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2000-11-29 14:00:38
Cook County Recorder 77.50



ORDINANCE NO. 0-75-00

**AN ORDINANCE
AMENDING PLANNED DEVELOPMENT ORDINANCE 0-209-98
INSIGNIA COURT PLANNED DEVELOPMENT**

Property of Cook County Clerk's Office

P.I.N. 02-26-100-013

Village of Palatine
200 E. Wood Street
Palatine, IL 60067
ATTN: Village Clerk

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on July 17, 2000

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ORDINANCE NO 0-75-00

AN ORDINANCE
AMENDING PLANNED DEVELOPMENT ORDINANCE - 0-209-98
INSIGNIA COURT PLANNED DEVELOPMENT

WHEREAS, Planned Development Ordinance 0-209-98, granted a Special Use for a Planned Development, and

WHEREAS, a petition has been received from the Owner of the property to amend the Insignia Court Planned Development to permit an additional two (2) units in one (1) building, and

WHEREAS, the Plan Commission of the Village of Palatine held the required hearing for amendment of the Planned Development on March 21, 2000, April 4, 2000 and April 18, 2000, on the following legally described property:

Lots 3, 4, 5 and 6 in Block 12 of Arthur T. McIntosh & Company's Palatine Estates, Unit No. Two, being a subdivision in the North 1/2 of the Northwest 1/4 of Section 26, Township 42 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded September 1, 1926, as Document Number 9389496, in Cook County, Illinois.

Together with the East 60 feet of Lots 1 and 2 in Block 12 of Arthur T. McIntosh and Company's Palatine Estates, Unit No. Two, being a subdivision in the North 1/2 of the Northwest 1/4 of Section 26, Township 42 North,

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Range 10, East of the Third Principal Meridian, according to the plat thereof recorded September 1, 1926, as Document Number 9389496, in Cook County, Illinois.

Together with the West 60 feet of Lots 11 and 12 (as measured at right angles to the West line thereof) in Block 12 of Arthur T. McIntosh and Company's Palatine Estates, Unit No. Two, being a subdivision in the North 1/2 of the Northwest 1/4 of Section 26, Township 42 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded September 1, 1926, as Document Number 9389496, in Cook County, Illinois

commonly known as 41 E. Illinois Avenue and Insignia Court.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Illinois, acting in the exercise of their home rule power:

SECTION 1: That the Insignia Court Planned Development Ordinance #0-209-98 be amended to permit an additional two (2) units in one (1) building, subject to the following conditions:

- 1) The planned development amendment shall substantially conform to the plat of subdivision by TFW, dated 11/22/99, last revised 2/18/00, and to the site plan by TFW, dated 1/20/98, last revised 6/5/00, and to the landscape plan by Pugsley and LaHaie, dated 8/12/98, last revised 5/31/00, and to the Engineering plans by Eriksson Engineering Associates, dated 4/26/99, last revised 5/23/00, and to the tree preservation plan by TFW dated 1/20/98, last revised 6/5/00, and to the architectural plans and elevations attached hereto as Exhibit "A", except as such plans may be changed to conform to Village Codes and Ordinance and the following conditions below:
- 2) The rear elevation of the buildings shall have shingles and shakes to match the front elevation. The bottom portion of the side elevations shall be brick.
- 3) Revised engineering plans shall be submitted in a manner acceptable to the Village.
- 4) The developer shall install additional landscape material in the Wilmette Avenue right-of-way. The landscaping shall be installed in a manner acceptable to the Village Forester. The Declarations of Covenants, Conditions and Restrictions shall be amended to require the homeowners association to maintain the

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landscaping in the right-of-way.

- 5) The developer shall execute the agreement with Illini Grove Homeowners Association, attached hereto as Exhibit "B", prior to the issuance of any building permit.

SECTION 2: That all provisions of Ordinance #0-209-98, as amended, shall remain in full force and effect.

SECTION 3: The petition for special use, a copy of the public notice and minutes of the Plan Commission are attached hereto and form a part hereof.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This 17 day of July, 2000

AYES: 4 NAYS: 3 ABSENT: 0 PASS: 0

APPROVED by me this 17 day of July, 2000



Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

17 day of July, 2000



Village Clerk

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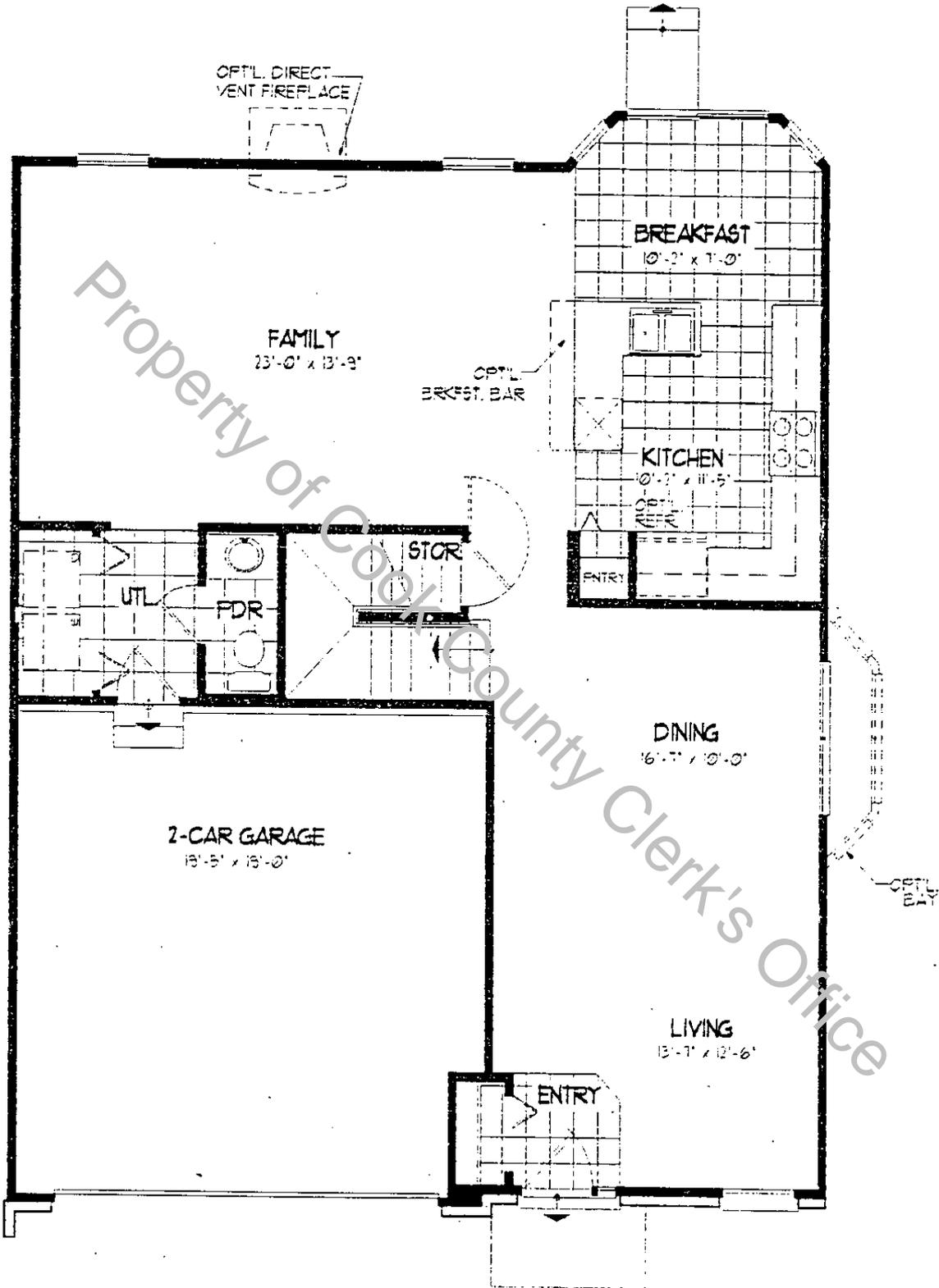


"Grande" - Elevation "A"

Exhibit "A"
2 of 7

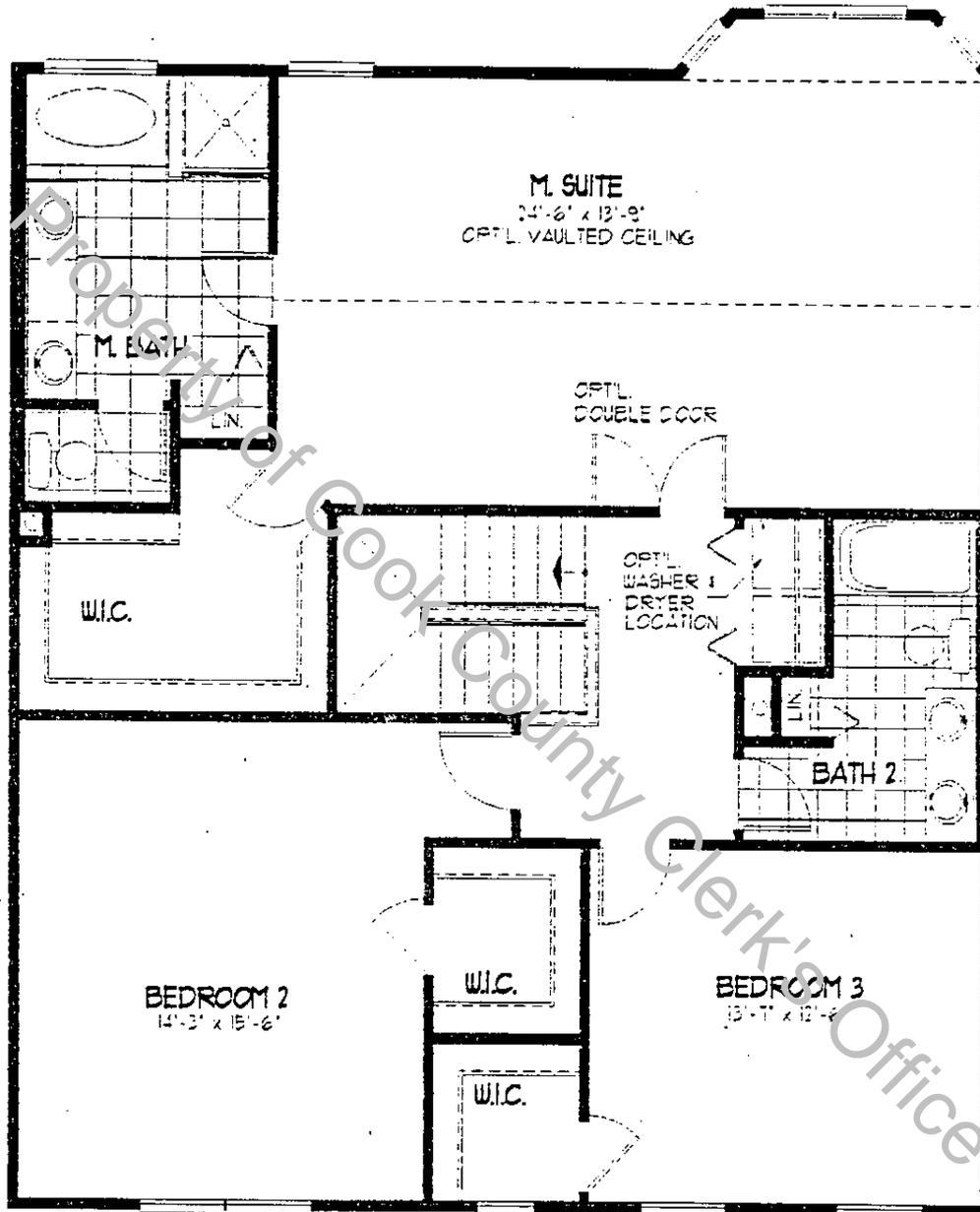
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"Grande" - First Floor Plan

Exhibit "A"
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"Grande" - Second Floor Plan

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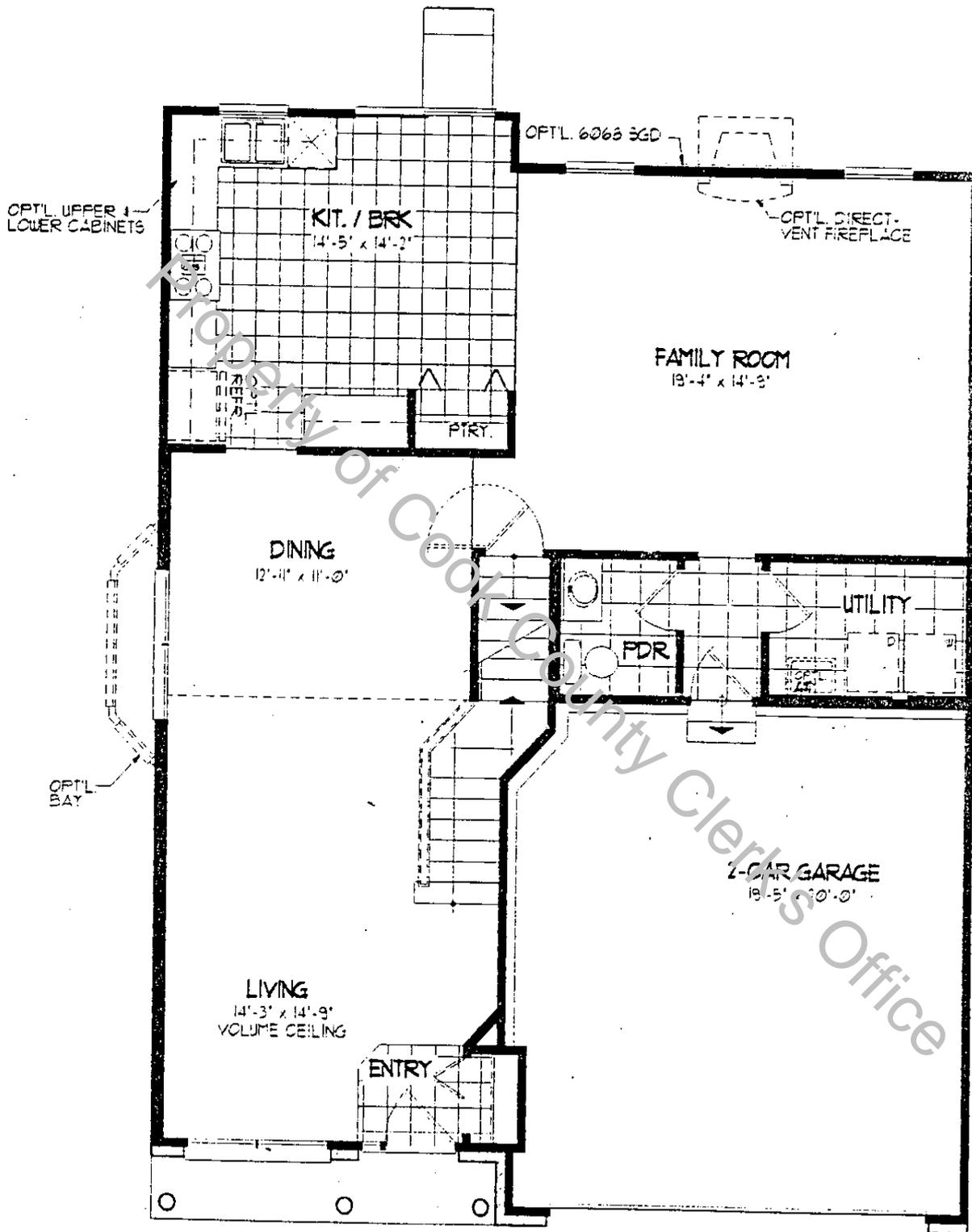


"Fairfax" - Elevation "A"

Exhibit "A"
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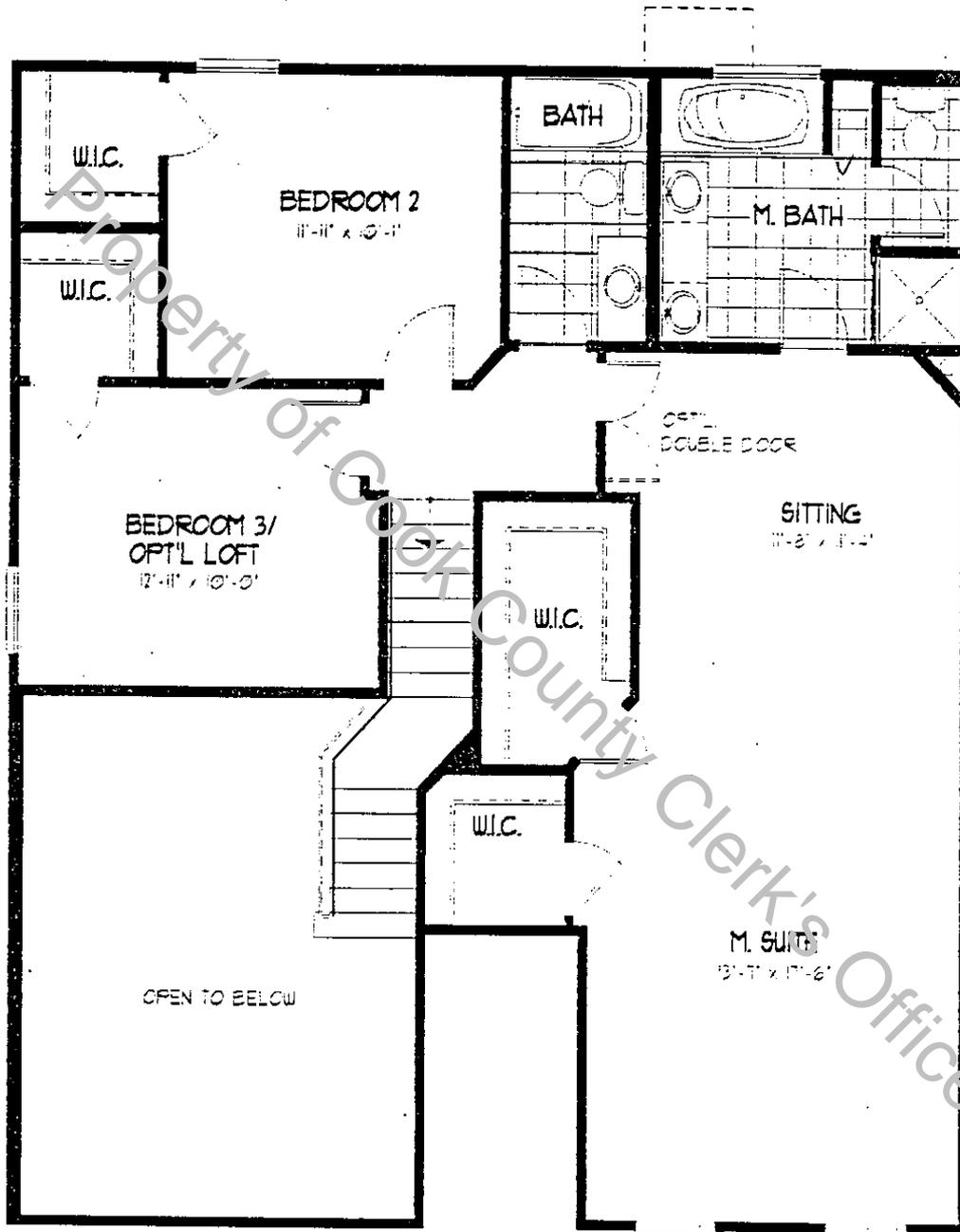


"Fairfax" - First Floor Plan

Exhibit "A"
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"Fairfax" - Second Floor Plan

Exhibit "A"
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AGREEMENT

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This Agreement is entered into on this ____ day of ____ 2000; by and between Illini-Grove Townhomes Homeowner's Association, a Corporation, and Insignia Homes, a Sole Proprietorship.

In consideration of the mutual promises set forth hereunder, the sufficiency of which is hereby acknowledged, Illini-Grove Townhomes Homeowner's Association and Insignia Homes agree to the following:

This agreement is to set up the guidelines for Insignia Homes to use the parcel of land behind twenty-one through thirty-three (21-33) East Illinois Avenue, Palatine, Illinois 60067.

The Illini-Grove Townhomes Homeowner's Association will provide to Insignia Homes for the use of the planting of ornamental vegetation and trees a ten (10) foot deep planting area following the full length of the east property line of the Illini-Grove Townhomes directly behind twenty-one through thirty-three (21-33) East Illinois Avenue, Palatine, Illinois 60067.

Insignia Homes will provide all vegetation material as described in the landscaping plans produced for Insignia Court South, a townhome development, dated August 16th 1999. This will also include a leveling of the land and the construction of a garbage placement area in the Northeast corner of the Illini-Grove Development that matches exactly to the existing garbage placement area that exists on the Northwest corner of the Illini-Grove Development.

Insignia Homes will also provide help to Illini-Grove Townhomes Homeowner's Association for the replacement of trees that have expired in both the courtyard and perimeter of the Illini-Grove Development. This would be advice on replacement and the ability to have replacement trees replaced through Insignia Homes as part of the procurement and installation of the ornamental vegetation & trees to be used as part of the landscaping plan for Insignia Court South, a townhome development dated August 16th 1999.

Insignia Homes will also provide appropriate maintenance of all ornamental vegetation and trees installed in the planting area.

The Illini-Grove Townhomes Homeowner's Association retains the right to approve any and all changes to the landscaping plan for Insignia Court South, a townhome community, dated August 16th 1999 as it pertains to the aforementioned planting area.

This agreement will remain in force through the transfer of control of the management of the property, Insignia Court, a townhome community, from the builder, Insignia Homes, to the assigned Homeowner's Association.

Time shall be of the essence in the performance of this Agreement.

If any part of this Agreement is held unenforceable for any reason, the remaining portion of this Agreement shall remain in full force and effect, and shall be carried out in a manner, which is consistent with the intentions of the parties hereto.

Exhibit "B"
1 of 2

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If any legal action or proceeding, including any arbitration of disputes, arising out of, or relating to, this General Contract is brought by either party, the prevailing party as determined by the Court or Arbitrator, shall be entitled to receive from the non-prevailing party, in addition to any other relief that may be granted, reasonable attorney's fees, costs and expenses incurred in the action or proceeding by the prevailing party.

This Agreement is entered into on this _____ day of _____, 2000, in the Village of Palatine, the County of Cook, State of Illinois.

David A. Leigh
President
Illini-Grove Townhomes Homeowner's Association

Mark Janeck
Director of Land Acquisition and Planning
Insignia Homes

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Exhibit "B"
2 of 2

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PLAN COMMISSION
Tuesday, April 18, 2000

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Present: Dennis Dwyer, Greg Kolar, Teri Williams, Kevin Thomas, Conrad Hansen, Alan Miller, Marilyn Meller, Bruce Terry, Russ Smith, Planning Assistant Chris Stilling, Planning and Zoning Administrator Pamela Hirth.

Absent: Bob Greenlees, Bill Laymon.

Minutes of the April 4 meeting were approved as distributed.

Report of Public Hearing - Docket P-00-11 - Insignia Court

This public hearing was brought off the table from the last meeting.

The following additional petitioner's exhibits were introduced:

17. Revised site plan dated 3/24/00
18. Architectural elevations of a duplex building
19. Revised site plan dated 4/3/00
20. Architectural Elevations stamped 4/14/00

The following Objector's Exhibit was introduced:

1. Letter from John and Liz Allen dated 4/14/00.

Chris Stilling presented revised statistics for the proposal which now includes three townhome units in one building. Setbacks will be 55 feet from Illinois Ave., 15.8 feet from the east lot line, 20.49 feet from the south lot line, 20 feet from the access drive, and 25.86 feet from the home to the east.

Density of the existing development is 14.25 units per acre (40 units on 2.8 acres). The proposed density would change that to 14.24 units per acre (43 units on 3.02 acres). Proposed unit would be identical to those proposed for Frog Hollow PUD at Palatine Rd. and Clyde. Front elevations would be constructed primarily with brick and some siding on the second floor. Brick would be extended along the side elevations. Each unit would have three bedrooms, 2.5 baths, and a two-car garage.

Lawrence Freedman, attorney, said the petitioner feels he has addressed Plan Commission and neighbors' concerns about density, height, and building materials.

Bill Rotolo, Insignia Homes, said the building is a two-story duplex with the addition of a third unit on one end. Instead of 1,800 square feet of space, these units will have 2,000. Proposed price for the original units was \$210,000. These will start at \$285,000 and average more than \$300,000. He has also moved the building south so it is behind the single family to the east, leaving a 50 foot frontage on Illinois. He proposes a fence on the east property line and landscaping on the east and south property lines.

Concerning neighbors' comments at the original public hearing, he said that Insignia Court units are selling at an average of \$230,000, including options. He said he did own other land south and east of this parcel, but he never intended to develop it with multi family. He has been consistent with his statements.

Rotolo said that the rear elevation will have vinyl siding and cedar trim.

Terry said he would like to have brick on the rear elevation.

Rotolo said the building is 25 feet high, 10 feet lower than the buildings in Illini Grove. He said he would landscape heavily with flowering trees, evergreens, and 20-foot high "street trees" on the Illinois Grove side of the road.

Richard Cichanski, 130 E. Wilmette, said Insignia Ct. was built on single family property that was never earmarked for a strip mall. Illini Grove was once proposed for a strip mall, he said. He said his objections to the proposal are:

- The front of the proposed building faces the backyard of Illini Grove;
- The asking that more multiple family zoning be allowed to encroach into a single family neighborhood;

The neighbors uniformly object to the proposal, he said.

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Plan Commission
April 18, 2000

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Rotolo said the Illini Grove residents favor his proposal.

Chairman Dwyer summarized the contents of John and Liz Allen's letter of objection.

Staff Recommendation

Staff recommends approval of the amendment to the Insignia Court Planned Development subject to the following conditions:

1. The planned development amendment shall substantially conform to the plat of subdivision by TFW dated 11/22/99, last revised 2/18/00, and to the site plan by TFW, dated 1/20/98, last revised 4/3/00, and to the landscape plan by Pugsley and LaHaie, dated 8/12/98, last revised 8/25/99, and to the Engineering plans by Eriksson Engineering Associates, dated 4/26/99, last revised 10/8/99, and to the architectural plans and elevations attached hereto as Exhibit "A", except as such plans may be changed to conform to village codes and ordinances and the conditions below:
2. Landscape and engineering plans shall be revised to reflect the revised site plan in a manner acceptable to the village.
3. The rear elevation of the building shall have shingles and shakes to match the front elevation. The bottom portion of the side elevations shall be brick.
4. The Declarations of Covenants, Conditions, and Restrictions shall be revised in a manner acceptable to the village attorney.

Stilling said staff feels the revised plan fits in with the general characteristics of the neighborhood.

Rotolo said he can comply with staff conditions.

Shawn Rafie, 890 S. Benton, presented a letter which was named Objector's Exhibit #2. Signed by Mark Janek, Director of Marketing, Insignia Homes, the letter states the developer agrees to:

1. Install a 6-foot board-on-board fence from Wilmotte Ave. across the Rafie/Vergados properties;
2. Install five to six 6-8-foot tall evergreens on the two properties if new construction on Illinois occurs;
3. Install evergreens on the north property line of the Vergados property for screening purposes, dependent upon the approval and construction of an additional townhouse structure along Illinois Ave.

Rafie said he feels the building could be moved closer to Illinois Ave., away from his yard.

The public hearing closed at 8:55 p.m.

Hansen said he thought it an interesting concept to use multi family to buffer multi family, but this would, because the buildings are lower.

Mrs. Meller said she objects to crossing the line into a single family area with the proposal. She noted one could build a 30-foot high multi family building.

Thomas said he is inclined to not let multi family and this density spread to the east. He reiterated that the Plan Commission did not endorse the density that is there now.

Dwyer said he feels it is appropriate to allow a less intense use here.

Hansen moved, Mrs. Meller seconded that the Plan Commission recommend to the village council that it approve the request of the petitioner in Docket P-00-11, Insignia Homes, who seeks an amendment to the Insignia Court PUD to construct three townhome units in one building at 41 E. Illinois & Insignia CT. Such approval shall be contingent upon the petitioner's complying with all staff conditions and an additional condition that requires continuation of a fence on the south end of the parcel.

Those voting aye: Terry, Hansen, Miller, Dwyer.

Those voting nay: Mrs. Meller, Mrs. Williams, Smith, Thomas, Kolar.

The motion failed.

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RECOMMENDATION

Mrs. Meller moved, Smith seconded that the Plan Commission recommend that the village council deny the request of the petitioner in Docket P-00-11, Insignia Homes, who seeks an amendment to the Insignia Court PUD to construct three townhome units in one building at 41 E. Illinois & Insignia CT. Such recommendation is made to preserve the integrity of the single family neighborhood adjacent.

Those voting aye: Mrs. Meller, Mrs. Williams, Smith, Thomas, Kolar.
Those voting nay: Terry, Hansen, Miller, Dwyer.

The motion carried.

Docket P-00-16 - W. Illinois St.

The petition was returned to the table from the April 4 meeting. A new exhibit, #14, was introduced: Engineering Analysis

Village Engineer Mike Danecki was present. He described natural drainage in this area, saying it was historically drained by field tiles that were pretty much deteriorated by the late 1980's. A 12-inch storm pipe was installed in 1990 to connect to the 24-inch storm sewer in Illinois.

Danecki said the lowest foundations were on the two westernmost houses on Illinois which are 3.5 feet above the 750 flood elevation line.

Danecki said that the worst case scenario would be if there were no water flow out of the area at all, the water would only increase three quarter of an inch because of this additional development. This is not going to happen because of the storm sewer, he said.

He said he did recommend that water flow out via pipe rather than overland, and the petitioner's engineer has agreed to do this.

Mike Saletta, 738 S. Elm, asked if even three-quarters of an inch high water level should be disallowed, because adjacent homeowners are always told that new development is not allowed to put any more water on a parcel than flows there now.

Bob Albrecht, 708 S. Elm, said he is concerned with run off. Three-quarters of an inch should not be allowed, he said. He showed new pictures of standing water that occurred from the small weekend rainfall. Danecki responded that his area had always been a flood plain and a storage area.

Albrecht said he is just asking that the developer store the water he is going to generate, if it means a bigger retention pond, fine. It is not fair for water to go into his basement, he said.

Danecki said the Albrecht home is 6 feet higher than the flood line. Albrecht said that a bad storm taxes this area to the limit. Pictures are the reality, he added.

Danecki said that if the developer subtracted one home and increased the size of the detention pond, the effect would be negligible.

Ernest Polito, 710 W. Illinois, said he has lived here for 30 years. Where does the water come from? He stated he has no standing water from the last rain. He noted that the homeowner on the pond is putting in a sand beach and a steel retaining wall. He thought that should be considered changing the topography of the area.

Gary Wronkiewicz, the petitioner, said that everything Mike Danecki asks for will be done.

Staff Recommendation

Staff recommends approval of the preliminary and final planned development and rezoning to P, subject to the following conditions:

1. The planned development shall substantially conform to the final plat of subdivision (named Gary J. Wronkiewicz's Tall Tree Subdivision) prepared by Alan J. Coulson, PC, received 3/21/00; the engineering plans prepared by Seton Engineering, dated 1/31/00, last revised 3/3/00; the Landscape Plan and Tree Preservation Plat prepared by The Stonefield Group, Inc. dated 3/10/00, and the colored examples and general elevations, floor plans, and standard specifications prepared

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PLAN COMMISSION
Tuesday, April 4, 2000

Present: Dennis Dwyer, Greg Kolar, Teri Williams, Kevin Thomas, Conrad Hansen, Bob Greenlees, Alan Miller, Russ Smith, Planning Assistant Chris Stilling, Planning and Zoning Administrator Pamela Hirth, Director of Planning and Economic Development David Fieldman.
Absent: Marilyn Meller, Bruce Terry, Bill Laymon.

David Fieldman introduced new Planning and Zoning Administrator Pamela Hirth.

Minutes of the March 21 meeting were approved as distributed.

Report of Public Hearing - Docket P-00-11 - Insignia Court

This public hearing was brought off the table from the last meeting. Fieldman said that revised plans had been presented, but they were unacceptable to staff. New plans were then presented today. Staff has not had time to review the new presentation. Therefore, it seeks a continuance until April 18 to give it a chance to review. The public hearing was continued until April 18.

Report of Public Hearing - Docket P-00-16 - W. Illinois St.

The notice of public hearing was read by the chairman. The petitioner in Docket P-00-16, Gary Wronkiewicz of Stonefield Group, Inc. seeks preliminary and final planned development approval for an eight lot subdivision and rezoning from R1 to P for 2.56 acres at 710, 712, and 714 W. Illinois ave.

The following Petitioner's Exhibits were introduced:

1. Petition for Preliminary and final PUD
2. Palatine Real Estate Interest Disclosure Form
3. Affidavit
4. Title Insurance Policy - 710 W. Illinois
5. Title Insurance Policy - 712 W. Illinois
6. Title Insurance Commitment - 740 W. Illinois
7. Contract to Purchase - 710 W. Illinois
8. Real Estate Contract - 712 W. Illinois
9. Warranty Deed - 740 W. Illinois
10. Plat of Subdivision
11. Engineering Plans revised 3-3-00
12. Tree Preservation and Landscape Plan revised 3/3/00.
13. Elevations, floor plans, standard specifications identified as Exhibit A.

Pamela Hirth was sworn in. She described surrounding uses and zones and gave background on the request.

Property to the north and east is zoned R1 single family. West is R1 single family (the Township building) South is R2 single family.

The parcel, located north of Illinois ave. and east of Quentin rd., is presently subdivided into four lots and improved with two single family homes, which the developer would raze. The petitioner, contract purchaser, wishes to subdivide the property into eight single family lots with an average lot size of 11,182 square feet. Density would be 3.13 units per acre. New homes would be oriented on a cul-de-sac extending north from Illinois ave. He plans to build four homes this year and four homes in 2001.

The cul-de-sac is unusually shaped to preserve trees. Lot #1, a corner lot, would exceed the minimum lot size of 10,000 square feet. Lot #8, at 9,889 square feet, is slightly less than minimum for a corner lot. All interior lots exceed the 9,000 square foot minimum requirement. All lots meet minimum setback requirements except #2 and #7 which have rear yard setbacks of 30 feet and 25 feet respectively. The developer proposes a curbed, landscaped island in the center of the cul-de-sac.

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PLAN COMMISSION
Tuesday, March 21, 2000

Present: Dennis Dwyer, Greg Kolar, Bruce Terry, Bill Laymon, Kevin Thomas, Conrad Hansen, Bob Groenlees, Alan Miller, Russ Smith, Planning Assistant Chris Stilling, Director of Planning and Economic Development David Fieldman.

Absent: Marilyn Meller, Teri Williams.

Minutes of the March 8 meeting were approved as distributed.

Report of Public Hearing - Docket P-00-11 - Insignia Court

The notice of public hearing was read by the chairman. The petitioner in Docket P-00-11, Insignia Homes, Inc., seeks approval of an amendment to the Insignia Court Planned Development to build six townhome units in one building at 41 E. Illinois and Insignia Court.

The following Petitioner's Exhibits were introduced:

1. Petition for PUD Amendment
2. Fictive Real Estate Interest Disclosure Form
3. Affidavit
4. Title Insurance Policy - 41 E. Illinois
5. Title Insurance Policy - lot 3
6. Title Insurance Policy - lot 4
7. Title Insurance Policy - lot 5
8. Title Insurance Policy - lot 6
9. Title Insurance Policy - East 60 feet of lots 1 & 2
10. Contract to Purchase dated 9-8-99 (William Rotolo)
11. Plat of Survey
12. Plat of Subdivision revised 2/18/00
13. Engineering Plans revised 10/8/99
14. Architectural Plans and Elevations
15. Landscape Plan dated 8-25-99
16. Site Plan revised 2-8-00

David Fieldman and Chris Stalling were sworn in. Fieldman described surrounding uses and zones and gave background on the request.

north	Townhome Planned Development	P
south	Wilmette ave.	
east	Single Family	R2
west	Commercial	B1

The property is located west of Plum Grove rd., south of Illinois ave., and north of Wilmette ave. Planned Development Ordinance O-209-98 for Insignia Court, a 40-townhome development, was granted final approval by the village council December 28, 1998. Approval was granted for 40 units provided the developer built two access points, one from Illinois, the other from Plum Grove rd. If they were unable to provide access from Illinois ave., the development was to have 30 units. The petitioner, owner of the property, wishes to build an additional six units in one building.

Seven buildings, ranging in size from four units to seven units, are in the development. Four of the existing buildings are located on the eastern portion set back 20 feet from the east side lot line. The remaining three buildings are located on the west portion of the site facing Plum Grove rd. They are set back 30-feet from the Plum Grove rd. right-of-way. Access is provided by curb cuts on Plum Grove rd. and Illinois ave., just east of the Illini Grove development. The petitioner was directed by the village council to acquire the 60 foot wide parcel on Illinois to construct an access drive, thereby allowing the construction of 40 units.

The petitioner is under contract to purchase an additional 52 feet of 41 E. Illinois to provide space for the proposed new building which would be located at the extreme northeast corner of the site, just west of the drive aisle. Containing six units, the building would face towards the east creating a front yard facing a rear yard.

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plan commission
march 22, 2000

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The existing house would have a side yard setback of 10 feet from the new lot line. Total separation between the new building and the existing home would be 32 feet. The new building would be set back 22 feet from the east side lot line, 35 feet from the Illinois ave. right-of-way, 50 feet from the west side lot line, and 25 feet from the south side lot line. A sidewalk would be located at the northern and southern ends of the building.

Water would be provided by extending an existing watermain located just to the southwest across the entire frontage of the building. Sanitary sewer would be provided by extending an existing sanitary sewer located in the Illinois ave. right-of-way. It would be extended to serve all units. Stormwater would be collected into a few storm sewers located around the proposed new building. It would be directed into an inlet located just east of the building. The village engineer has reviewed and approved the drainage plan.

A tree survey shows nine trees on the parcel, three of which would be saved. Extensive new landscaping is proposed around the building, similar to that at existing units. Several new trees would be planted along the east lot line. Some landscaping would be provided just west of the drive aisle on the adjacent Illini Grove property. The petitioner is proposing a new wrought iron fence to be placed around the northern and western boundaries of the development. Also, a new 6-foot high board-on-board fence would be built along the eastern property line adjacent to the existing home.

Proposed architecture would match existing units. Elevations would consist of stone and siding. Each unit would have two or three bedrooms, kitchen, family room, and two car garage.

Fieldman said Illinois ave. is also known as Kenilworth ave.

Mark Janock, Insignia Homes, and Lawrence Freedman, attorney, were sworn in.

Freedman said Glenkirk Homes owns property directly to the east. It has fenced the 54' x 180' parcel the petitioner wishes to purchase. He reemphasized the plan to increase landscaping between Illini Grove and Insignia Homes, adding decorative fencing with pillars. He added that they are trying to save two large trees on the west property line. Density would be increased slightly, from 14.9 to 15.2 units per acre, he said. He added that the developer would be taking down no houses. He said an institutional use exists to the west.

Fieldman said the use is not considered institutional. It is a single family home occupied as a group home.

Janock said more units would let the developer provide more amenities. He could probably decrease the number of units, however. He said the proposed units would overlook the back yard of the group home. He feels those residents use their backyard differently than single family owners. When asked if he could lower the height of the building, he said he feels a height difference would make the overall development feel strange.

Hansen said he feels the new structure might be overwhelming to the rest of the neighborhoods in the area.

Janock said there would be no patios or balconies. He feels the front view adjoining the house next door would be more appealing.

John Allen, 872 S. Benton, said his lot is immediately south of the proposed area. He is building a \$500,000 house. He knew of the townhomes on the existing site, but he purchased his lot under the premise that extra development would NOT happen. He feels the proposal infringes on the adjacent single family and therefore strongly opposes the request. "How far will this kind of development extend?" he asked. His lot is 399 feet deep.

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plan commission
march 22, 2000

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Richard Cichanski, 130 E. Wilmette, said he has seen a "condo canyon" development next to his property. This is a bad mix, he said. Townhomes being built are being sold for less than originally proposed. This hurts the neighborhood property value. He noted that the plan commission approved 30 units, the village council increased that to 40, and now the petitioner requests a total of 46. He noted that the group home looks like a single family home.

Loren Doppelt, 115 E. Wilmette, said he would like no more multi-family house built. Buildings may have looked good on paper, he said, but they are very tall, massive. He suggested building no more multi-family houses. These are huge townhomes, he said. The feels is different than the plan commission probably envisioned. New traffic congestion is already apparent in the past few weeks as buildings are starting to be occupied.

Staff Recommendation

Staff recommends that the Planned Development Amendment be rejected for the following reasons:

1. The proposed new building would increase the density to 15.2 units per acre which exceeds the village council's direction of the original planned development. The development should maintain its existing density.
2. The new building would be encroaching into a single family residential neighborhood. The east half of the block bounded by Illinois ave., Plum Grove rd., Wilmette ave., and Benton st. should all remain single family residential.
3. The townhome front yard would abut the group home rear yard which is against village code.

Fieldman noted that the parcel is now a good buffer between single family and multi family.

The public hearing closed at 8:40 p.m.

Greenlees said the developer has dumped dirt on the area around trees and also parked construction vehicles under those trees, so he doubts that they will be alive in the future.

Thomas said he feels the proposal would make the development too dense.

Laymon said he feels the building is a multi-family building proposed for a single family zone.

Dwyer said he feels more attractive landscaping and screening and decreasing the number of units to four could make this proposal palatable.

Terry moved, Thomas seconded that the plan commission recommend to the village council that it deny the request.

Freedman asked that the petition be tabled for two weeks to give the developer time to rework the proposal taking into account staff and plan commission statements.

Terry withdrew his motion and replaced it with one requesting that the public hearing be reopened. This was seconded by Kolar. The motion to reopen the public hearing was carried with one dissention.

Freedman said he is willing to look at lower density, flipping the building, providing additional buffering. He asked for a two-week continuance.

Thomas moved, Hansen seconded that the plan commission continue the public hearing until its next regular meeting.

Those voting aye: Greenlees, Hansen, Thomas, Miller, Kolar, Dwyer.
Those voting nay: Laymon, Smith, Terry.

The motion carried.

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald
Daily Herald Values

A Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been published daily in the Village(s) of Palatine, Inverness

County(ies) of Cook McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5.

That a notice of which the annexed printed slip is a true copy, was published March 6, 2000 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by KENT JOHNSON, its Treasurer, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Kent Johnson
Treasurer

Control # 2293457

Public Notice

A public hearing will be held before the Plan Commission on Tuesday, March 21, 2000, at 8:00 p.m. in the Village Council Chambers in the Palatine Community Center, 200 E. Wood Street, relative to a request for an Amendment to the Insignia Court Planned Development to construct six (6) townhome units in one building.

The property is legally described as follows: Lots 3, 4, 5 and 6 in Block 12 of Arthur T. McIntosh & Company's Palatine Estates, Unit No. Two, being a subdivision in the North 1/2 of the Northwest 1/4 of Section 26, Township 42 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded September 1, 1926, as Document Number 9389496, in Cook County, Illinois.

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commonly known as 41 E. Illinois Avenue and Insignia Court.

The above petition has been filed by Insignia Homes and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

ZONING DOCKET: P-00-11
VILLAGE OF PALATINE
Dennis Dwyer, Chairman
Palatine Plan Commission

DATED: This 6th day of March, 2000.
Published in the Daily Herald
March 6, 2000 (2293457)N

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DEPT. OF COMMUNITY DEVELOPMENT
VILLAGE OF PALATINE

PETITION FOR HEARING

~~PRELIMINARY-PLANNED DEVELOPMENT~~
AMENDMENT

FOR OFFICE USE ONLY

Zoning Docket # _____

Property recorded in Torrens _____

Filing Fee \$ _____ Date Filed _____

PLEASE TYPE OR PRINT IN INK:

1. Name of Petitioner(s): Insignia Homes
Address: 2401 S. Plum Grove Rd., Suite 110 Palatine, IL 60067
Telephone No. 397-4945 Business Telephone No. _____ City, State, Zip

2. Authorized Agent of Petitioner (if different):
Name: Mark Janock
Address: Same
Telephone No. _____ Relationship to petitioner: _____ City, State, Zip

3. Property interest of Petitioner(s): Owner
Owner, Lessee, Contract Purchaser, etc.

4. Address of the property for which this application is being filed: NE corner of Plum Grove
& Illinois Ave. Palatine, Illinois

5. All existing land uses on the property are:

Vacant

6. Current zoning of property in question: R-2 Size of the property: 3.05 acres

7. Briefly describe the proposed Planned Development with regard to types of uses proposed, number and types of units, development mix, amenities to be provided, etc.: Insignia is requesting approval of 6 additional townhomes on access drive to Illinois Ave. No other alterations are requested. See attached plan

8. Describe any variations from the Village Ordinances which would be required if the proposed Planned Development were to be developed as a traditionally zoned project (if any):

PETITIONER'S EXHIBIT

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Preliminary Planned Development
Petition for Hearing

Page 2

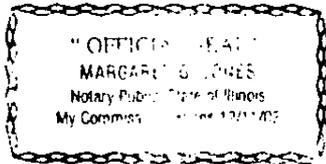
9. The attached Checklist of Documents outlines all required submittals before a project may be scheduled for the required public hearing by the Plan Commission. All required documents must be submitted with this petition. Return the completed checklist along with the required submittals. All documents are subject to staff review and approval before the item is scheduled for a public hearing.
10. This applicant's signature below indicates that the information contained in this application and on any accompanying documents is true and correct to the best of his(her) knowledge.

Date:

10. 15. 99

[Signature]

SUBSCRIBED AND SWORN to before me this 15th day of October, 1999.



Margaret G. Jones
Notary Public

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VILLAGE OF PALATINE

REAL ESTATE INTEREST DISCLOSURE FORM

Check applicable proceeding:	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Special Use	<input type="checkbox"/> Variation
<input type="checkbox"/> Condemnation	<input type="checkbox"/> Other _____

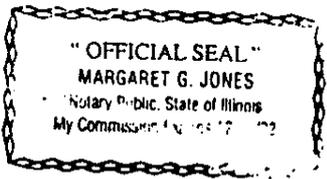
- Name of Disclosing Party (individual, business firm, partnership, corporation, etc.):
Insionia Homes
- Address of Disclosing Party:
2401 S. Plum Grove Rd. Ste 110 Palatine IL 60067
- Brief description of the petition:
Planned development amendment to allow construction of 6 additional townhomes to approved development plan.
- Common street address of real estate or general description:
NE corner Plum Grove and Wilmette
- Legal description of real estate:
Survey attached
- PLEASE PROVIDE PROOF AS TO WHETHER OR NOT THIS PROPERTY IS REGISTERED UNDER TORRENS ACT.
- The name, address, legal nature, and extent of interests of any persons deriving an interest from or through the disclosing or filing party:

Name	Address	Legal Nature and Extent of Interest
<u>Glentirk Corp.</u>	<u>41 E. Illinois Rd</u>	<u>Seller.</u>
<u>Palatine</u>	<u>60067</u>	

(If additional space is required, please use reverse side or attach rider.)
- I swear (or affirm) that there are no other persons deriving any interest from or through me or from or through any other person or entities above set forth in the property which is the subject of the contract or application for which I am filing this disclosure notice whom I have not disclosed. I understand that if there are any changes in the interest disclosed in this disclosure notice during the terms of the subject contract or before the Village has taken final action on the matter for which this disclosure notice is filed, I shall file a subsequent disclosure notice disclosing such changes.

[Signature]
Signature of Disclosing Party

SUBSCRIBED AND SWORN TO before me this 15th day of October 1999.



[Signature]
Notary Public

PETITIONER'S EXHIBIT

2

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00935192

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

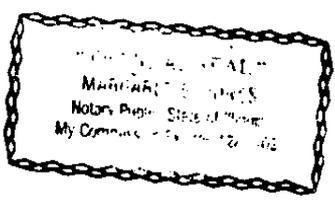
AFFIDAVIT

Mark Janeck, an individual, OR the _____
of Insionia Homes, being first duly sworn, on oath,
Title of Office
Name of Firm or Corporation
deposes and says:

- Insionia Homes has filed with the Village of Palatine, concurrently herewith, a petition for Planned Development
Rezoning, Variation, Zoning Change, Special Use, Planned Development, etc. with respect to the property located at NE corner of Wilmette & Plum Grove Rds.
- Affiant is the Dir. of Planning of Insionia Homes
Title Name of Firm or Corporation
- Affiant has received and examined a true copy of Sec. 2-442 of the Village of Palatine Code of Ordinances entitled: "Disclosure statements and conflict of interest disclaimers."
- Affiant understands said Section of the Code of Ordinances and states that he (or his corporation) has not retained, nor will be represented by, any person in violation of said Section.

Mark Janeck
Signature of Affiant

SUBSCRIBED AND SWORN to before me this 15 day of October, 1999.



Margaret B. Jones
Notary Public

PETITIONER'S EXHIBIT
3

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00935192

April 14, 2000

Mr. Dennis Dwyer
Palatine Plan Commission

RE: Zoning Docket P-00-11, Insignia Homes, 41 E Illinois and Insignia Court

Dear Mr. Dwyer:

Unfortunately I am unable to appear at the public hearing on Tuesday, April 18, 2000 regarding the subject. However, I would like the following recorded as my opinion.

Any proposal submitted by Insignia will require re-zoning to Single Family Residence. The people in the area are against this re-zoning. Please see the attached petition signed by the residence.

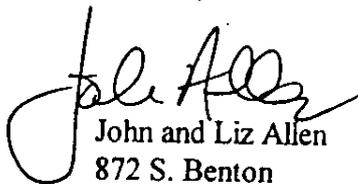
Personally - we are almost completed with the construction of our home located at 872 South Benton. Before beginning construction, we researched the area. We knew the Insignia Townhomes were being built, but were lead to believe they would never encroach on the Single Family Residence. It is with this understanding that we decided to build. We have spent, and will continue to spend a great deal of money building and improving our home. Ultimately this brings up the value of all area residences.

My fear is that if re-zoning of the Single Family Residence is approved, Insignia will be able to throw money at my surrounding neighbors for their property and townhomes will end up on the east 1/2 of the block.

The people do not want this to happen. The Village is against this and even states in their latest statement that the east 1/2 of the block should all remain single family residential. I urge you to not approve *any* proposal that requires re-zoning of single family residences.

Thank you for your attention regarding this matter. Please do the right thing.

Sincerely,


John and Liz Allen
872 S. Benton

OBJECTOR'S EXHIBIT

/

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PADDOCK PUBLICATIONS, INC
DAILY HERALD NEWSPAPERS

BY Kurt Johnson
Treasurer

Control # 2293457

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VILLAGE OF PALATINE
Dennis Dwyer, Chairman
Palatine Plan Commission
DATED: This 6th day of March, 2000.

Published in the Daily Herald March 6, 2000 (2293457)N

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