



VILLAGE OF PALATINE

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

PLANNING AND ZONING COMMISSION

MINUTES • FEBRUARY 27, 2024

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

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

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Feb 13, 2024 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Patrick Noonan, Commissioner
AYES:	Noonan, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Schubert
ABSENT:	Roth-Wurster, Fedota

III. PUBLIC HEARING

1. 430-436 E. Northwest Highway

RESULT:	CONTINUED [UNANIMOUS]	Next: 3/12/2024 7:00 PM
MOVER:	Robert Kolososki, Commissioner	
SECONDER:	Kevin Cavanaugh, Commissioner	
AYES:	Noonan, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Schubert	
ABSENT:	Roth-Wurster, Fedota	

2. 885 W. Dorchester Road

SU-000088-2024 - 885 W. Dorchester Rd

Notice was published in the Journal & Topics on February 8th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Site Plan**
5. **Fence Elevation**
6. **Public Notice**

Mr. Bradshaw provides background information on the request, mentioning that the subject property is a corner lot. He explains that the petitioner is proposing to construct a 5-foot-tall fence, set back 10 feet from the property's side property line that abuts Crescent Ave, instead of the minimum required 20 feet.

Sworn in petitioner: Jill Niese - 885 W. Dorchester, owner.

Ms. Niese explains that she has been a resident of Palatine for eight years and recently built a house at this property. She expresses that the lot provided the space she was seeking for her dog and the gardening activities she enjoys. Ms. Niese states that she received approval for a dog run on the west side of her property but is now seeking a fence for added safety and privacy. She believes that this addition will not only enhance the value of her property but also benefit the surrounding properties.

Commissioner Cavanaugh inquires about the landscaping shown on the site plan, questioning whether it currently exists.

Ms. Niese clarifies that the landscaping will be added as part of the permit approval.

Chairman Wood observes that the fence being installed appears to match the fencing on the surrounding properties and lot directly to the east.

Ms. Niese confirms this observation, stating that she has hired the same fence company that installed fencing at the surrounding properties and is matching what is currently installed on those properties.

Mr. Bradshaw further explains that the request includes required landscaping to meet village code requirements within 10 feet of the side property abutting a street. He emphasizes that the proposed fence should not impact the lines-of-sight more than the existing line of trees along south property line. Additionally, he states that the edge of the driveway on the adjacent property to the south, 335 S. Crescent Ave, is approximately 40 feet from the shared property line.

Ms. Niese provides a proximate comparison of a fence line set back at approximately 8-9 feet on a corner lot at 888 W. Dorchester, which is less than the 10 feet required setback.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a new privacy fence set back approximately 10 feet from the subject property's side lot line abutting a street. The Petitioner has included the required landscaping between the proposed fence and the side lot line. In addition, the existing line of trees and shrubs directly along the south shared property boundary will be maintained, and with the proposed 10-foot setback the Staff did not identify any issues with lines-of-sight.

Ultimately, the proposed fence should not destroy the existing vistas in the area nor have a negative impact on the value of the surrounding properties, however, Staff did not identify any other zoning relief for fencing to encroach into the required side yard setback within the immediate surrounding area. The existing landscaping and trees on the property directly south of the subject property also appears to extend to the Crescent Avenue property line. Nevertheless, Staff recommends action at the discretion of the Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval of the Special Use, Staff recommends the following condition:

1. The Special Use shall substantially conform to the site plan and fence elevation plan submitted by the Petitioner, Jill Niese, except as such plans may be changed to conform to the Village Codes and Ordinances.

Commissioner Schubert seeks clarification regarding 335 S. Crescent and notes that the aerial photo does not show sidewalks, but the current site plan does. He asks if sidewalks are now installed.

Mr. Bradshaw confirms that sidewalks are now installed in that area and are a continuation of existing sidewalks. He explains that the aerial photograph is dated 2022 and does not reflect the changes from the new house construction or the sidewalk installation.

Commissioner Friedman inquires about the fence at the 888 W. Dorchester lot.

Mr. Bradshaw explains that the fence at the 888 W. Dorchester lot abuts the rear side yard, allowing for a 5-foot setback from the side lot line abutting the street, whereas the subject property abuts the front side yard.

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

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

DELIBERATIONS:

Commissioner Friedman reports on his site visit, noting that he observed the property and surrounding properties. He specifically mentioned the fence at the 888 W. Dorchester, noting that it was also a corner lot and was set back less than 10 feet. Additionally, he found that with the existing landscaping in place on the subject property, the fence may not be visible from the adjoining property, mitigating any safety concerns. He points out that the similar fence installed

across the street makes the request feel appropriate and not out of place.

Commissioner Schubert expresses his initial concern about potential visibility issues for children riding bikes on the sidewalk but found that it would not be affected by the fence installation upon closer inspection of proposed fence location.

Chairman Wood agrees, stating that the proposed fence would complement the house and surroundings without negatively impacting property values, health, or safety.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday, March 11th, 2024.

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

3. 90 W. Northwest Highway

SU-000092-2024 - 90 W. Northwest Highway

Notice was published in the Journal & Topics on February 8th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Floor Plan**
5. **Business Plan**
6. **Public Notice**

Mr. Bradshaw provides background information, stating that the business is located within the Clock Tower Plaza and falls under the B-2 zoning. The petitioner is seeking approval to open a new massage therapy business and is requesting a special use permit for the proposed use.

Sworn in petitioner: Qingjian Fu (agent) - 90 W. Northwest Highway

Mr. Fu explains that the clients considered this location ideal due to its high traffic and good visibility. The owners themselves are licensed massage therapists and will be actively involved in running the business.

Commissioner Friedman seeks clarification on whether the owners are licensed, to which Mr. Fu confirms.

Chairman Wood further confirms that the owners will be actively involved in running the business, which Mr. Fu affirms.

Mr. Bradshaw adds that the submitted business plan indicates the proposed business hours from Monday to Sunday, 10 am to 8 pm. While appointments are encouraged, walk-ins could also be accommodated. Additionally, there is not a code requirement for increased parking at the property, and thus no variance is required.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new massage therapy business at the subject property. The Petitioner is a state licensed therapist and the Palatine Police Department review did not identify any issues with the petitions or business plan. Ultimately, the proposed use should not cause injury to the value of the other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use subject to the following condition:

1. The Special Use shall substantially conform to the Floor Plan and Business Plan submitted by the Petitioner's agent, Qingjian Fu, Red Sun Massage Inc., except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Commissioner Kolososki expresses support for the request, noting that the location seems suitable for this type of business.

Chairman Wood adds that the request appears to have no negative impact on surrounding properties, meets safety standards, and does not require additional parking, all of which lead her to support the request.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday, March 11th, 2024.

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

4. 37 N. Plum Grove Road - Slade Street Crossing

FPD-000093-2024 - 37 N. Plum Grove Road

Notice was published in the Journal & Topics on February 8th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application
2. Proof Of Ownership
3. Final Engineering - Slade St Crossing Engineering
4. Color Elevations
5. Architectural Plans - Permit - Slade Street
6. Architectural Plans - Permit - Plan 544
7. 240102 LS Plan DDs GWR Slade Street Crossing
8. Plat of Subdivision
9. Plat of Survey
10. Approved Preliminary Planned Development Conditions
11. Public Notice

Mr. Vyverberg explains that the petitioner is seeking approval for the final planned development to enable the development of 5 single-family residential lots and preliminary final plan of subdivision. The Village Council approved this plan in October 2023 and recommended the approval. The petitioner has completed all final engineering and architectural plans.

Sworn in petitioner: Greg Rose, ADG Development LLC - 47 N. Bothwell St., Palatine, IL

Mr. Rose confirms that he has completed the final engineering and is sticking with the original plans, with the addition of some landscaping. He emphasizes that there have been virtually no changes from the preliminary plans.

Chairman Wood states her original concerns regarding parking have been addressed with driveways allowing in and out ability.

Mr. Rose explains that the driveways are 16 feet wide, providing space for two spots in the garage, two spots in the driveway, and plenty of room for turning and snow removal.

Commissioner Cavanaugh inquires about trash removal arrangements.

Mr. Rose states that there will be a pad on Plum Grove Rd for the garbage carts, and residents will bring their garbage to those pads on garbage day.

Commissioner Schubert asks about the distance from the residents to the driveway.

Mr. Vyverberg explains that there is a shared driveway with 33.5 feet between the shared dimension leading into the driveway for each of the properties. Engineering has reviewed and agreed that it provides enough room for turns,

noting that it is a lower density area.

Commissioner Schubert inquires if two cars will fit in the garage.

Mr. Rose confirms that there is plenty of room for two cars.

Commissioner Friedman observes that there is only entry through the garage and no pathway to the front door.

Mr. Rose confirms this observation.

Commissioner Shubert asks if there is a community dumpster or if each unit will have their own bins, noting that having 10 bins at the street pad seems abundant.

Mr. Rose confirms this arrangement.

Mr. Vyverberg notes that other townhouse units within the village have the same practice.

Commissioner Friedman notes a discrepancy between the architectural elevations and the sides of the residents. He asks if the elevations represent how the units will be built or if the site plan is more accurate.

Mr. Rose explains that the elevations presented represent the actual design of the units, and wherever the front doors are located, they will match the elevations.

Mr. Vyverberg confirms that the approved elevations and engineering plans are consistent with the preliminary planned approval.

Commissioner Noonan confirms that the project has been approved by the Village Council.

Mr. Vyverberg confirms this is correct.

STAFF RECOMMENDATION:

The Petitioner intends to construct 5 new single-family homes on the subject property. As required, the final engineering and architectural plans conform to the associated Preliminary Planned Development approval. The final engineering and architectural plans have been conditionally approved by Staff. Therefore, Staff recommends approval of the Final Planned Development, Preliminary and Final Plat of Subdivision, and Rezoning to Planned Development, subject to the following conditions:

1. The development shall substantially conform to the engineering plans prepared by Spies and Associated, INC., last revised on 2/2/24 dated 10/10/23 and attached hereto, except as such plans may be revised to conform to Village Codes and Ordinances.
2. The Final Plat of Subdivision and required easement language shall be submitted in a manner acceptable to the Village Engineer. The Final Plat of Subdivision shall be submitted on Mylar with the required signatures and significantly conform to the Plat of Subdivision prepared by Spies and Associates INC. and

attached hereto.

3. The Final Engineering Plans and Final Engineer's Cost Estimate, shall be submitted in a manner acceptable to the Village Engineer and Director of Planning and Zoning.
4. The Final Architectural Plans shall substantially conform to the Gilmore Architectural plans, last revised on 1/31/24, except as such plans may be revised to conform to Village Codes and Ordinances.
5. A Public Improvement letter of credit for 115% of the full amount of the estimate for probable cost for of such Public Improvements and shall be submitted in a manner acceptable to the Village Engineer. A \$50,000 Planned Development letter of credit shall be submitted in a manner acceptable to the Director of Planning and Zoning.
6. Review fees in the amount of 1.5% of the total project improvement costs (as defined in the Village Code) and based upon the EEOPC shall be submitted in a manner acceptable to the Village Engineer.
7. A Subdivision Improvement Agreement shall be submitted in a manner acceptable to the Village Attorney.
8. Recording fees in the amount of \$300 shall be submitted.
9. The Final Landscaping plan shall be revised in a manner acceptable to the Director of Planning and Zoning and shall include additional plantings along the northern property line.
10. 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.
11. The final HOA declarations shall be submitted in a manner acceptable to the Village Attorney and shall include language to limit the storage of materials in the front yard. Such things as grills, lawn equipment and furniture, or the storage of other materials would not be permitted.
12. Any required extra agency permits shall be submitted in manner acceptable to the Village Engineer.

Commissioner Bettenhausen seeks clarification on condition #11. He asks if grills are prohibited altogether or just on the front porch. Mr. Vyverberg explains that the HOA declaration would specify that grills cannot be stored or installed in the zoning front yard along Slade St.

Commissioner Bettenhausen inquires if the fire department has reviewed this. Mr. Vyverberg states that the fire department's review would occur when the permit is submitted.

Commissioner Bettenhausen notes that for single-family homes, grills are typically required to be 5 feet away from the main structure. He also asks if grills may be disallowed altogether due to safety concerns. Mr. Vyverberg responds that such a decision would be made by the HOA.

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

Commissioner Noonan made a motion to approve subject staff's conditions; seconded by Commissioner Schubert.

DELIBERATIONS:

Commissioner Kolososki indicates that he still thinks five homes is still too many, echoing concerns expressed during the preliminary planned development phase. He maintains that the proposed density of units is too high and believes that having five homes, as proposed, could create difficulties with snow removal. He expresses a preference for four units, suggesting that four units as being more appropriate than five and that the proposed is too cramped.

Commissioner Cavanaugh indicated the he tends to agree with the Commission Kolososki's comments.

Commission Kolososki also indicated that if the development were 4 lots, the homes would have to be larger, as there are development and marketing cost considerations.

Commissioner Schubert noted that the parking lot configuration would be right-in right-out, with the parking lot layout. Garbage removal would be challenging for the residents living, particularly with snow on the ground. He anticipates that the homeowners association (HOA) may have their hands full addressing these issues. He confirmed the positive work in completing the final plans and rendering, but also noted the potential practical challenges for the residents residing there.

Commissioner Friedman views the property as transitional, considering the presence of a large multifamily structure to the west. He believes the development is a better use of the property and appreciates the balance achieved with the five individual units.

Chairman Wood acknowledges that there could be some concerns raised with the health, safety, and welfare implications of more dense housing, although it's close. As was discussed by the Commission for Preliminary Planned Development, four homes would be more appropriate. Despite the approval by the Village council, she remains uncertain if all standards have been met.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-1. This item will tentatively go to Village Council on Monday, March 11th, 2024.

RESULT:	RECOMMEND TO APPROVE [6 TO 1]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Tim Schubert, Commissioner
AYES:	Noonan, Friedman, Bettenhausen, Kolososki, Cavanaugh, Schubert
NAYS:	Wood
ABSENT:	Roth-Wurster, Fedota

5. 204-216 W. Palatine Road and 222 W. Palatine Road

PPD-000008-2024 - 204-216 W. Palatine Road & 222 W. Palatine Road

Notice was published in the Journal & Topics on February 8th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Application - Redacted**
2. **Proof of Ownership**
3. **Plats of Survey**
4. **Site Plans**
5. **Conceptual Elevations - Floorplans**
6. **Public Notice**

Mr. Vyverberg states the petitioner seeking Preliminary Planned Development approval for a property currently zoned R3 Multi-family. The proposal includes constructing a four-unit building on the westerly property, with a shared driveway for both properties.

Sworn in petitioner: Mark Silver - 1642 Balmoral Circle - Inverness, IL

Mr. Silver provides his background and states he has deep roots to the community. He expresses his desire to create a legacy for his family and describes his intention to build and rent the properties. He explains that he acquired the property at 222 W Palatine and has no plans to sell it. Instead, he aims to develop four townhouse units, each with two bedrooms and two baths, along with garages. The units will face the 204-216 location, which he also owns, and will feature a shared driveway while maintaining green space in the back.

Commissioner Friedman expresses concern about the design of the buildings, noting that they don't seem to blend in with the surrounding area of Palatine. He asks Mr. Silver how he developed the design.

Mr. Silver explains that they were seeking a design that would fit well on the property. They found the size of the buildings to be ideal, especially with the inclusion of garages and balconies. He indicates that they intend to maintain consistency by keeping all the buildings in the development the same.

Chairman Wood asks what the 204-216 building consists of.

Mr. Silver states there it consists of 4 apartments - 2 bedroom - 1 bath.

Chairman Wood asks if would be selling or renting the units.

Mr. Silver clarifies that their intention is to rent the units.

Commissioner Friedman asks if the intent is to combine the 2 properties.

Mr. Silver confirms that combining the properties is the intention.

Commissioner Kolososki raises concerns about the height of the roof, noting that it appears to be out of scale compared to the surrounding properties. He asks

about the height relative to the townhouses.

Mr. Silver responds that the height of the townhouses would be about 5-7 feet lower than the height of the roofs at the Brownstone Townhomes located directly to the east facing Smith Street.

Commissioner Friedman notes that the units are a full 3 stories above grade. The units on Smith are slightly lower.

Mr. Silver agrees.

Mr. Kolososki asks what the ceiling heights are.

Sworn In: Keith Anderson - 283 Firth - Inverness - Potential Builder for property.

Mr. Anderson states they are 9' first floors and 8' second floors

Commissioner Cavanaugh states the peak of roof would be 35'

Commissioner Bettenhausen expresses concern about the number of stairs in the design and questions the type of tenant the units are intended for. Additionally, he notes the lack of windows facing north and south and suggests considering adding them to the design.

Mr. Silver acknowledges the suggestion and states they would consider incorporating windows into the design.

Mr. Vyverberg provides an overview of the property, noting that it is located in an R-3 zoning area with a total acreage of 0.5 acres. He explains that the petitioner is seeking assurance on land use and the proposed setbacks. While the required setback is 30 feet, the proposed units would have a setback of 25 feet, which is not uncommon in the surrounding area. He confirms that the area per dwelling unit and lot area meet the requirements and the parking complies with the units count for both buildings. Mr. Vyverberg indicates that eliminating one of the curb cut onto Palatine Road is also appropriate. He emphasizes that while the preliminary planned development does not guarantee final approval, the petitioner's request aligns with R-3 standards, excepting the front yard setback. Further evaluation would be needed for final approval, including final architectural and engineering plans, as well as an assessment of building height.

Commissioner Kolososki questions whether all of the presented parking is necessary.

Mr. Vyverberg explains that according to code, two parking spaces per unit are required. The plan complies with the minimum parking requirements and even exceeds them by providing three extra spaces.

Commissioner Friedman asked about any bulk or height limits for the R-3 zoning.

Mr. Vyverberg responds that in the R-3 district, the height limit is 50 feet or 4 stories.

Sworn In: Thorwald Leen - 223 W. Slade St.

Mr. Leen expresses concern about the amount of asphalt on the property and its potential impact on stormwater and flooding, particularly since the property has a natural low point. He worries that his property might begin to flood due to the lack

of natural space remaining. Additionally, he is concerned about the removal of a shared tree and the limited green space left, suggesting that serious work would be needed for proper stormwater mitigation. He requests that more green space be allowed or that a large underground cistern be installed for water removal. Mr. Leen also mentions that the fence at the back of the property belongs to him and is actually encroaching 2 feet onto his property

Commissioner Friedman reiterates that code regulations prevent the development of a property in a way that directs water flow onto an adjoining property. He emphasizes that the current low spot on the lot, combined with the proposed development and parking lot, would necessitate significant engineering work to prevent water runoff onto Mr. Leen's property.

Mr. Vyverberg explains that the engineering issues associated with the planned development would need to be addressed during the infrastructure plan review for the Preliminary Planned Development. Any unknown issues would have to be resolved by the Petitioner's civil engineer.

Chairman Wood asks if the resident would have contact information to be informed as to the steps that are being taken to address the issues.

Mr. Vyverberg states the Village would provide him with contact information.

Mr. Silver responds to the concerns of Mr. Leen and states that the trees would not be removed.

STAFF RECOMMENDATION:

The Petitioner has presented sufficient application material and use information to request a Preliminary Planned Development. Staff notes that the underlying R-3 zoning would allow both the proposed number units and the overall parking exceeds the minimum requirements. Also, the proposed density is within the code allowances and comparable to the non-single-family properties near the subject property.

The front yard setback is proposed to be 25 feet, as opposed the minimum required 30 feet. Given the established setbacks in the area, Staff agrees that the proposed setback should not cause substantial injury to the value of other properties in the area. Therefore, Staff recommends approval of the Preliminary Planned Development, subject to the following conditions:

1. The Final Engineering Plans and Final Engineer's Cost Estimate shall be submitted and revised in a manner acceptable to the Village Engineer and Director of Planning and Zoning.
2. The final architectural and material elevation plans shall be submitted in a manner acceptable to the Village and in coordination with the attached submitted plans (Brunier & Associates, INC.), except as such plans shall be except as such plans may be revised to conform to Village Codes and Ordinances.
3. If required, a Public Improvement letter of credit or appropriate security shall be

submitted in a manner acceptable to the Village Engineer.

4. 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.
5. A shared driveway access easement shall be prepared and submitted in a manner acceptable to the Village Attorney and Director of Planning and Zoning. The access drive may also have to be noted as no parking on either side, as part of the Fire Prevention Final Planned Development review of the final driveway plan.
6. Recording fees in the amount of \$300 shall be submitted.
7. 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.
8. All required extra agency permits shall be submitted in manner acceptable to the Village Engineer.
9. The required letters of credit shall be submitted in a manner acceptable to the Director of Planning and Zoning.

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 Kolososki expresses that the project is a work in progress, highlighting concerns about the excessive height of the units and the need to address engineering issues.

Commissioner Friedman remarks on the elevations, noting that they appear tall for the area. He compares them to row homes on Smith Street, which are taller but have architectural features that mitigate their height. He mentions another location with a scale closer to the neighborhood and suggests that the proposed building might be the first of taller, denser developments in the area, considering its zoning as R-3.

Chairman Wood concurs with Friedman's assessment, acknowledging the prevalence of multifamily areas in the vicinity. She suggests that the project may need additional architectural features to better blend in with neighboring buildings.

Commissioner Kolososki suggests that adjusting the siding detail from vertical to horizontal at the top of the building might help it blend in better with the surrounding architecture.

Commissioner Cavanaugh compares the proposed plan to others in the area and acknowledges that the buildings are intended for investment purposes as rental properties. He sees the potential for more similar developments in the future and finds the proposal acceptable in that context.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday, March 18th, 2024.

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

6. 158 W. Aldridge Avenue

PFSUB-000001-2023 - 158 W. Aldridge Avenue

Notice was published in the Journal & Topics on February 8th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application
2. Proof of Ownership
3. Plat of Survey
4. Plat of Subdivision
5. Engineering Plans
6. Proposed Tree Preservation
7. Representational Elevations
8. Public Notice
9. Letters of Objection

Mr. Vyverberg provides background information on the request, stating that the petitioner is seeking preliminary and final subdivision approval for a three-lot single-family subdivision and rezoning from R1 single-family to R2 single-family zoning.

The petitioner is also seeking relief from the installation of sidewalks, which are required for subdivisions. He explains that the area in question does not have sidewalks, with the exception of the subdivision directly north, making this request atypical. Ultimately, it becomes a policy matter for the Village Council to decide upon whether to grant relief from the sidewalk requirement. The Planning and Zoning Commission could also review this requirement and comment upon it for additional Council consideration. Mr. Vyverberg notes that the Staff recommendation is to install sidewalks, but the Village Council may decide that they are only required along Brockway Street to complete the sidewalk directly north to the corner, or a cash-in-lieu option for sidewalks may be considered. He notes that the property was annexed in 1990, and at that time, it was noted that there were no sidewalks in the area. The staff recommendation will adhere to the Subdivision ordinance.

Sworn in petitioner: Jeff Wronkiewicz - 1000 S. Brockway Street, Palatine

Mr. Wronkiewicz provides background information, stating that his company has been in business since 1987 and has built 98 homes in the Palatine area. He mentions that he is also a coach at Fremd High School. He explains that the property in question is 150 feet by 135 feet and that he would like to subdivide it into three R-2 lots. He notes that each lot would exceed the minimum R-2 requirements. Mr. Wronkiewicz points out that properties to the west have already been subdivided into three R-2 lots, as have properties along Aldridge Avenue. He believes that subdividing these lots would fit well with the character of the area. He mentions that the annexation states that existing streets should be accepted in their current condition, without curbs, gutters, storm sewers, or

sidewalks. He emphasizes that there are six subdivisions bordering the property, all of which were approved without sidewalks or a fee in lieu of sidewalks.

Additionally, there are natural drainage ditches instead of storm sewers, as outlined in the annexation agreement. Mr. Wronkiewicz argues that sidewalks would not fit in with the existing drainage ditches.

Chairman Wood seeks clarification on the presence of sidewalks, noting they are on the west side of Brockway but not the east. Mr. Wronkiewicz confirms this, adding that there are no sidewalks south of the Planned Unit Development (PUD) directly north of the property.

Commissioner Cavanaugh asks if staff is aware of any similar areas annexed that required sidewalks.

Mr. Vyverberg explains that the property was annexed in 1990 without sidewalks, which is not unusual, but also clarifies that it was an annexation and not annexation agreement.

Chairman Wood points out that properties built after 1990 in the area also lack sidewalks. Mr. Wronkiewicz confirms and highlights that even those built in 1999 didn't require sidewalks.

Mr. Vyverberg states the village would ideally like sidewalks along Brockway, but if the Council waives this requirement, the Staff recommendation would be cash in lieu of sidewalk installation. Commissioner Friedman asks how the dollar amount would be determined, to which Mr. Vyverberg explains it would be calculated based on linear feet and square footage determined by the Village Engineer.

Mr. Wronkiewicz elaborates on the issue of cash in lieu for sidewalks, pointing out that properties to the south and east were never asked for cash in lieu for sidewalks. Additionally, he mentions another issue regarding tree requirements. He notes that there are existing trees along Brockway and Aldridge, but they are situated under utility lines, making it difficult to fulfill tree planting requirements. He proposes to plant trees outside of the utility lines to maintain a natural look.

Mr. Wronkiewicz confirms Commissioner Friedman's understanding, stating that he is indeed asking to install trees inside the utility lines within the property. He requests that the village permit them to plant trees at these locations to maintain a more natural look for the property.

Mr. Wronkiewicz acknowledges Commissioner Bettenhausen's suggestion regarding the culvert pipe size and driveway flare. He agrees to consider using a 12" CMP culvert pipe for better maintenance and to add a flare to the driveway as suggested. Additionally, he confirms that the existing chain-link fence will be removed as part of the project.

Mr. Wronkiewicz confirms Commissioner Schubert's inquiry, stating that the children in the neighborhood are indeed out of walking distance to schools and are instead bussed to school.

Mr. Wronkiewicz responds to Commissioner Bettenhausen's suggestion regarding a new sanitary connection, stating that it is not included in the current plan, and they intend to utilize the existing sanitary connection.

Mr. Vyverberg acknowledges that the lot sizes of the three lots exceed the standards. Regarding the question about cash in lieu of sidewalks, he mentions that he doesn't have an immediate answer and will consult with the Village Engineer. Additionally, he confirms that discussions about trees on the parkway have taken place with the petitioner previously, and the Village has provided the approved tree list for planting under the power lines, which is the solution to accommodate the situation.

Sworn in Resident: Franklin John Skorski - 145 W Bryant Ave.

Mr. Skorski emphasizes the importance of precedent in the neighborhood, highlighting its unique character with lots typically measuring approximately half an acre. He provides background information about the area, expressing the community's fondness for it. He recounts a previous incident where another developer attempted to rezone land in the neighborhood, which was met with opposition from neighbors and ultimately denied. Mr. Skorski believes that the petitioner should not have purchased the property before seeking rezoning. He points out that surrounding lots are typically larger, around 1 acre or $\frac{3}{4}$ acre, and argues against changing the zoning to R-2. He also notes that his own property relies on well and septic systems, allowing him to water as often as needed. He warns that altering the current zoning could increase the risk of flooding and requests that it remain R-1.

Sworn in Resident - Mr. Addepalli - 1112 S. Brockway Street

Mr. Addepalli shares that he has resided in the area for 17 years and was drawn to the property because of its unique and rural qualities, which he wishes to see preserved. He echoes Mr. Skorski's sentiments and opposes the rezoning of the property.

Sworn in Resident - Mr. Joe Kanupke - 105 W. Boardwalk Dr

Mr. Kanupke expresses his concerns as an adjoining property owner, focusing primarily on potential water runoff issues resulting from the development. He notes the transition from a grass lot to three lots with driveways and is apprehensive about how this change might affect water drainage in the area. Additionally, he raises concerns about how the development will aesthetically blend with the existing sidewalk that ends at the edge of his property. He expresses a desire to understand better what the finalized project will look like before forming a definitive opinion.

Commissioner Friedman asks if the sidewalk continues northward up to Illinois Avenue. Mr. Kanupke states it does.

STAFF RECOMMENDATION:

The Plat of Subdivision is consistent with the many of the existing neighboring lots that are zoned R-2 and some of the existing R-1 lots, which do not meet the current R-1 lot size standards and are similar to the proposed. Additionally, the

proposed larger R-2 properties will also serve as a transition from the smaller lot sizes to the north and the R-1 properties to the south. The proposed rezoning and 3-lot subdivision are also consistent with the 3-lot R-2 zoned properties directly west of the Subject Property. Finally, the proposed lots comply with all of the bulk R-2 standards and exceed the minimum required lot areas and depths. 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 Morris Engineering, Inc. dated 1/26/24 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 Murry and Moody, LTD. 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. Sidewalks and parkway trees will remain Staff recommended conditions of the subdivision review and should be included on both the engineering plans and EEOPC, in a manner acceptable to the Village Engineer. If the Village Council grants a waiver for a sidewalk along either street, the engineering plans and site should be designed and graded to accommodate sidewalks, if they were to be installed in the future. In addition to paying the cash in lieu of fees, the engineering plans should be designed to include sidewalks along both Aldridge Avenue and Brockway Street.
5. A Public Improvement letter of credit or appropriate security shall be submitted in a manner acceptable to the Village Engineer.
6. 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.
7. A Subdivision Improvement Agreement shall be submitted in a manner acceptable to the Village Attorney.
8. Recording fees in the amount of \$300 shall be submitted.
9. 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.
10. All required extra agency permits shall be submitted in manner acceptable to the Village Engineer.

Further discussion regarding the zoning of the subject properties and the surrounding properties.

Mr. Wronkiewicz addresses concerns raised by neighbors, highlighting instances where storm sewers were installed in the rear yards of properties that received Planned Unit Development (PUD) approvals to the north. He notes that these storm sewers run all the way to Salt Creek. Regarding the rezoning request, he points out that properties to the east and west already exceed the requirements

for R2 zoning and believes that his proposed development would fit in well with the existing neighborhood.

Chairman Wood reads letter of objection into the meeting minutes.

Resident Sworn In: Mr. Mangat - 1063 S. Brockway St

Mr. Manjat expresses his agreement with the points raised by Mr. Skorski regarding the unique character of the neighborhood and the concerns about rezoning.

Mr. Skorski emphasizes the importance of maintaining the unique character of the neighborhood and urges the village to make accommodations to preserve the integrity of their real estate. He emphasizes that the precedent set by previous decisions should not alter the essence of the neighborhood.

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

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

DELIBERATIONS:

Commissioner Friedman acknowledges the concerns of the neighbors about maintaining the integrity of the community, but notes that there are already similarly sized parcels on the street. He believes that the proposed development would fit well into the neighborhood, especially considering the existing houses in the area. If there were no other similar properties nearby, his opinion might be different, but he sees the proposed houses as a good fit for the area.

Commissioner Schubert expresses appreciation for the passion of the neighbors. He acknowledges their concerns about the integrity of the neighborhood, whether sidewalks are installed or not. However, he emphasizes that decisions about the neighborhood's integrity, with or without sidewalks, will be made by others, and he reminds everyone that rules are rules.

Commissioner Friedman further notes that a sidewalk does not belong on Aldridge, but it should extend to Aldridge on Brockway. He suggests that it makes sense to keep the sidewalk on Brockway for consistency and accessibility.

Commissioner Kolososki states that residents have a strong opinion that he agrees with and doesn't think that subdividing lots would fit with the neighborhood. He is not in favor of the request.

Commissioner Noonan states that the proposed homes are more of what is selling in this time.

Commissioner Kolososki suggests that it could work nicely as two lots, without the need for rezoning.

Commissioner Cavanaugh expresses his opposition to rezoning the property to R-2, suggesting that two lots would fit nicely within the neighborhood, without the need for rezoning.

Chairman Wood summarized that this request has met the standards and was approved by a vote of 4-3. This item will tentatively go to Village Council on Monday, March 18, 2024.

RESULT:	RECOMMEND TO APPROVE [4 TO 3]
AYES:	Noonan, Friedman, Wood, Schubert
NAYS:	Bettenhausen, Kolososki, Cavanaugh
ABSENT:	Roth-Wurster, Fedota

7. 32 - 34 W. Palatine Rd

SU-000090-2024 - 32-34 W. Palatine Road

Notice was published in the Journal & Topics on February 8th, 2024 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Floor Plan**
5. **Business Plan**
6. **O-047-14 - 34 W Palatine Rd SU & VAR**
7. **Public Notice**

Mr. Bradshaw provides background information on the subject property, stating that it is in the B-1 zoning district at northwest corner of Bothwell Street and Palatine Road. The business has been operating since 2014, originally permitted as a recreational cooking school with retail kitchenware, cookware, beer, and wine. The retail operations will be reduced, but the offered cooking classes remain the same. The petitioner is requesting alterations to the previously approved floor plan and business plan, which include expanding the existing space into the adjoining tenant space to install a wine bar. This wine bar would provide a gathering space for the currently offered cooking classes and would serve wine, beer, and small charcuterie boards. Therefore, the petitioner is requesting a special use amendment to alter the existing floor plan and business plan to include the wine bar.

Sworn in petitioner: John & Mica Mahler - 34 W. Palatine Road, business owners.

Mr. Mahler explains that the business has been operating for the past 9 years. Last year, they served 3000 guests, some coming from as far away as 28 miles. He expresses their desire to leverage their strengths and expand the space to accommodate the increasing number of customers attending classes. They also aim to offer options for a glass of wine or beer, as well as appetizers, to enhance the overall experience. Additionally, they intend to encourage customers to stay after class to socialize.

Commissioner Freidman asks if they have been challenged with parking.

Mr. Maher states they access the public lot across the street and it has worked for them. They also are able to utilize the Harris Bank parking lot after the Bank closes.

Chairman Wood confirms they would also be expanding their hours and asks if they notice that the lot across the street tends to open up.

Mr. Maher states that once the businesses close, parking becomes more

available.

Mr. Bradshaw presents a floor plan illustrating the expansion project, detailing how the space previously occupied by Allstate Insurance will be utilized for the wine bar. He mentions the addition of a second door for access at this end of the space.

Commissioner Friedman seeks clarification on the business plan, particularly how the space will serve dual purposes. He inquires if the village will look for specific accommodations for the food service portion versus the cooking class area.

Mr. Bradshaw explains that there will be a complete separation between the cooking classes and the food being served at the bar. The petitioner is collaborating with the Village Environmental Health Department to ensure compliance with regulations.

Commissioner Schubert inquires about the extension of the awning.

Mr. Mahler confirms that they plan to extend the awning and install new signage. Additionally, he mentions that they have collaborated with the Environmental Health Department and have received approval for their plan to ensure separation between the cooking classes and the food service area.

STAFF RECOMMENDATION:

The Petitioner is proposing to expand their current operations into the adjacent tenant space to construct a new wine bar. With employees and customers utilizing the downtown employee parking areas, the shared public parking lot, and the on-street parking in the surrounding area the parking needs should be adequate and Staff did not identify any initial parking concerns with the proposed. Ultimately, the growth and reimagining of the existing business should not cause injury to the value of the other properties in the surrounding area. Therefore, Staff recommends approval of the Special Use Amendment, subject to the following conditions:

1. The Special Use shall substantially conform to the Business Plan and Floor Plan submitted by the Petitioners, John & Mica Mahler, except as such plans may be changed to conform to Village Codes and Ordinances.
2. All employees of Cook, Cork & Fork shall enroll in and utilize the designated downtown employee parking areas.
3. As necessary, clients and customers should be directed to utilize the parking lot across Palatine Road (lot H) or the surrounding on-street parking along Bothwell Street and Railroad Avenue for additional parking needs.

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

Commissioner Cavanaugh made a motion to approve subject staff's

conditions; seconded by Commissioner Noonan.

DELIBERATIONS:

Commissioner Kolososki expresses his support for the business, acknowledging its positive impact on the location and community, and he is pleased to see its expansion.

Chairman Wood affirms that the proposal meets the necessary standards and ensures the protection of health, safety, and welfare. Additionally, she anticipates that the expansion will contribute to increasing property values in the area.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday, March 11th, 2024.

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

IV. COMMUNICATIONS

Approved at Village Council:

1122 Pratt - Special Use for Screened Porch addition

1060 Park Avenue - Special Use to permit a fence in the front yard

V. ADJOURNMENT

VI. STAFF REPORTS