mr. Tinaglia states the construction plan would require fencing, exits, entrance, storage, deliveries. The plan would be provided at final approval. The development would demolish the existing structure.

Mr. Dwyer asks if there is exit from parking on the south end.

Mr. Freidman states he believes existing driveways would remain and there is an exit on the south end.

Mr. Dwyer asks about moving in and out.

Mr. Tinaglia refers to the drawing and states the alley at the back of the building has a loading area for the residents. There would be rules for move in and move out times.

Mr. Fedota asks where trash receptacles would be.

Mr. Tinaglia states there are chutes on every floor that would go to a trash room on the first floor. And would be disposed of in the existing white space area. There are corridors within the building to get trash from the building to the white space area for the commercial properties.

Mr. Friedman talks about a food service tenant on the first floor and asks if the black iron to the roof through multiple stories. With the occupied roof and active roof level, what would be the exhaust scheme.

Mr. Tinaglia states it would be the same and talks through the roof top plan.

Mr. Friedman asks what is the construction plan for noise separation.

Mr. Tinaglia states it would be pre cast to provide a solid sound deadening source.

Mr. Bettenhausen inquires whether there would be loading spots for the tenants to unload groceries.

Mr. Tinaglia states that would be discussed as part of the final plan.

Mr. Bettenhausen asks if there would be assigned parking stalls.

Mr. Tinaglia states it would not be assigned parking.

Mr. Friedman asks if a single level of parking below the building is considered.

Mr. Tinaglia states it is not financially feasible.

Mr. Bettenhausen asks if the tenants would have access to the Dirty Nellies area at the rooftop area

Mr. Tinaglia states it would be divided for the tenant use with a BBQ area, fire pit and lounge areas. The area for Dirty Nellies would be only for their use. The open space would be mechanical equipment and would be screened.

Mr. Fedota asks if 2 liquor licenses would be required. One for the establishment on the first floor and one for the rooftop areas.

Mr. Vyverberg states it would be determined at the final planned development.

Mr. Fedota asks if there is any accessibility for fire trucks on the south side.

Mr. Vyverberg states it would have to be addressed at final planned development.

Further discussion regarding set back of building between petitioner and commissioners.

Mr. Fedota inquires what other anchor tenants would be considered.

Mr. Tinaglia states it would have to be determined.

Mr. Noonan asks if there will be a full service bar on the rooftop.

Mr. Tinaglia states it would not.

Mr. Dwyer asks where a crane would be located during construction.

Mr. Tinaglia states that the whole area would be closed down and fenced in during construction.

Mr. Friedman clarifies that access to the parking garage would not be interfered.

STAFF RECOMMENDATION:
RECOMMENDATION:

The proposed redevelopment of the Subject Property maintains the mixed use land use qualities outlined in the original planning for Downtown Palatine and also maintains the architectural qualities desired through both the Downtown Design Guidelines and Land Use Guide. The proposed architectural building materials maintain the qualities of other developments in the area.

Although the final parking resources have not been completed, both the Petitioners and Staff understand that this will be a mandatory requirement in conjunction with Final Planned Development. As such, the final parking ratios/unit are anticipated to be comparable to the other downtown developments, particularly as this property fronts to the Metra train access.

One of the goals of the TOD plan was to expand and diversify Downtown residential developments to provide more housing options for growing sectors. Although the overall density of would be the largest of any of the recent residential projects, it only represents 6 additional units/acre from the Providence Development. While the overall building height is comparable to some of the surrounding developments, it also represents an amendment to the established underlying site plan and uses for the property.

The proposed redevelopment also transitions from the existing Planned Development land uses and therefore Staff believes is a policy question first for the Plan Commission to recommend and ultimately for the Village Council to decide. Therefore, Staff recommends action at the Plan Commission's discretion. If the Plan Commission recommends approval, Staff recommends the following conditions:

- 1. In conjunction with a request for Final Planned Development approval, a detailed parking plan shall be submitted. The specifics of the parking plan, including, but not limited to, location, design, total number of parking spaces, and parking ratios based on the number of residential units and the commercial uses, would all be subject to Village review and approval in conjunction with a request for Final Planned Development approval. In addition, specific authorization and/or an agreement with the property owner(s) shall be submitted in conjunction with a request for Final Planned Development approval for any proposed offsite parking resources outlined in the proposed parking plan.**
- 2. The Final Architectural and Elevation Plans shall substantially comply with the submitted architectural plans by Tinaglia Architects, dated 12/7/22, except as such plans shall be changed to comply with codes and ordinances.**
- 3. All extra agency permits shall be submitted in a manner acceptable to the Village Engineer. This would include a WMO permit, as required.**
- 4. The Engineers Estimate of Probable Cost (EEOPC) shall be submitted in a manner acceptable to the Village Engineer.**
- 5. Review fees, based upon the finally accepted EEOPC shall be submitted in a manner acceptable to the Village Engineer.**

6. A final off-street parking plan for the residential units shall be submitted in a manner acceptable to the Director of Planning and Zoning and Village Attorney in conjunction with the Final Planned Development application materials.
7. An auto-turn, a standby power plan for the elevator, and the appropriate fire lanes shall be submitted and identified in a manner acceptable to the Fire Marshal.
8. The Final Architectural Plans shall be revised in a manner acceptable to the Director of Community Development, including the final material quantities and distribution.
9. The commercial uses shall follow the B-2 use lists, as outlined in the Zoning Ordinance.
10. The Engineering Plans shall be submitted and revised in a manner acceptable to the Village Engineer.
11. The Final Landscaping Plan shall be revised in a manner acceptable to the Director of Planning and Zoning
12. 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.
13. A Planned Development Letter of Credit, pursuant to Article 14 of the Village of Palatine Zoning Ordinance, shall be submitted in a manner acceptable to the Director of Planning and Zoning.
14. As determined by the Village Attorney, the HOA declarations shall be submitted and revised in a manner acceptable to the Village Attorney.
15. A construction management plan shall be submitted in a manner acceptable to the Director of Planning and Zoning and the Village Engineer and shall outline the proposed development schedule and identify the material delivery routes and proposed parking areas for the contractors, in conjunction with the building permit application submission.

Mr. Friedman states he has 14 conditions in his packet but he is showing 15.

Mr. Vyverberg states that there is a condition 15 - all uses for commercial businesses on ground floor are subject to the special uses/conditions of the B2 area

Mr. Friedman states item #2 states final plans shall be changed to comply. Are there known changes staff has asked for.

Mr. Vyverberg states that there are minor architectural tweaks.

Mr. Dwyer asks about condition #13 HOA declarations

Mr. Dwyer states it may say - Lease agreements shall be submitted.

Mr. Vyverberg states it could but would be addressed by the village attorney.

Mr. Dwyer asked if condition 15 would include signage.

Mr. Vyverberg states that would be addressed at final plan development. There is no signage proposed at this time.

Mr. Fedota asks about condition #3 - questions the additional square footage and the WMO permit requirements.

Mr. Vyverberg states it would be determined during the final engineer plan.
Mr. Fedota questions the Echelon 19, LLC Corporation listed as a petitioner. Are they from Tennessee?
Mr. Vyverberg states they reside in Tennessee and a developer from TN.
Mr. Dwyer asks if Mr. Tinaglia will meet the conditions.
Mr. Tinalgia states they would meet the conditions.

Mr. Fedota made a motion to close the public hearing - 2nd by Mr. Noonan

DELIBERATIONS:

Mr. Kolososki states the building should be built as per the drawings presented. Does not believe it should be any closer to the street. Believes it needs to be close to the parking garage with a link to the building.
Mr. Dwyer agrees a bridge is a good idea.
Mr. Friedman states that the conversation exists that density would be welcomed. Residents would like to see a livelier downtown area. It's a good size with a smart design. He believes it has a lot going for it if the parking can be agreed to.
Mr. Fedota states it has important components that have been thought out. He like the differential of the exterior design elements.
Mr. Kolososki states this development would be a shot in the arm for the downtown area and he's all for it.
Mr. Dwyer states it is more of a concept plan than a preliminary plan. Would like to see more detail. Too many "if's" and points out there is no signage presented within the plan or sound proofing details. States it can be voted on as presented, it can be voted with a condition that everything is subject to village review and approval or it can be looked at as a land use and table the preliminary.
Mr. Noonan states that the signage would not be as the existing Durty Nellie billboard.
Mr. Fedota states that it would be a draw back to the petitioner if this was not approved for clarifications.
Mr. Friedman states it is implied in the current conditions.
Mr. Dwyer states again that Preliminary is somewhat misleading and feels conditions have not captured all scenarios.
Mr. Tinaglia states he would approve added condition.

Mr. Fedota states he will make a motion to add a condition and states all conditions will be reviewed.

Discussion regarding language for condition

Mr. Friedman clarifies how the motion should be voted

Mr. Fedota - 16 conditions -Motion to approve with 16 conditions

Mr. Vyverberg states the discussion will be noted in the minutes

Mr. Fedota made a motion to recommend with the 16th condition - 2nd by Mr. Noonan.

Mr. Dwyer summarized the request was unanimously accepted by a vote of 6-0. This will tentatively go to Village council on: Monday April 17th, 2023.

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

III. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Mar 21, 2023 7:00 PM

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Stephen Fedota, Plan Commissioner
AYES:	Dwyer, Noonan, Friedman, Bettenhausen, Kolososki, Fedota

2. Plan Commission - Regular Meeting - Mar 16, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Rodney Bettenhausen, Plan Commissioner
AYES:	Dwyer, Noonan, Friedman, Bettenhausen, Kolososki, Fedota

3. Plan Commission - Regular Meeting - Apr 20, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Rodney Bettenhausen, Plan Commissioner
AYES:	Dwyer, Noonan, Friedman, Bettenhausen, Kolososki, Fedota

4. Plan Commission - Regular Meeting - Apr 6, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Rodney Bettenhausen, Plan Commissioner
AYES:	Dwyer, Noonan, Friedman, Bettenhausen, Kolososki, Fedota

IV. COMMUNICATIONS

The New Commission will be The Planning & Zoning Commission

V. ADJOURNMENT