

III. PUBLIC HEARING

1. 780 W. Dundee Road

Case #ZON-000009-2023

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

The following petitioner's exhibits were introduced:

1. Application
2. Plat of Subdivision
3. Engineering Plans
4. Tree Preservation
5. Elevation Example
6. Plat of Survey
7. Public Notice

Sworn in Staff: Lyn Bremanis

Sworn in Petitioner: Amir Rafidia, USA Developers and Josh Terpstra with Haeger Engineering.

Mr. Terpstra provides background information on the subject property and explains the parcel is at the northwest corner of Dundee and North Haven Dr. It was previously unincorporated cook county and was annexed into the village of Palatine as R-1 single family residential. USA Developers is the new owner and seeking to subdivide the lots from one lot into four lots and rezone from R-1 to R-2. Mr. Terpstra provides an overview of the site plan design and engineering design. He explains that they are seeking to rezone to the R-2 regulation. He states that the site plan meets or exceeds the zoning requirements for R-2. The 4 lots are proposed to have one single family residence on each lot with driveway access off the North Haven Drive cul-de-sac. He explains the engineering design also meets the Village of Palatine codes and requirements. There are outside agencies that have jurisdiction for this location. MWRD of Chicago controls the storm water management and sanitary, and Dundee Rd on the south is controlled by IDOT. The proposed lots will source the water and sanitary service from an existing sanitary and water lines that run beneath North Haven Drive. There is a proposed storm water management facility located at the SW corner of the southern 2 lots in the proposed development that which discharges to the existing storm sewer below North Haven Drive and will discharge to the wetland area north of the cul-de-sac which meets the existing drainage patterns of the site. The owner is aware that other agencies require permits and those permits must be obtained prior to the village approval. They've begun that process.

Mr. Bettenhausen questions the sequence of construction. He asks if the lots will be sold before the home is built or is the home being built on spec.

Mr. Terpstra explains that USA Developers owns all four lots and will use all lots for themselves. Mr. Rafidia agrees and states that the homes will be occupied by family members.

Mr. Bettenhausen asks if the driveways shown on the plans represent the actual build. Mr. Terpstra states the driveways will be built as represented. If there are any conflicts with the utilities it would be addressed with the architect.

Mr. Fedota asks if there is any fencing planned for the flow control area.

Mr. Terpstra states that USA developers owns the commercial property to the west. The existing line of trees and landscaping to the west would be a separating factor from the commercial property and the residential property.

Mr. Fedota asks if there is an HOA that would provide maintenance of the swale.

Mr. Terpstra explains that there is a condition that the HOA would provide maintenance for the area and the easement.

Mr. Fedota asks if there are any substantial changes from the preliminary.

Mr. Terpstra states that there is not.

Ms. Bremanis talks about the property being annexed in April of 2022. When annexed in, per code, it is automatically zoned as R-1. Rezoning it to R-2 was discussed during the preliminary planned development. She provides photographs of the existing conditions which illustrates the clearing of the lots that has been completed. She states the forestry division will verify any additional trees being removed.

Mr. Friedman asks if the road is a public road or part of the HOA.

Ms. Bremanis states it is a public road.

Resident: Steve Fishman 1585 North Haven Dr.

Mr. Fishman states his concern regarding the new development. He is concerned about the additional traffic leaving the subdivision to exit onto Dundee Rd. He states adding four more houses would double the number of cars coming in and out of the area. It is already difficult to enter and exit onto Dundee Rd. He states that the street is narrow and is worried about street parking. He is concerned about congestion and the excess load to the sewer system. He questions how this will affect the existing homes on North Haven Dr.

Ms. Bremanis addresses his concern regarding the narrow street and states that the village is aware of the street width. The Fire Marshall has reviewed and the west side of the street may be deemed as no parking. Parking will only be permitted on one side of the street to keep an open lane. In regards to the sewer system, the Village Engineer has reviewed the sewer system and approved for this proposed project. Ms. Bremanis offers the resident the opportunity to contact the engineer directly and will provide his information.

Mr. Dwyer asks Mr. Terpstra the size of the storm sewer system on North Haven Dr.

Mr. Terpstra states he would have to check the TOPO plan but he believes it's a 12" sewer. He states there is a proposed storm water management facility at the southwest corner of the proposed plan. Sanitary sewer and water services would be provided by connecting to existing services in the N. Haven Drive right of way. Mr. Fishman is also concerned about parking. He states there is currently limited parking and with the additional properties there is no room for guests to park on the street.

Ms. Bremanis states that although the street is narrow, there should be room for additional parking within the resident's driveways and on the street.

Mr. Fishman reiterates his concerns regarding the limited parking.

Further discussion between resident and board members ensue regarding parking.

STAFF RECOMMENDATION:

The final plat subdivision and rezoning to R-2 is consistent with the Preliminary Plat of Subdivision and Annexation approvals, Comprehensive Plan recommendations, and are comparable to the existing subdivision to the east. The proposed lots exceed the minimum required R-2 bulk and comply with all of the setback requirements and minimum required lot depth per the Subdivision Ordinance. The proposed subdivision is also consistent with Marks Landing Subdivision (directly east). Therefore, Staff recommends approval of the proposed request, subject to the following conditions:

1. The development shall substantially conform to the engineering plans prepared by Haeger Engineering dated 2/01/23 and attached hereto as Exhibit 'A' except as such plans may be revised to conform to Village Codes and Ordinances.
2. The Final Plat of Subdivision shall be submitted on Mylar with the required signatures and significantly conform to the Plat of Subdivision prepared by Haeger Engineering, Inc. and attached hereto.
3. The Final Engineering Plans, Final Engineer's Cost Estimate, and Tree Preservation Plans shall be revised in a manner acceptable to the Village Engineer and Director of Planning and Zoning.
4. A Public Improvement letter of credit or appropriate security shall be submitted in a manner acceptable to the Village Engineer.
5. 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.
6. A Subdivision Improvement Agreement shall be submitted in a manner acceptable to the Village Attorney.
7. Recording fees in the amount of \$300 shall be submitted.
8. A construction management plan indicating the proposed material delivery routes and contractor parking areas, shall be submitted to the Village Engineer and Director of Planning and Zoning.
9. All required extra agency permits shall be submitted in manner acceptable to the Village Engineer.
10. HOA declarations shall be submitted in a manner acceptable to the Village

Attorney, prior to the issuance of a building permit.

- 11. The final architectural elevations shall comply with the Architectural Design Guidelines (“monotony code”), per Section 6-41 of the Village Code.

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

DISCUSSION:

Mr. Noonan states his sympathy for the resident.

Mr. Kolososki states 2 cars can be parked on driveway and there is room on the street for additional guest parking.

Mr. Fedota states the division of 1 parcel to 4 is the meeting at hand and all other concerns do not apply to this meeting.

Mr. Dwyer states this is not a planned development meeting and the plans meet the requirements for the final subdivision and the R-2 request

Further discussion about parking.

Mr. Noonan made a motion to approve case #ZON-000009-2023; seconded by Mr. Kolososki

Mr. Dwyer summarized the request was unanimously accepted by a vote of 6-0. This will tentatively go to Village council on March 20th, 2023.

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

IV. COMMUNICATIONS**Communication:**

Ms. Bremanis states the next meeting will have one item on the Agenda for a3-21-23 regarding a 4-Lot Single Family Subdivision.

Village Council met on Monday 3-6-23 and continued the Salt Creek Park District request to March 20th.

Mr. Dwyer asks about the status of the Comprehensive plan review. Lyn states there have been preliminary meetings and this is still in the works.

V. ADJOURNMENT