



Village of Bartlett  
Zoning Board of Appeals Minutes  
March 7, 2019

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M. Werden called the meeting to order at 7:00 pm.

**Roll Call**

Present: M. Werden, G. Koziol, B. Bucaro, J. Rasmussen, L. Hanson and J. Banno

Absent:

Also Present: R. Grill, Acting CD Director, K. Stone, Assistant Village Planner

**Approval of Minutes**

A motion was made to approve the minutes of the December 6, 2018 meeting.

Motioned by: G. Koziol

Seconded by: B. Bucaro

**Roll Call**

Ayes: M. Werden, G. Koziol, B. Bucaro, J. Rasmussen and J. Banno

Nays: None

Abstain: L. Hanson

The motion carried.



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**Case (#18-22) Moureau's Crest View Addition to Bartlett (Lot 72)**

Variations:

- a) A 4 foot reduction from the required 45 foot rear yard on Lot 1; and
- b) A 9 foot reduction from the required 45 foot rear yard on Lot 2

**Public Hearing**

**The following Exhibits were presented:**

**Exhibit A - Picture of Sign**

**Exhibit B - Mail Affidavit**

**Exhibit C - Notification of Publication**

Petitioner, **Mr. Mohammed Ahmed** was sworn in by **M. Werden**.

**Mr. Ahmed** stated he would like to subdivide Lot 72 into 2 lots.

**K. Stone** stated this parcel has been part of Bartlett since its incorporation in 1891. It was recorded in 1926 as part of Moureau's Crest View Addition to Bartlett. The petitioner is proposing to subdivide this into two lots. This went before the Plan Commission on February 14<sup>th</sup>, they reviewed the plans and recommended approval of the Plat of Subdivision. Both lots meet the minimum lot width and size requirements for the SR-4 Zoning District. Lot 1 would have access off of E. North Avenue and Lot 2 would have access off North Chase Avenue.

Since the subject property is less than 3 acres, no storm water detention is required for this subdivision. The Petitioner will plant parkway trees along the existing rights-of-way as required by the subdivision ordinance. There are existing concrete sidewalks along North Chase Avenue and E. North Avenue that are currently deteriorating; a part of the subdivision requirements, these sidewalks will be removed and replaced.

The Petitioner is also requesting two variations from the rear yard setback:

- a) A 4 foot reduction from 45 foot rear yard on Lot 1 to reduce it to 41 feet; and
- b) A 9 foot reduction from 45 foot rear yard on Lot 2 to reduce it to 36 feet.

This project is consistent with the Comprehensive Plan and new addresses will be assigned to each lot.

The discussion tonight is for the two variance requests on Lot 1 and 2.

**M. Werden** stated Lot 2 will face east and Lot 1 will face south. The sidewalks requirements are wider than previously required, will the sidewalks meet the new code? **K. Stone** stated yes it will.

**M. Werden** asked if there were any questions from the board.

**J. Banno** asked if this project will meet the impervious surface requirement. **K. Stone** stated that will be looked at once a building permit comes in. Right now they are asking for variances without a specific building pad so an impervious calculation cannot be done without knowing the size of the driveways and the actual footprint of the proposed buildings. **J. Banno** stated there is a difference between the



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setback widths around the properties from one page to the other within the packet and the setback distance along East North Avenue. **K. Stone** stated it's a 25 foot building setback requirement. Looking at the proposed building map is what the Petitioner is proposing for the building to be with a setback of 35 feet to be in line with the other homes on Chase Avenue. It's a recorded 25 foot building setback line. **J. Banno** questioned the setback of 35 feet on North Avenue. **K. Stone** stated the building setback is required to be 25 feet, but we cannot condition a variation. What they are showing is 35 feet, and it's not something we can restrict, they could go up to the 25 foot setback line. **J. Banno** stated it looks as though the two buildings will be very close together, maybe a 10 foot distance between the two buildings. **K. Stone** stated this is correct. The SR4 Zoning District requires 5 feet. **J. Banno** stated yes, but this is not what we are voting on.

**G. Koziol** stated this is a reasonable request to effectively use this land by building 2 homes.

**M. Werden** opened the Public Hearing portion of the meeting to the public.

**Amy Jehezian** who resides at 105 N. Marion Avenue stated she owns the home on the left side of Lot 1 and is questioning how close this will come to her property line. **K. Stone** stated they must be at least 10 feet from her property line and must put in a 10 foot utility easement. The building setback line shows 5 feet however they are not allowed to build within an easement. This will mean they will be at least 10 feet away from **A. Jehezian's** property line. **A. Jehezian** asked if they are planning to put up a fence or will it be an open area. **K. Stone** stated at this point, this meeting is just for variations, no building permits have been submitted.

**M. Werden** asked if there were any further discussions or recommendations from the board.

**G. Koziol** made a motion to pass along a positive recommendation to the Village Board to approve Case #18-22, Moureau's Crest View Addition to Bartlett (Lot 72).

**M. Werden** closed the Public Hearing portion of the meeting.

**Motioned by: G. Koziol**

**Seconded by: J. Banno**

**M. Werden** closed the Public Hearing portion of the meeting.

**Roll Call**

**Ayes: M. Werden, G. Koziol, B. Bucaro, J. Rasmussen, L. Hanson and J. Banno**

**Nays: None**

**The motion carried.**

**M. Werden** advised the Petitioner to stay in touch with **K. Stone** as to when this case will be on the Village Board agenda. **K. Stone** stated at this time she was not sure of the date.



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**(#18-24) Stearns and Munger**

Variation: to reduce the required number of parking spaces (Lot 1)

**Public Hearing**

**The following Exhibits were presented:**

**Exhibit A - Picture of Sign**

**Exhibit B - Mail Affidavit**

**Exhibit C - Notification of Publication**

**Exhibit D - Letter from Forest Preserve District of DuPage County**

Petitioners, **Mr. Aaron Martell** of Logistics Property Company, 1 N. Wacker, Chicago IL and **Mr. Ethan Frisch** of 7325 Janes Avenue, Woodridge, IL were sworn in by **M. Werden**.

**M. Werden** stated the letter from the Forest Preserve District is requesting a change in the landscaping and also a change to the sealants used on the blacktop. **Mr. E. Frisch** has agreed to the suggested changes.

**K. Stone** stated this property was annexed into the Village in 1966 and was originally zoned R-1 Single Family. The following year it was rezoned to the M-Manufacturing Zoning District. During the comprehensive rezoning of the Village in 1978, the property was rezoned to the OR Office Research and SR-5 Suburban Residence (Multi-Family) Zoning District.

The petitioner is going before the Plan Commission next Thursday to discuss the rezoning as well as the plat of subdivision. They are proposing to make a three lot subdivision. Lots 1 and 2 would each contain a 207,000 square foot building. Lot 3, which is closest to the residences to the east, will be for a retention lot.

The Plan Commission will be reviewing Lots 1 and 2 per the site plan review next Thursday, March 14<sup>th</sup>. Two curb cuts are proposed along Stearns Road. The eastern curb cut on Stearns Road would be a right-in/right-out only for passenger vehicles only. The western curb cut on Stearns Road will be a full access. Munger Road access will right-in/right-out and left out.

Retaining walls are proposed along the north property line.

The Site Plan for Lot 1 identifies a total of 222 parking spaces. The Zoning Ordinance requires 234 parking spaces. The petitioner is requesting a **Variation** to reduce the required number of parking spaces for Lot 1 from 234 to 222 (12 spaces).

The Site Plan for Lot 2 identifies a total of 246 parking spaces, which exceeds the requirement of 234 parking spaces. Overall between the two lots they are required to have 468 spaces which they have provided. Because Lot 1 is short on its own the Village is requiring them to go through the variation request. They will be providing a shared parking agreement to be recorded between Lots 1 and 2. Between the two lots there is enough parking to meet the requirement, but because it's a subdivision lot one is short, the other Lot 2 exceeds it. They will also be putting in a bike path along Stearns Road.



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The detention basin will be wet bottom which is currently being reviewed by the Village Engineer.

A traffic Impact Analysis was submitted and is being reviewed by the Village's Traffic consultant and the DuPage County Highway Department. They have somewhat agreed with the findings that are outlined in the traffic study and the petitioner has worked with them to address all of their concerns.

The Landscape, Photometric and Engineering Plans are currently under Staff review.

The Plan Commission will be reviewing the rezoning, subdivision and a special use to fill in the two small wetlands that are on the site. The only item being requested tonight will be the variation.

**M. Werden** asked if the proposed detention area, will this correspond with the current SR5 Zoning. **K. Stone** stated yes. **M. Werden** asked if SR5 Zoning would allow multifamily. **K. Stone** stated yes. **M. Werden** stated this will be consistent with the rest of the industrial park. **K. Stone** stated yes, which is consistence with what the Comprehensive Plan shows and the West Bartlett Road Corridor Plan shows.

**M. Werden** asked if there were any other questions from the board. No comments were made from the board.

The Public Hearing portion of the meeting was open to the Public.

**M. Werden** asked the public to address the comments strictly to the parking issue, nothing to do with the building, landscaping etc. All other issues will be discussed next week Thursday, March 14<sup>th</sup> at 7:00 P.M. at the Plan Commission meeting. **M. Werden** asked anyone in the audience who would like to speak to please complete a witness form.

**Rick Herring**, of 1237 Lynnfield Lane stated he wasn't aware the only item to be discussed tonight would be for the parking. **R. Herring** asked if the other findings such as the traffic study will be published somewhere. **K. Stone** stated all other items will be included in the Plan Commission packet which will be available tomorrow and posted on our website.

**Robert Miller** was called but was not in the audience.

**John Martin**, stated he has the same issues as **R. Herring** does. **J. Martin** stated he will be preparing a statement for next week's public hearing. He did not have an issue with shared parking, but his biggest concern would be with traffic and would like to see the traffic report as well. **J. Martin** stated he has no objection to what is happening in Brewster Creek. He was Vice President for Jen Land Designs for 30 years as a land planner and worked on Fairfax Crossings, Timberline, Herron's Landing and is very familiar with Bartlett and its development. **J. Martin** stated he loves where Brewster Creek is located past the intersection of Munger Road/Stearns and that's where everyone would like to see it stay. Not to come east of Stearns/Munger Road.

**Joseph Kellar**, 860 Middleton Lane, stated he noticed the parking line is approximately 100 feet from Lynnfield Lane and as a resident trying to make a right hand turn there is a potential snow problem. If there is snow plan being proposed, would the snow be plowed between the end of the parking lot near Lynnfield Lane blocking the view when turning right. **M. Werden** stated this would be a valid question for next week's meeting.



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**M. Werden** stated so many times in most developments they try to squeeze too much building on too small of a property and they wind up having parking on the side yard. It's always a welcome sight when you see more green space and a more appealing look.

**R. Grill** stated there were no other comments from the public.

**G. Koziol** stated he was glad to see the property being developed. The parking proposal is somewhat unique, usually people are looking for more parking and thinks its creative to do shared parking.

**M. Werden** stated this parcel was annexed into the Village in 1966 and the entire property rezoned to the M-Manufacturing Zoning District in 1967. He asked what year was the development to the east, Wethersfield. **K. Stone** stated that was annexed in 1988 and rezoned. **M. Werden** stated long after this was being developed.

**K. Stone** stated correct.

**M. Werden** asked for a motion.

**J. Banno** made a motion to pass along a positive recommendation to the Village Board to approve Case #18-24.

**Motioned by: J. Banno**

**Seconded by: G. Koziol**

**M. Werden** closed the Public Hearing portion of the meeting.

**Roll Call**

**Ayes: M. Werden, G. Koziol, B. Bucaro, J. Rasmussen, J. Banno and L. Hanson**

**Nayes: None**

**The motion carried.**

**M. Werden** advised the Petitioner to stay in touch with **K. Stone** as to when this case will be on the Village Board agenda.



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**(#19-04) Streets of Bartlett**

Variations:

- a) To reduce the number of required parking spaces,
- b) Increase the monument sign area,
- c) Increase monument sign height; and
- d) Reduce the monument sign setbacks

**Public Hearing**

**The following Exhibits were presented:**

- Exhibit A - Picture of Sign**
- Exhibit B - Mail Affidavit**
- Exhibit C - Notification of Publication**

Petitioners, **Manny Rafidia, 2 Star Lane, S. Barrington** on behalf of MMAJ, LLC was sworn in by **M. Werden**.

**R. Grill** stated the Petitioner is proposing to renovate just under 32,000 square feet of the existing building in the former grocery space and create a new 22,000 square foot entertainment center oriented west, towards the parking lot and three new commercial spaces oriented south, towards E. Devon Avenue. The three new tenant spaces will include a 4,000 square foot wine and liquor store, a 3,900 square foot restaurant and 1,300 square foot space for future retail. The Petitioner is requesting a Third Site Plan/PUD Amendment to create a conceptual commercial building pad for a possible grocer or banquet facility and to add parking in the southwest corner of the parcel where grass currently exists. The Petitioner has stated the area for the conceptual commercial building pad will not be subdivided or sold off.

The Petitioner proposes to modify the current shopping center name from the Bartlett Plaza Shopping Center to the Streets of Bartlett.

The proposed renovations include covering the existing metal roofs with a parapet wall that will incorporate varying roof lines and accent lighting on the façade to update the building elevations. The three new commercial spaces facing south will have new windows, doors, a sidewalk and an outside dining area where a brick wall currently exists.

In creating the conceptual commercial building pad, 159 parking spaces would be removed from the existing site. However, by transforming the existing grass area in the southwest corner of the property to parking, approximately 30 parking spaces would be added back to the total number provided. A Variation is requested to reduce the required parking spaces from 525 to 406 spaces (119 spaces). Included in the packet is a summary of the parking numbers. Staff has done some research of the current uses existing in the center along with the proposed uses and have come up with the total required number of parking spaces to be 381. This would be under the 406 spaces even with the variation request. The existing uses as they are today, would require 381 parking stalls. With the variation of 119 spaces being removed, they would have 406 parking stalls.



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Access to the site from Main Street, E. Devon Avenue and S. Berteau Avenue would remain the same. Internal circulation would be modified slightly along the south elevation of the new commercial uses where the drive aisle would become one-way in order to accommodate a sidewalk and outdoor seating.

Three additional Variations are being requested for the proposed monument signs:

A 20 square foot increase from the maximum permitted 100 square foot allowable sign area for each monument sign (120 square feet);

A 2 foot increase in the maximum permitted 10' height to allow both monument signs to be 12' in height and;

A 2 foot reduction in the required 5 foot setback along E. Devon Avenue. Staff is working with the Petitioner to ensure the sign locations will be safe and provide clear visibility.

The Petitioner is requesting the following Special Use Permits for the subject property in its entirety:

Package liquor sales (excluding within 100' of a school);

Serving alcohol including wine tastings (excluding within 100' of a school);

Recreation and amusement establishments;

Live entertainment;

banquet hall facility;

outdoor seating and;

pet daycare (kennel).

The Petitioner is requesting a Special Use Permit for package liquor sales to open an Armanetti Wine and Spirits. Armanetti's will primarily sell wine (approximately 70% of the sales) and also serve alcohol with wine tastings taking place at this location. The area designated for beer and liquor sales is substantially smaller than the area devoted to selling wine. As part of the proposed Fire and Ice Restaurant, the Petitioner is requesting a Special Use Permit to serve alcohol. This restaurant would have a full kitchen and include video gaming. The Petitioner also requests to have live entertainment in the restaurant.

The State Law requires video gaming establishments to be a minimum of 100 feet from any school or place of worship. There are no schools or places of worship within 100 feet of this proposed restaurant. (The Kripa Montessori School is located 200 feet north of this proposed restaurant location.)

The Petitioner is requesting a Special Use Permit for a 22,000 square foot recreation and amusement establishment. This establishment will be family friendly and catered toward children's activities including roller coasters, a trampoline park, jungle gym and other child friendly amusements. This area will be connected to the restaurant in order to provide food and alcohol to the adult patrons of the amusement establishment.

The Petitioner is requesting a Special Use Permit to allow outdoor seating for the entire shopping center in front of any of the commercial spaces, if the future tenant so chooses. A perimeter fence around the outdoor seating area will be required if alcohol is to be served outside.

The Petitioner is requesting Special Use Permits for a banquet hall facility and pet daycare (kennel). These uses are not currently proposed but the Petitioner is requesting the Special Use Permits to have the option to attract these uses to fill any vacancies. A detailed review of these uses would be required by the Staff at building permit submittal (i.e. parking, pet elimination area, etc.)





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As part of the redevelopment improvements for the shopping center the Petitioner proposes to replace the existing parking lot lights with the downtown light fixtures to tie this center to the existing downtown improvements. This is something staff has requested of the Petitioner and they have agreed to do so.

A Site Plan will be required to be submitted for the commercial building pad once additional details are finalized for its development. If there are no additional special use(s) and/or variations(s) being requested this will be reviewed as an Administrative Site Plan review and will be submitted directly as a building permit application.

Landscape and Photometric Plans are currently being reviewed by the Staff.

**M. Werden** stated he was glad to see a project coming into the Village that will not tear down the shopping center or destroy what was originally Gorski's food store. The store was built with beautiful brick that wasn't common in many other shopping centers. Years ago there was beautiful landscaping and he hopes this will be the case again. **M. Werden** stated he was glad to see the petitioners have agreed to have the same lighting fixtures that are in that part of town.

**G. Koziol** stated he was glad to see the shopping center come back to life. Hopefully this will be a unique destination for people to visit because Bartlett has what other communities do not.

**J. Banno** stated he was glad to see that something is being proposed however, he had an issue with the monument sign variation request and he believes this will impact safety. Also, putting off to the parking issues to the future, he believes there isn't sufficient parking.

**B. Bucaro** stated he agreed with **G. Koziol** that this is a unique concept in an area that needs some development. Overall he thinks the project is a good thing but the parking may be an issue if another building goes up. **R. Grill** stated the parking will be re-evaluated when they apply for a building permit. If this would need a variation it will come back to this board for that request. Until we know what will be built its difficult to calculate parking.

**M. Werden** asked if the parking variation request will meet the requirement what is being proposed tonight. **R. Grill** stated yes. **G. Koziol** stated he was comfortable with numbers that staff has given along with a few more spaces than are actually required. Looking at the different uses of the space, they will not be maxed out all at one time. The concept of shared parking is a good workable idea.

**M. Werden** stated **J. Banno** had a valid point regarding the variation on the sign. There are several tenants in the shopping center, more than anyone has nearby. He wasn't sure what an alternative might be. **R. Grill** stated the sign that was original proposed was quite a bit larger and taller. The petitioner has worked really well with staff to modify the sign in height and size. On the suggestion from staff the petitioner has put in the brick base and the surrounding brick to make it architecturally compliment the Shopping Center. The petitioner has done everything that staff has asked him to do in regards to the signage. **B. Bucaro** asked if staff would be involved in the placement/location of the sign. **R. Grill** stated absolutely. The exact placement has not been determined because staff wants to make sure it will not obstruct vision, curb cuts and that it is set back far enough.

The Public Hearing portion of the meeting was open to the Public.



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**Joseph Kellar**, 860 Middleton Lane, stated he frequents the Shopping Center and has noticed the hedge along the sidewalk (near CVS) is very large and makes it difficult to exit and see if anyone is on the sidewalk. This also makes it difficult for bike riders.

**R. Grill** asked the petitioner, **M. Rafidia** if he had any comments for the board. **M. Rafidia** stated he just wanted to say he was very happy to be part of this development and hopes he can achieve the goals of helping the community, and to make this profitable as a businessman. **M. Rafidia** stated he is willing to listen to any recommendations that are offered and try and work with them.

**M. Werden** stated at one time there was hope that a TIF District might happen however the other TIF District never came to being. This is a wonderful idea to keep the shopping center from being altered or torn down. **G. Koziol** stated he was part of the TOD group which was the downtown development plan. There was discussion on what could happen to this plaza and he thinks this is a great way to focus on the south end of downtown. **G. Koziol** wished **M. Rafidia** the best in his new venture.

**M. Werden** asked for a motion.

**G. Koziol** made a motion to pass along a positive recommendation to the Village Board to approve Case #19-04, The Streets of Bartlett.

**M. Werden** closed the Public Hearing portion of the meeting.

**Motioned by: G. Koziol**  
**Seconded by: L. Hanson**

**Roll Call**

**Ayes: M. Werden, G. Koziol, B. Bucaro, J. Rasmussen and L. Hanson**

**Nays: J. Banno**

**The motion carried.**

**M. Werden** advised the Petitioner to stay in touch with **R. Grill** as to when this case will be on the Village Board agenda.



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**Old Business/ New Business**

**R. Grill** stated she wasn't sure if there will be a meeting next month.

**M. Werden** asked if there was a motion to adjourn.

**Motioned by: J. Banno  
Seconded by: L. Hanson**

**All in favor.**

**Motion Carried.**

**The meeting was adjourned at 7:45 P.M.**