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1870/0105 53 001 Page 1 of 63

2002-09-23 14:18:38

Cook County Recorder 148.50



0021038636

Property of Cook County Clerk's Office

ORDINANCE NO. 0-36-02

**ORDINANCE GRANTING FINAL PLANNED DEVELOPMENT APPROVAL
675 S. BROCKWAY - FAIROAKS PLACE**

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

PIN#S
02-22-408-003
02-22-408-004
02-22-408-005

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
On March 25, 2002

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ORDINANCE NO. 0-36-02

**AN ORDINANCE
GRANTING FINAL PLANNED DEVELOPMENT APPROVAL
675 S. BROCKWAY – FAIROAKS PLACE**

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on March 5, 2002 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Final Planned Development approval.

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

SECTION 1: That final approval of a Planned Development is hereby granted pursuant to Section 13.05 of the Palatine Zoning Ordinance for the real estate described as follows, to wit:

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Lots 8, 9 and 10 in Block 3 in Arthur T. McIntosh and Company's Palatine Estates, Unit Number 1, of the Southeast 1/4 of the Southeast 1/4 of Section 22, and the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois

commonly known as 675 S. Brockway.

SECTION 2: That final approval of a Planned Development is hereby granted to the above described property pursuant to Section 13.05 of the Palatine Zoning Ordinance, subject to the following conditions:

1. The planned development shall substantially conform the plat of subdivision by Christian Roge & Associates, dated 3/23/01, last revised 2/6/02, and to the engineering plans by Christian Roge & Associates, dated 8/27/01, last revised 2/8/02 and to the landscape & tree preservation plan by Pugsley & La Haie, dated 2/11/02, 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. A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction.
3. Because both projects at 612 S Brockway and 675 S Brockway are contingent on one another, a combined letter of credit for the public improvements, including a 10% cash bond, shall be submitted. This shall be in a form and amount acceptable to the Village Engineer and shall be submitted prior to the start of construction. The proposed letter of credit shall not be released until all the necessary public improvements have been completed for both projects.
4. The development shall adhere to the bulk and setback requirements of the R-2 district.
5. The following permits are required: MWRD & IEPA.
6. All house elevations facing a public or private street shall be constructed with at least 50% brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council.

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7. Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit.
8. All exiting wells and septic systems are to be properly abandoned.
9. The plat of vacation shall be revised in a manner acceptable to the Village.

SECTION 3: That the petition for preliminary and final planned development, a copy of the public notice, and the minutes of the Plan Commission Meeting reporting on this petition be attached hereto and form a part of this ordinance.

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

PASSED: This 25th day of March, 2002

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

APPROVED by me this 25th day of March, 2002



Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this 25th day of
March, 2002



Village Clerk

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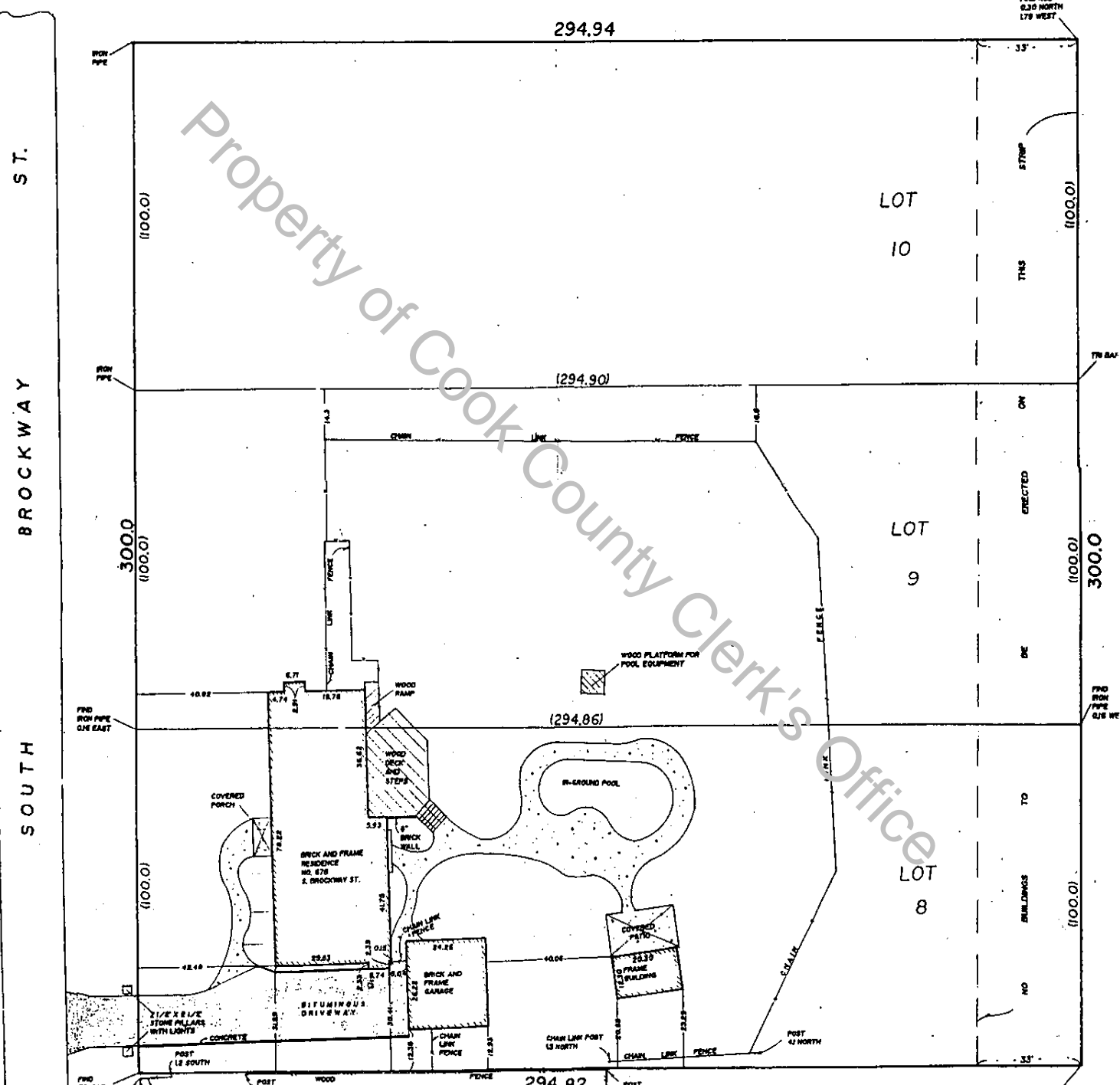
MURRY AND HOODY, LTD.
Land Surveyors

933 S. Main Grove Road
Suite 101
Palatine, Illinois 60067
Phone (847) 356-3960



PLAT OF SURVEY
OF

LOTS 8, 9 & 10 IN BLOCK 3 IN ARTHUR F. MC INTOSH AND COMPANY'S PALATINE ESTATES, UNIT NUMBER 1, OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



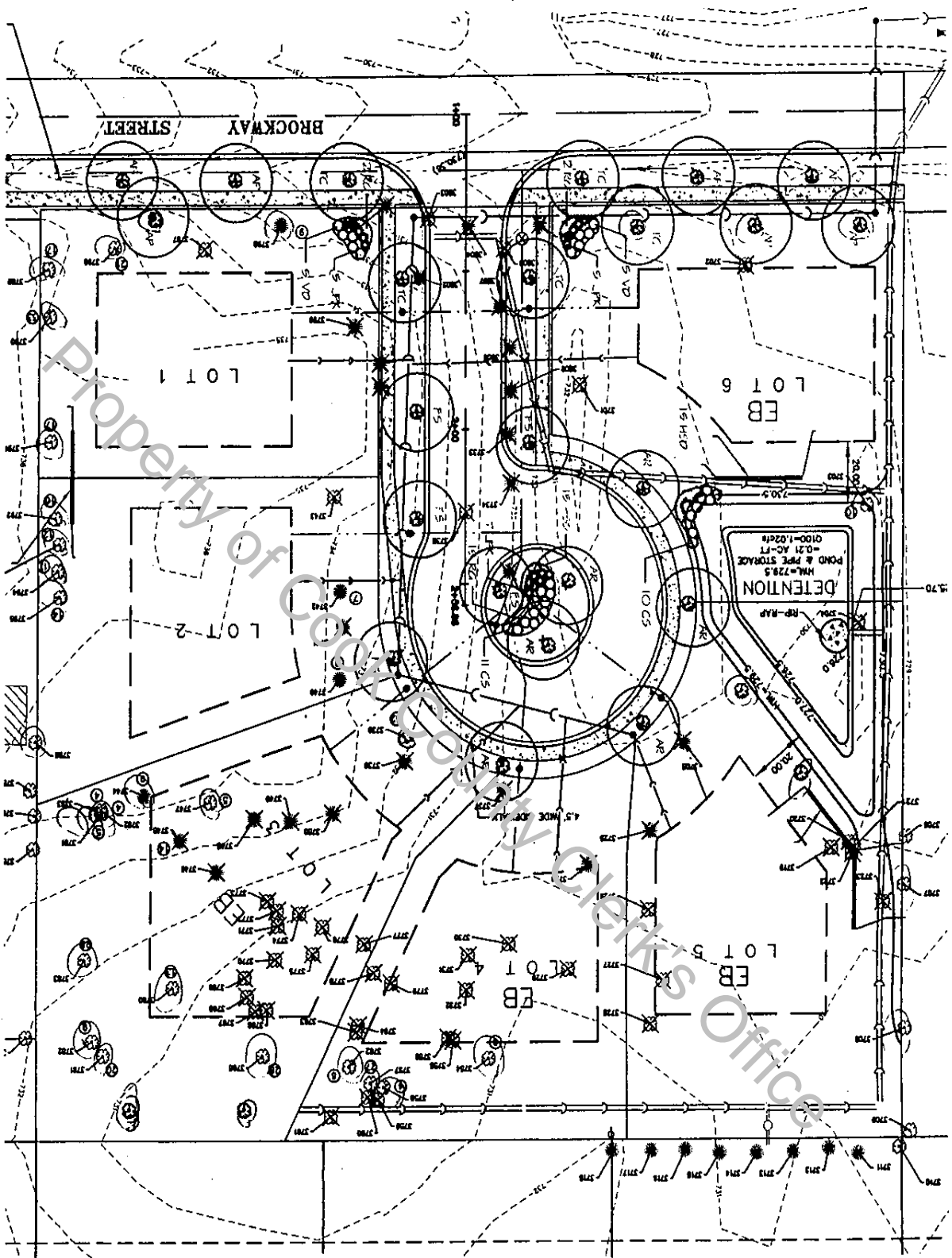
LEGEND AND NOTES
Dimensions shown thus: 50.25 are feet and decimal parts thereof. Angular data shown thus: 50° 00' 00" indicate degrees, minutes and seconds.
50.25 / N 90° 00' 00" E indicates measure dimension / bearing.
(50.25) / (N 90° 00' 00" E) indicates record dimension / bearing.
(50.25 d) / (N 90° 00' 00" E d) indicates deed call dimension / bearing.
Bearings shown hereon, if any, per lot or assumed data, unless shown otherwise.

STATE OF ILLINOIS }
COUNTY OF COOK } ss. 21038636
I, James C. Colburn, an Illinois Professional Land Surveyor, certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of the survey and

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PLANT MATERIAL LIST:

| NO. | SYMBOL | COMMON NAME | SIZE |
|-----|----------|----------------|------|
| 1 | (Symbol) | AGEE PLANTING | 2" |
| 2 | (Symbol) | FAIROAKS | 2" |
| 3 | (Symbol) | TELA | 2" |
| 4 | (Symbol) | COMMON SERVICE | 2" |
| 5 | (Symbol) | AMERICAN | 2" |
| 6 | (Symbol) | MONDOCA | 2" |
| 7 | (Symbol) | ... | ... |
| 8 | (Symbol) | ... | ... |
| 9 | (Symbol) | ... | ... |
| 10 | (Symbol) | ... | ... |
| 11 | (Symbol) | ... | ... |
| 12 | (Symbol) | ... | ... |
| 13 | (Symbol) | ... | ... |
| 14 | (Symbol) | ... | ... |
| 15 | (Symbol) | ... | ... |
| 16 | (Symbol) | ... | ... |
| 17 | (Symbol) | ... | ... |
| 18 | (Symbol) | ... | ... |
| 19 | (Symbol) | ... | ... |
| 20 | (Symbol) | ... | ... |
| 21 | (Symbol) | ... | ... |
| 22 | (Symbol) | ... | ... |
| 23 | (Symbol) | ... | ... |
| 24 | (Symbol) | ... | ... |
| 25 | (Symbol) | ... | ... |
| 26 | (Symbol) | ... | ... |
| 27 | (Symbol) | ... | ... |
| 28 | (Symbol) | ... | ... |
| 29 | (Symbol) | ... | ... |
| 30 | (Symbol) | ... | ... |
| 31 | (Symbol) | ... | ... |
| 32 | (Symbol) | ... | ... |
| 33 | (Symbol) | ... | ... |
| 34 | (Symbol) | ... | ... |
| 35 | (Symbol) | ... | ... |
| 36 | (Symbol) | ... | ... |
| 37 | (Symbol) | ... | ... |
| 38 | (Symbol) | ... | ... |
| 39 | (Symbol) | ... | ... |
| 40 | (Symbol) | ... | ... |
| 41 | (Symbol) | ... | ... |
| 42 | (Symbol) | ... | ... |
| 43 | (Symbol) | ... | ... |
| 44 | (Symbol) | ... | ... |
| 45 | (Symbol) | ... | ... |
| 46 | (Symbol) | ... | ... |
| 47 | (Symbol) | ... | ... |
| 48 | (Symbol) | ... | ... |
| 49 | (Symbol) | ... | ... |
| 50 | (Symbol) | ... | ... |



NOTES:

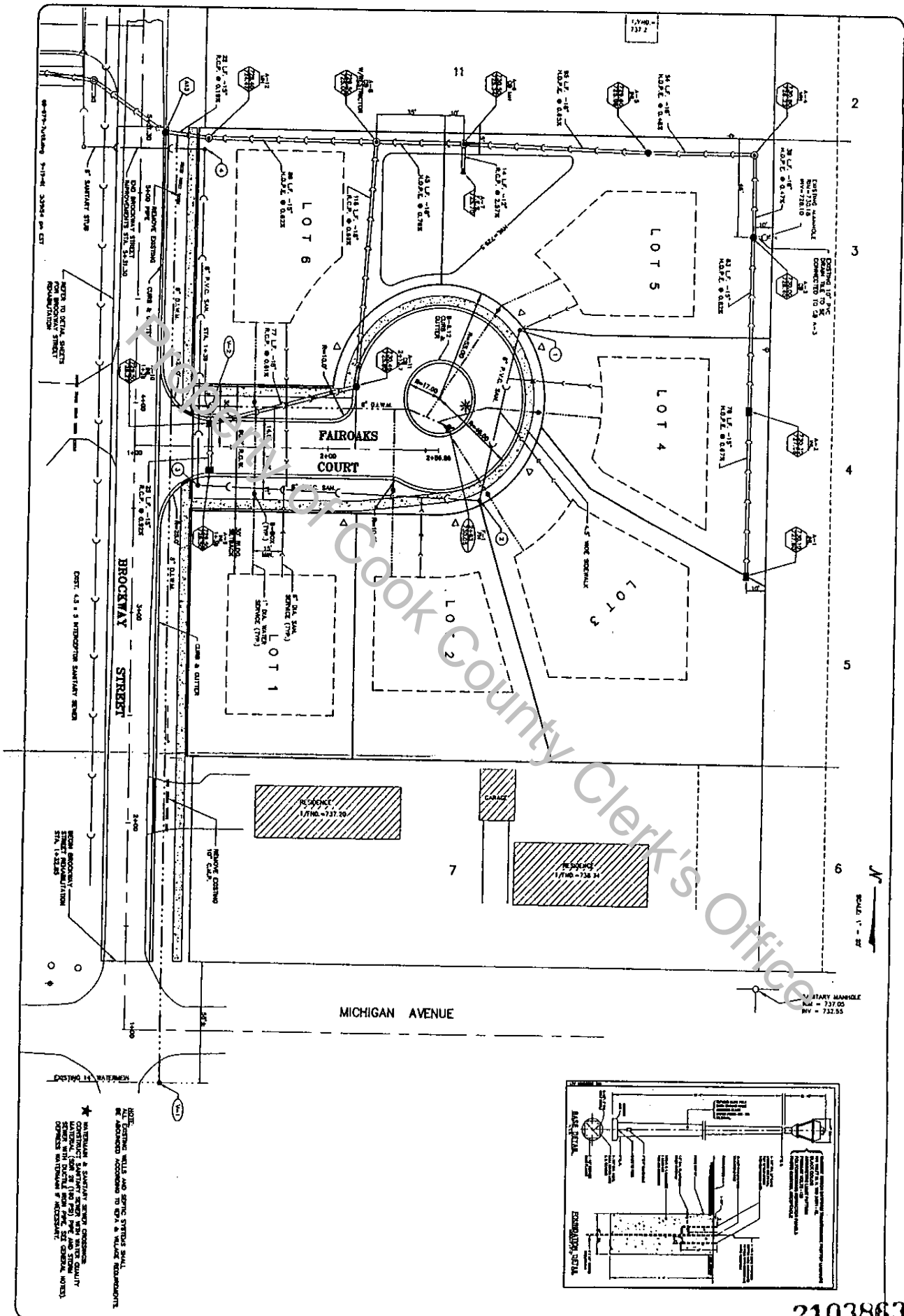
1. ALL TREE RINGS AND PLANTING BEDS TO RECEIVE 3" OF SPREADD HARDWOOD MULCH.
2. LOCATION OF PLANT MATERIAL AT INSTALLATION DEPENDENT ON LOCATION OF SITE UTILITIES AND FINAL EXISTENCES.
3. FOR EXISTING TREES SEE TREE PRESERVATION PLAN PREPARED BY CHRYSTAL-HOPE & ASSOCIATES.
4. ALL PLANTINGS SHALL BE PLANTED WITH FERTILIZER AND MULCH.
5. DETENTION POND SHALL BE PLANTED WITH KENTUCKY BLUEGRASS SEED SOON.

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25
PETITIONER'S EXHIBIT # 5

| | | | |
|--|---|--|--|
| | <p>FAIROAKS COURT PRELIMINARY LANDSCAPE PLAN CAPITAL HOMES</p> | | <p>PUGSLEY & LAHAIE LTD. LANDSCAPE ARCHITECTS AND CONTRACTORS 2444 N. Old Harbor, 1st. Lane, Los Angeles, CA 90047-0904</p> |
|--|---|--|--|

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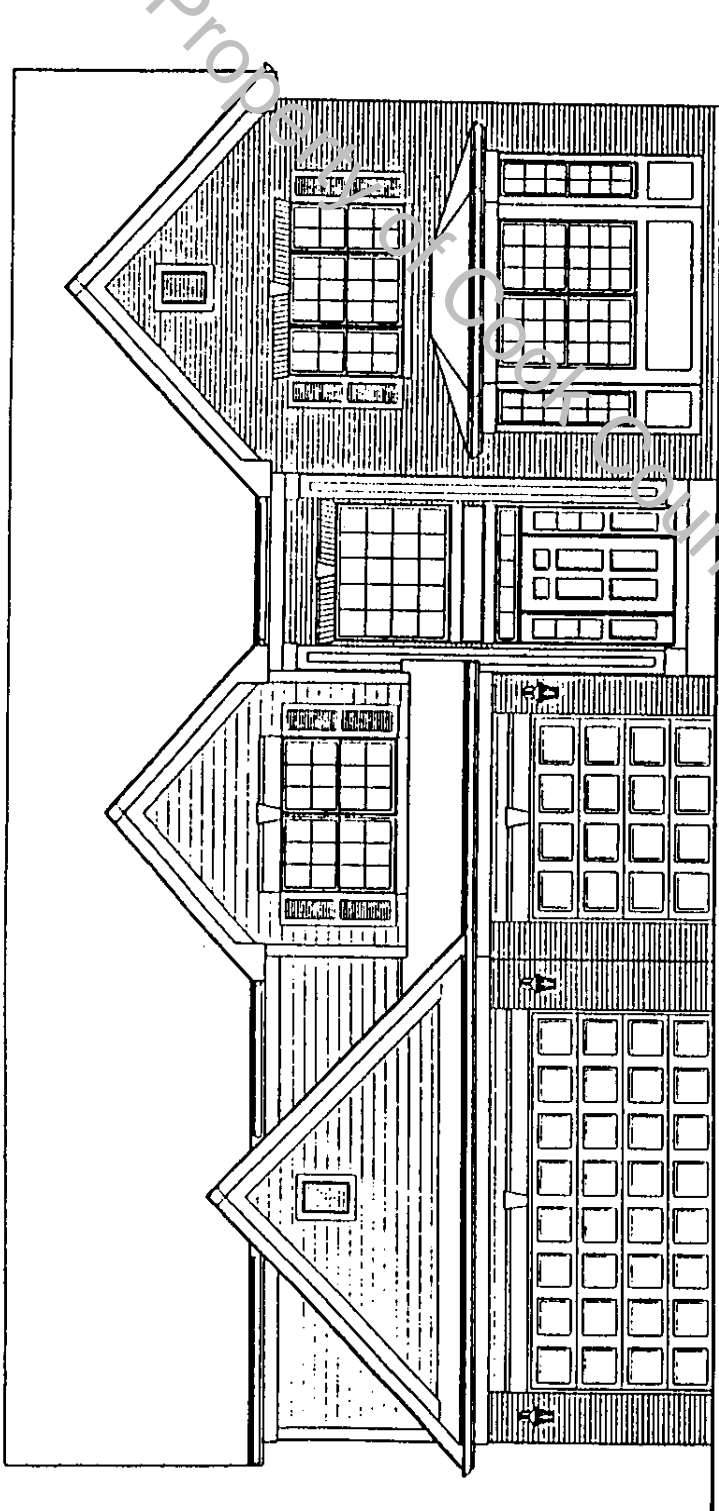
SHEET NO. 2
OF 2
DATE: 8-31-01
JOB NO. 020713

CR & A
CHRISTIAN-ROGE & ASSOCIATES
211 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60606
(312)372-2023
FAX (312)372-5274

PREPARED FOR:
CAPITAL HOMES, INC.
8639 RIVERSIDE DRIVE
TINLEY PARK, ILLINOIS 60477
(708) 444-2960
FAX (708) 444-2959

Drawn By: EL Designed By: EL Scale: 1"=20'
UTILITY & GEOMETRIC PLAN

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CH 3656 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - A
ELEVATION A - BRICK

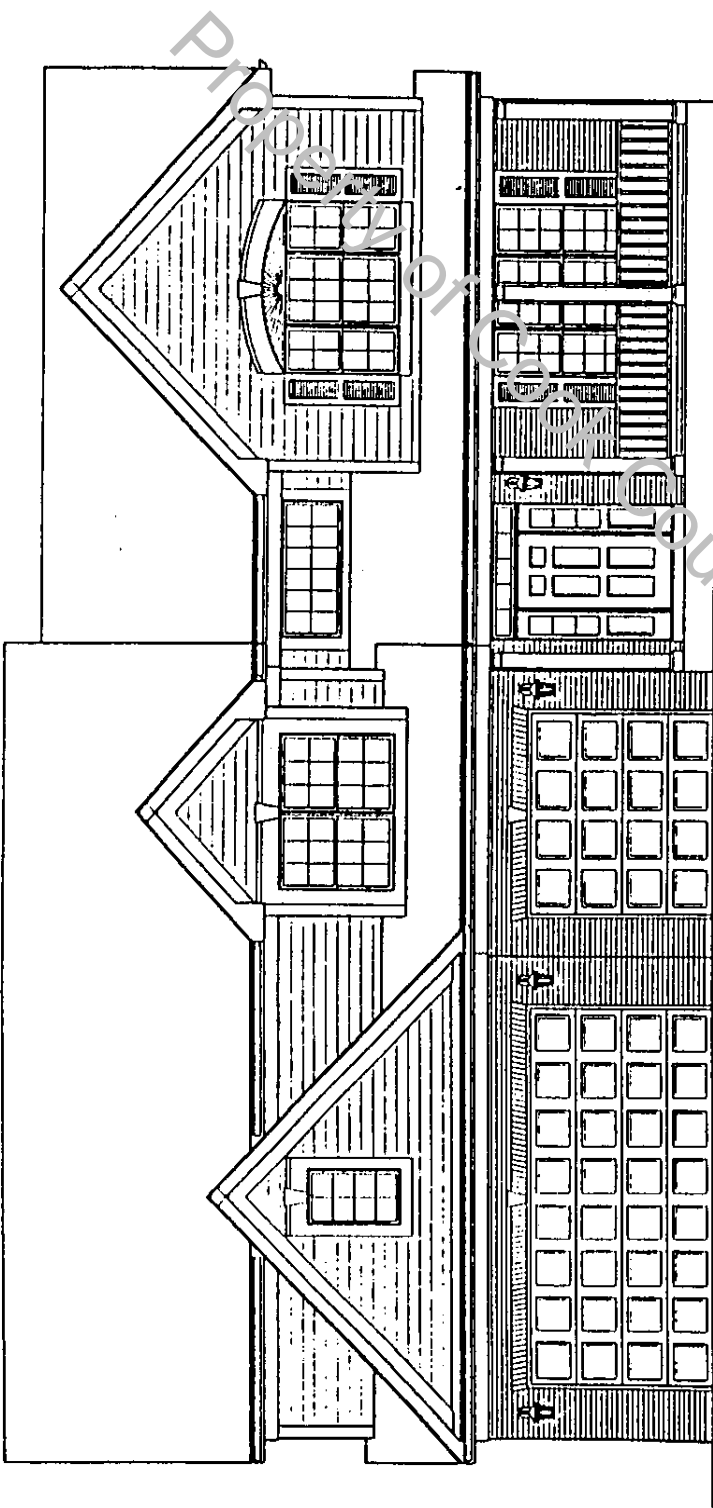
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PETITIONER'S EXHIBIT

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EXHIBIT "A"
(1 of 35)

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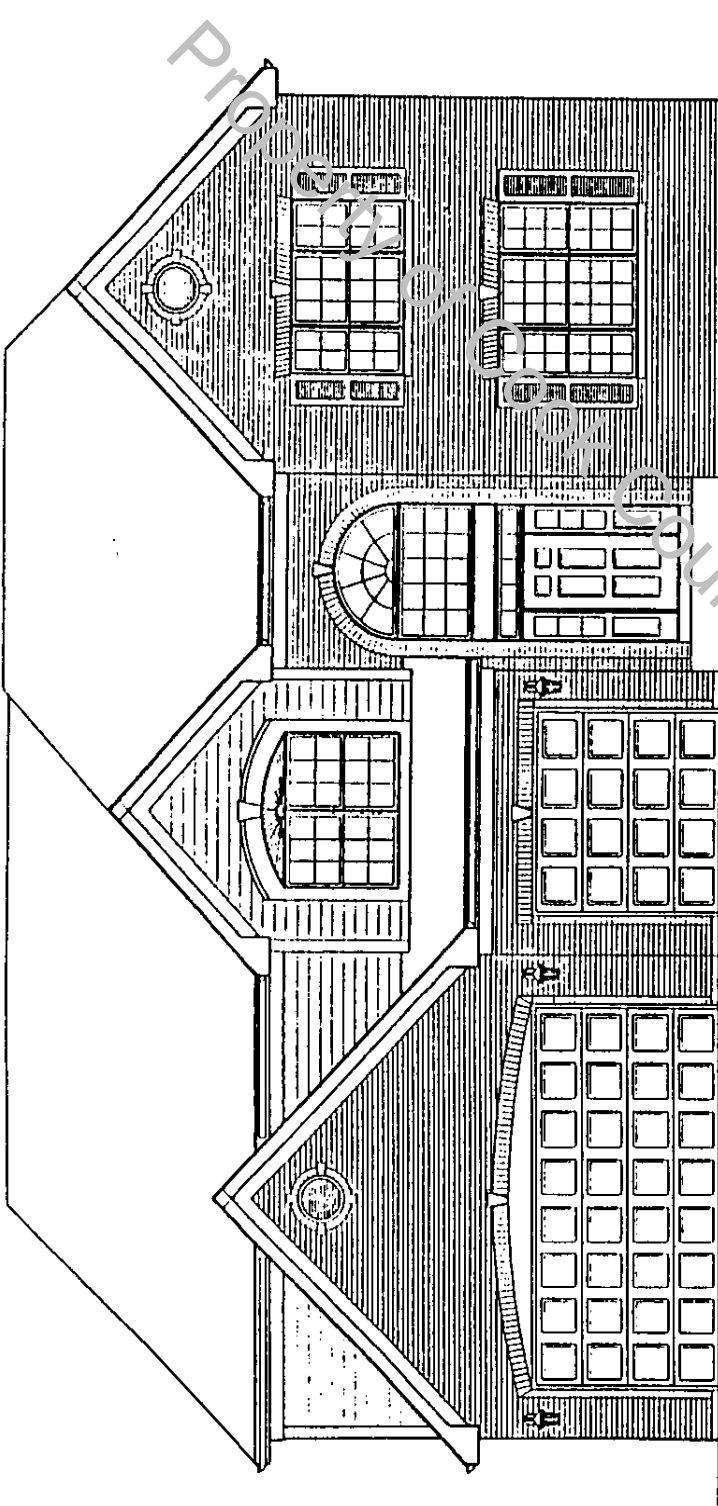
CH 3656 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - B
ELEVATION B - BRICK

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EXHIBIT "A"
(2 of 35)

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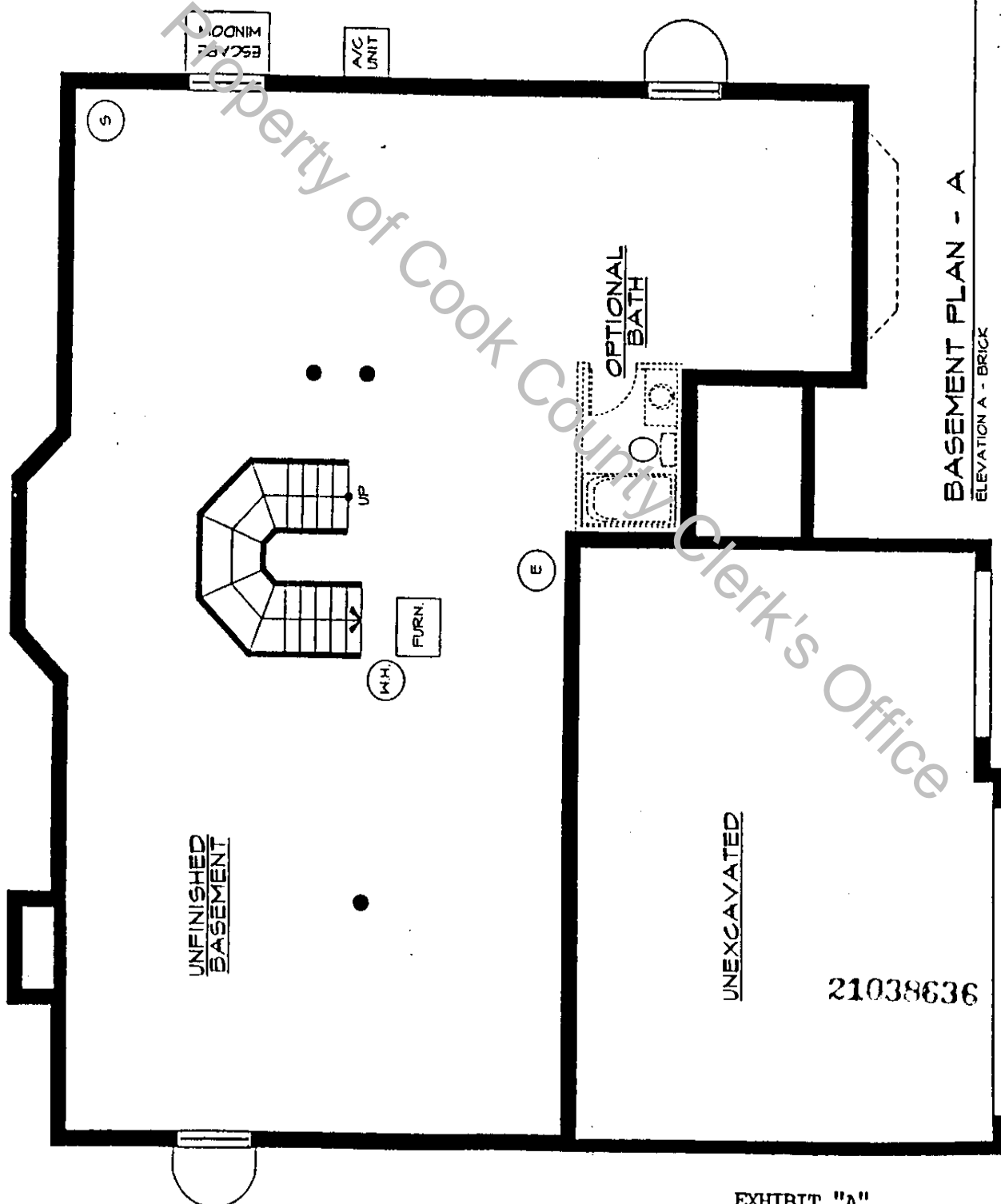
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FRONT ELEVATION - C
ELEVATION C - BRICK

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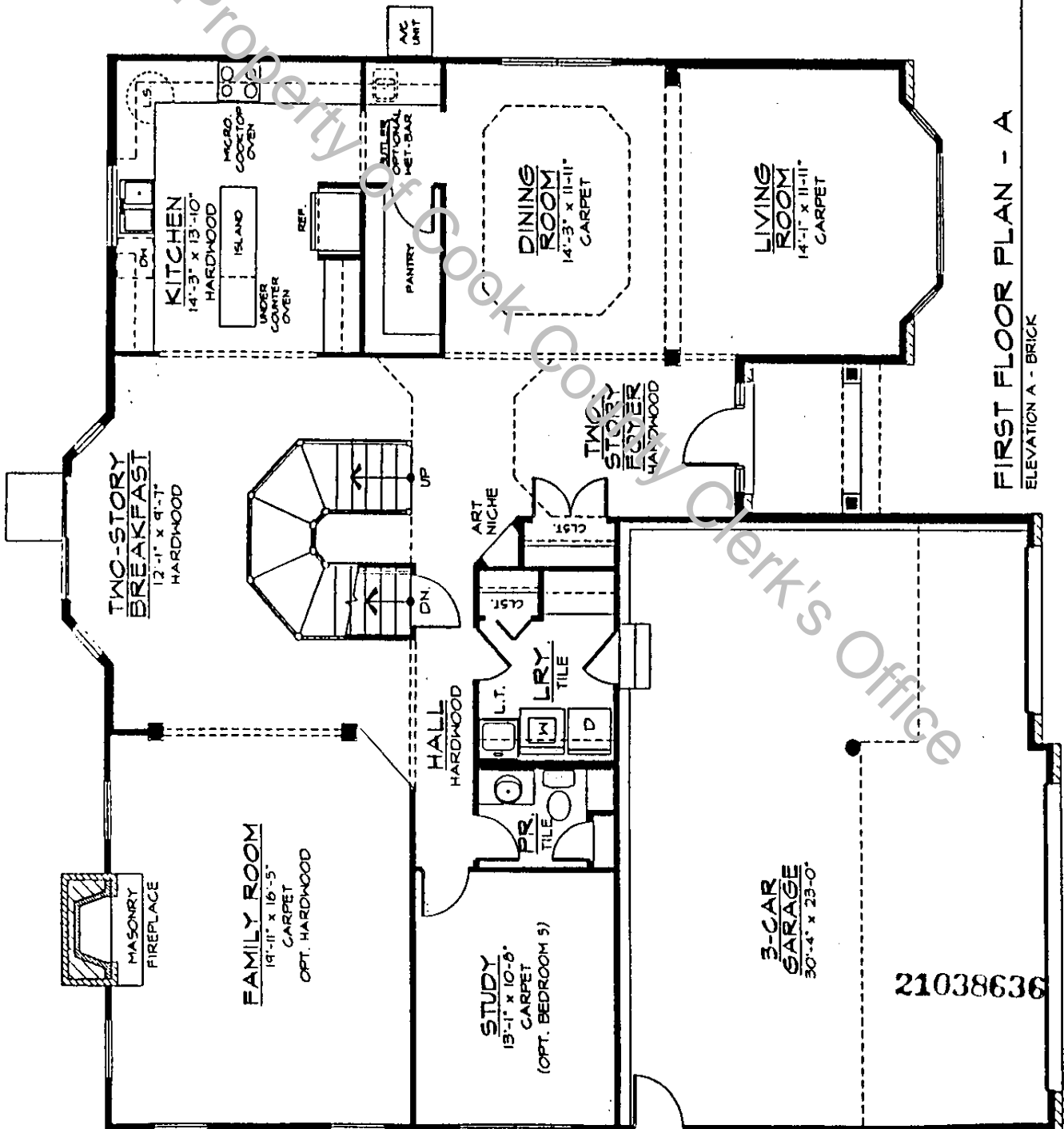
EXHIBIT "A"
(3 of 35)

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CH 3656 MODEL
SCALE: 1/8" = 1'-0"
BASEMENT PLAN - A
ELEVATION A - BRICK

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FIRST FLOOR PLAN - A

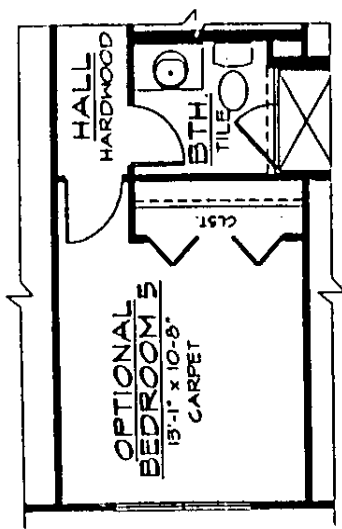
ELEVATION A - BRICK

CH 3656 MODEL

SCALE: 1/8" = 1'-0"

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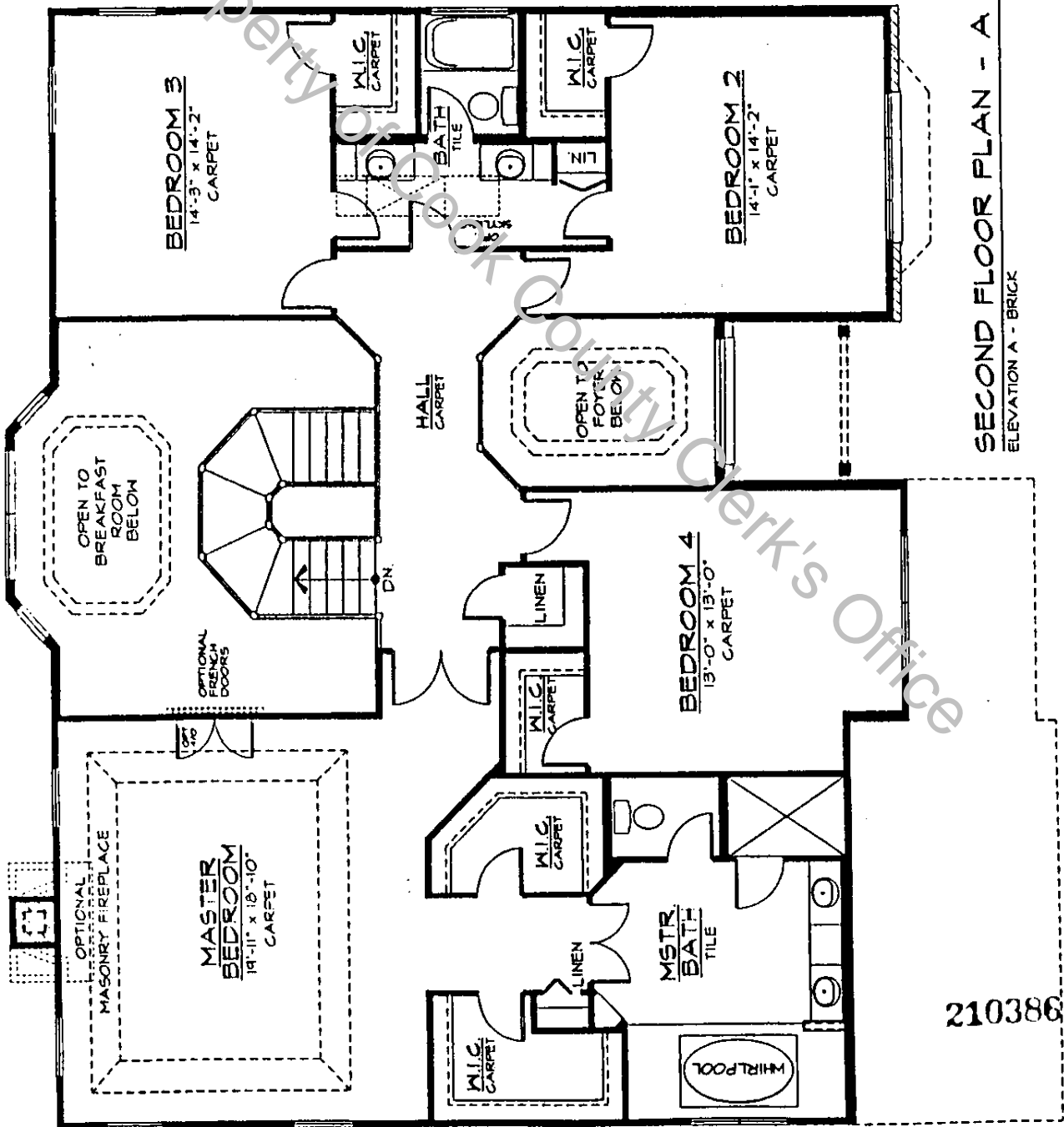


FIRST FLOOR PLAN - A
(OPTIONAL BEDROOM 5)
ELEVATION A - BRICK

CH 3656 MODEL
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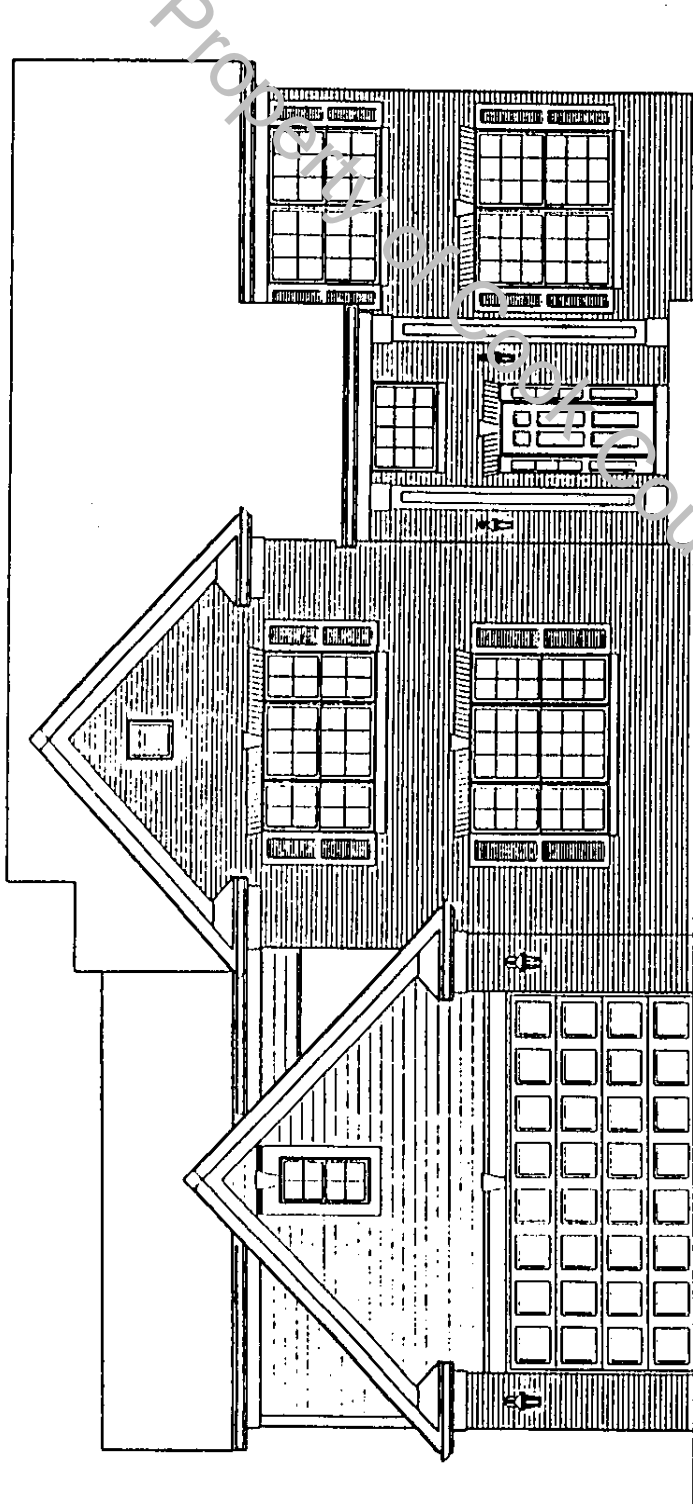
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SECOND FLOOR PLAN - A CH 3656 MODEL
ELEVATION A - BRICK SCALE: 1/8" = 1'-0"

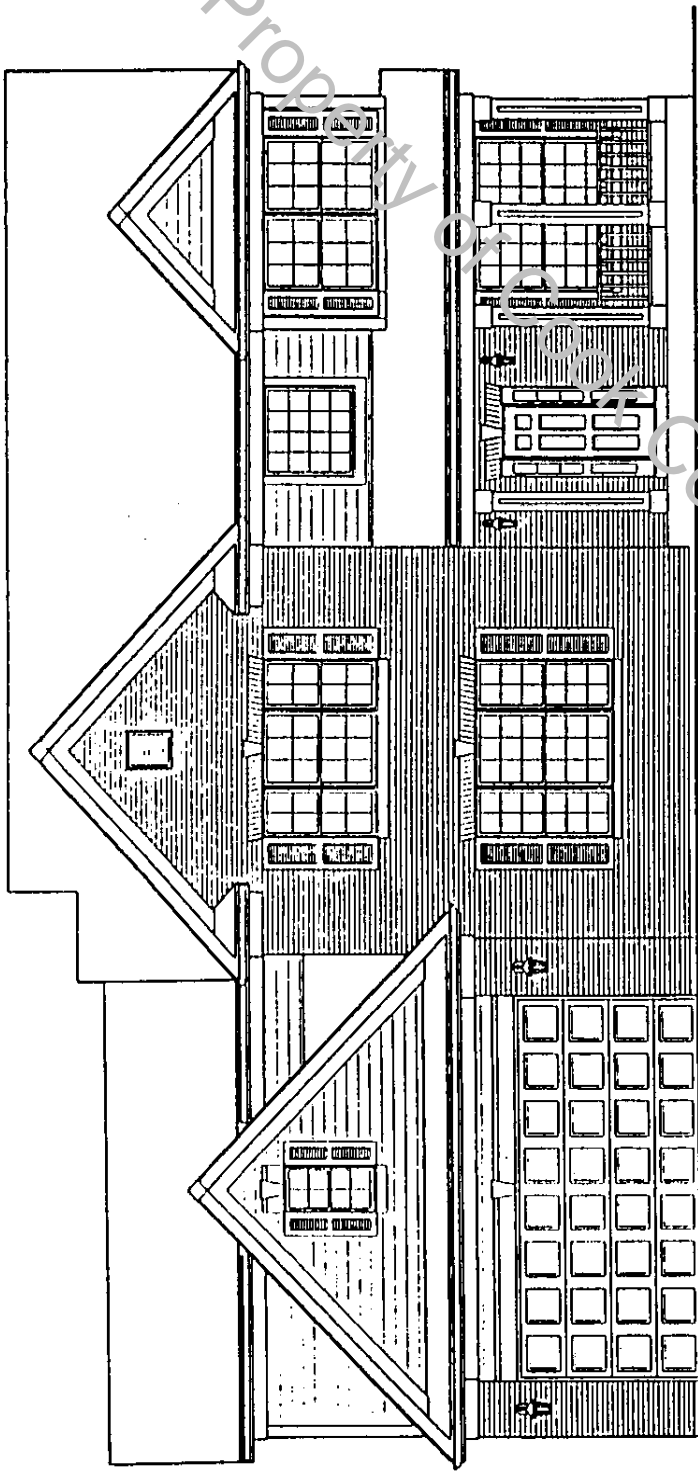
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CH 3317 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - A
ELEVATION A - BRICK

21038636

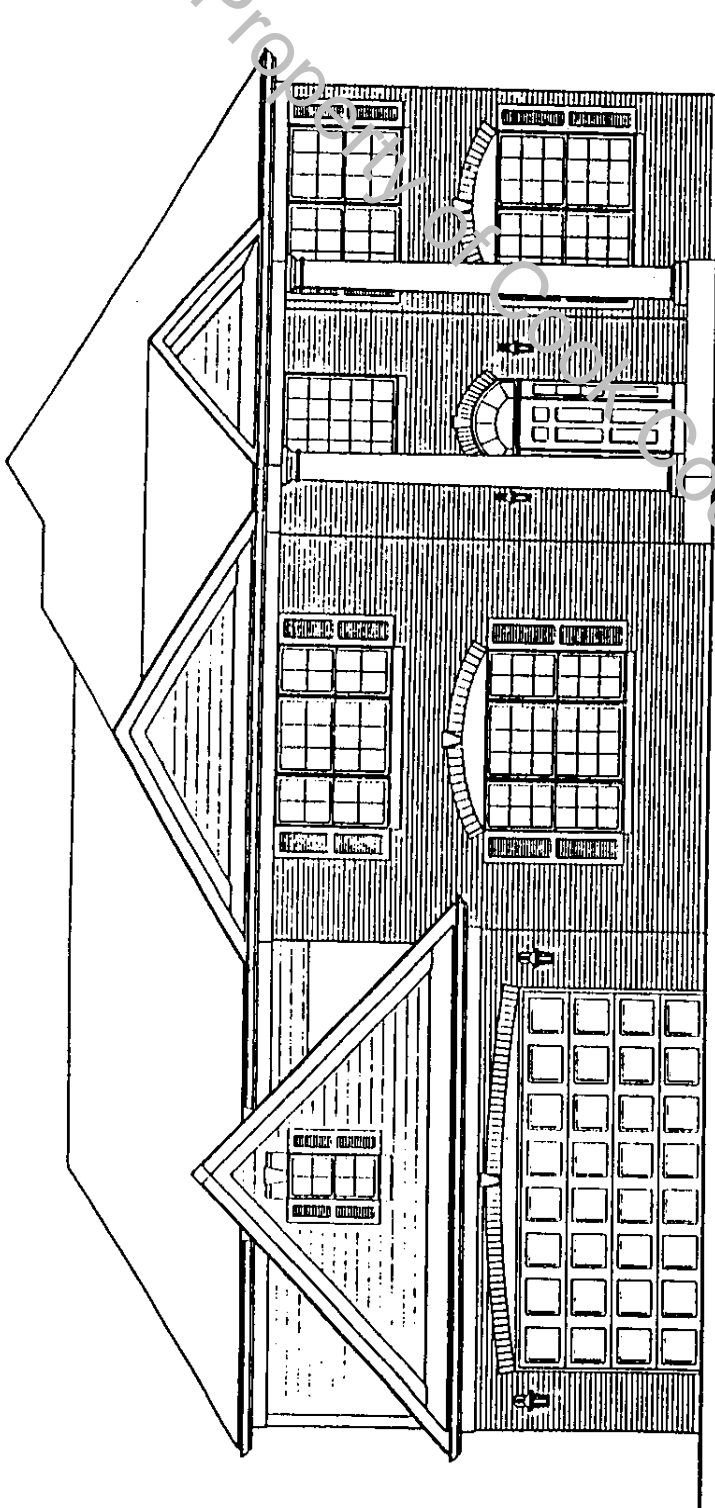


CH 3317 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - B
ELEVATION B - BRICK

Property of
County Clerk's Office

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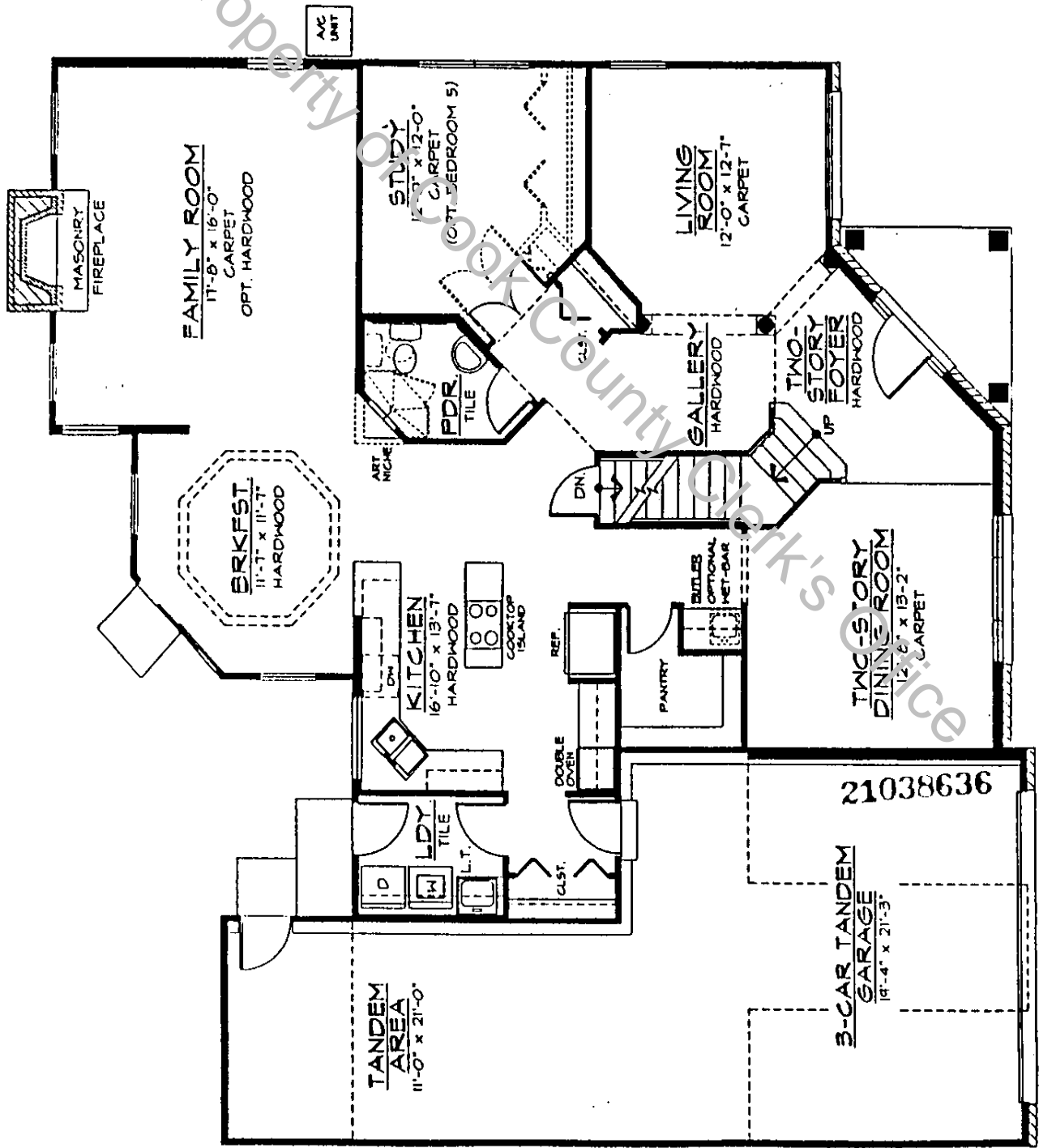


FRONT ELEVATION - C
ELEVATION C - BRICK

CH 3317 MODEL
SCALE: 1/8" = 1'-0"

Property of the County Clerk's Office

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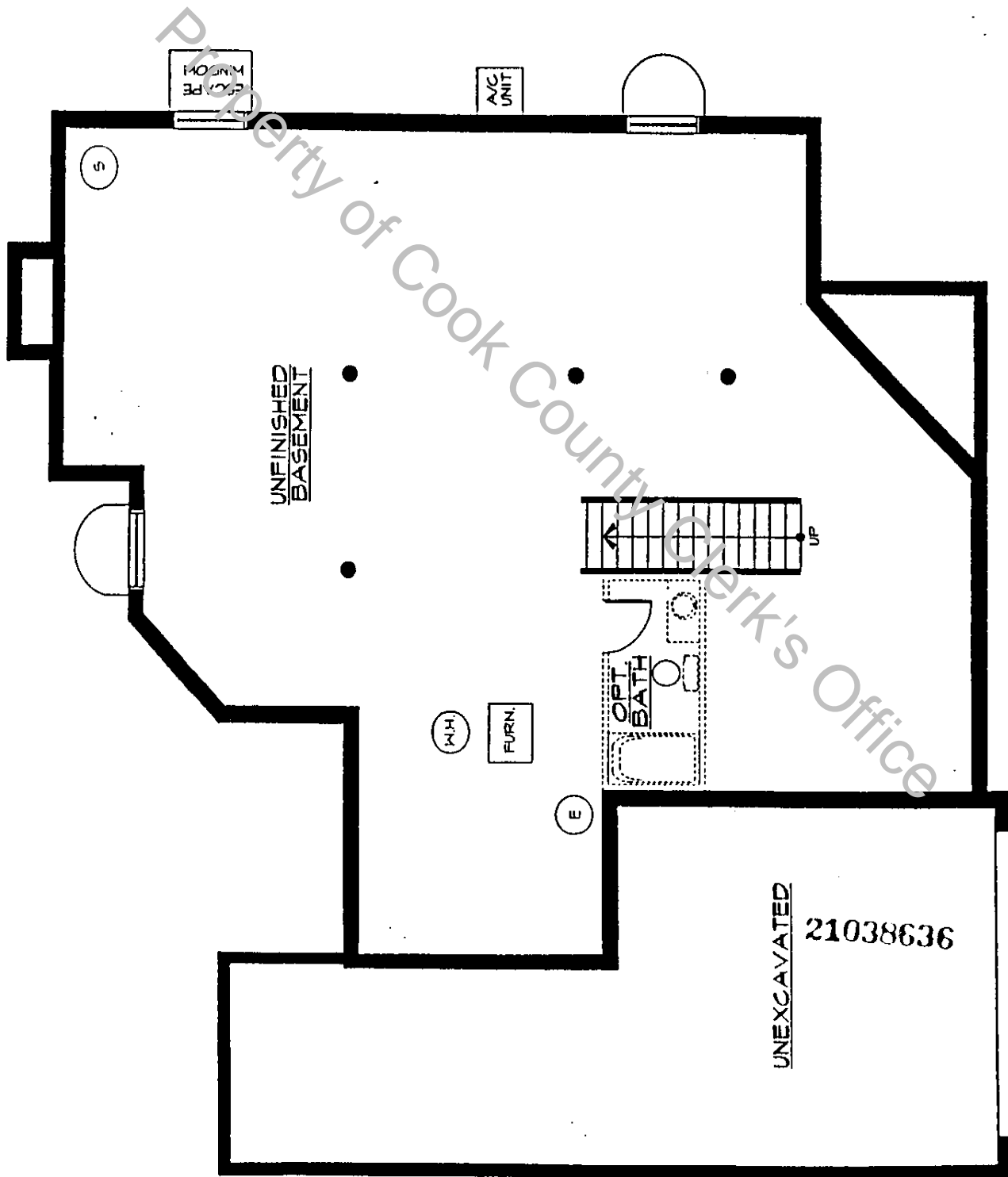


Property of Cook County Clerk's Office

CH 3317 MODEL
SCALE: 1/8" = 1'-0"

FIRST FLOOR PLAN - A
ELEVATION A - BRICK

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Property of Cook County Clerk's Office

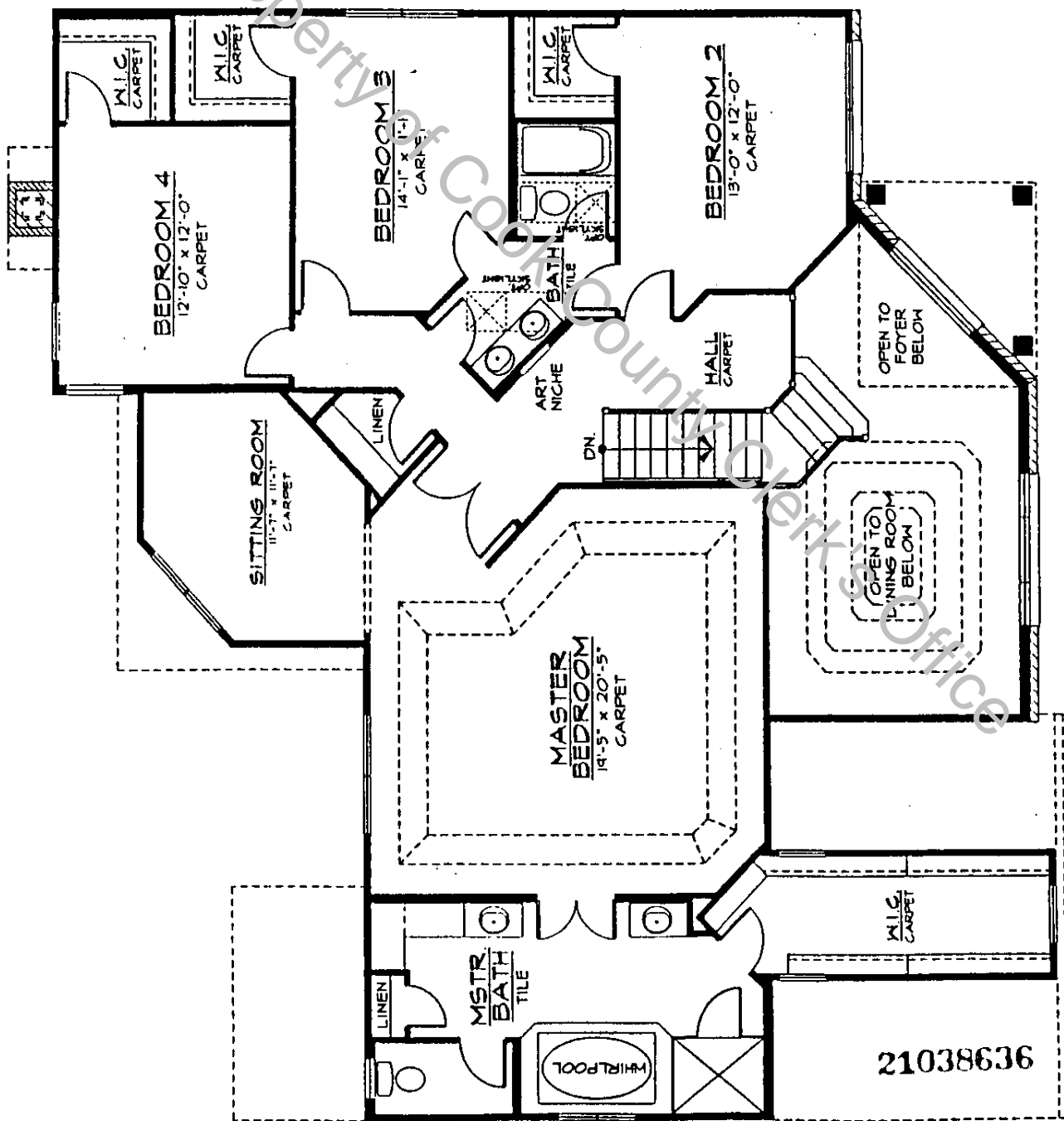
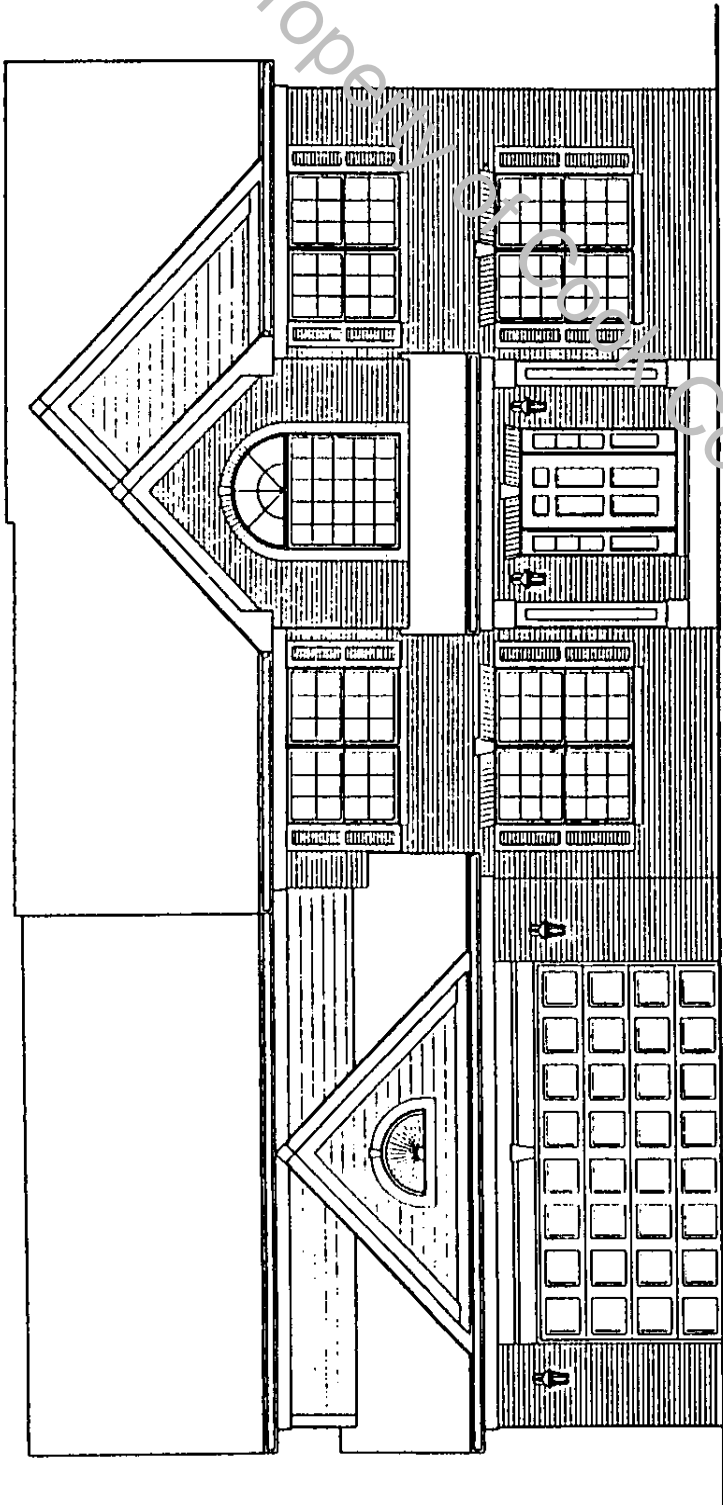


EXHIBIT "A"
(13 of 35)

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CH 3317 MODEL
SCALE: 1/8" = 1'-0"
SECOND FLOOR PLAN - A
ELEVATION A - BRICK



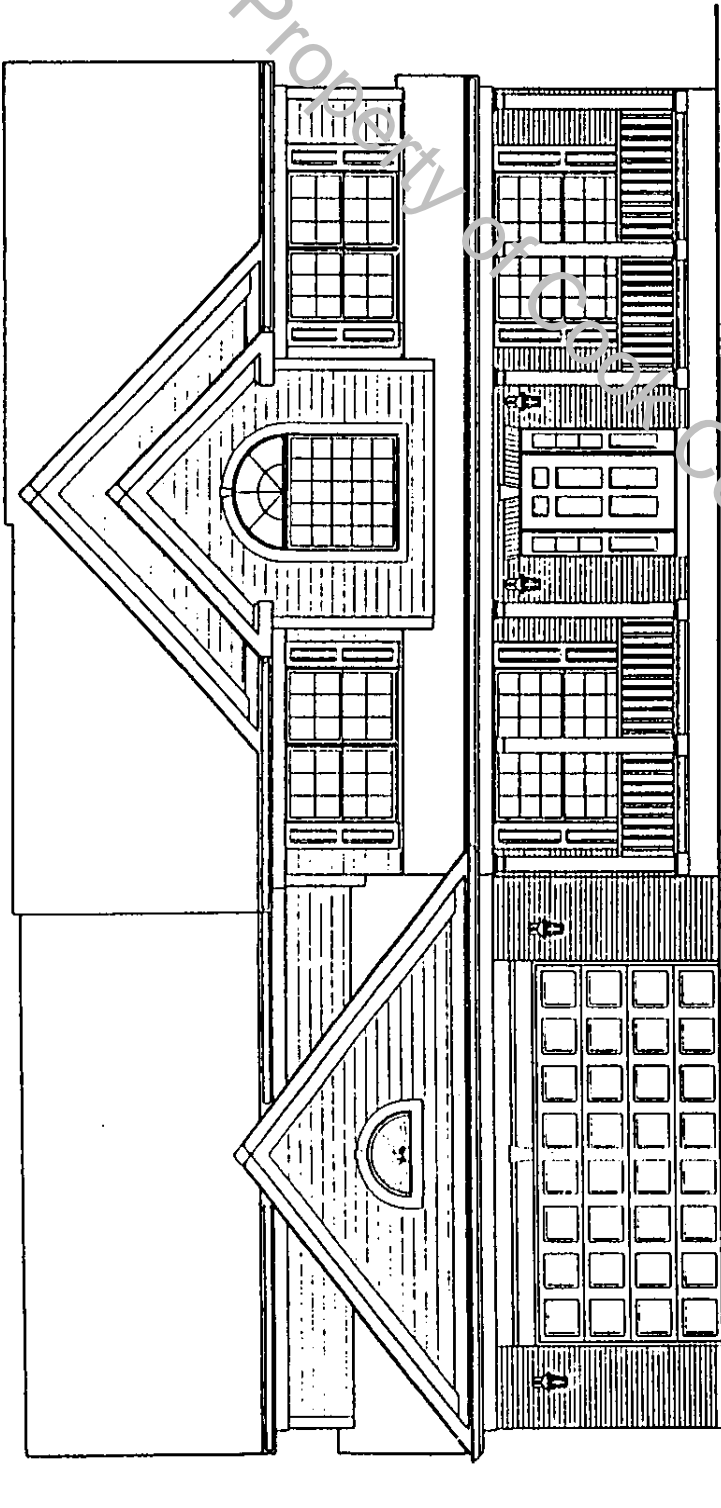
Property of Santa Clara County Clerk's Office

CH 3272 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - A
ELEVATION A - BRICK

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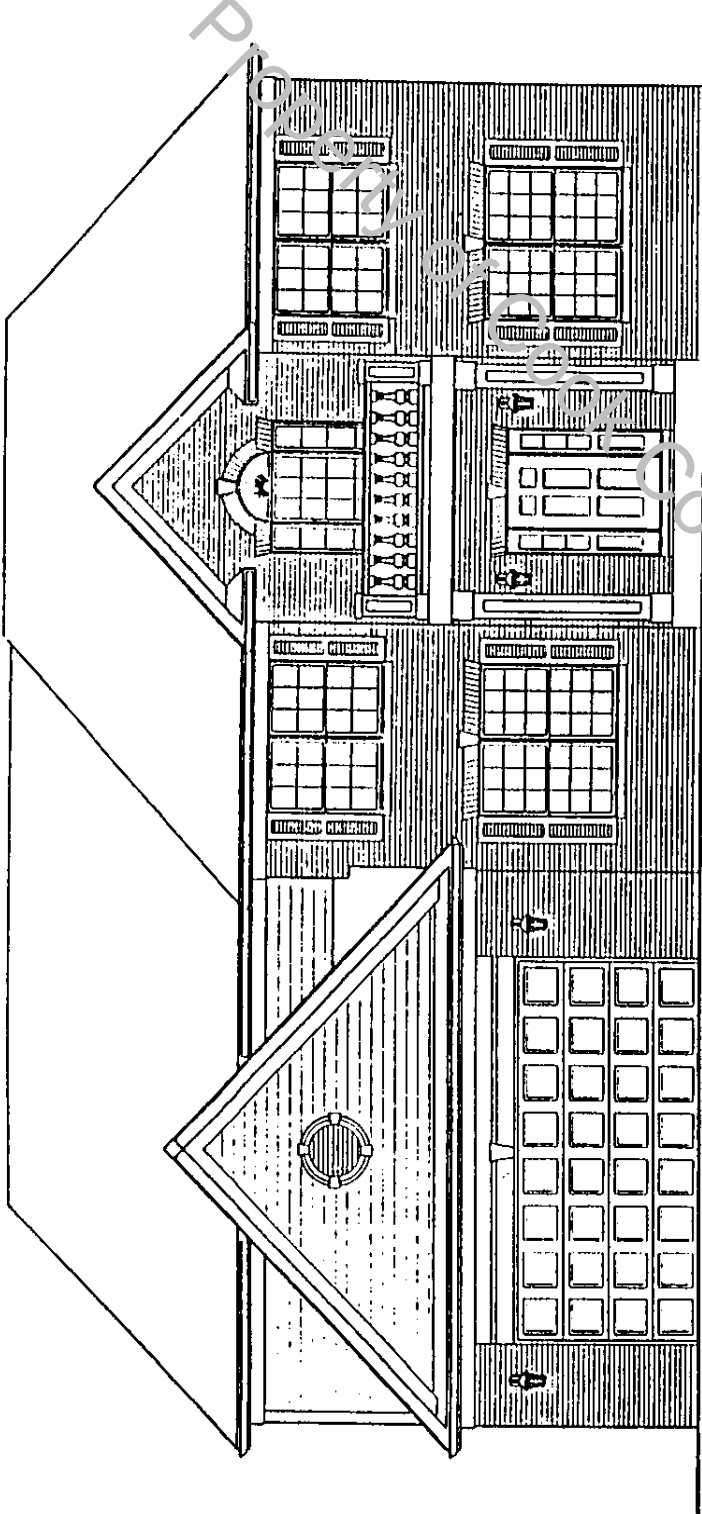
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FRONT ELEVATION - B
ELEVATION B - BRICK

Property of Cook County Clerk's Office

21038636

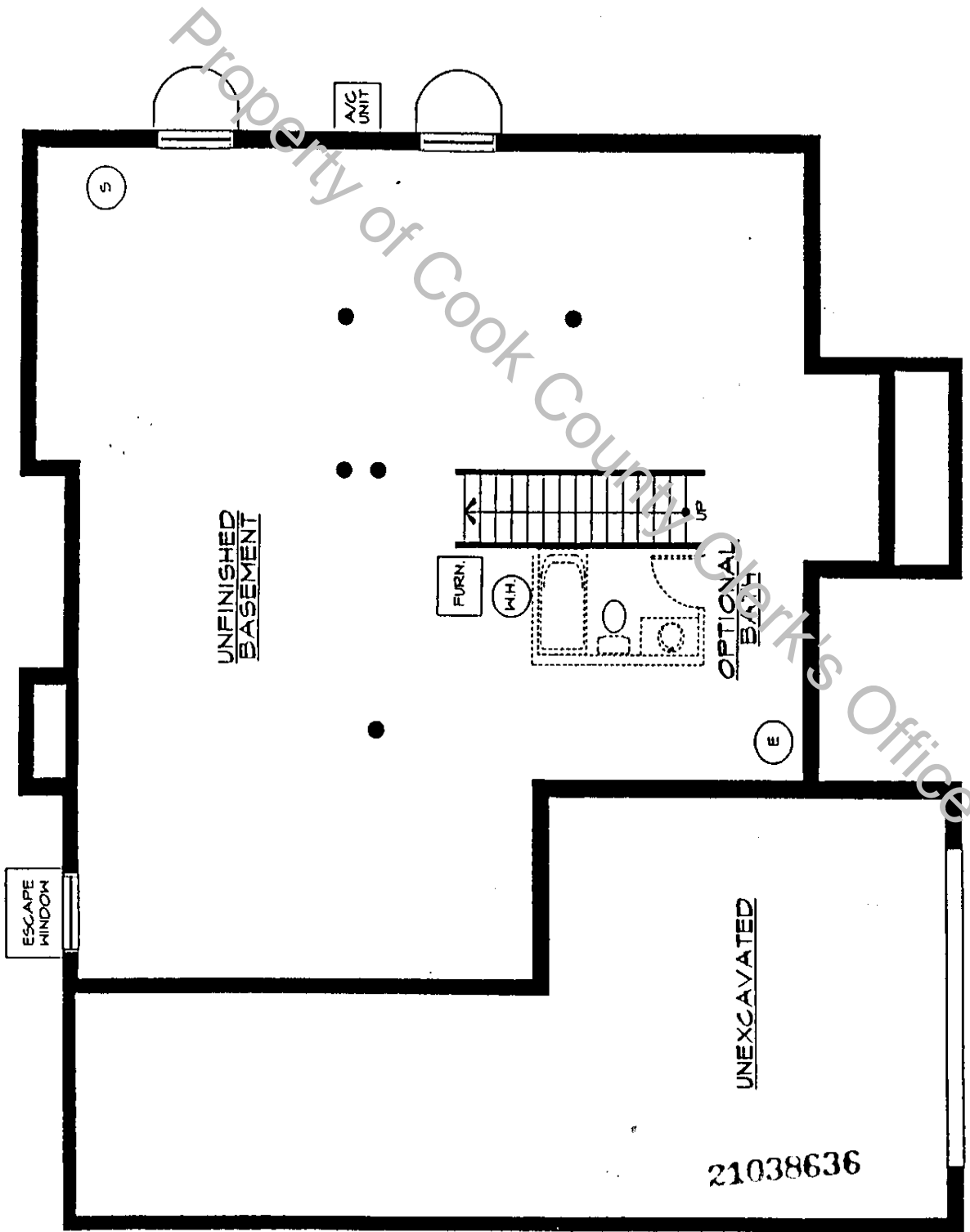
EXHIBIT "A"
(15 of 35)



CH 3272 MODEL
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FRONT ELEVATION - C
ELEVATION C - BRICK

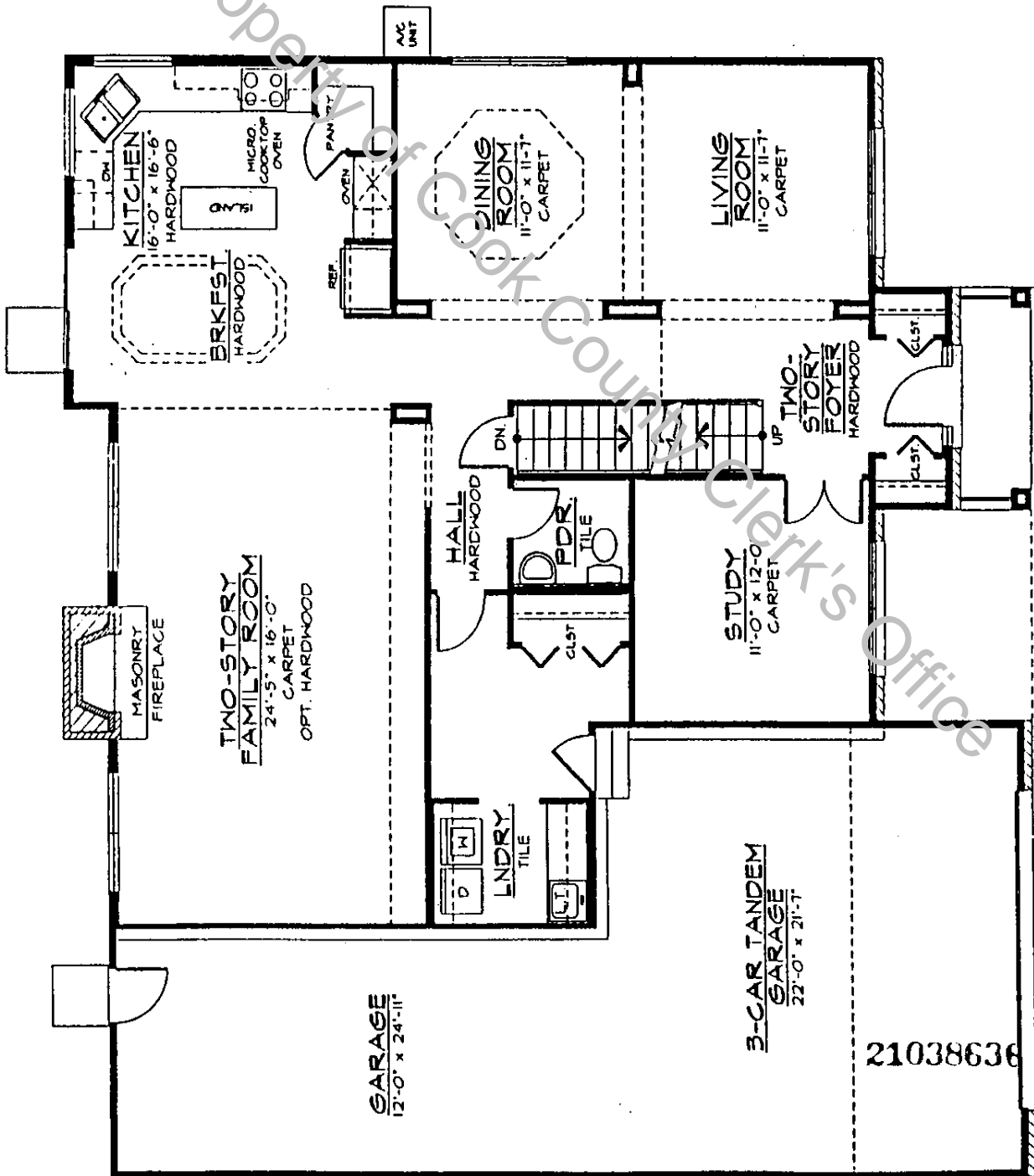
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Property of Cook County Clerk's Office

CH 3272 MODEL
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BASEMENT PLAN - A
ELEVATION A - BRICK

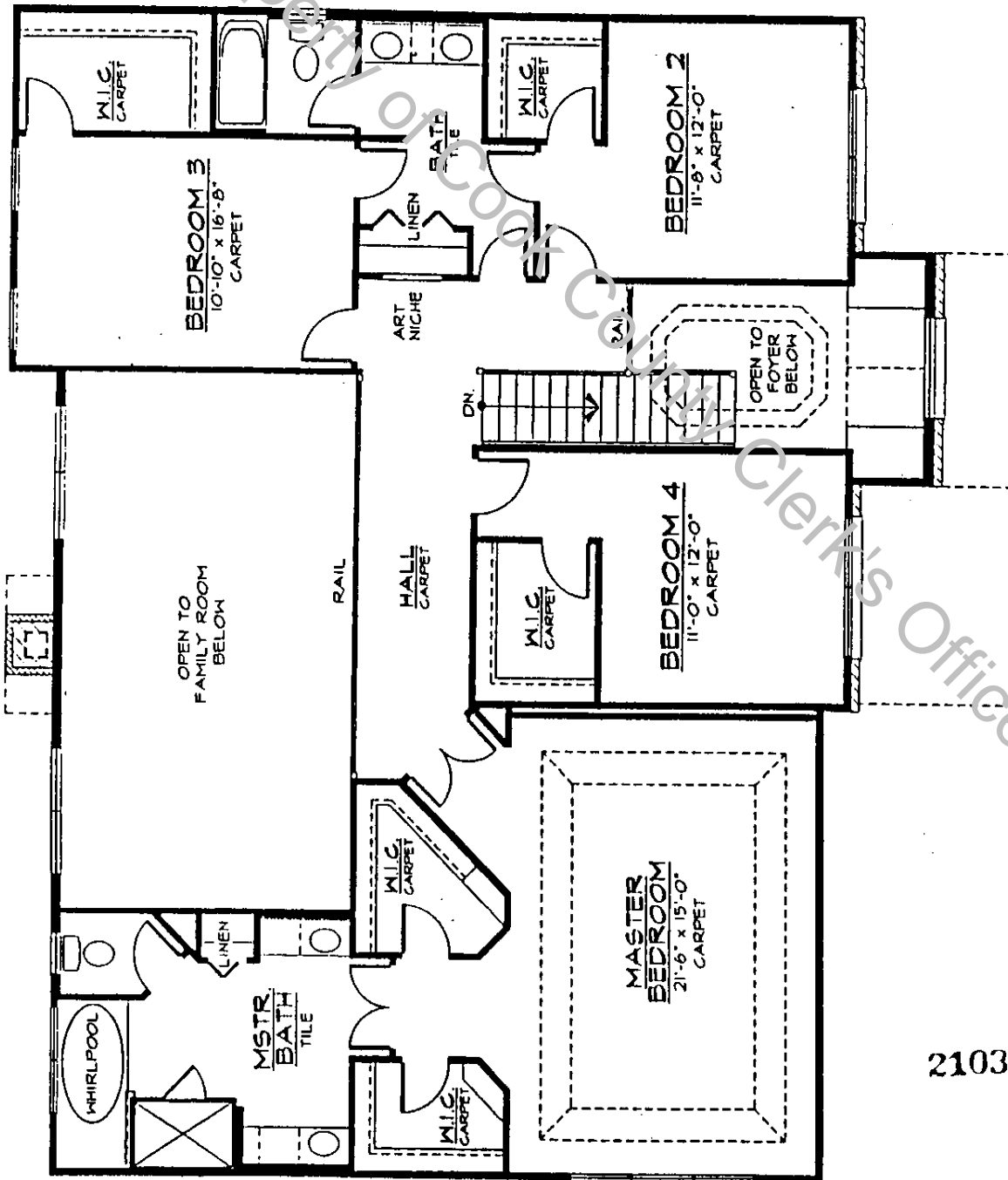


Property of Cook County Clerk's Office

CH 3272 MODEL
SCALE: 1/8" = 1'-0"

FIRST FLOOR PLAN - A
ELEVATION A - BRICK

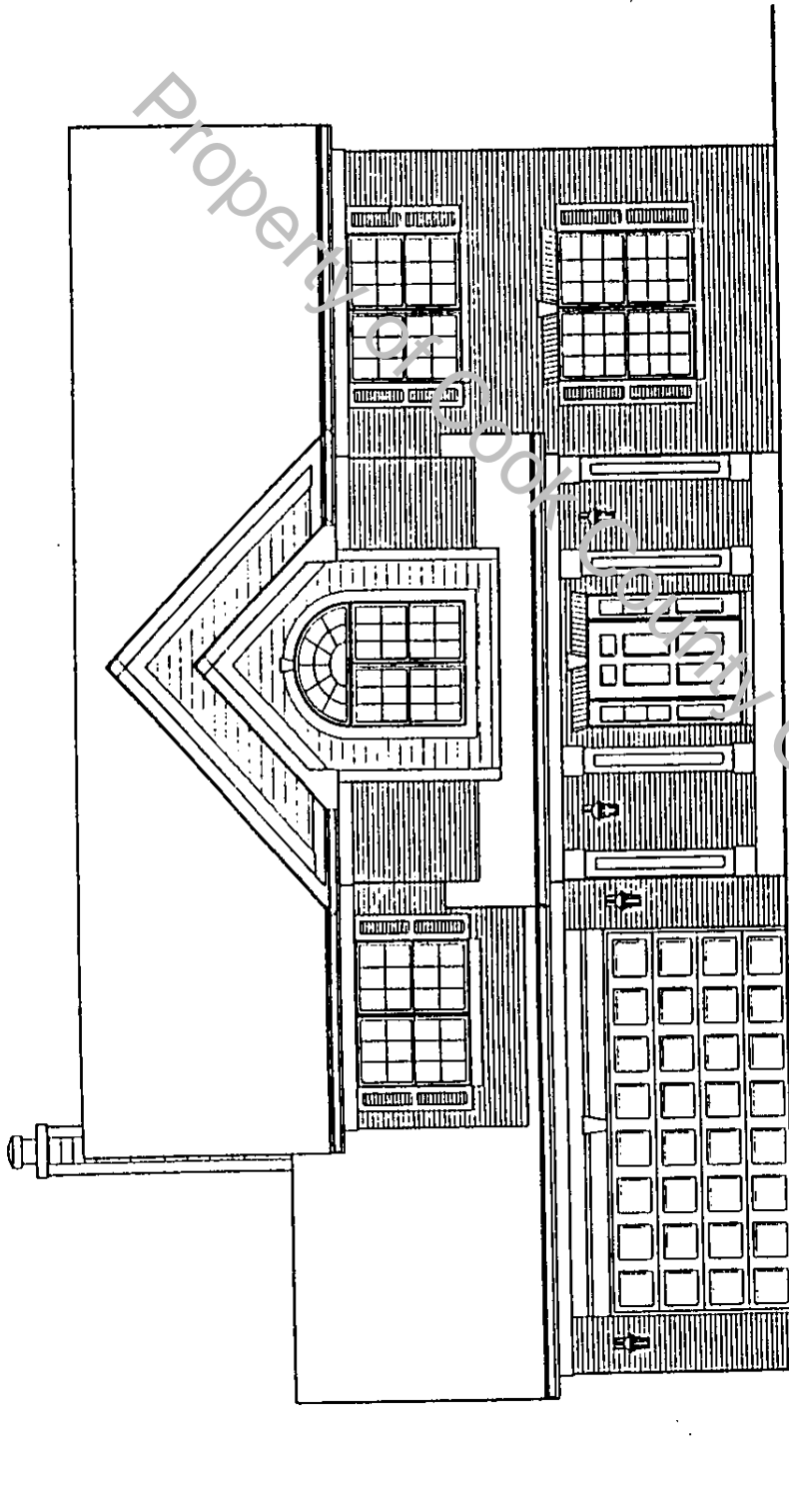
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Property of Cook County Clerk's Office

CH 3272 MODEL
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21038
SECOND FLOOR PLAN - A
ELEVATION A - BRCK



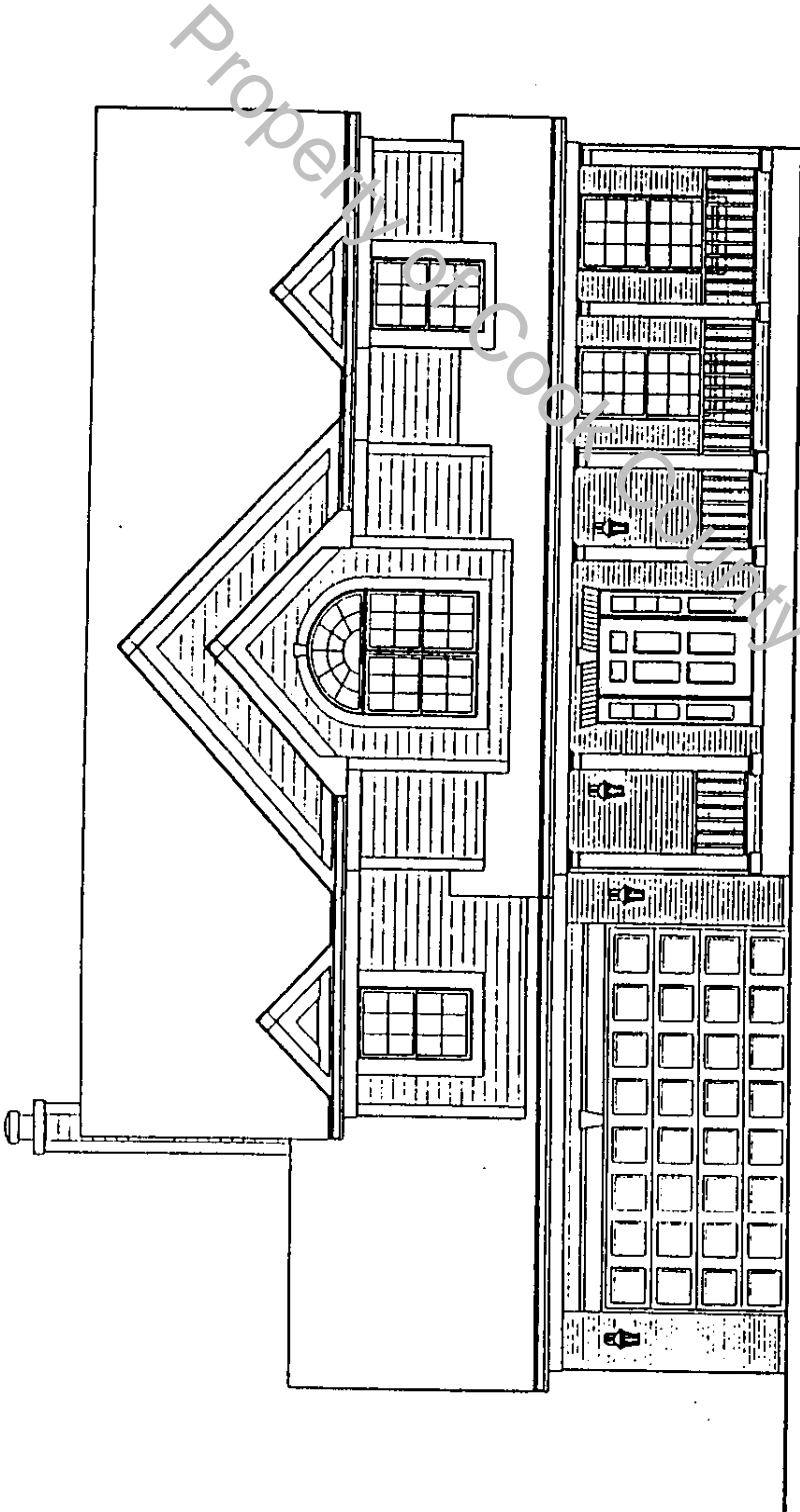
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FRONT ELEVATION - A

ELEVATION A - BRICK

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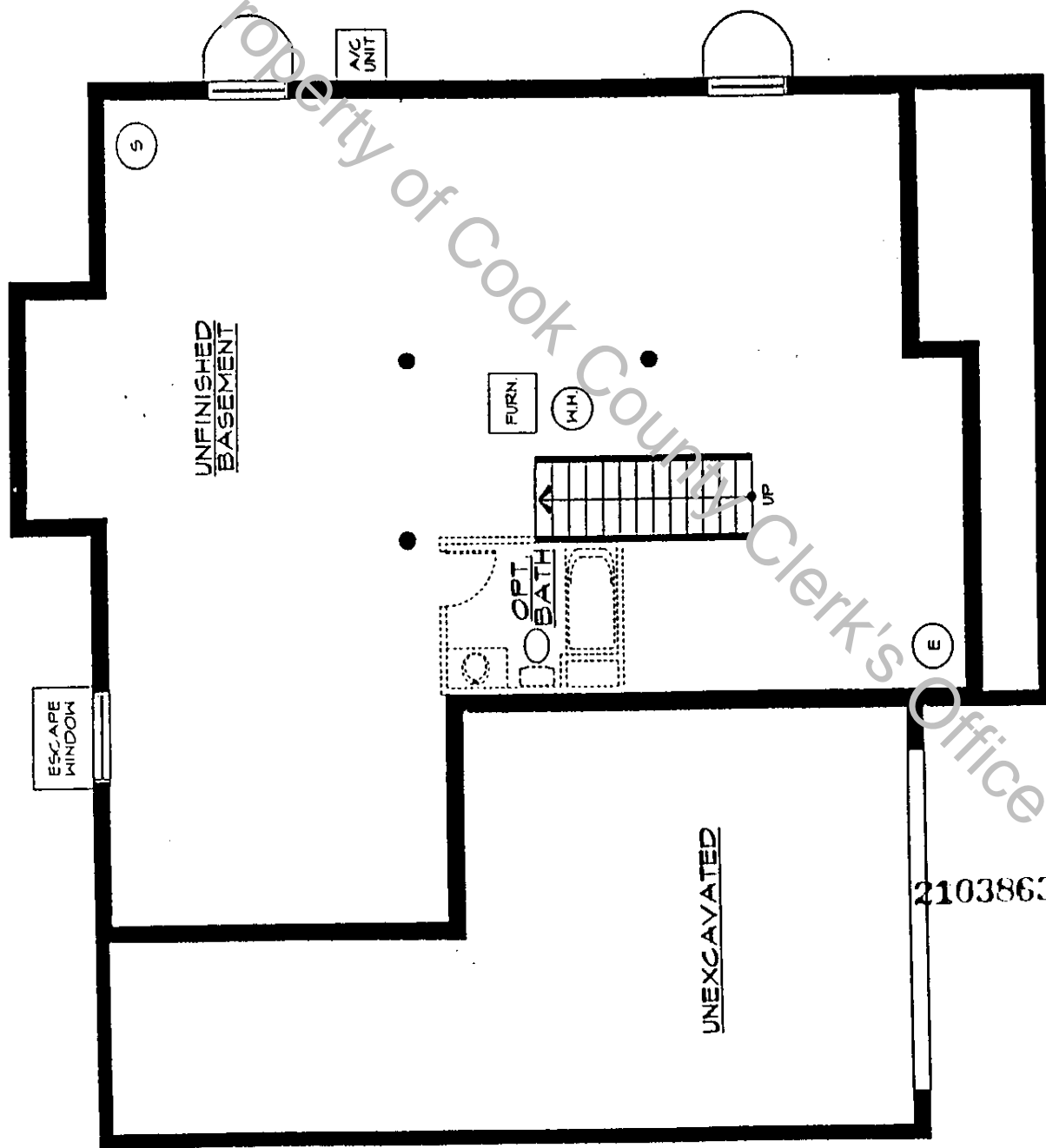
FRONT ELEVATION - B
ELEVATION B - BRICK

CH 3062 MODEL
SCALE: 1/8" = 1'-0"

EXHIBIT "A"
(21 of 35)

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Property of Cook County Clerk's Office

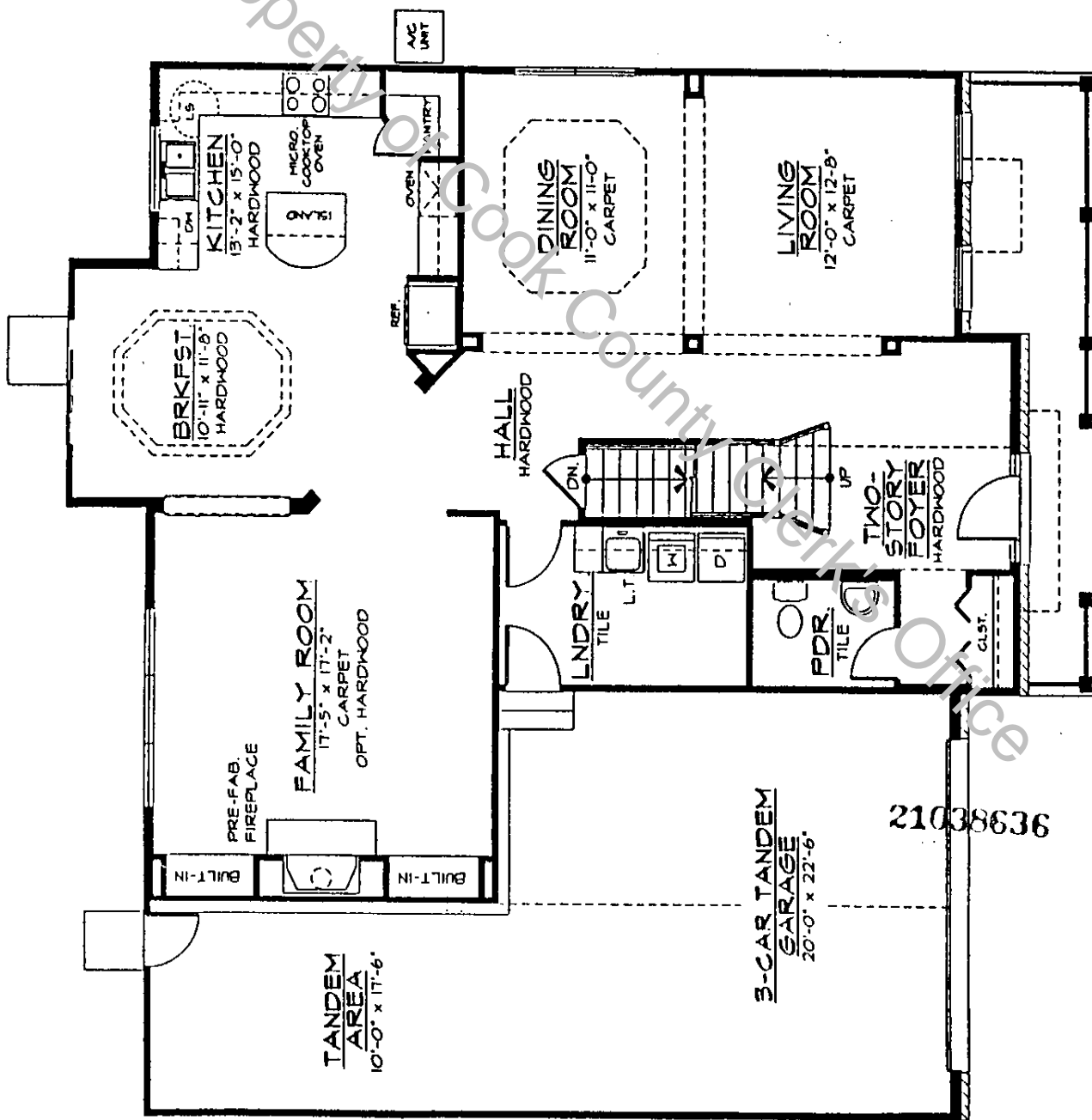


CH 3062 MODEL
SCALE: 1/8" = 1'-0"

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BASEMENT PLAN - B

ELEVATION B - BRICK



Property of Cook County Illinois

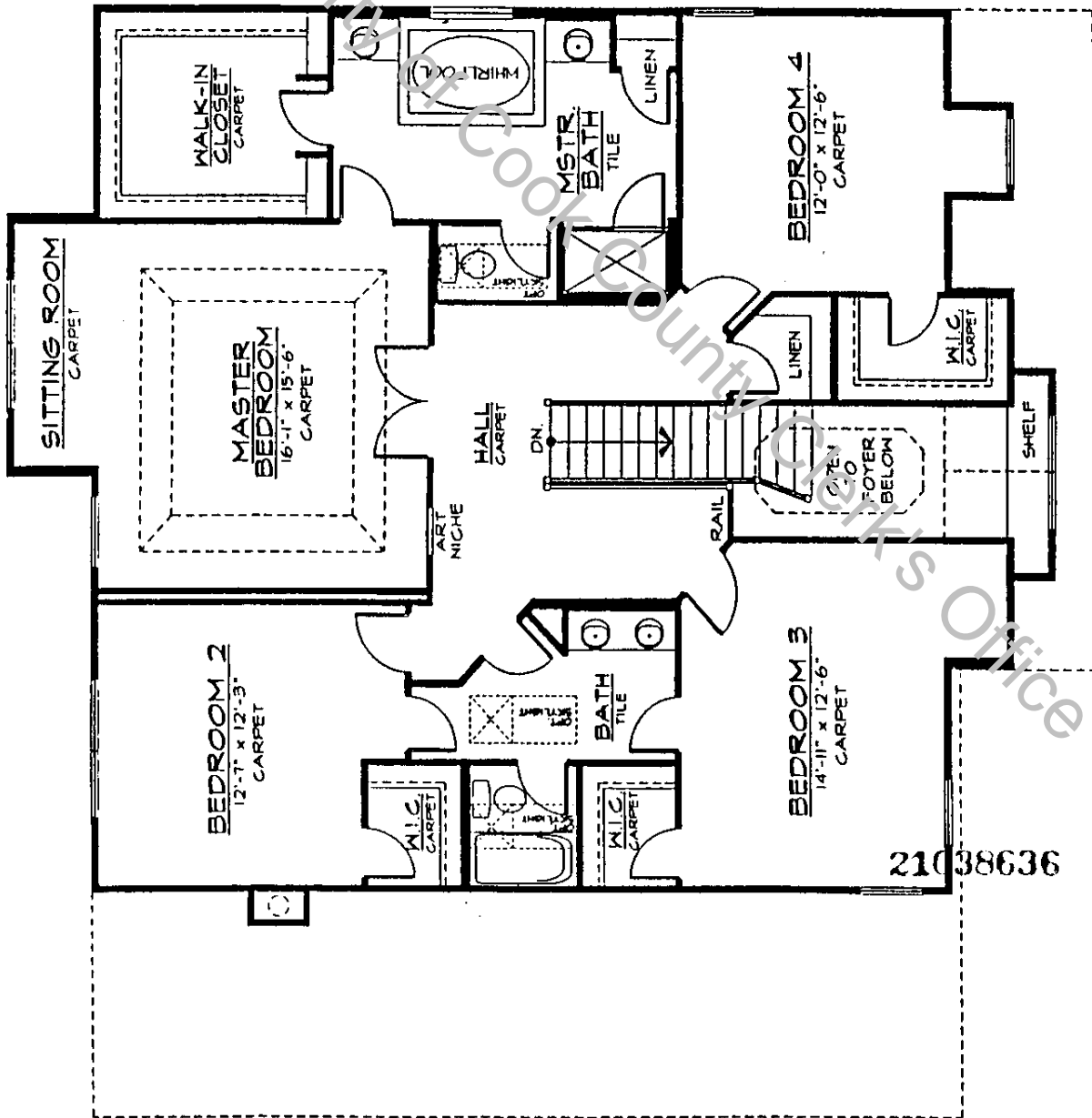
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CH 3062 MODEL

SCALE: 1/8" = 1'-0"

FIRST FLOOR PLAN - B

ELEVATION B - BRICK



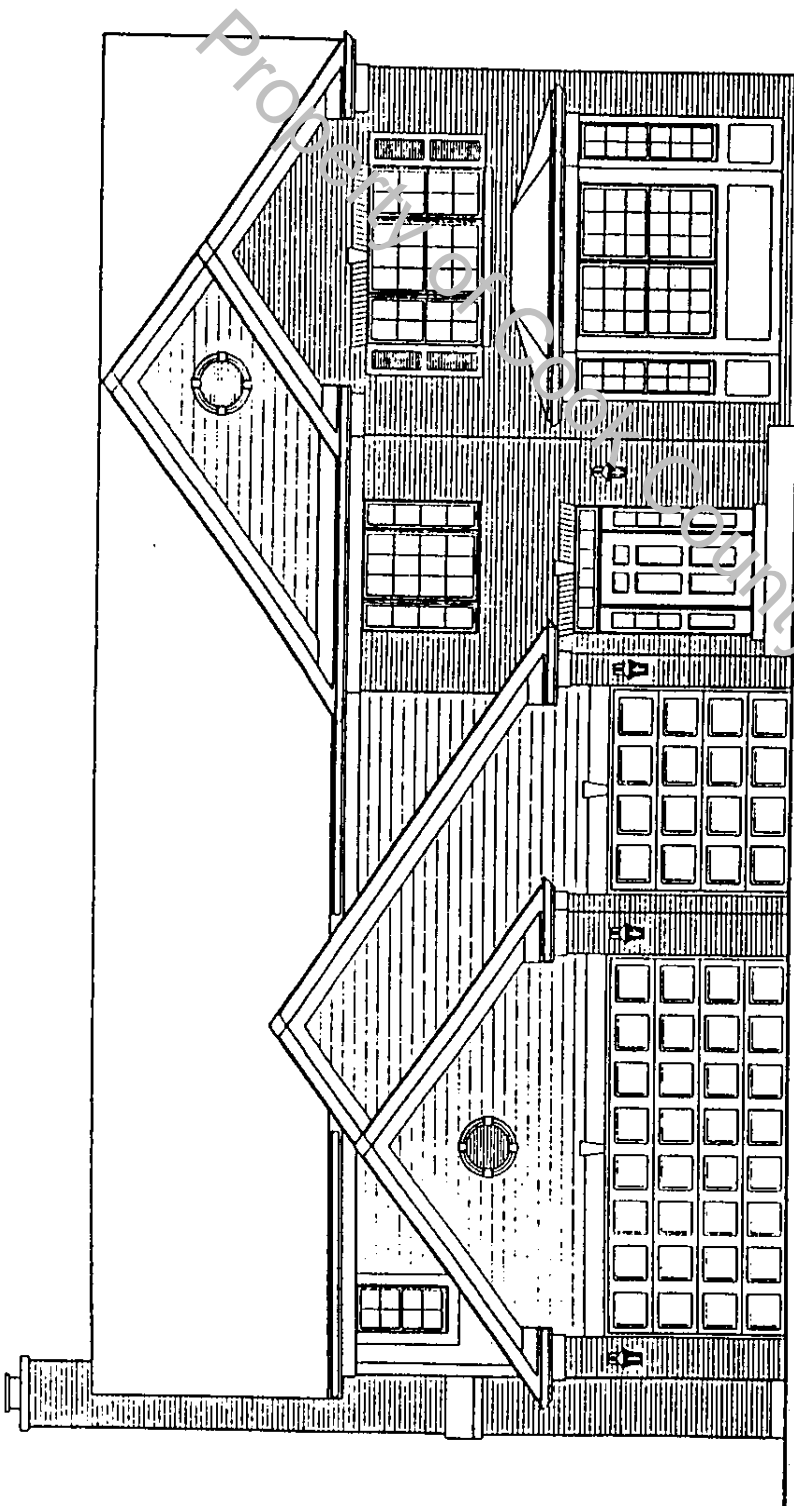
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EXHIBIT "A"
(24 of 35)

CH 3062 MODEL
SCALE: 1/8" = 1'-0"

SECOND FLOOR PLAN - B
ELEVATION B - BRICK

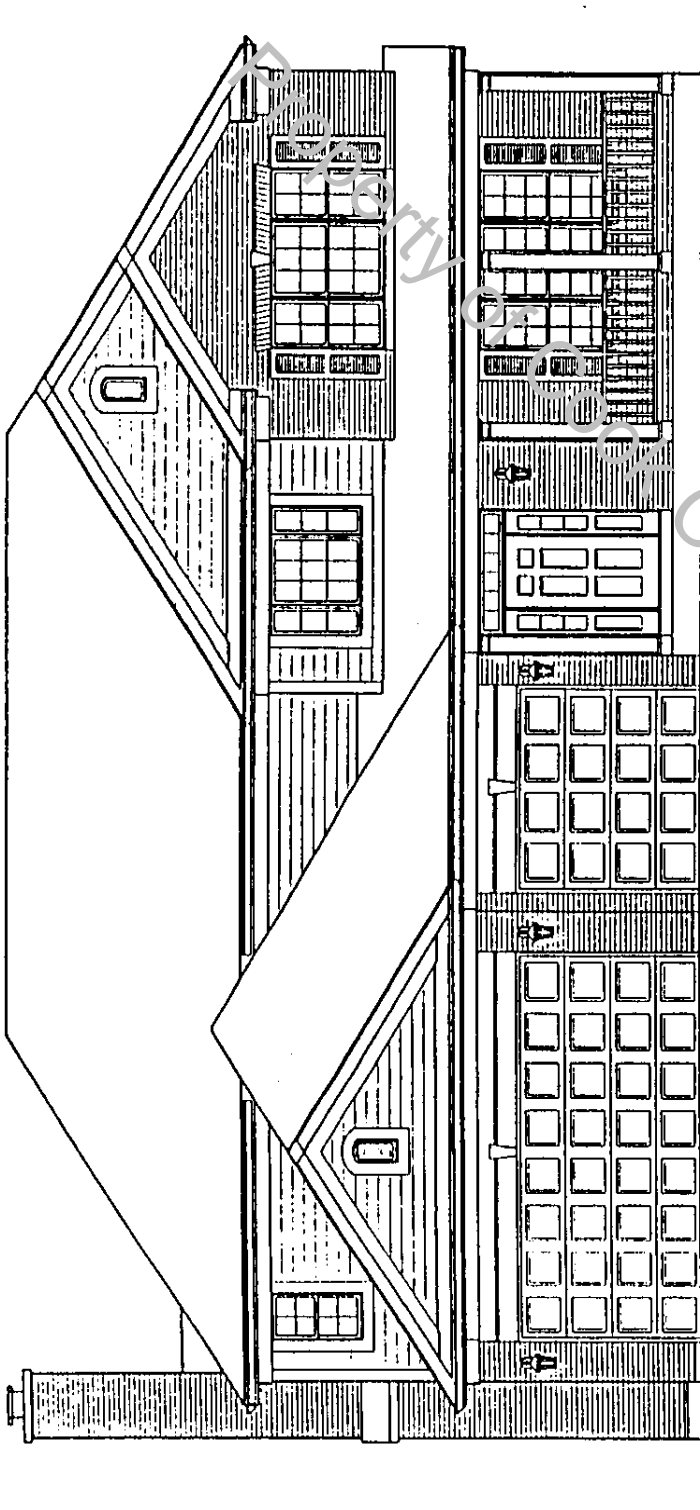
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FRONT ELEVATION - A
ELEVATION A - BRICK
CH 3066 MODEL
SCALE: 1/8" = 1'-0"

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CH 3066 MODEL
SCALE: 1/8" = 1'-0"

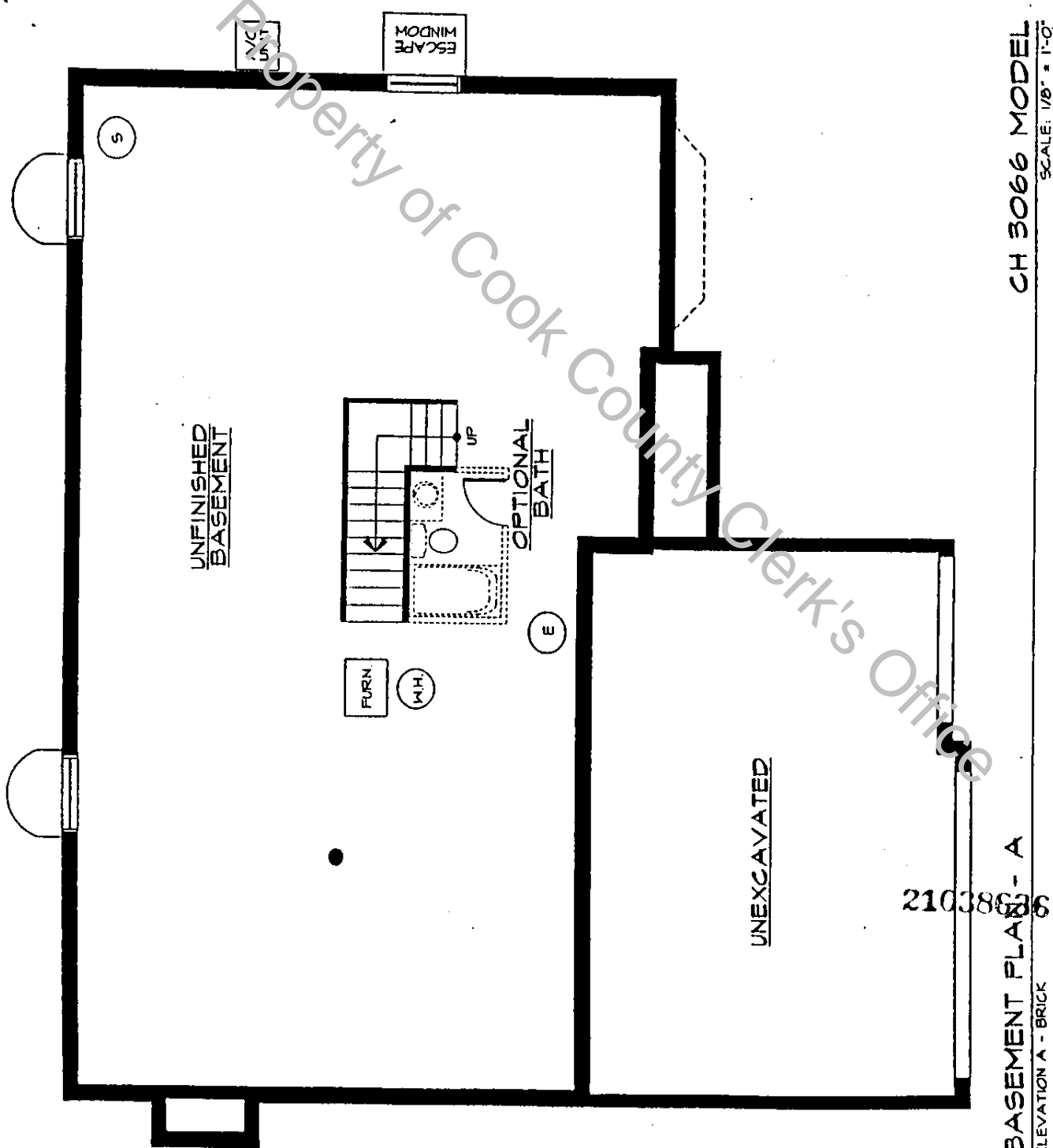
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ELEVATION B - BRICK

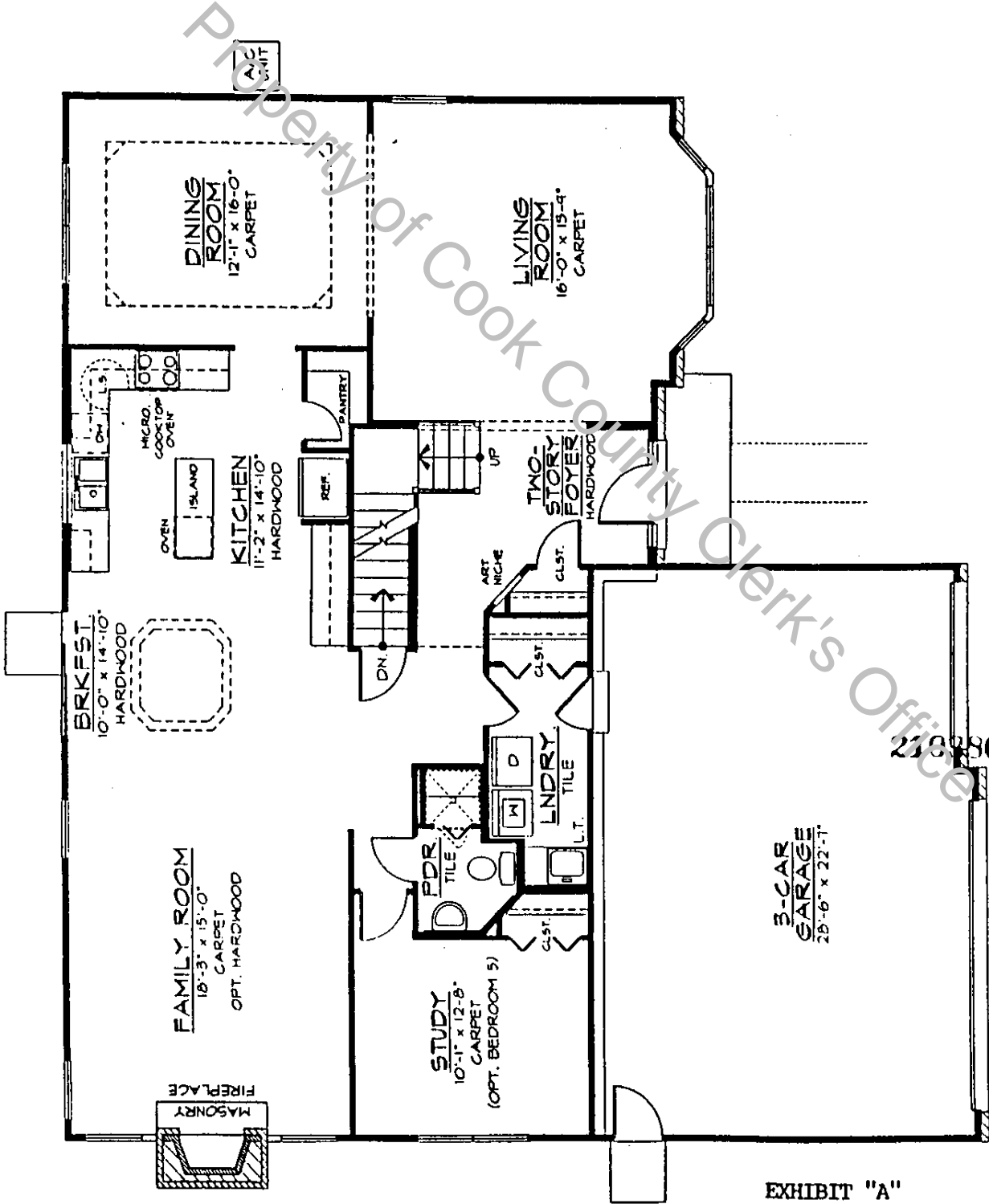
County Clerk's Office

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EXHIBIT "A"
(26 of 35)

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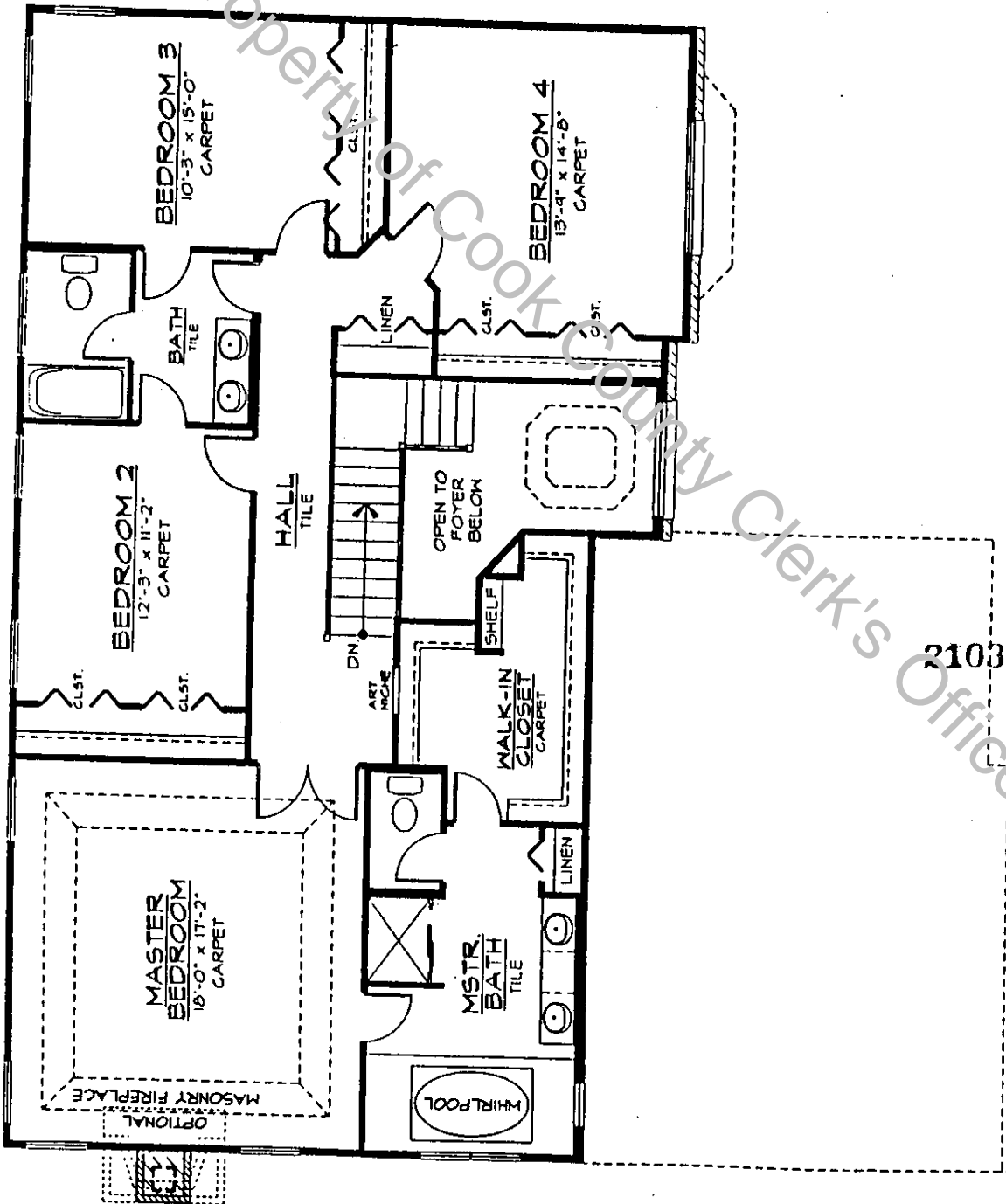
CH 3066 MODEL
SCALE: 1/8" = 1'-0"

218-28636

FIRST FLOOR PLAN - A
ELEVATION A - BRICK

EXHIBIT "A"
(28 of 35)

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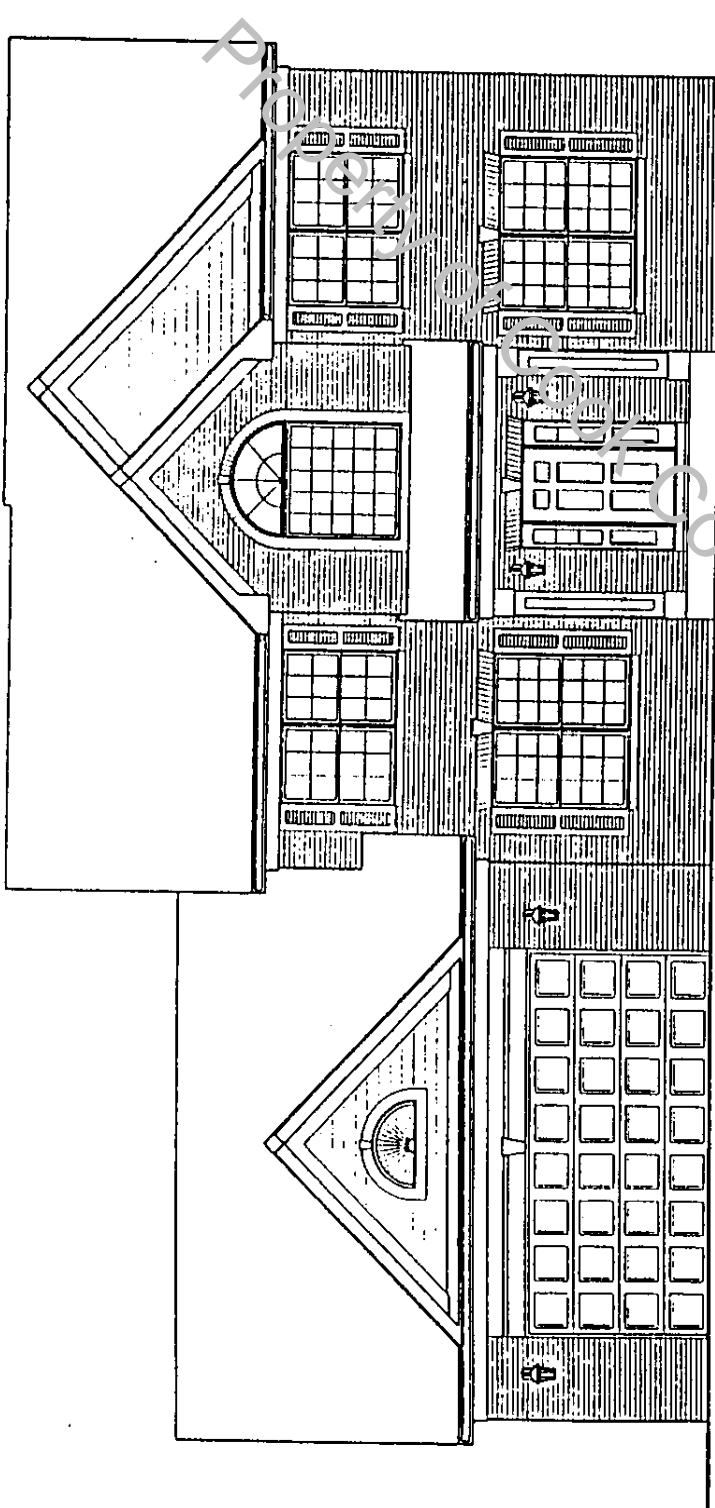


Property of Cook County Clerk's Office
21038636

EXHIBIT "A"
(29 of 35)

SECOND FLOOR PLAN - A
ELEVATION A - BRICK
CH 3066 MODEL
SCALE: 1/8" = 1'-0"

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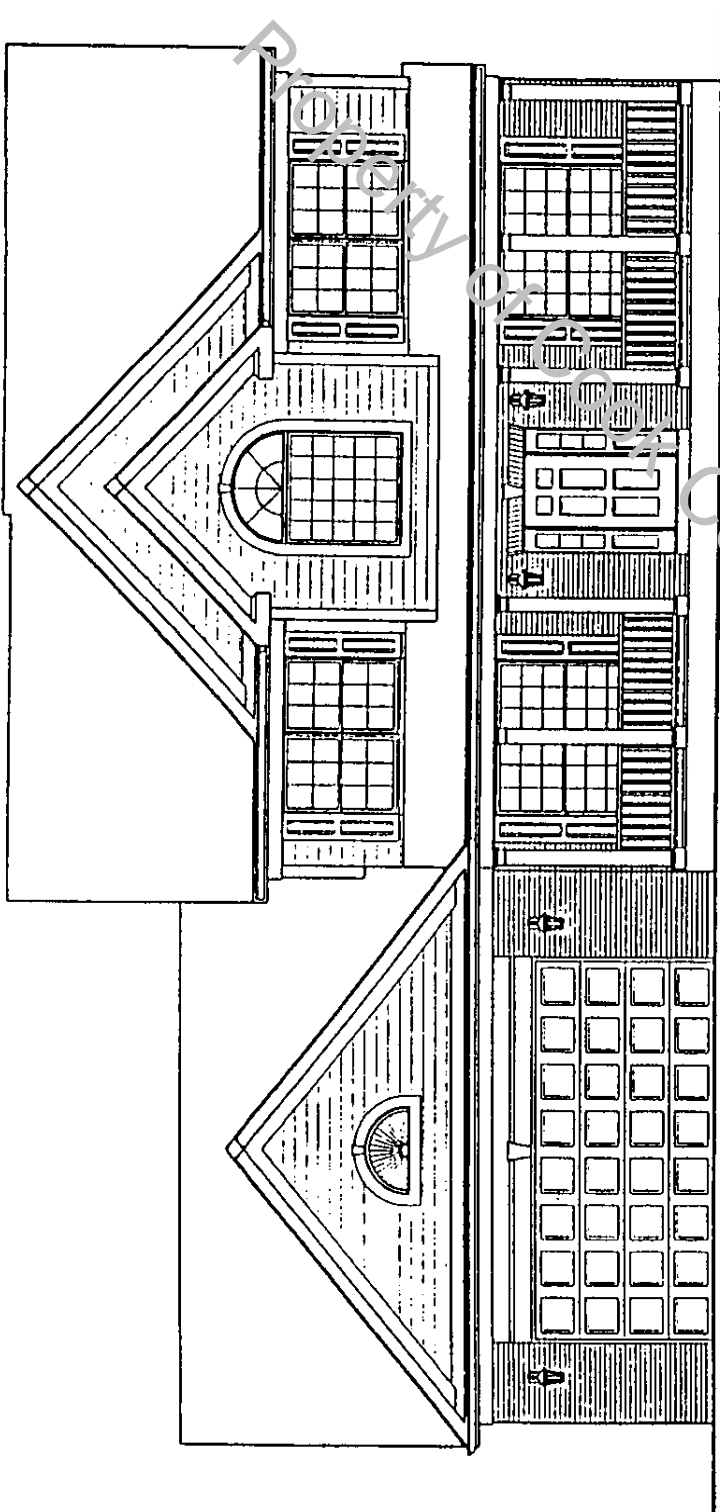


CH 2878 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - A
ELEVATION A - BRICK

21038636

EXHIBIT "A"
(30 of 35)

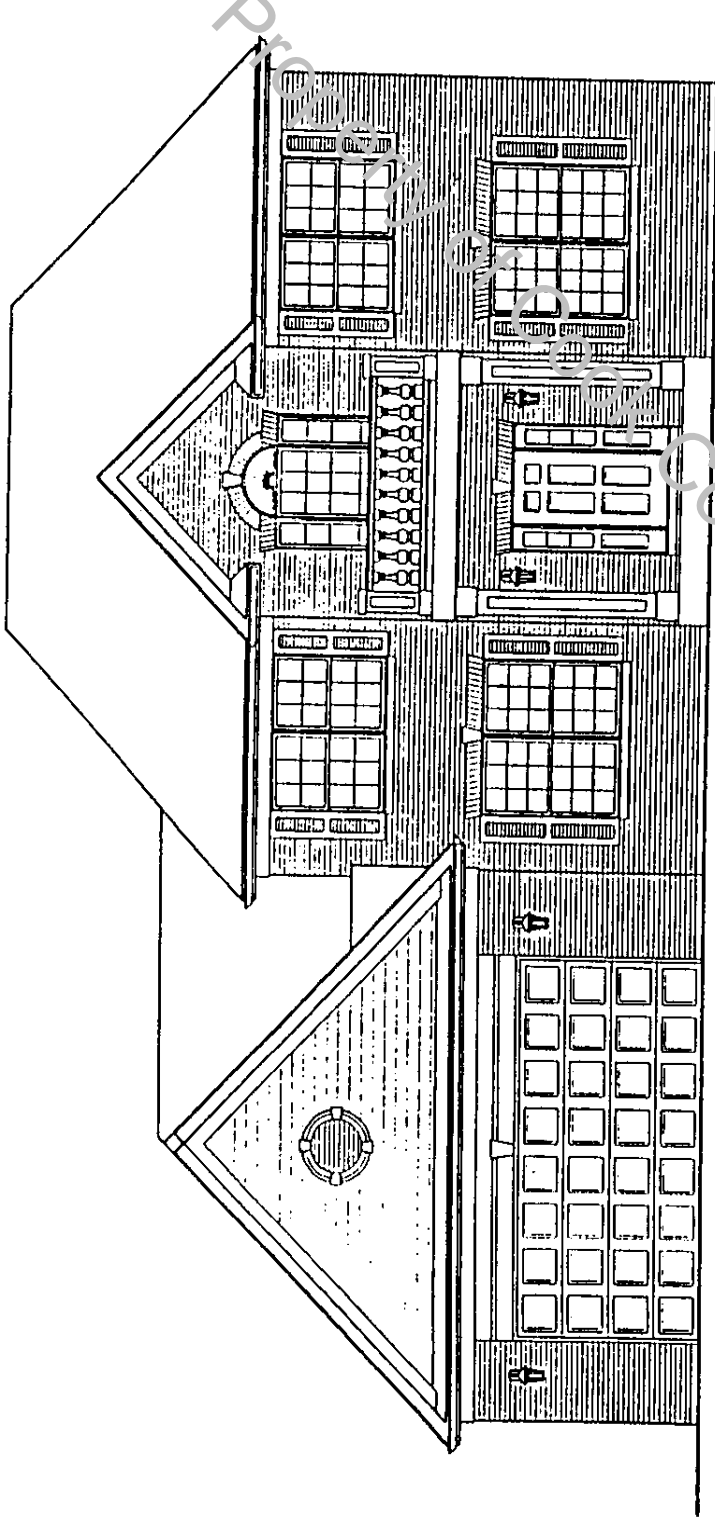


CH 2878 MODEL
SCALE: 1/8" = 1'-0"

FRONT ELEVATION - B
ELEVATION B - BRICK

Property of
County Clerk's Office

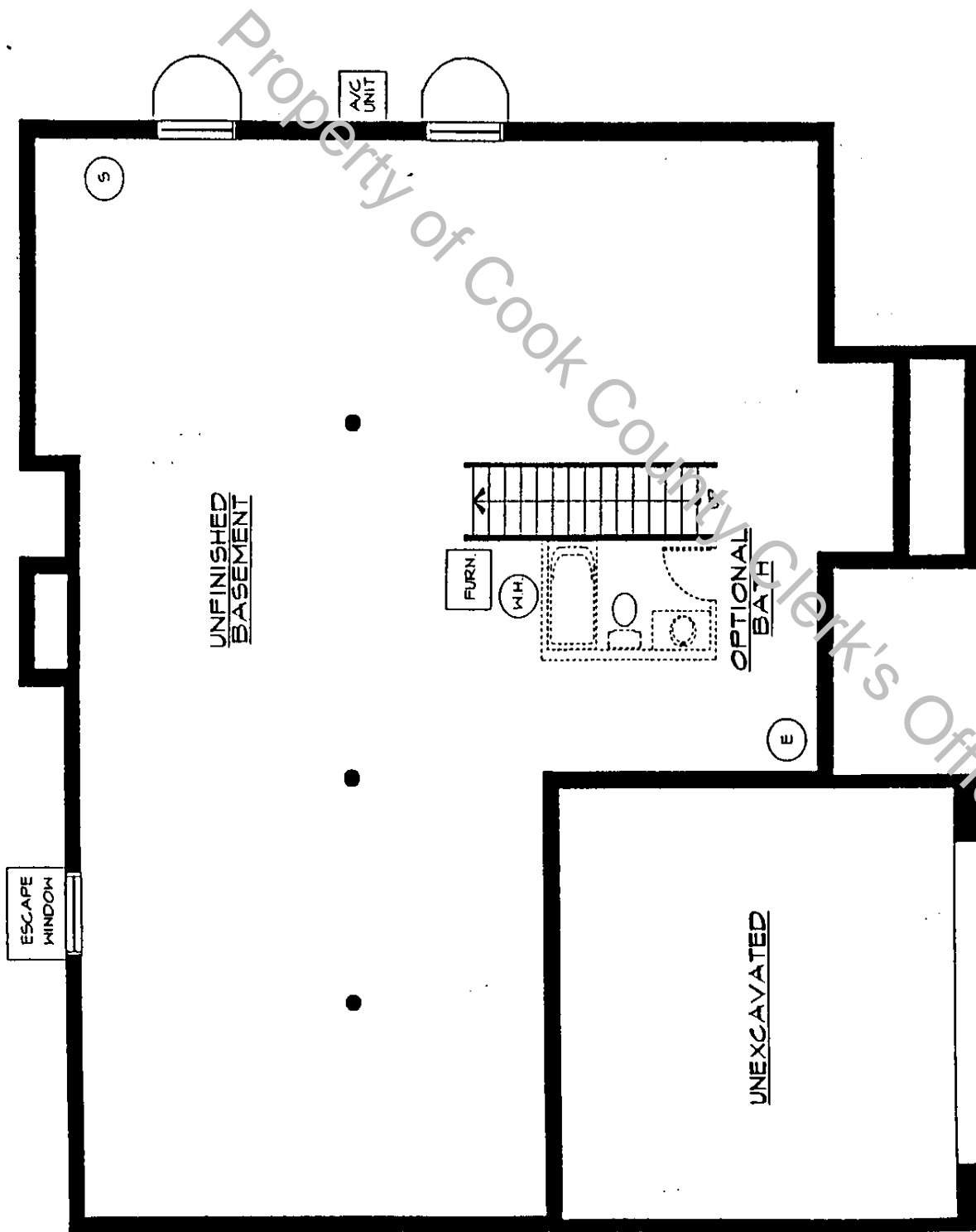
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FRONT ELEVATION - C
ELEVATION C - BRICK

CH 2878 MODEL
SCALE: 1/8" = 1'-0"

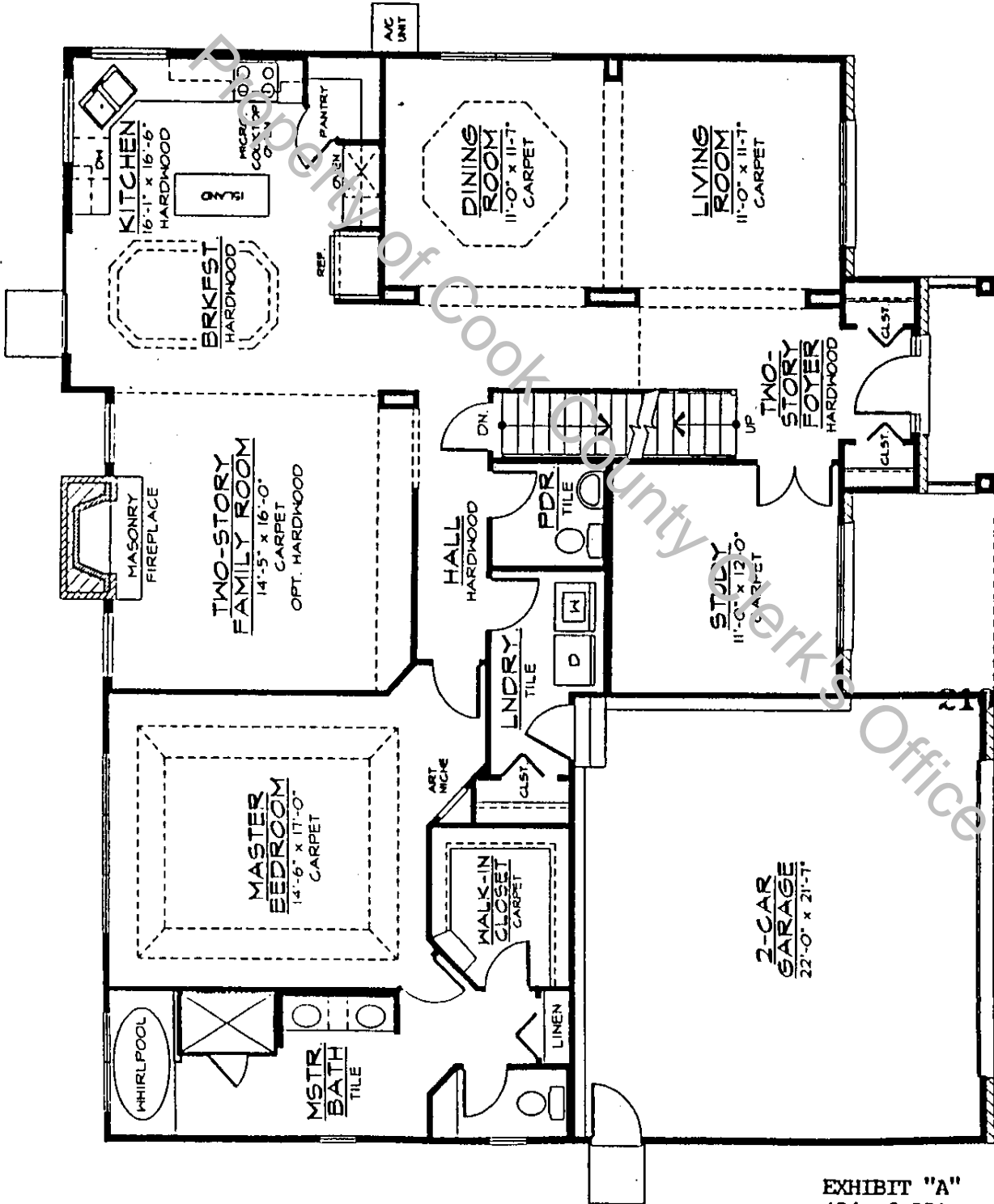
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CH 2878 MODEL
SCALE: 1/8" = 1'-0"

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BASEMENT PLAN - A
ELEVATION A - BRICK

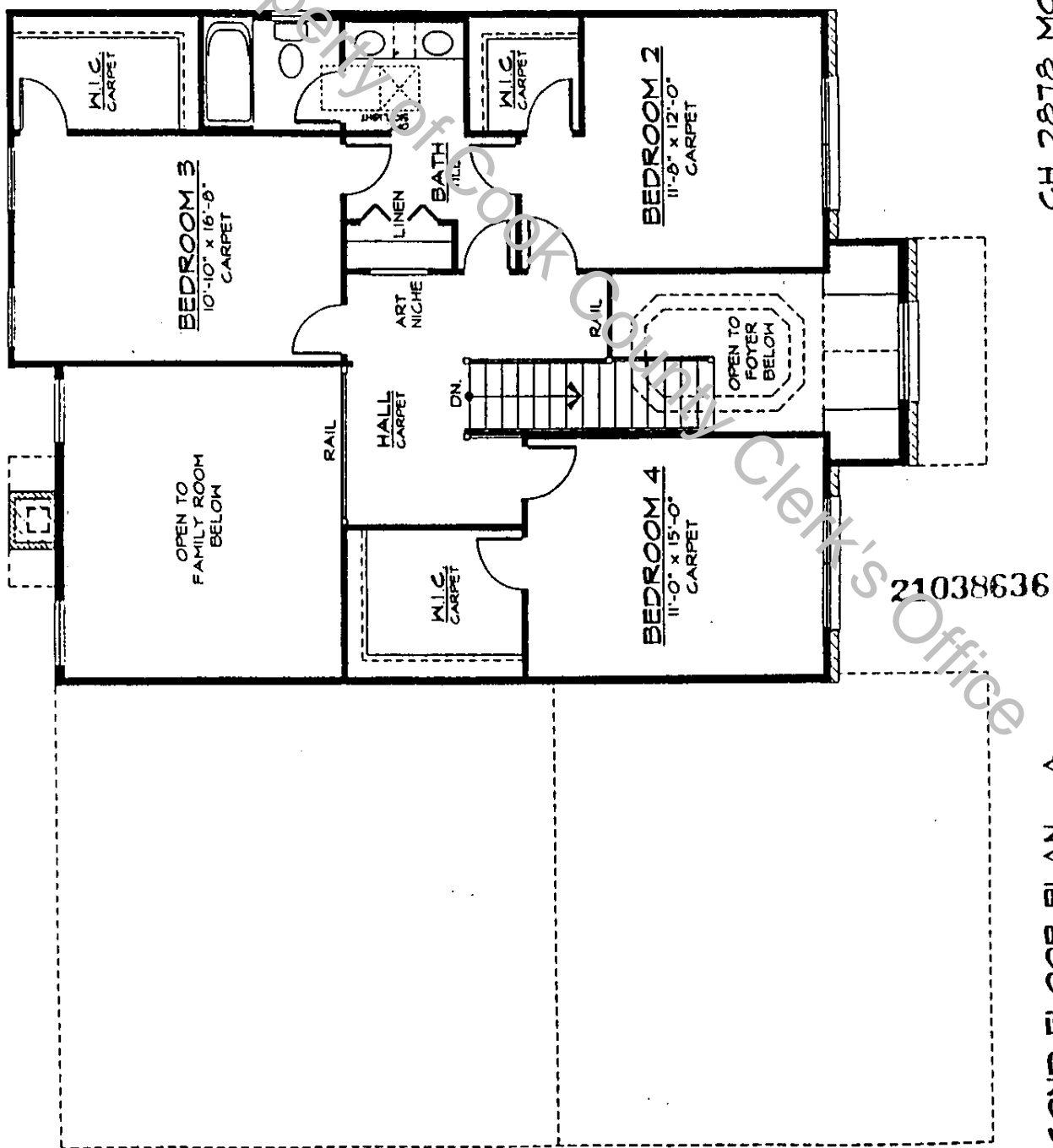


CH 2878 MODEL
SCALE: 1/8" = 1'-0"

FIRST FLOOR PLAN - A
ELEVATION A - BRICK

EXHIBIT "A"
(34 of 35)

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Office



CH 287B MODEL
SCALE: 1/8" = 1'-0"

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SECOND FLOOR PLAN - A
ELEVATION A - BRICK

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plan commission
march 20, 2001

page 6

RECOMMENDATION

Laymon moved, Mrs. Williams seconded that the plan commission recommend to the village council that it approve the request of the petitioner in Docket P-01-13, Capital Homes, Inc., who seeks preliminary approval of a four-lot single family subdivision, rezoning from R1 to P upon final PUD approval, vacation of the west 3 feet of the Brockway st. right-of-way, and vacation of the south 33 feet of the unimproved Gilbert st. right-of-way for 1.22 acres at 612 S. Brockway.

Such approval shall be contingent upon developer's complying with the first 10 staff conditions listed above and the 11th staff condition that shall be amended to read: "More discussion shall be held to determine the feasibility of installing curb and gutter from Gilbert rd. to Michigan ave."

Unanimously carried.

Report of Public Hearing - Docket P-01-14 - 675 S. Brockway

The notice of public hearing was read by the chairman. The petitioner in Docket P-01-14, Capital Homes, Inc., seeks preliminary approval of a planned development for a six single family lot subdivision, rezoning from R1 to P upon final planned development approval, and vacation of the east 3 feet of the Brockway st. right-of-way for 2.03 acres at 675 S. Brockway.

The following petitioner's exhibits were introduced:

1. Petition for Preliminary Planned Development
2. Palatine Real Estate Disclosure Form
3. Contract to Purchase Real Estate
4. Plat of Survey
5. Preliminary Plat, Engineering Plans, Tree Preservation Plans revised 12/20/00
6. Sub-Area Plan
7. Block Plan

Kenneth Frank gave details of the proposal, including the fact that the homes would be in the \$500,000 price range and that a detention basin - possibly wet - is proposed to be located on portions of lots #5 and #6.

Stilling gave staff background on the parcel which is surrounded on the north, east, and west by R1 and on the south with R1B and R2. Access to the parcel would be from a cul-de-sac located to the east of the existing Brockway st. right-of-way. The proposed cul-de-sac diameter would be 110 feet instead of 120. However, 90 feet of pavement would be provided. The street would be 28 feet back to back, which meets village standards. Since the parkway around the cul-de-sac bulb would be narrower, due to the reduced right-of-way, parkway trees would be planted on each lot instead of the right-of-way. Stilling said the responsibility for maintenance of these trees would be the homeowners'. He said he would be willing to have staff study the feasibility of providing a parkway tree easement, so the trees and access thereto would remain the village's responsibility.

The plan commission had received the sub-area plan for this neighborhood at the hearing earlier this evening.

Lots in this subdivision would meet and exceed minimum design standards for the R2 zone. Water and sewer would be provided to each lot by connecting to existing water mains and sanitary sewers in Brockway st. and Michigan ave. Storm water would be directed to a detention basin on lots #5 and #6. A new storm sewer would be constructed there to connect to the 612 S. Brockway project. Ultimately both projects would carry storm water to an existing storm sewer in the Gilbert st. right-of-way. The village engineer has reviewed and approved preliminary grading drainage plans.

Sidewalk would be provided throughout the site and along the Brockway st. frontage. Brockway would be widened to meet village standards. The developer's request for a vacation of 3 feet of Brockway st. can be accommodated since the right-of-way width is 66 feet when the village requires 60 feet.

PETITIONER'S EXHIBIT

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A tree survey indicates that 37 of the 93 trees on site would be saved.

Steve Madden, 662 W. Michigan, asked about the fence currently located behind proposed lots #1 and #2. He was told that the fence is not on the petitioner's property. He was concerned that trees adjacent to his lot be saved. Stilling responded that a species list will be submitted before final approval with a listing of what shall stay or be removed. Madden's other questions about elevations, curb and gutter, and water hookup were answered by staff.

Staff Recommendation

Staff recommends approval of the preliminary planned development, subject to the following conditions:

1. The subdivision shall substantially conform the preliminary plat of subdivision by Christian Roge & Associates, dated 12/20/00, and to the engineering plans by Christian Roge & Associates dated 12/19/00, last revised 1/30/01, and to the tree preservation plan by Christian Roge & Associates, dated 12/20/00, except as such plans may be changed to conform to Village codes and Ordinance and the following conditions below:
2. A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction.
3. A letter of credit and 10% cash bond to ensure the completion of the public improvements in a form and amount acceptable to the Village Engineer shall be submitted prior to the start of construction.
4. The development shall adhere to the bulk and setback requirements of the R-2 district.
5. Details of the existing structure located in the rear of lot 5 shall be submitted prior to final approval.
6. The detention basin shall be designed as a wet bottom basin, in a manner acceptable to the Village Engineer.
7. The 33' no building easement shall be abrogated. This shall be shown on the final plat of subdivision.
8. The following permits are required: MWRD & IEPA.
9. The Tree Preservation Plan shall be revised in a manner acceptable to the Village Forester. It shall show parkway trees planted on each lot in a manner acceptable to the Village Forester. These trees shall become the responsibility of the future homeowners.
10. All house elevations facing a public or private street shall be constructed with at least 50% brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council.
11. Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit.
12. All conditions of the final planned development shall apply.
13. Prior to the issuance of the certificate of occupancy for lots 5 and 6, the seller shall submit written certification signed by the purchasers acknowledging that they are aware of the detention basin located in the side yard of each lot, identified on the final plat of subdivision as "stormwater management easement". The certification shall state that the homeowners acknowledge and understand that the detention area cannot be re-graded, filled in or improved with any structures.
14. All existing wells and septic systems are to be properly abandoned.
15. Brockway Street shall be fully improved with curb and gutter from Gilbert Road to the Michigan Avenue.

Frank asked that the wording of #6 be changed to read: "The detention basin shall be designed as a wet bottom basin or in a manner acceptable to the village engineer." This wording change was accepted.

The public hearing closed at 10:40 p.m.

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Plan commissioners changed the wording of #15 to match that of #11 in the Docket P-01-13 public hearing: "More discussion shall be held to determine the feasibility of installing curb and gutter from Gilbert rd. to Michigan ave."

Wilkinson assured the plan commission that all safety concerns would be addressed.

RECOMMENDATION

Terry moved, Laymon seconded that the plan commission recommend to the village board that it approve the request of the petitioner in Docket P-01-14, Capital Homes, Inc., who seeks preliminary approval of a planned development for a six single family lot subdivision, rezoning from R1 to P upon final planned development approval, and vacation of the east 3 feet of the Brockway st. right-of-way for 2.03 acres at 675 S. Brockway

Such approval shall be contingent upon developer's complying with the 15 staff conditions, as amended (No. and #15).

Unanimously carried

Communications

- Plan commissioners were reminded of the special meeting Wednesday, March 28, at 8 p.m. designed to give them an overall view of downtown plans.
- Several hearings on plans for the old railroad station property and nearby parcels will be on the plan commission docket soon.

The meeting adjourned at 11:00 p.m.

Natalie Meyer McKenzie
secretary

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COMMITTEE OF THE WHOLE MEETING
MONDAY, JULY 2, 2001
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The motion to recommend approving items A and B passed 6-1. (Ayes: Mayor Mullins, Council Members Wilson, Varroney, Solberg, Wagner and Kostka. Nays: Councilman Jezierski)

4. CONSIDER A MOTION GRANTING PRELIMINARY PLANNED DEVELOPMENT APPROVAL FOR A FOUR LOT SINGLE FAMILY SUBDIVISION AT 612 S. BROCKWAY (CAPITAL HOMES) DISTRICT 2.

Councilman Jezierski moved to recommend granting the preliminary planned development.

Councilman Wilson stated that the neighborhood has held a meeting regarding this petition.

M.L. Wright, 105 Pleasant Hill, expressed concern regarding the size of the homes and storm and water maintenance.

Ken Franks, Capital Homes, stated that the flooding concerns will improve in the area with the working relations with IDOT regarding the new storm sewer for the area in conjunction with the Plum Grove Road improvements. Mr. Franks requested that all public improvements be limited to the property adjacent to his development.

Chairman Wilson recommended that the developer build the curb and gutters along the frontage of the property. The developer agreed.

The motion to recommend approval and limit public improvements along the development passed 6-1. (Ayes: Mayor Mullins, Council Members Jezierski, Wilson, Varroney, Solberg, and Kostka. Nays: Councilman Wagner)

5. CONSIDER A MOTION GRANTING PRELIMINARY PLANNED DEVELOPMENT APPROVAL FOR A SIX LOT SINGLE FAMILY SUBDIVISION AT 675 S. BROCKWAY (CAPITAL HOMES) DISTRICT 2.

Councilman Wagner moved to recommend granting preliminary planned development.

Ken Franks, Capital Homes, expressed concern regarding the requirement of providing a wet bottom basin, unless there is a better solution. Mr. Frank recommended that condition 6 be changed or in the matter acceptable to the Village Engineer."

M. Danecki stated that he will work with the development to find the best solution.

Steve Madden, 62 W. Michigan, supports the development, but expressed concern regarding the dead end sidewalk and public improvements.

Mr. Franks suggested moving the require public improvements on Gilbert to Brockway, south of the development.

Mr. Madden stated his acceptance of the plan.

The motion to recommend approval passed 7-0. (Item was requested to remain on the Standing Committee).

6. CONSIDER A MOTION GRANTING PRELIMINARY PLANNED DEVELOPMENT APPROVAL FOR ELEVEN SINGLE FAMILY HOMES (MAVERICK 7 SUBDIVISION) (TARSITANO) DISTRICT 2.

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Nays: None

Absent: Councilman Varroney

MOTION CARRIED

GRANT PRELIMINARY PLANNED DEVELOPMENT APPROVAL FOR A SIX LOT SINGLE FAMILY SUBDIVISION AT 675 S. BROCKWAY (CAPITAL HOMES) - DISTRICT #2

Councilman Wilson, seconded by Councilman Wagner, moved to grant preliminary planned development approval for a six lot single family subdivision at 675 S. Brockway, subject to the following conditions:

- 1) The subdivision shall substantially conform the preliminary plat of subdivision by Christian Roge & Associates, dated 12/20/00, and to the engineering plans by Christian Roge & Associates, dated 12/19/00, last revised 1/30/01 and to the tree preservation plan by Christian Roge & Associates, dated 12/20/00, except as such plans may be changed to conform to Village codes and Ordinance and the following conditions below:
- 2) A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction.
- 3) A letter of credit and 10% cash bond, to ensure the completion of the public improvements in a form and amount acceptable to the Village Engineer shall be submitted prior to the start of construction.
- 4) The development shall adhere to the bulk and setback requirements of the R-2 district.
- 5) Details of the structure located in the rear of lot 5 shall be submitted prior to final approval.
- 6) The detention basin shall be designed as a wet bottom basin or in a manner acceptable to the Village Engineer.
- 7) The 33' no building easement shall be abrogated. This shall be shown on the final plat of subdivision.
- 8) The following permits are required: MWRD & IEPA.
- 9) The Tree Preservation Plan shall be revised in a manner acceptable to the Village Forester. It shall show parkway trees planted on each lot in a manner acceptable to the Village Forester. The responsibility of these trees shall become the future homeowners.
- 10) All house elevations facing a public or private street shall be constructed with at least 50% brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council.
- 11) Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit.
- 12) All conditions of the final planned development shall apply.
- 13) Prior to the issuance of the certificate of occupancy for lots 5, and 6, the seller shall submit written certification signed by the purchasers acknowledging that they are aware of the detention basin located in the side yard of each lot, identified on the final plat of subdivision as "stormwater management easement". The certification shall state that the homeowners acknowledge and understand that the detention area cannot be re-graded, filled-in or improved with any structures.
- 14) All existing wells and septic systems are to be properly abandoned.
- 15) Brockway Street shall be improved with curb and gutter and sidewalk as shown on the attached plan, in a manner acceptable to the Village Engineer.

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- 16) The petitioner shall comply with the conditions in the attached memo from the Village Engineer dated 6/20/01.

Upon Roll Call: Ayes: Council Members Jezierski, Wilson, Solberg, Wagner and Kostka
Nays: None
Absent: Councilman Varroney

MOTION CARRIED

M.L. Wright is concerned with the density "squeezing" too many homes into existing neighborhoods, and granting a 25 foot set back instead of existing 40 feet setback.

Village Manager Cassady said the homes will be 70 to 75+ feet apart.

ORDINANCE #0-96-01 REZONING CERTAIN PROPERTY FROM R-1 TO P -
SOUTHWEST CORNER OF HELLEN ROAD AND UNIMPROVED ELM STREET - 531
W. HELLEN (BUILT RITE) - DISTRICT #2

Councilman Wagner, seconded by Councilman Wilson, moved to pass an Ordinance rezoning 531 W. Hellen, the southwest corner of Hellen Road and unimproved Elm Street from R-1 to P, with waiver of first reading.

Upon Roll Call: Ayes: Council Members Jezierski, Wilson, Solberg and Wagner
Nays: None
Present: Councilman Kostka
Absent: Councilman Varroney

MOTION CARRIED

ORDINANCE #0-97-01 GRANTING FINAL PLANNED DEVELOPMENT APPROVAL -
SOUTHWEST CORNER OF HELLEN ROAD AND UNIMPROVED ELM STREET - 531
W. HELLEN (BUILT RITE) - DISTRICT #2

Councilman Wagner, seconded by Councilman Wilson, moved to pass an Ordinance granting final planned development approval for 531 W. Hellen, the southwest corner of Hellen Road and unimproved Elm Street, with waiver of first reading.

Upon Roll Call: Ayes: Council Members Jezierski, Wilson, Solberg and Wagner
Nays: None
Present: Councilman Kostka
Absent: Councilman Varroney

MOTION CARRIED

RESOLUTION #R-63-01 GRANTING FINAL SUBDIVISION APPROVAL - SOUTH WEST
CORNER OF HELLEN ROAD AND UNIMPROVED ELM STREET - 531 W. HELLEN
(BUILT RITE) - DISTRICT #2

Councilman Wagner, seconded by Councilman Wilson, moved to adopt a Resolution granting final Subdivision Approval for 531 W. Hellen Road to be known as Built Rite Subdivision.

Upon Roll Call: Ayes: Council Members Jezierski, Wilson, Solberg and Wagner
Nays: None
Present: Councilman Kostka
Absent: Councilman Varroney

MOTION CARRIED

Councilman Kostka requested drainage plan explanation from Mr. Danecki, which was presented and was sufficient for 100 year storm.

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Village Manager Cassady requested another week to consider Councilman Kostka's proposal for configuring drainage, and recommends Condition #10 to accommodate wider road, be put on future committee agenda.

Dale Collier, Built Rite Construction said he is still trying to acquire the property to extend Dorset

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612 and 675 S. Brockway – Final PUD Approval

The following exhibits were introduced for the requests for two pieces of property that are being considered together.

612 S. Brockway

1. Petition for final planned development and rezoning to P
2. Palatine Real Estate Interest Disclosure Form
3. Contracts to Purchase Real Estate
4. Plat of Survey
5. Landscape/Tree Preservation Plan dated 2/11/02
6. Engineering plans revised 2/8/02
7. Architectural Plans and Elevations
8. Plat of Subdivision, revised 2/6/02
9. Plan Commission Meeting Minutes – 3/20/01
10. Committee Meeting Minutes – 7/2/01
11. Council Meeting Minutes – 7/9/01

675 S. Brockway

1. Petition for final planned development and rezoning to P
2. Palatine Real Estate Interest Disclosure Form
3. Contracts to Purchase
4. Plat of Survey
5. Landscape/Tree Preservation Plan
6. Engineering plans revised 2/8/02
7. Architectural Plans and Elevations
8. Plat of Subdivision, revised 2/6/02
9. Plan Commission Meeting Minutes – 3/20/01
10. Committee Meeting Minutes – 7/2/01
11. Council Meeting Minutes – 7/9/01

Ken Frank, vice president, Capital Homes, Inc. was present.

Stilling said the 612 S. Brockway parcel is located along the west side of Brockway and unimproved Gilbert rd. It is currently improved with a single family home which the petitioner wishes to raze and replace with four single family homes. He also proposes a similar 6-lot subdivision to the north. Both projects work in conjunction with one another.

The village council approved the preliminary planned development subject to 12 conditions July 9, 2001. Stilling read those conditions for preliminary approval of the 612 property and their status into the record.

1. ***The subdivision shall substantially conform the preliminary plat of subdivision by Christian Roge & Associates, dated 12/22/00, last revised 2/23/01, and to the engineering plans by Christian Roge & Associates, dated 12/22/00, last revised 2/26/01, and to the tree preservation plan by Christian Roge & Associates, dated 12/22/00, last revised 2/26/01, and the architectural plans and elevations attached hereto as Exhibit "A", except as such***

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plans may be changed to conform to Village codes and Ordinances and the following conditions below: The plans submitted adequately address this condition.

2. *A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction.* This condition will remain a condition of final approval.
3. *A letter of credit and 10 percent cash bond, to ensure the completion of the public improvements in a form and amount acceptable to the Village Engineer shall be submitted prior to the start of construction.* This condition will remain a condition of final approval. Both this development and the 6-lot development will have a combined public improvement letter of credit.
4. *The development shall adhere to the bulk and setback requirements of the R-2 district except for lot 2 which shall have a 25 foot front yard and 25 foot rear yard setback.* This condition will remain a condition of final approval.
5. *The following permits are required: MWRD & IEPA.* This condition will remain a condition of final approval.
6. *The Tree Preservation Plan shall be revised in a manner acceptable to the village forester. It shall show parkway trees planted on each lot in a manner acceptable to the village forester. These trees shall become the responsibility of the homeowners.* The plans submitted adequately address this condition. The petitioner had originally shown 21 trees to be saved, however, after completing final engineering, 15 trees will be saved. The petitioner has submitted a landscape plan showing additional landscape materials in the cul-de-sac bulb and at the entrance.
7. *All house elevations facing a public or private street shall be constructed with at least 50 percent brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council.* This condition will remain a condition of final approval.
8. *Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit.* This condition will remain a condition of final approval.
9. *All conditions of the final planned development shall apply.* Okay
10. *A plat of Vacation for Gilbert Road and Brockway shall be submitted in a manner acceptable to the Village Engineer.* The petitioner has submitted the required plat of vacation. Because of the IDOT improvements, Gilbert will have to be vacated in 2 phases. This condition will remain a condition of final approval.

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11. ***Brockway Street shall be improved with curb and gutter and sidewalk as shown on the attached plan, in a manner acceptable to the Village Engineer.*** The plans submitted adequately address this condition.
12. ***The petitioner shall comply with the conditions in the attached memo from the Village Engineer dated 6/20/01.*** The plans submitted adequately address this condition. The petitioner originally was going to connect to the existing storm sewer located in the Gilbert ROW. However, it was determined that a separate storm sewer would need to be constructed for this development. In addition, the engineering plans for the 6 lot development to the south are contingent on the engineering plans for this development. Finally, the subdivision for this development would occur in phases. Lots 1 & 2 would be recorded first, then once IDOT makes their necessary improvements for the Plum Grove Road reconstruction, the remaining 2 lots will be recorded.

Laymon asked why more tree loss is shown since the presentation for preliminary approval. Frank responded that he had to provide for increased storm water storage by enlarging the retention ponds and running a new storm sewer parallel to the existing storm sewer.

Staff Recommendation

Staff recommends approval of the final planned development for property at 612 S. Brockway, subject to the following conditions:

1. The subdivision shall substantially conform the part of subdivision by Christian Roge & Associates, dated 3/23/01, last revised 2/6/02, and to the engineering plans by Christian Roge & Associates, dated 8/27/01, last revised 2/8/02, and to the landscape & tree preservation plan by Pugsley & La Haie, dated 2/11/02, 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 following conditions below:
2. A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction.
3. Because both projects at 612 S. Brockway and 675 S. Brockway are contingent on one another, a combined letter of credit for the public improvements, including a 10 percent cash bond, shall be submitted. This shall be in a form and amount acceptable to the Village Engineer and shall be submitted prior to the start of construction. The proposed letter of credit shall not be released until all the necessary public improvements have been completed for both projects.
4. The development shall adhere to the bulk and setback requirements of the R-2 district.
5. The following permits are required: MWRD & IEPA.
6. All house elevations facing a public or private street shall be constructed with at least 50 percent brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council.
7. Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit.
8. All existing wells and septic systems are to be properly abandoned.

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9. The plat of subdivision shall be revised in a manner acceptable to the Village. The plat of subdivision for Phase I shall be recorded prior to the start of construction for lots #1 & #2. Phase II shall be recorded upon completion of the IDOT improvements for the Plum Grove reconstruction.
10. The plat of vacation shall be revised in a manner acceptable to the Village. The plat of vacation shall be recorded in phases. Phase I shall be recorded prior to the start of construction for lots #1 & #2. Phase II shall be recorded upon completion of the IDOT improvements for the Plum Grove reconstruction.

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The property at 675 Brockway is located north of Michigan ave. It is currently improved with one single family home which the developer wishes to raze and replace with six single family homes. The village council approved the preliminary planned development with sixteen conditions July 9, 2001.

Stilling read conditions for the 675 .S. Brockway parcel and their status into the record:

1. *The subdivision shall substantially conform the preliminary plat of subdivision by Christian Poge & Associates, dated 12/20/00, and to the engineering plans by Christian Roge & Associates, dated 12/19/00, last revised 1/30/01, and to the tree preservation plan by Christian Koye & Associates, dated 12/20/00, except as such plans may be changed to conform to Village codes and Ordinances and the following conditions below: The plans submitted adequately address this condition.*
2. *A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction. This condition will remain a condition of final approval.*
3. *A letter of credit and 10 percent cash bond, to ensure the completion of the public improvements in a form and amount acceptable to the Village Engineer shall be submitted prior to the start of construction. This condition will remain a condition of final approval. Both this development and the 6 lot development will have a combined public improvement letter of credit.*
4. *The development shall adhere to the bulk and setback requirements of the R-2 district. This condition will remain a condition of final approval.*
5. *Details of the structure located in the rear of lot 5 shall be submitted prior to final approval. The plans submitted adequately address this condition.*
6. *The detention basin shall be designed as a wet bottom basin or in a manner acceptable to the Village Engineer. The plans submitted adequately address this condition.*
7. *The 33 foot no building easement shall be abrogated. This shall be shown on the final plat of subdivision. The plans submitted adequately address this condition.*
8. *The following permits are required: MWRD & IEPA. This condition will remain a condition of final approval.*
9. *The Tree Preservation Plan shall be revised in a manner acceptable to the Village Forester. It shall show parkway trees planted on each lot in a manner acceptable to the Village Forester. The responsibility of these trees shall become the future homeowners. The plans submitted adequately address this condition. The petitioner had originally shown 37 trees to be saved, however, after completing final engineering, 25 trees will be saved. The petitioner has submitted a landscape plan showing 8 new trees planted throughout the site.*

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10. *All house elevations facing a public or private street shall be constructed with at least 50 percent brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council. This condition will remain a condition of final approval.*
11. *Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit. This condition will remain a condition of final approval.*
12. *All conditions of the final planned development shall apply. Okay*
13. *Prior to the issuance of the certificate of occupancy for lots 5, and 6, the seller shall submit written certification signed by the purchasers acknowledging that they are aware of the detention basin located in the side yard of each lot, identified on the final plat of subdivision as "stormwater management easement". The certification shall state that the homeowners acknowledge and understand that the detention area cannot be regraded, filled in, or improved with any structures. This condition will remain a condition of final approval.*
14. *All existing wells and septic systems are to be properly abandoned. This condition will remain a condition of final approval.*
15. *Brockway Street shall be improved with curb and gutter and sidewalk as shown on the attached plan, in a manner acceptable to the Village Engineer. The plans submitted adequately address this condition.*
16. *The petitioner shall comply with the conditions in the attached memo from the Village Engineer dated 6/20/01. The plans submitted adequately address this condition. The petitioner has combined this project with the 4-lot development to the north. All necessary improvements for both projects have been shown on the final engineering plans.*

Staff Recommendation

**** Note difference in wording in Conditions #8, #9, and #10 from the 612 parcel to the 675 parcel.**

Staff recommends approval of the final planned development of property at 675 S. Brockway, subject to the following conditions:

1. The subdivision shall substantially conform the plat of subdivision by Christian Roge & Associates, dated 3/23/01, last revised 2/6/02, and to the engineering plans by Christian Roge & Associates, dated 8/27/01, last revised 2/8/02, and to the landscape & tree preservation plan by Pugsley & La Haie, dated 2/11/02, 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:

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2. A letter of credit to ensure the completion of the planned development in the amount of \$50,000 and in a form acceptable to the Village shall be submitted prior to the start of construction.
3. Because both projects at 612 S. Brockway and 675 S. Brockway are contingent on one another, a combined letter of credit for the public improvements, including a 10 percent cash bond, shall be submitted. This shall be in a form and amount acceptable to the Village Engineer and shall be submitted prior to the start of construction. The proposed letter of credit shall not be released until all the necessary public improvements have been completed for both projects.
4. The development shall adhere to the bulk and setback requirements of the R-2 district.
5. The following permits are required: MWRD & IEPA.
6. All house elevations facing a public or private street shall be constructed with at least 50 percent brick. No vinyl or aluminum siding shall be permitted on these elevations. Any house design not adhering to this condition may be constructed if approved by the Village Council.
7. Any house that is not constructed by the petitioner shall be subject to Village Council review and approval prior to the issuance of a building permit.
8. Prior to the issuance of the certificate of occupancy for lots 5, and 6, the seller shall submit written certification signed by the purchasers acknowledging that they are aware of the detention basin located in the side yard of each lot, identified on the final plat of subdivision as "stormwater management easement." The certification shall state that the homeowners acknowledge and understand that the detention area cannot be regraded, filled in, or improved with any structures.
9. All existing wells and septic systems are to be properly abandoned.
10. The plat of subdivision shall be revised in a manner acceptable to the Village.

Frank said he is able to comply with staff conditions.

RECOMMENDATION

Miller moved, Laymon seconded that the plan commission recommend to the village council that it grant final approval for planned developments for parcels at 612 and 675 S. Brockway. Said approval shall be conditional upon developer's compliance with 10 staff conditions listed above for each parcel. The chairman shall be authorized to sign the minutes.

Unanimously carried.

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DEPT. OF COMMUNITY DEVELOPMENT

VILLAGE OF PALATINE

PETITION FOR HEARING

Zoning Docket # _____

Property recorded in Torrens _____

Filing Fee \$ _____ Date Filed _____

FINAL PLANNED DEVELOPMENT AND REZONING TO "P"

PLEASE TYPE OR PRINT IN INK:

1. Name of Petitioner(s): Capital Homes, Inc.

Address: 6639 Riverside Drive

Tinley Park, IL 60477

Telephone No. 708-444-2960

Business Telephone No. 708-444-2960

2. Authorized Agent of Petitioner (if different):

Name:

Address:

Telephone No.

Relationship to petitioner:

3. Property interest of Petitioner(s): Contract Purchaser

4. Address of the property for which this application is being filed:

675 Brockway

Palatine, IL

5. All existing land uses on the property are:

Single Family Residential

6. Current zoning of property in question: R-1

Size of the property: 2.03 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.:

R-2 zoning with four single family detached residences with an average selling price of \$500,000 each.

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):

a) Culti-sac diameter from 120' to 110'

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PETITIONER'S EXHIBIT

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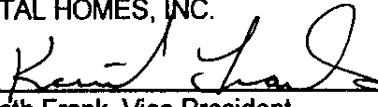
Preliminary Planned Development
Petition for Hearing

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.

CAPITAL HOMES, INC.

Date: 10-22-01



Kenneth Frank, Vice President

SUBSCRIBED AND SWORN to before me this 23 day of October, 2001





Notary Public

21038636

