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Doc#: 0515719023 Eugene "Gene" Moore Fee: \$60.50 Cook County Recorder of Deeds Date: 06/06/2005 10:30 AM Pg: 1 of 19

ORDINANCE NO. U-1ORDINANCE GRANTING FINAL
PLANNED DEVELOPMENT APPROVAL
31 S. QUENTIN ROAD 31 S. COUNTY CIEPTS OFFICE

PINS: 02-22-100-008 009

> VILLAGE OF PALATINE VILLAGE CLERK'S OFFICE 200 E. WOOD STREET PALATINE, IL 60067

Published in pamphlet form by authority of the Mayor and Village Council of the Village of Palatine On September 20, 2004

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ORDINANCE NO. ____0-198-04

AN ORDINANCE GRAMING FINAL PLANNED DEVELOPMENT APPROVAL 31 S. QUENTIN ROAD

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on August 17, 2004 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:

Lots 8, 9, 10, 11 in Block 6 in Merrill's Garden Homes, a subdivision in the North 1/2 of the Northwest 1/4 of Section 22, Township 42 North, Range 10, East of the Third Principal Meridian in Cook County, Illinois

commonly known as 31 S. Quentin Road (PIN #02-22-100-011).

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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 preliminary and final planned development shall substantially conform to the site plan attached hereto as Exhibit 'A', the preliminary plat of subdivision attached hereto as Exhibit 'B', and the architectural plans and elevations attached hereto as Exhibit 'C' except as such plans may be changed to conform to village Codes and Ordinances and the following conditions:
- 2. All conditions of a final planned development shall apply.
- 3. A letter of credit in the amount of \$100,000 to ensure the completion of the planned development shall be submitted prior to the issuance of a building permit.
- 4. 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.
- 5. All existing wells and septic systems are to be properly abandoned.
- 6. Public sidewalks shall have a 4" granular base.
- 7. The architectural plans shall be revised in a manner acceptable to the Director of Community Services.
- 8. A central location for mailboxes shall be identified.
- 9. Street lighting shall be provided per Village Code.
- 10. The declarations shall be revised per the memo from the Village Attorney dated 6/7/04.
- 11. The proposed street shall remain private. The Declaration of Covenants, Conditions and Restrictions shall state that the street shall remain private, that the Village will not accept a dedication of the street and that ownership and maintenance shall be the responsibility of the homeowners association.
- 12.CCHD & IEPA permits shall be obtained.

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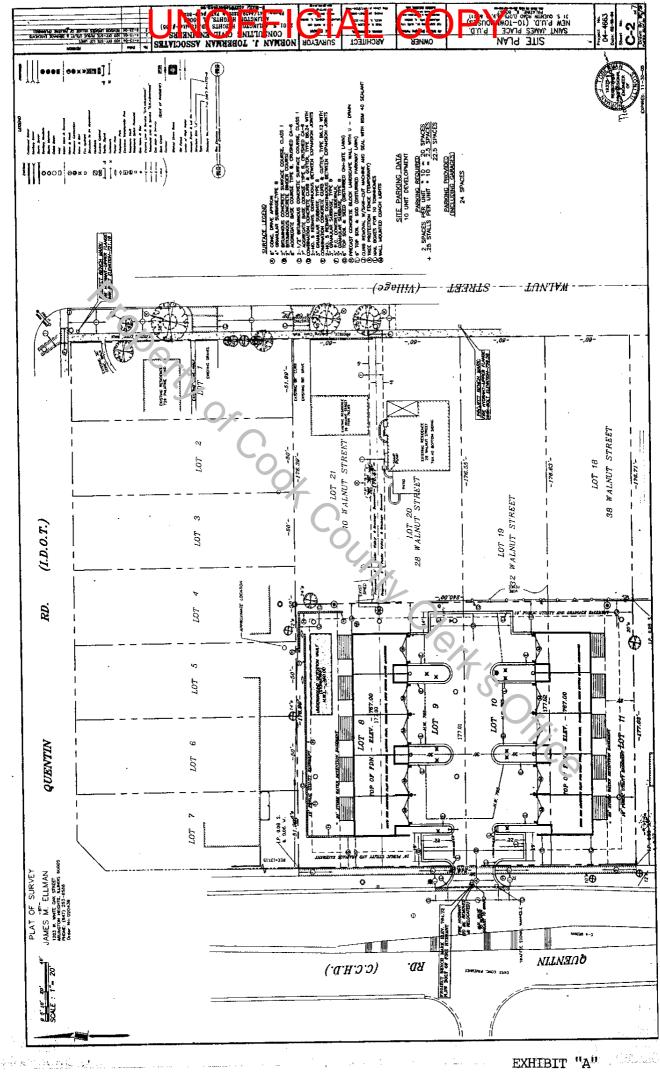
13. The south side lot line setback shall be increased to 46'. Additional landscaping shall be provided in a manner acceptable to the Village Forrester.

SECTION 3: That the petition for preliminary and final planned development, a copy of the public notice, 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.

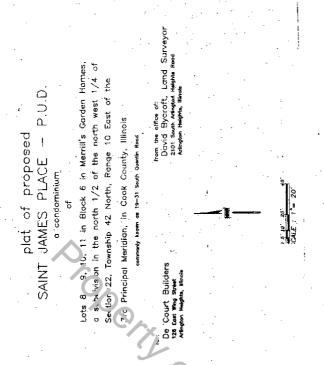
PASSED: This 22 day of Se	ptember	, 2004
AYES: 6 NAYS. 0		PASS:0
APPROVED by me this20	_day ofSeptembe	r, 2004
Sila	L. Hall	
Mayor of the	e Village of Palatine	
ATTESTED and FILED in the office of the Village Clerk this 20 day of		
September	, 2004	
Maa	art Bros	
Village Cler	k	0/4/

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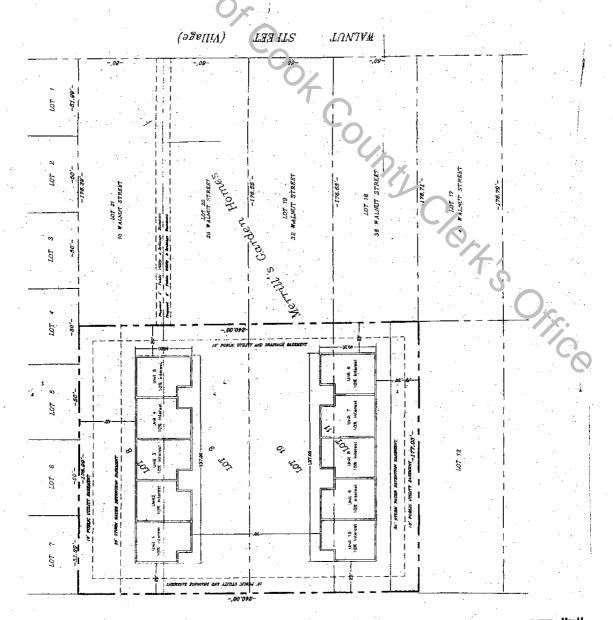
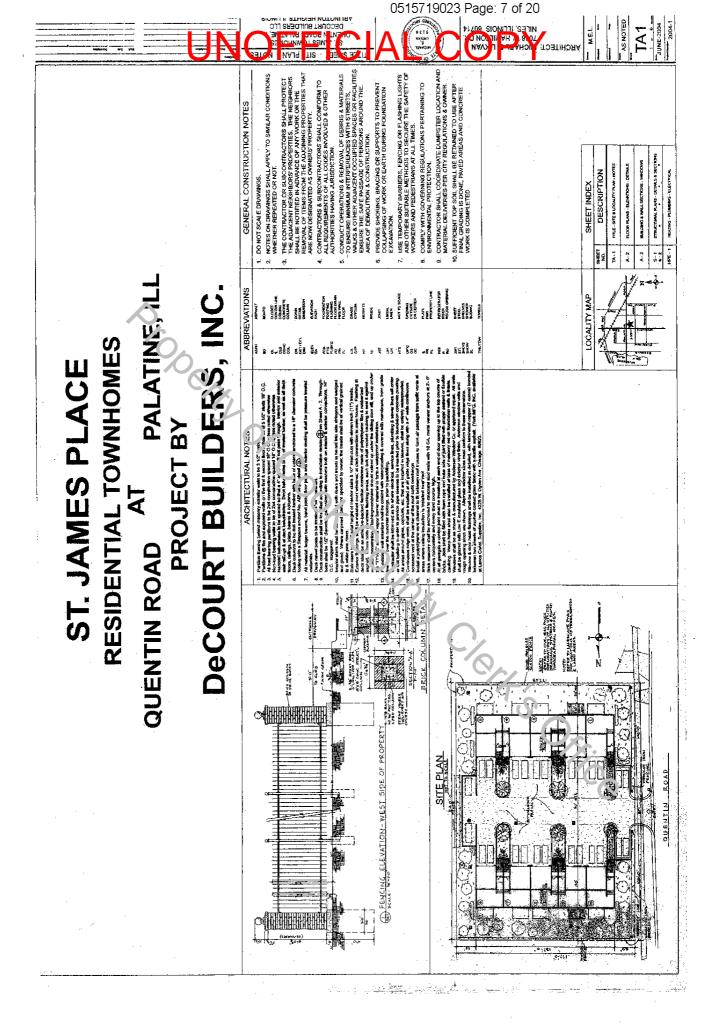


EXHIBIT "B"

BD'



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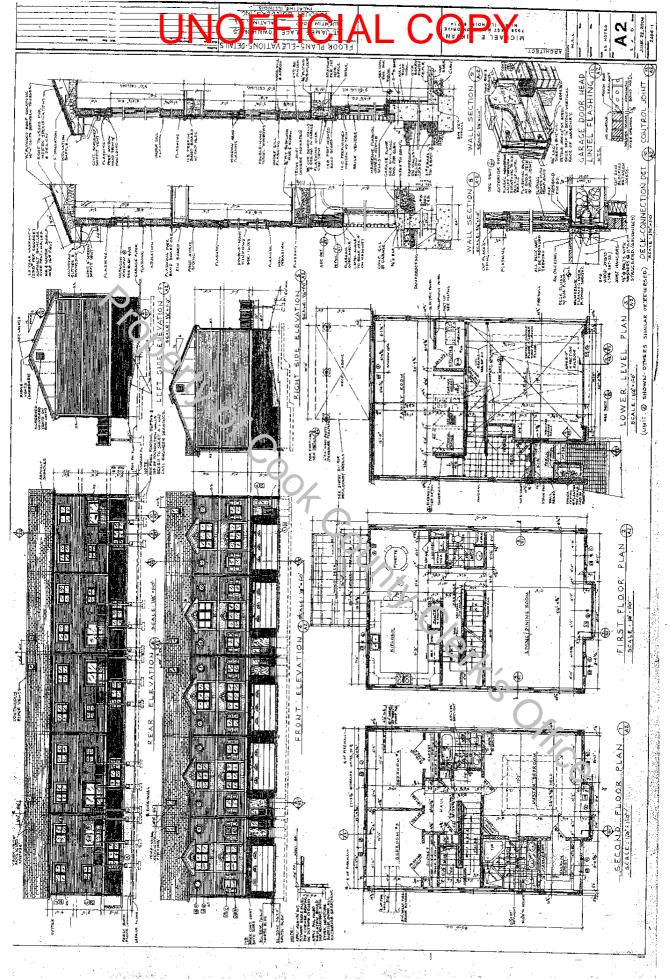


EXHIBIT "C" (2 of 6)

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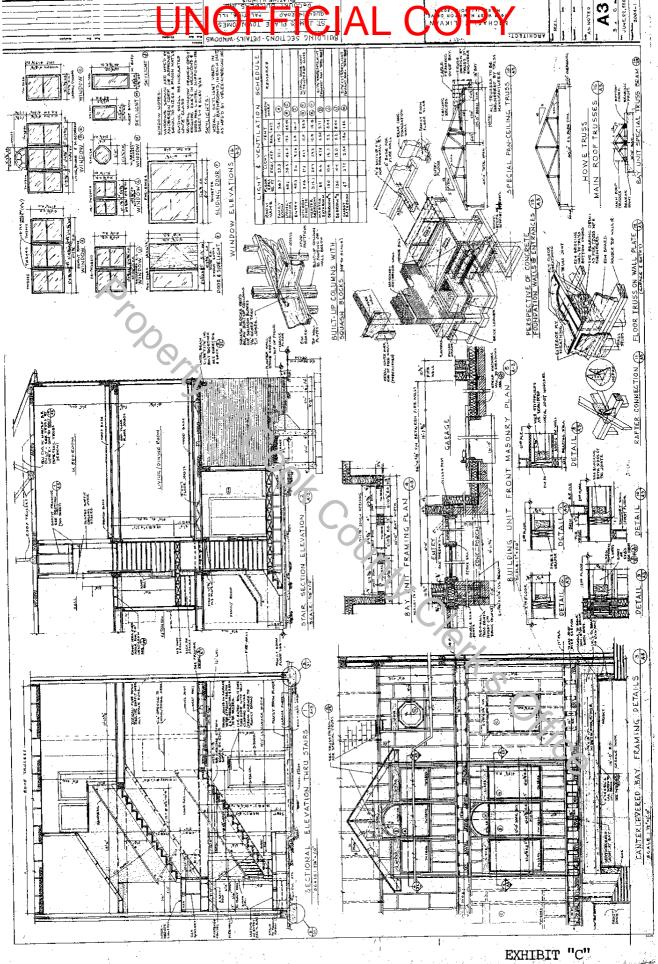


EXHIBIT "C" (3 of 6)

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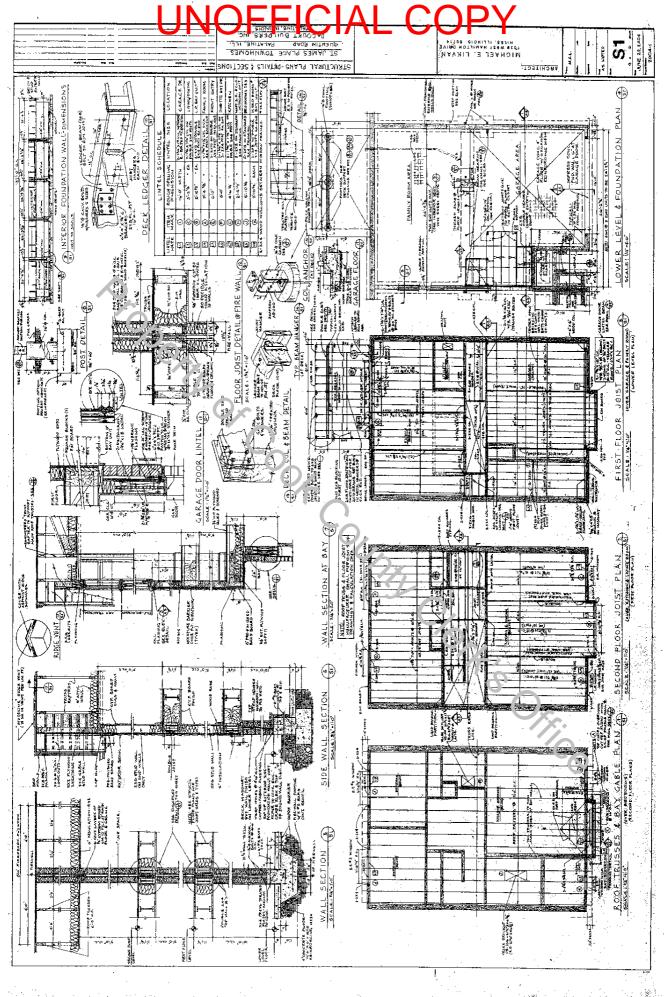


EXHIBIT "C" (4 of 6)

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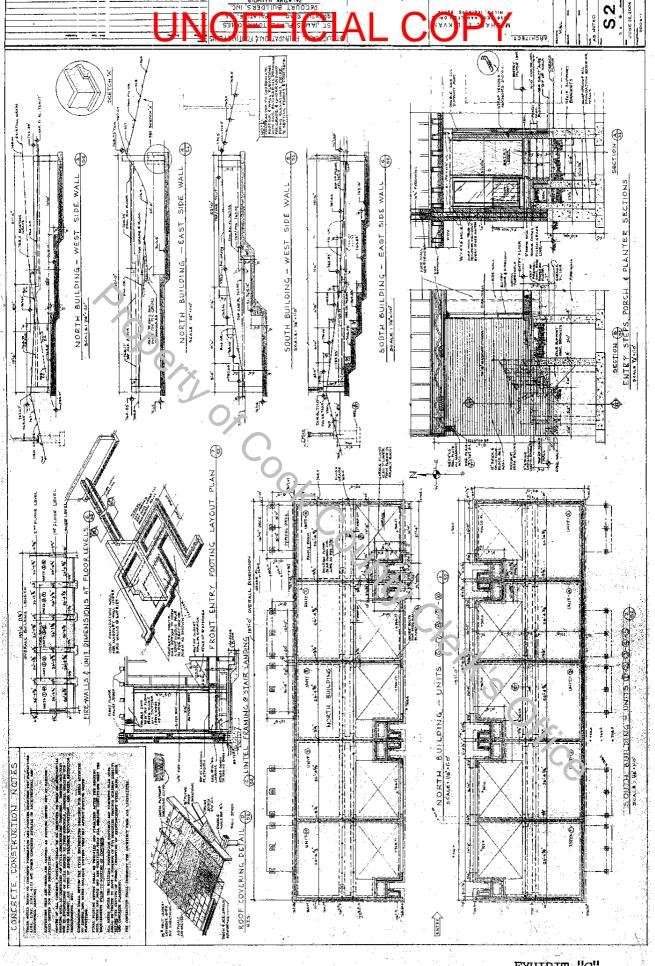


EXHIBIT "C" (5 of 6)

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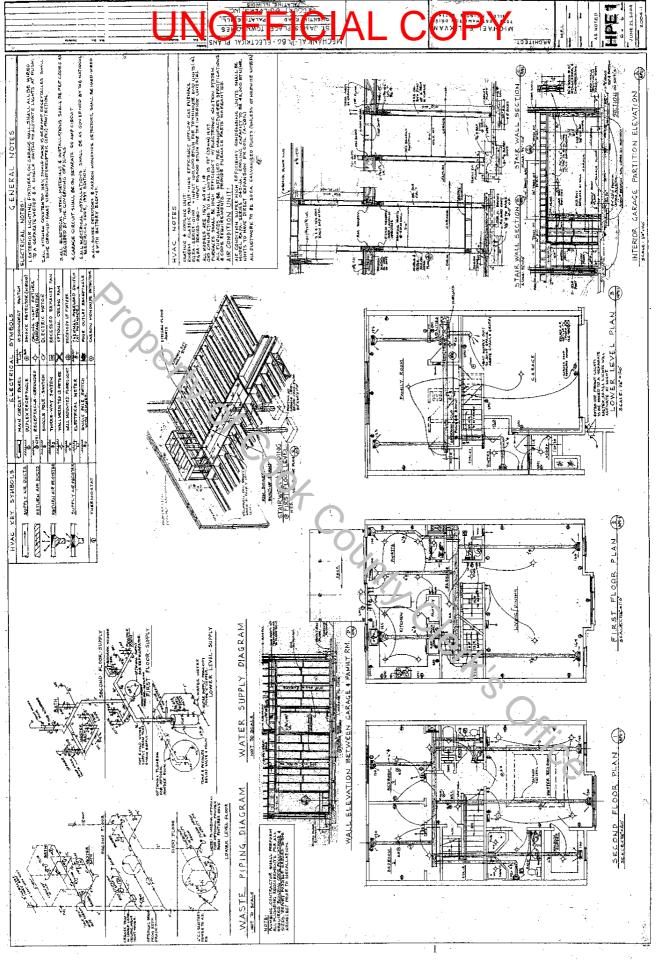


EXHIBIT "C" (6 of 6)

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PLAN COMMISSION AUGUST 17, 2004 PAGE 7

V. P-04-93 31 S. Quentin Road Consider Preliminary and Final Planned Development approval, consider Preliminary and Final Plat of Subdivision, and consider rezoning from B-1, business to P, planned development for the property at 31 S. Quentin Rd.

Mr. Dwyer read the public notice, which was published 8/2/04 in the Daily Herald.

Petitioners exhibits:

- 1 Petition for preliminary and final planned development
- 2 Real estate disclosure
- 3 Closing statement
- 4 Plat of survey
- 5 Plat of subdivision
- 6 Landscape plan
- 7 Engineering plan review
- 8 A chi ectural plan
- 9 Multi an ily dev. list

Objector's exhibits:

- 1 Letter from P A MacLeod
- 2 Letter from W. A. Mepham

The Petitioner, Jim Balough, wus sworn in. He reviewed the neighborhood area an showed enlarged plans for 10 town homes. he felt the them homes were a good buffer zone for the area.

Ms. Williams asked about grading; H: se id there is a steep grade o the north side, where he will install a retaining wall, and the town homes will oe sunk 5' down. The exit will be at street level across from Leonard, there is a light upward slope.

Mr. Hanson asked if the Subject Property consisted of 19 and 25 South? Mr. Anderson said this does include 4 lots. The Petitioner said that to the north is and creek, which is unbuildable.

Mr. Miller asked the height of the proposed buildings; 30 to 35' from the back side, and only one home (to the south) would be affected. He did not know the owner of the empty lot behind the Subject Property.

ms. Williams asked why he proposed town homes and not 2 single family homes; Quentin Road is busy and there would be less families on a busy street, so he is targeting the empty nesters who want to stay in Palatine. He will have a fence surround the property Mr. Balough wants to have a community feel to this property.

Mr. McPherson asked if he considered putting the garage sin front and making the translation. The Petitioner feels this is a better use of the land than building another strip nucl. Mr. Dwyer stated this is zoned B-1 now and a strip mall could be built. He asked about traffic; the Petitioner said the State estimated 60 to 80 trips per day, he proposed a right-in and right-out so there is the Palatine backup and less noise. This had been sent to the county six weeks ago. The property's entrance is approximately 300' from the Palatine/Quentin intersection.

Mr. Fieldman gave the background and key issues to this request. The subject site is currently improved with a single family residence. The petitioner, owner of the property, is proposing to demolish the existing house and construct ten new town-homes on the site. Therefore he is seeking:

Preliminary and Final Planned Development approval for a ten (10) unit town home development.

Preliminary and Final Plat of Subdivision approval.

Rezoning from B-1, business to P, planned development.

KEY ISSUES:

- The petitioner is proposing to construct ten, three-story town-homes in 2 buildings.
- The subject parcel is 0.975 acres. The proposed density would be 10.25 du/ac.

• The following table indicates the proposed town-home setbacks:

Lot line	Proposed Setback
North	30'
South	20'
West (Quentin Rd.)	20'

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PLAN COMMISSION AUGUST 17, 2004 PAGE 8

East 20'

- Twenty-three parking spaces are required. The petitioner is proposing 44 total parking spaces including a 2-car attached garage for each unit and 4 guest parking spaces.
- · Storm water detention would be provided onsite by an underground vault.
- Water and sewer would be provided by existing water and sewer line in the Quentin Rd. ROW.
- A 30" retaining wall would be provided along the north of the proposed units.
- The petitioner is proposing to save 8 of the 92 trees on site.
- The building' exterior would be brick on the first floor and siding on the second and third.
- The petitioner is proposing to sell the units for \$450K.

Mr. Dwyer read the Objectors' letters into the record.

Questin

Audience member Steve Peterson of 49 S. Plum Grove Read, read his (objection) letter, citing concerns for privacy, trees, flooding and pressure on village services. He felt a business will not invest in the properly because of the cost to grade. He wants to have single family residences on the Subject Property.

Mr. Dwyer asked v.na. the Comprehensive Plan held for this area; commercial corner and then single family residences.

Mr. McPherson pointed out that this is an expensive lot to develop. It is his experience that townhome owners are good neighbors who don't spend much time outside.

The Petitioner addressed the tree issue, he had an arborist look at the property and most of the trees are poor quality, he will save the hardy valuat tress. None of the trees to be removed are on Palatine's "savable" list.

Audience member Harry Pringly of 55 S. Quentin Road, spoke. He has lived there for 52 years and is concerned with the traffic, drainage and noise. He would like to see single family homes built without removing any of the trees.

Ms. Williams asked about the estimate of 60 to 80 trips; ger.ei al there are 10 trips per single family and less for town homes. Staff stated that the traffic engines are very accurate, adding that a third of trips usually occur at peak hours.

Mr. Peterson asked about snow removal; the Petitioner showed on the site plan the island that were 20' wide and an area to the far end for more snow placement.

The petitioner spoke to the drainage concerns, state that a civil engineer had swilled the property to capture the water and the installation of 3200 c.ft retention area that goes to a storm sewer at a natural runoff rate.

Mr. Dwyer asked about proposed screening for this development; there will be a wood funce at the north and south sides, there will be a wrought iron fence in the front. He will add arborvitaes at 3, which will grow to 10-12' and will provide privacy and block noise.

Mr. Miller asked if there would be a homeowners association; Mr. Anderson said this is required.

Audience member Salvador Haro of 43 S. Quentin spoke through a translator. He is next door to the south and is concerned with privacy. The Petitioner said he had spoken with Mr. Haro and had offered to remove the cottonwood that is on both of their properties. The building is 30' from the south property line, and 20' from the balconies. Mr. Haro said he would prefer single family homes on this property.

Mr. George Espinoza of 38 S. Walnut asked if there would be dumpsters; the Petitioner will be working with Groot for regular garbage removal at the curb. He asked if there is a chance that the Petitioner will want to keep the street going through the vacant lot behind the Subject Property to his street; no, as he is not the owner of the lot behind the Subject Property.

Mr. Peterson repeated his objection.

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PLAN COMMISSION AUGUST 17, 2004 PAGE 9

Mr. Fieldman explained that B-1 zoning allows commercial, single family detached and comprehensive residential. Given the existing zoning, they could redevelop the Subject Property and the commercial property next door. The single family detached is difficult to down-zone under Illinois law and is unlikely to be down-zoned to single family.

Mr. Fieldman said Staff recommends approval of this proposal, with conditions.

- 1. The preliminary and final planned development shall substantially conform to the site plan attaché hereto as Exhibit 'A', the preliminary plat of subdivision attached hereto as Exhibit 'B', and the architectural plans and elevations attached hereto as Exhibit 'C' except as such plans may be changed to conform to Village Codes and Ordinances and the following conditions:
- 2. Il conditions of a final planned development shall apply.
- 3. A let er of credit in the amount of \$100,000 to ensure the completion of the planned development shall be submitted prior to the issuance of a building permit.
- A letter of cradit 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.
- 5. All existing wells and septic systems are to be properly abandoned.
- 6. Public sidewalks shall have a 4' granular base.
- 7. Engineers cost estimates shall be submitted.
- The architectural plans shall be revised in a manner acceptable to the Director of Community Services.
- 9. A central location for mailboxes shall be identified
- 10. Street lighting shall be provided per Village Code.
- 11. The declarations shall be revised per the memo from the Village Attorney dated 6/7/04.
- 12. The proposed street shall remain private. The Declaration of Cover lants, Conditions and Restrictions shall state that the street shall remain private, that the vinage will not accept a dedication of the street and that ownership and maintenance shall be the esponsibility of the homeowners association.
- 13. CCHD & IEPA permits shall be obtained.
- 14. The south side lot line setback shall be increased to 46'. Additional landscaping shall be provided in a manner acceptable to the Village Forrester.

Mr. Fieldman felt there would not be a substantial increase in traffic with the town homes, and that r'. sy would be an appropriate buffer between the existing homes and existing commercial area. Ms. Williams said the traffic would be heavier with a shopping center on this site.

Mr. McPherson mentioned the proposed development behind J.J. Peppers, which had been denied. The street was zoned R-1.

Condition 14) Additional landscaping in the south lot portion be installed to the satisfaction of the Village Forester.

Mr. Hanson said there is 46' to the deck and 56' to the building. The petitioner offered to cut in 4' at the south and is willing to dig 1–2' deeper for the foundation.

Mr. Miller asked what lighting was planned; Mr. Fieldman said it would be per Building Code. Mr. Espinoza asked if the lighting will go into his backyard; Mr. Balough said the illumination will be on the island and the front of the houses, not high up. It will light the first level and downward, as the building

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PLAN COMMISSION AUGUST 17, 2004 PAGE 10

code prohibits overflow lighting. The petitioner said he will work with the objectors on construction dust.

Mr. Hanson asked Petitioner if he agreed with the Staff's recommendation and conditions; yes.

Mr. McPherson motioned to close the public hearing; 2nd by Ms. Williams

DELIBERATIONS:

Mr. Laymon had a concern for the trees, traffic and land use. He feels this site will be an unlikely commercial use and should be R-1 zoned; Mr. Thomas agreed.

Ms Williams asked the owner of the shopping center; Mr. Fieldman said there are 2 owners of the center located on the southeast corner, one is a local owner and one is 7-11 in Texas. He said this could lead to a commercial development, and Staff's recommendation is driving this recommendation as a compromise.

Mr. Dwyer pointed cut that the southeast corner of Quentin and Euclid was 'not buildable' and had a steep grade, and it is now developed.

Mr. Miller asked the State's ριωns for the Palatine / Quentin Road intersection; there is a proposal for reconstruction of Palatine Road and is in early discussions, but the Village does not expect a substantial widening.

Mr. Dwyer said the storm water was ε_0 engineering issue. He believed the increase in traffic would not be noticeable, that a right-in-right-out will be helpful. Staff said there may be an issue of access for the Fire Department with a right-in-right out.

Mr. Miller brought up other issues that were men one I by objectors; that road and sewer use would be unaffected. Mr. Fieldman added that town homes generally generate the most taxes and have the least amount of service demand.

Mr. Miller made a motion to approve P-04-93 to accept the pre-iminary and final plans, with Staff's recommendation and all conditions; 2nd by Mr. Greenlees.

Vote: 4 Ayes (Dwyer, Greenlees, McPherson, Miller) and 4 Nays

Ms. Williams said she would prefer a less dense use; Mr. Hansen felt this way be the best plan; Mr. McPherson said the Petitioner made a good presentation and will work with the peighbors.

VI. COMMUNICATIONS

Past items - 728 S. Wilke was returned to Staff by the Council, to respond to residents' concerns

ADJOURN 10:40 PM

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DEPT. OF COMMUNITY OF FLOPMENT FOR OFFICE USE ONLY VILLAGE OF PALATINE Zoning Docket # P-04-93 Property recorded in Torrens Date Filed 5-28-64

PRELIMINARY AND FINAL PLANNED DEVELOPMENT (ONE STEP)

PLEASE TYPE OR PRINT IN INK:

1.	Name of Petitioner(s): DeCourt Builders L.L.C.	
	Address: 1)6 E. Wing Street, Suite 175, Arlington Heights, Il 60004	
	Telephone No. 866-322-4624 Business Telephone No. City, State, Zip	
2.	Authorized Agent of Petitioner (if different):	
	Name:	
٠.	Address:	
	City, State, Zip Telephone No	
3.	Property interest of Petitioner(s): Owner	
•	C wne , Lessee, Contract Purchaser, etc.	
4.	Address of the property for which this application is being filed: 31 S. Quentin Road	
•	Palatine, Illinois	
5.	All existing land uses on the property are: Residential home	
6.	Current zoning of property in question: B1 Size of the property: 1 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.:		
	The planned unit development is 10 townhomes with 3 bedrooms and 2 bath. The size is approximately 2200 square feet.	
	•	

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):

Preliminary and Final Planted Tevel port of CAL COPY (One Step)

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: 5-11-04

SUBSCRIBED AND SWORN to before me this /

__ day of

County Clark's Office

_ 2004

"OFFICIAL SEAL"

Phyllis Peters

Notary Public, State of Illinois

My Commission Expires 03/05/2007

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UNOFFICIAL COPY CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Public Notice
A public hearing will be
held before the Plan Commission on Tyuesday, August
17, 2004, at 8:00 p.m. in the
Village Council Chambers if
the Polatine Commanity
Center, 200 E. Wood Street,
relative to a request for Preliminary and Final Plannet
Development approval for a
ten (10) unit townhome development; Rezoning from
"8-1" Shopping Center to
"9" Planned Development;
and Preliminary and Final
Plat of Subdivision.
The property is teadily desecond of the County of the
North V2 of the
North W2 of Section 22,
Township 42 North, Ronge
10, East of the Third Princip
Meridian in Cook County,
Illinois, commanty known as
18. Quentin Road (PIN \$02
22-100-011).
The above petition has
been, filed by DeCourt Build
ers, LLC and is available for

The above petition habeen filed by DeCourt Builders, LLC and is available fo examination in the office of the Village Clerk, 200 E Wood Street, Zoning Docket: P-04-93

Village Of Palatine
Dennis Dwyer, Chair
Palatine Plan
Commission
DATED: This 2nd day o
August, 2004
Published in Daily Heral
August 2, 2004 (3347712)

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 circulated daily in the Village(s) of Algonquin, Arlington Heights, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Flgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Gurnee, Harnpehire, Hainesville, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenharst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Green Oaks

County(ies) of Cook, Kane, Lake, 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 August 2, 2004 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC. DAILY HERALD NEWSPAPERS

Authorized Agent

Control # <u>T3347712</u>

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, MARGARET R. DUER, do hereby certify that I am the duly elected, qualified
and acting Clerk of the Village of Palatine, Cook County, Illinois, and that I am the
keeper of the records, journals, entries, ordinances and resolutions of the said Village
of Palatine.
I do further certify that the foregoing Ordinance is a true and correct copy of an
ordinance passed and adopted by the Village Council of the Village of Palatine at a
Regular meeting held on the <u>20</u> day of <u>SEPTEMBER</u> , 200 <u>Y</u> , and that said
ordinance was deposited and filed in the office of the Village Clerk on the <a>20 day of
SEPTEMBER, 2004.
I do further certify that the original of which the foregoing is a true copy, is
entrusted to my care for safekeeping and that I am the keeper of the same.
I further certify that the vote of the Village Council on the notion to adopt said
ordinance was as follows:
AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0
BY WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate
seal of the Village of Palatine this <u>24</u> day of <u>SEPTEMBER</u> , 200 <u>4</u> .
(S.E.A.L.) Margaret B. Duer
(S F A I) Margaret B. Duer

Palatine Village Clerk