

VILLAGE OF BARTLETT

COMMITTEE AGENDA

JULY 2, 2019

BUILDING & ZONING, CHAIRMAN HOPKINS

Bannerman's Outdoor Seating

PUBLIC WORKS, CHAIRMAN CAMERER

Downtown Decorative Holiday Lighting



Agenda Item Executive Summary

Item Name Bannerman's Committee or Board _____ Committee _____

BUDGET IMPACT

Amount: N/A Budgeted N/A

List what fund N/A

EXECUTIVE SUMMARY

The Petitioner is requesting a **Special Use Permit** to allow outdoor seating including the serving of food and liquor. The request is for Bannerman's located at 858 S. Route 59 in the Bartlett Commons Shopping Center at the northwest corner of Stearns and Route 59.

The **Committee of the Whole** reviewed the Petitioner's request at their meeting on May 21, 2019. The Committee had some concerns with the proposed hours of the beer garden and the proximity of the beer garden and the homes to the west. The Committee forwarded the request to the Plan Commission for further review and to conduct the required public hearing. Staff presented a map showing the distances from the proposed beer garden to the homes located to the west.

The **Plan Commission** reviewed the Petitioner's request and conducted the required public hearing at their meeting on June 13, 2019. The Plan Commission discussed their concerns regarding potential noise from activities within the beer garden and the proposed hours of operation for the beer garden. The number of calls to the Police Department was also discussed. The Petitioner agreed to reduce the hours of operation of the beer garden and expressed his commitment to addressing the noise concerns of nearby residents. The Plan Commission requested Staff look into acceptable noise levels measured in decibels. The Plan Commission recommended **approval** of the Special Use Permit subject to the following conditions:

- A. The existing fence around the proposed beer garden shall be replaced with an eight (8) foot high masonry wall to increase the buffering of noise and to serve as a sound barrier.
- B. The existing bollards shall be repaired and repainted.
- C. The Petitioner shall obtain a building permit for the new wall and provide a separated 4-foot wide emergency exit aisle for the adjacent tenant which must be installed prior to the utilization of the beer garden area.
- D. All activities within the outdoor area shall comply with Bartlett Municipal Code Section 4-3-4 *Excessive Noise*.
- E. Smoking shall be prohibited in the beer garden.
- F. Televisions and speakers shall be prohibited in the beer garden.
- G. The hours of the beer garden shall be Sunday through Thursday until 9:00 p.m. and Friday and Saturday until 10:00 p.m.
- H. The beer garden shall close at 9 p.m. on Friday and Saturday nights when Bannerman's has indoor live music scheduled.
- I. Findings of Fact (Special Use Permit)

Staff researched the State of Illinois and other municipalities' sound and noise regulations. Staff recommends adding the following condition:

- J. *The noise level measured at the property line shall not exceed 55 decibels.*

ATTACHMENTS (PLEASE LIST)

CD Memo, Minutes from Plan Commission Meeting, Applicant Cover Letter, Application, Location Map, Aerial Site Plan, Proposed Site Plan, Photos of the Outdoor Area, and a Distance Map (To Nearby Homes)

ACTION REQUESTED

- For Discussion Only- To review the Petitioner's request and forward to the Village Board for a final vote.
- Resolution
- Ordinance
- Motion

Staff: Roberta Grill, Planning and Development Services Director Date: 6/24/2019

COMMUNITY DEVELOPMENT MEMORANDUM

19-95

DATE: June 24, 2019
TO: Paula Schumacher, Village Administrator
FROM: Roberta B. Grill, Planning & Dev Services Director 
RE: **(#19-05) Bannerman's**

PETITIONER

Said "Mac" Maqsood

SUBJECT SITE

858 S. Route 59 (Northwest corner of Stearns Rd and Route 59) located in the Bartlett Commons Shopping Center

REQUESTS

Special Use Permit to allow outdoor seating including the serving of food and liquor

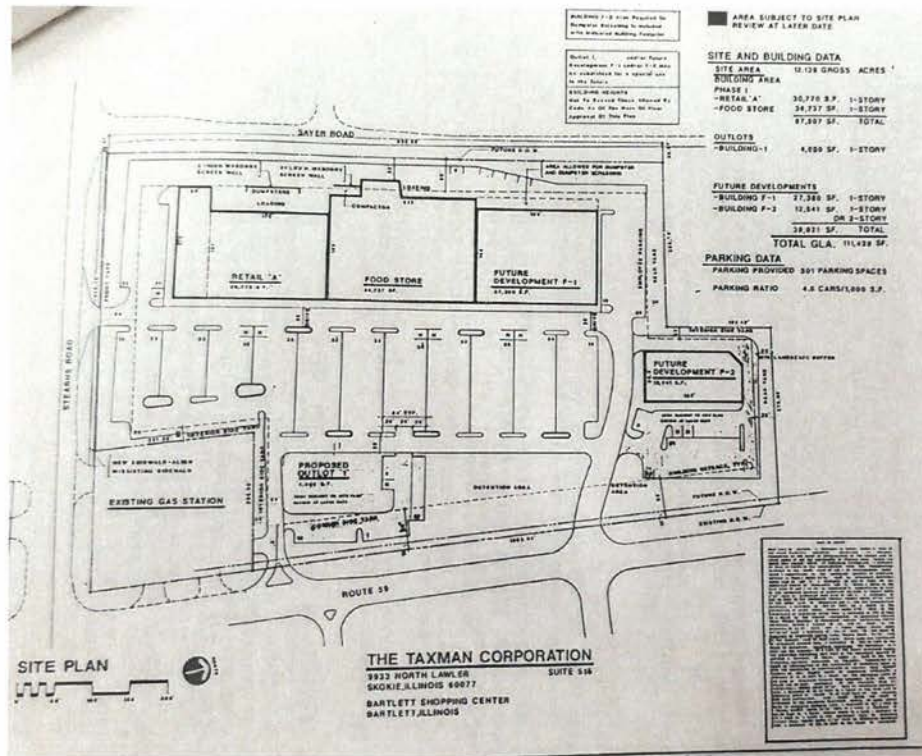
EXISTING AND PROPOSED CONDITIONS

	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Site	Commercial	Commercial	B-3 PUD
North	Residential	Suburban Residential	R-3*
South	Commercial	Commercial	B-4
East	Commercial	Commercial	B-3
West	Residential	Suburban Residential	SR-2 PUD

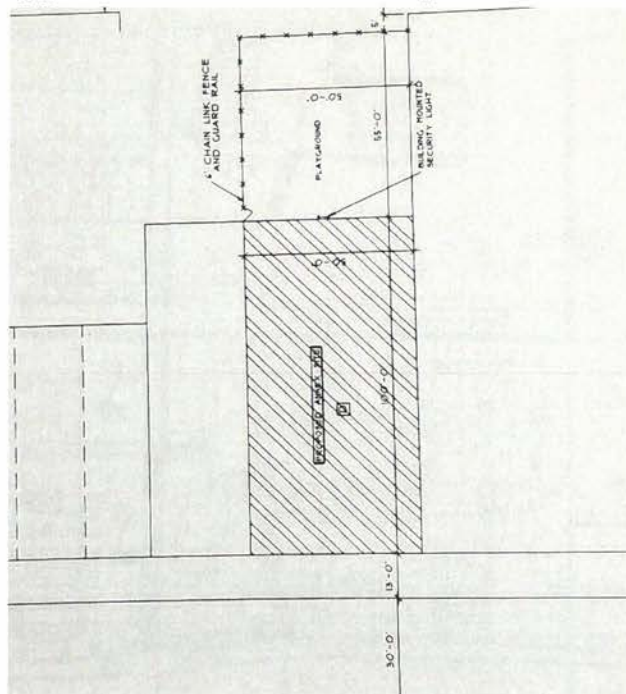
**DuPage County Zoning*

ZONING HISTORY

1. On September 27, 1989 Ordinance #1989-74 approved the Preliminary PUD and Site Plan for the Taxman Corporation Shopping Center, now commonly known as Bartlett Commons. The Final PUD and Site Plan were approved on November 7, 1989 by Ordinance #1989-91.



2. On March 3, 1992 by Ordinance 1992-12 the Preliminary and Final Plat of Subdivision for Bartlett Commons was approved.
3. On November 3, 1993 by Ordinance #1993-119 Site Plan Approval was granted for an outdoor playground for Kid's Choice Day Care Center in Bartlett Commons.



4. On October 15, 1996 by Ordinance #1996-87 an outdoor garden sales center was approved on the north side of Bartlett Commons Shopping Center for Sears Hardware.
5. On January 2, 2007 by Ordinance #2007-02 Special Uses for liquor sales and a game room were approved for Bannerman's Sports Bar and Restaurant.
6. On March 6, 2007 by Ordinance #2007-25 a PUD Plan Amendment was granted for Bartlett Commons to convert an outdoor garden center into an enclosed tenant space.
7. On August 18, 2009 by Ordinance #2009-84 Bannerman's was granted a Special Use Permit for live bands and to amend the Special Use to expand the game room.
8. On November 16, 2010 by Ordinance #2010-81 Bannerman's was granted a Special Use Permit to allow up to twelve (12) live entertainment events a year.

DISCUSSION

1. The Petitioner is requesting a **Special Use Permit** to allow outdoor seating including the serving of food and liquor.
2. Bannerman's has occupied 12,573 square feet of Bartlett Commons since 2007. The Petitioner purchased Bannerman's from the previous owner in the Fall of 2018.
3. The Petitioner would like to convert the existing fenced-in area (approved by Ordinance 1993-119) that was used by a previous tenant as an outdoor play area into an outdoor beer garden in the rear of the building, directly south of Bannerman's leased space.
4. The beer garden would include 10 tables with a total of 40 seats. The Petitioner originally proposed to have TVs, games such as bean-bag toss, soft tip darts and outdoor chess, and occasional acoustic music (no amplification) in the outdoor beer garden. **However, the Plan Commission recommended prohibiting televisions and speakers from the beer garden.**
5. The Petitioner originally proposed repairing the existing 6-foot tall wood fence and installing new fencing parallel to the building to provide a separated 4-foot wide emergency exit aisle for the adjacent karate school. **The Plan Commission recommended replacing the existing six (6) foot high fence with an eight (8) foot high masonry wall to increase the buffering of noise and to serve as a noise barrier.**
6. There will be a gate on the south side of the fence; however, it will be locked so

patrons cannot enter or exit through the beer garden but will be accessible for the fire department.

7. Bannerman's is currently open seven days a week from 11:00 a.m. to 11:00 p.m. Sunday thru Tuesday, 11:00 a.m. to 12:00 a.m. Wednesday, 11:00 a.m. to 12:30 p.m. Thursday and 11:00 a.m. to 1:00 a.m. Friday and Saturday and has a Class A liquor license. The hours for the Class A liquor license are Sun.-Thurs. 8:00 a.m. to 1:00 a.m. and Fri.-Sat. 8:00 a.m. to 2:00 a.m.
8. The Petitioner originally requested that the outdoor beer garden be open the same hours as the indoor operations listed above. ***The Plan Commission recommended limiting the hours of operations of the beer garden Sunday through Thursday until 9:00 p.m. and on Friday and Saturday until 10:00 p.m.***

RECOMMENDATION

1. The **Committee of the Whole** reviewed the Petitioner's request at their meeting on May 21, 2019. The Committee had some concerns with the proposed hours of the beer garden and the proximity of the beer garden and the homes to the west. The Committee forwarded the request to the Plan Commission for review and to conduct the public hearing. Staff presented a map showing the distances from the proposed beer garden to the homes located to the west.
2. The **Plan Commission** reviewed the Petitioner's request and conducted the required public hearing at their meeting on **June 13, 2019**. The Plan Commission discussed their concerns regarding potential noise from activities within the beer garden and the proposed hours for the beer garden. The number of calls to the Police Department was also discussed. The Plan Commission requested Staff to research acceptable noise levels. The Petitioner agreed to reduce the hours of the beer garden and expressed his commitment to addressing the noise concerns of nearby residents. The Plan Commission recommended **approval** of the Special Use Permit subject to the following conditions and Findings of Fact:
 - A. The existing fence around the proposed beer garden shall be replaced with an eight (8) foot high masonry wall to increase the buffering of noise and to serve as a sound barrier.
 - B. The existing bollards shall be repaired and repainted.
 - C. The Petitioner shall obtain a building permit for the new wall and provide a separated 4-foot wide emergency exit aisle for the adjacent tenant which must be installed prior to the utilization of the beer garden area.
 - D. All activities within the outdoor area shall comply with Bartlett Municipal Code Section 4-3-4 *Excessive Noise*.
 - E. Smoking shall be prohibited in the beer garden.
 - F. Televisions and speakers shall be prohibited in the beer garden.

- G. The hours of the beer garden shall be Sunday through Thursday until 9:00 p.m. and Friday and Saturday until 10:00 p.m.
 - H. The beer garden shall close at 9 p.m. on Friday and Saturday nights when Bannerman's has indoor live music scheduled.
 - I. Findings of Fact (Special Use):
 - i. The proposed use to allow outdoor seating including the serving of food and liquor is desirable to provide a use which is in the interest of public convenience and will contribute to the general welfare of the community;
 - ii. That the use will not under the circumstances of the particular case be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity;
 - iii. That the special use shall conform to the regulations and conditions specified in the Bartlett Zoning Ordinance for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.
3. Staff researched the State of Illinois regulations and other municipalities' sound limits. Staff recommends adding the following condition:

J. The noise level measured at the property line shall not exceed 55 decibels.

4. The minutes of the Plan Commission meeting and background information is attached for your review.



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(#19-05) Bannerman's Beer Garden

Special Use Permit to allow outdoor seating, including the serving of food & liquor

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Public Hearing Notice in Newspaper

Exhibit D - Letter from resident Rochelle Prybylski

K. Stone stated the Petitioner is requesting a Special Use Permit to allow outdoor seating including the serving of food and liquor.

Bannerman's has occupied 12,573 square feet of Bartlett Commons since 2007. The Petitioner purchased Bannerman's from the previous owner in the fall of 2018.

The Petitioner would like to convert the existing fenced-in area (approved by Ordinance 1993-119) that was used by a previous tenant as an outdoor play area into an outdoor beer garden in the rear of the building, directly south of Bannerman's leased space.

The beer garden would include 10 tables with a total of 40 seats. The Petitioner is proposing to have TVs, numerous outdoor games and occasional acoustical music with no amplification, in the outdoor beer garden.

The existing 6-foot tall wood fence will be repaired and new fencing will be installed to provide an emergency exit aisle for the adjacent karate school.

There will be a gate on the south side of the fence; however, it will be locked so patrons cannot enter or exit through the beer garden but will be accessible for the fire department.

Bannerman's is currently open seven days a week from 11:00 a.m. to 11:00 p.m. Sunday thru Tuesday, 11:00 a.m. to 12:00 a.m. Wednesday, 11:00 a.m. to 12:30 p.m. Thursday and 11:00 a.m. to 1:00 a.m. Friday and Saturday and has a Class A liquor license.

The Petitioner is requesting that the outdoor beer garden be open the same hours as the indoor operations listed above.

The Committee of the Whole reviewed the Petitioner's request at their meeting on May 21, 2019. The Committee had some concerns with the proposed hours of the beer garden and the proximity to the homes to the west. Staff has provided an exhibit within your packet that provides the distances from the proposed beer garden to the homes. It ranges from 175 feet to 325 feet.

If the Plan Commission recommends approval of the Petitioner's request, the following conditions and Findings of Fact that should be applied.

J. Lemberg presented a letter from Rochelle Prybylski that was entered into the record as **Exhibit D**.

Petitioner: Sam Maqsood was sworn in by **J. Lemberg**.



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S. Maqsood stated he is the owner of Bannermans and purchased the business last fall, 2018. He wanted to emphasize he is not proposing to have a live music venue. No amplification will be out in the beer garden. This vision came about as a result of customers requesting a place outside to sit during the summer. **S. Maqsood** is proposing to have a family friendly atmosphere with tables, food and drinks. No amplifiers, no loud music. **S. Maqsood** stated he was open to meeting with the neighbors about noise. The hours are negotiable as well.

A. Hopkins stated he thought it was a great idea to have outdoor seating. The hours proposed may be a little late due to the homes that are nearby. **A. Hopkins** stated he thought 10:00 PM, Sunday through Thursday, and Friday and Saturday 11:00 PM would be reasonable. **S. Maqsood** stated he was very open to the hours and closing the outdoor patio and bring everyone indoors. **A. Hopkins** stated the fence height is currently 6 ft. and asked if the fence could be brought up to 8 ft. **S. Maqsood** stated he could certainly propose that to the owner of the building. **A. Hopkins** stated the fence height would just be another way to keep the sound to a minimum. **S. Maqsood** stated near the road there is an 8ft tall wall and trees on the east side. **S. Maqsood** was willing to talk with the owners of the property. **A. Hopkins** stated some acoustic musicians use a microphone to help amplify their voice and not just for their guitar. Will this be allowed? **S. Maqsood** stated since it's such a small space he won't allow it. However his TV's may have a few speakers, but the games are usually over by 9:00 – 9:30 the speakers will be turned off after the games.

D. Negele asked Staff what the parameters that define excessive noise in the municipal code. How many feet is noise allowed to radiate from Bannermans to the residents. The closest home is 175 ft. what is excess? **K. Stone** stated the Village follows the state standards. Typically the Police Department are the ones to enforce the excess noise. If they can hear it from the property line they will go into the business and ask that the music be turned down. **D. Negele** stated there isn't a footage that's assigned. **R. Grill** stated the State standard reads at the property line. **D. Negele** asked how many feet is it to the property line in the back. **K. Stone** stated she believes its 35 ft. to the property line. **D. Negele** stated according to the letter from R. Prybylski, she says she is hearing it even through closed bedroom windows. **S. Maqsood** stated that is from the live bands, and he is not proposing any live bands outside. He has tested it himself when he has had live bands he could barely hear anything in the back of the building. He suggested that someone could check it again. There won't be any live bands or amplification outside of the building. **D. Negele** asked **S. Maqsood** if he felt he has accommodated or listened the residents when they do have complaints. Are they being resolved or is this an ongoing issue. **S. Maqsood** stated he can't answer for sure, if the police are called they check it out so he was unsure as to what the residents are told. During the 9 months he has owned Bannermans, he is unaware of any complaints. **D. Negele** asked **S. Maqsood** if he was aware of any complaints or issues. **S. Maqsood** stated no personally he hasn't had any.

D. Gunsteen stated he frequents Bannermans and they do a great job. He asked **S. Maqsood** what kind of lighting will be in the beer garden. **S. Maqsood** stated he will probably put lights on a pole with white bulbs. To be honest, he hasn't thought about it yet. First on his agenda was to get this approved. **D. Gunsteen** asked if the back door of the building is currently the rear egress, and that will spill off into the fenced in area. **K. Stone** stated a new side door will be added for the outdoor area, which was originally used by the day care center that was in the tenant space. **S. Maqsood** stated the door for the outdoor space will be from inside Bannermans. There will be an emergency exit door from the beer garden. **D. Gunsteen** stated since there are loud bands at night, and if the door is propped open loud music will spill out into the back. How will this be rectified? **S. Maqsood** stated most of the bands will be playing in the fall through winter and end in May. The proposal is to open the beer garden in May and through the summer. If there are bands playing in the summer,



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something will need to be worked out to minimum the noise level for the neighbors. He will need to think of a solution for this. **D. Gunsteen** asked if the gate door on the fence will be locked or will it be accessible for people to get out. **S. Maqsood** stated people will be able to get out for emergencies only. **D. Gunsteen** stated people smoke outside in the front of the building, what will be done to prevent people from smoking in the back. **S. Maqsood** stated they will probably be able to smoke in the beer garden if it meets the 15 ft. requirement from the building. **D. Gunsteen** asked staff if this is permitted. **R. Grill** stated yes in the far corner because it's more than 15 ft. from the building. **K. Stone** stated the only regulations on smoking outdoors is just at entrances. **S. Maqsood** stated its 25 ft. from the building to the fence. **D. Gunsteen** stated he thinks this is tight area for people to sit and eat and have someone smoking next to them. **S. Maqsood** asked if **D. Gunsteen** was proposing to not allow smoking at all. **D. Gunsteen** stated as a business owner yes, and he wouldn't come back if someone was smoking next to him.

M. Hopkins asked to reserve his comments until after the Public Hearing.

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

Allie Duensing, 1168 Foxboro Lane, stated she lives in one of the homes directly behind Bannermans. It was during her high school years that she began hearing their music late in to the night. She and her family did everything they could to reason with Bannermans to keep the noise down. They wouldn't listen so they contacted the Police Department. The noise level still wouldn't be lowered. **A. Duensing** stated she had difficulty sleeping because of the noise. She is currently a college student and is working two jobs. Bannermans noise level continues to be loud to this day. About midnight on May 11th it sounded like Bannermans was having a concert in the parking lot, when the band was actually inside the building. **A. Duensing** stated she called Bannermans because the noise was keeping her awake. The person who answered the call couldn't hear her. Transferring her call to someone in a quieter place. They stated the music would stop soon, but did not apologize. **A. Duensing** stated her family has been trying to work with Bannermans over the years but they are at a point that they will not tolerate the noise any longer. Bannermans has made it known to the residents that they are not considerate of the community that lives around them. **A. Duensing** asked that the beer garden plans not be passed. History has shown that noise levels are loud inside the building and the outside beer garden will make it even worse. Intoxicated individuals will add to the noise that will be at an extreme level. **A. Duensing** stated everyone has families and responsibilities that need attention, and Bannermans will make that difficult with its 1:00 AM nights. She asked that the Committee put themselves in the same position that they are in.

Tiffany Duensing, 1168 Foxboro Lane, mother of Allie, stated they have dealt with this problem for the last 12 years. The reality of when the police arrive, is that they are told the Village has approved and allowed this and there isn't anything they can do. **T. Duensing** stated the music can be heard from inside the building and inside her home. She can hear when the bands play and when they take a 20 minute break, and when they start up again. Since calling the police, she has found out that they have no recourse. No one will help her. **T. Duensing** stated no one more than her daughter, Allie, has been more effected. She is paying the price for this business being in the location that they are in. **T. Duensing** is requesting that the Plan Commission not allow the beer garden and extending the hours. There are no decibels limits, and she is at her wits end and would like Bannermans to relocate. The walls **S. Maqsood** is talking about installing are not sound barrier walls. The trees have been cut down so this takes away from any kind of buffer from the sound. There is a strong odor of weed, not cigarettes, but weed coming into her house. **T. Duensing** stated Bannermans has proven not to be good neighbors, and she is requesting that the beer garden be denied.



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D. Gunsteen asked **T. Duensing** what was her most recent encounter with Bannermans. **T. Duensing** stated she has dealt with the previous owners, since she had no recourse from the police she has resorted to calling Bannermans directly and they would turn the music down. **T. Duensing** told **S. Maqsood** she has not had the same cooperation or respect with him, which she had with the previous owner. She just wants them to move.

The Public Hearing portion of the meeting was closed.

J. Lemberg asked if anyone on the Commission had any questions or comments.

J. Kallas stated a beer garden that close to homes is ridiculous. No matter how hard one tries to keep the noise down, when you have 40 people out there, drinking and the volume of their voices tend to rise. TV's, speakers for music he doubts that **S. Maqsood** will be able to control it volume. **J. Kallas** stated **S. Maqsood** should find an acre or two to build what he wants, don't bother with where he is located now. Once the back door is opened the music spills out. **J. Kallas** stated he doesn't live that far away and he can hear it from his house. **J. Kallas** feels **S. Maqsood** should give up on the idea of a beer garden. **J. Kallas** stated another business opened up a beer garden where the residents are farther away, and he has heard it's not really working out. It's a good idea if the location is where it will not bother anyone. **J. Kallas** stated as far as he is concerned this issue is dead with him.

M. Hopkins stated in **K. Stones'** report it refers to the Village Ordinance on Nuisances, it talks about noise limits. **M. Hopkins** stated he is a little confused as to why the Police cannot enforce this ordinance. "No person shall cause or allow a sound beyond the boundaries of said persons property located within industrial, business or public land area that unreasonably interferes with the enjoyment of life." **M. Hopkins** stated if this is the case, and if **T. Duensing** is getting measurable intrusive sound within her home that is 175 ft. away with the windows shut, there seems to be an enforcement issue. This should be measureable and enforceable. **M. Hopkins** stated with that being said, looking at the possibility of a beer garden, even with the revised hours, he is very troubled by the whole thing. **M. Hopkins** stated even when his neighbors have a nice quiet party the voices go up and down. You put up with it because it's only for that evening and not constant. But with Bannermans, this is every day of the week. **M. Hopkins** thinks this is unreasonable interfering with the enjoyment of life and having a detrimental effect on neighboring properties.

J. Lemberg asked if anyone on the commission had any questions or comments.

D. Negele asked that **S. Maqsood** answer some of the questions brought up tonight. **D. Negele** stated she is aware that this was inherited from Murray, but what can be done? **S. Maqsood** stated the May 9th call did come to Bannermans, however he wasn't there. The next time he had a band, **S. Maqsood** went to the back of the building and he could barely hear the band. Since he had complaints he wanted to test it himself. It was barely audible from the back of his building. He is willing to test that with the police, and with the Village when there is a band playing. **S. Maqsood** stated he doesn't want to cause pain to the residents in the area. If it does, this needs to be fixed. If TV's and acoustics are a deal breaker, then he will not do it. He just wants people to come and enjoy a couple of beers, food and be gone by 9:30 – 10:00 PM. **D. Negele** stated the businesses in Bartlett make it a great place to live, however, being a good neighbor is the number one priority. In order to prove this tonight, the Commission will need to come up with an agreement as to what it would be, by changing the conditions and Findings of Fact before approval. **S. Maqsood** stated he is aware a beer garden was approved for Bracht's Place and to his knowledge there haven't been any complaints and the neighbors are very close as well. **A. Hopkins** asked if



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S. Maqsood had completed a FOIA request to make sure there haven't been any complaints. **S. Maqsood** no, but at the last Village meeting that was brought up. **K. Stone** stated Bracht's beer garden is 220 ft. from the town homes. Their approved hours are Sunday through Thursday until 10:00 PM., and Friday and Saturday until midnight. **D. Gunsteen** asked if Bracht's had outdoor music. **K. Stone** stated they do not, that's prohibited as well as outdoor entertainment & TV's per their special use. **J. Kallas** stated if **S. Maqsood** was so concerned about the neighbors then he should forget about this project, because all this will do is cause more problems if it's built. **A. Hopkins** asked **K. Stone** if it's true that Bracht's hasn't had any police reports or the police interaction? **K. Stone** stated the police calls to Bracht's have not been in regard to the excess noise due to outdoor beer garden.

A. Hopkins stated if there is a motion made for this agenda item, will **S. Maqsood** be willing to adjust the hours even more, say 9:00PM, not all nights of the week, and focus on Thursday through Saturday? **S. Maqsood** stated yes. **A. Hopkins** stated he would like to see the reduced hours put into the motion, then the Village Board can decide. **A. Hopkins** stated he didn't like the idea of TV's being outside. He understands people like being out there, but TV's invite them to stay outside longer. No speakers, no TV's and reduced hours should be put in the motion. 9:00 PM., Sunday through Thursday and Friday and Saturday until 11:00 PM. **S. Maqsood** stated he is willing to change Friday and Saturday until 10:00 PM. It's not his intention to bother the neighbors and keep them awake.

D. Gunsteen stated although he likes beer gardens, and thinks the better way of doing it is with brick walls. He would like to see if the landlord and **S. Maqsood** come up with more of a sound barrier structure. The wooden fence that is there was used for child care and may not prevent or reduce the noise from the area. The motion should include a non-smoking area.

A. Hopkins stated for the motion there is non-smoking, no speakers, no TV's, no amplification of sounds, reduced hours.

D. Negele stated she understands this is a business and going through the expense of doing this, they want to be able to utilize the space. **S. Maqsood** will need to determine if the cutbacks and changes are worth it given the current parameters. **A. Hopkins** stated this gives him direction on what the Plan Commission wants to see and then what changes the Village Board may want to make.

R. Grill stated so far the conditions are the reduction of the hours to 9:00 PM., Sunday through Thursday and Friday and Saturday until 10:00 PM. Need for more of a sound barrier for the perimeter of the outdoor area. **R. Grill** asked if the Committee is looking for a taller fence. **D. Gunsteen** stated he thinks it needs to exceed the eight ft. fence with of a sound barrier made of a cement or brick, masonry wall product to provide additional sound barrier. **D. Gunsteen** his biggest concern is the smoking and the fact that the door opens while the band is playing. **S. Maqsood** stated bands are usually Friday and Saturday starting at 9:00 PM. On the nights that bands are playing he is willing to close the beer garden at 9:00 PM to prevent the music from spilling outside. **A. Hopkins** stated that is better for the bands, they want the people inside. **S. Maqsood** stated the beer garden will be closed at 9:00PM when a band is playing. **R. Grill** stated she also has no TV's, no-smoking, no speakers nor amplification of sounds, reduced hours.

J. Lemberg asked if anyone on the Commission had any questions or comments.

J. Lemberg stated when Bannermans first opened it was a family restaurant, designed for after youth sports to have pizza and pop, play a small card game. Over the years it has evolved into adult



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entertainment. The residents have stated they have the smell of marijuana in their homes. Now that the Governor has signed the bill, it will be worse. **J. Miaso** stated it will be legal. **J. Lemberg** stated if turned from a nice family restaurant to an adult playground.

J. Lemberg then asked for a motion to approve the Petitioner's requests subject to the conditions and Findings of Fact. With the added times, fence requirements, no smoking, no TV's, no amplification of sounds, close the beer garden at 9:00PM when bands are playing.

Motioned by: D. Negele

Seconded by: J. Miaso

Roll Call

Ayes: J. Miaso, J. Allen, A. Hopkins, D. Gunsteen, D. Negele

Nays: J. Kallas, M. Hopkins

Motion carried.

T. Duensing felt she has wasted her time, and the Village will do as they please. **M. Hopkins** stated she did not waste her time. **D. Negele** stated this does not mean this will be approved.

Bannerman's Sports Grill
858 S. Route 59
Bartlett, IL 60103

RECEIVED
COMMUNITY DEVELOPMENT
MAR 08 2019

March 4, 2019

VILLAGE OF
BARTLETT

Dear Bartlett Village President & Board of Trustees,

Bannerman's is designed to create an all-around fun and exciting experience. In order to maintain our commitment to superior service and fulfill the requests of our guests, we are proposing to replace a vacant lot into an outdoor beer garden/seating area. The proposed outdoor beer garden area would be used for games, such as bean-bag toss, soft-tip darts and outdoor chess.

We are proposing 10 tables, 40 seats as well as room for patrons to stand. Patron will access the outdoor seating area from inside Bannerman's, via doors located on the rear left side of the building. The outdoor beer garden would be enclosed by a vertical fence 6 feet high.

We are very aware of the need to monitor the impact on local residents in relation to music and entertainment. We are not proposing a live music venue with frequent entertainment but a family friendly venue for dining and socializing with some occasional acoustic music and other private functions.

The outdoor beer garden will serve food and there will be TV sets so patrons can watch big events, like Cubs/White Sox baseball games. The goal is to create a community-oriented establishment, where neighbors can get together and talk over a couple of beers.

The proposed hours of operation will be in line with our current indoor hours of operation.

Hours of Operation:

Sun - Tues 11am - 11pm
Wednesday 11am - 12am
Thursday 11am - 12:30am
Fri & Sat 11am - 1am

We very much hope that we can gain your support and approval to operate the outdoor beer garden this summer. The outdoor beer garden is an exciting opportunity for the town, and it is an exciting opportunity for us as we look to continue to be an active and contributing business in the community for years to come. We welcome all your recommendations in order to make the outdoor beer garden a success for everyone and we will continue to seek out new ways that we can benefit the community.

Thank you for your consideration in this matter.

Said "Mac" Maqsood
Owner



VILLAGE OF BARTLETT
SPECIAL USE PERMIT APPLICATION

For Office Use Only
Case # **2019-05**
RECEIVED
COMMUNITY DEVELOPMENT
MAR 08 2019
VILLAGE OF
BARTLETT

PROJECT NAME Bannerman's outdoor Beer Garden

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Said "MAC" MAQSOOD

Street Address: 27 Pine Ave

City, State: lake Zurich, IL

Zip Code: 60047

Email Address: MACsm1@outlook.com

Phone Number: 847-477-9009

Preferred Method to be contacted See Dropdown

PROPERTY OWNER INFORMATION

Name: DPSA Holdings, LLC

Street Address: P-O Box 1172

City, State: Park Ridge, IL 60068

Zip Code: 60068

Phone Number: 847-271-7876

OWNER'S SIGNATURE: [Signature]

Date: 1/24/2019

(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

SPECIAL USE PERMIT REQUESTED (Please describe i.e. liquor sales, outdoor seating, etc.)

Outdoor Beer Garden

PROPERTY INFORMATION

Common Address/General Location of Property: 858 S. Route 59

Property Index Number ("Tax PIN"/"Parcel ID"): _____

Acreage: ✓ _____

Zoning: _____
(Refer to Official Zoning Map)

Land Use: See Dropdown _____

Comprehensive Plan Designation for this Property: See Dropdown
(Refer to Future Land Use Map)

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney _____

Engineer ✓ _____

Other ✓ _____

FINDINGS OF FACT FOR SPECIAL USES

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: (Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

The new development will replace a vacant lot that has been idle for a while. The space will turn into a productive outdoor space for the enjoyment of our patrons.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

The outdoor space will not in any way impede on the welfare or health of those locally or residing.

3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

Bannerman's will follow all local codes and guidelines as well as carryout all valid licenses and certifications for business, liquor, and video gaming regulations.

ZONING/LOCATION MAP

Bannerman's Beer Garden
Case #19-05 - Special Use Permit - Outdoor Seating



PROPOSED OUTDOOR SEATING AREA



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MAR 08 2019

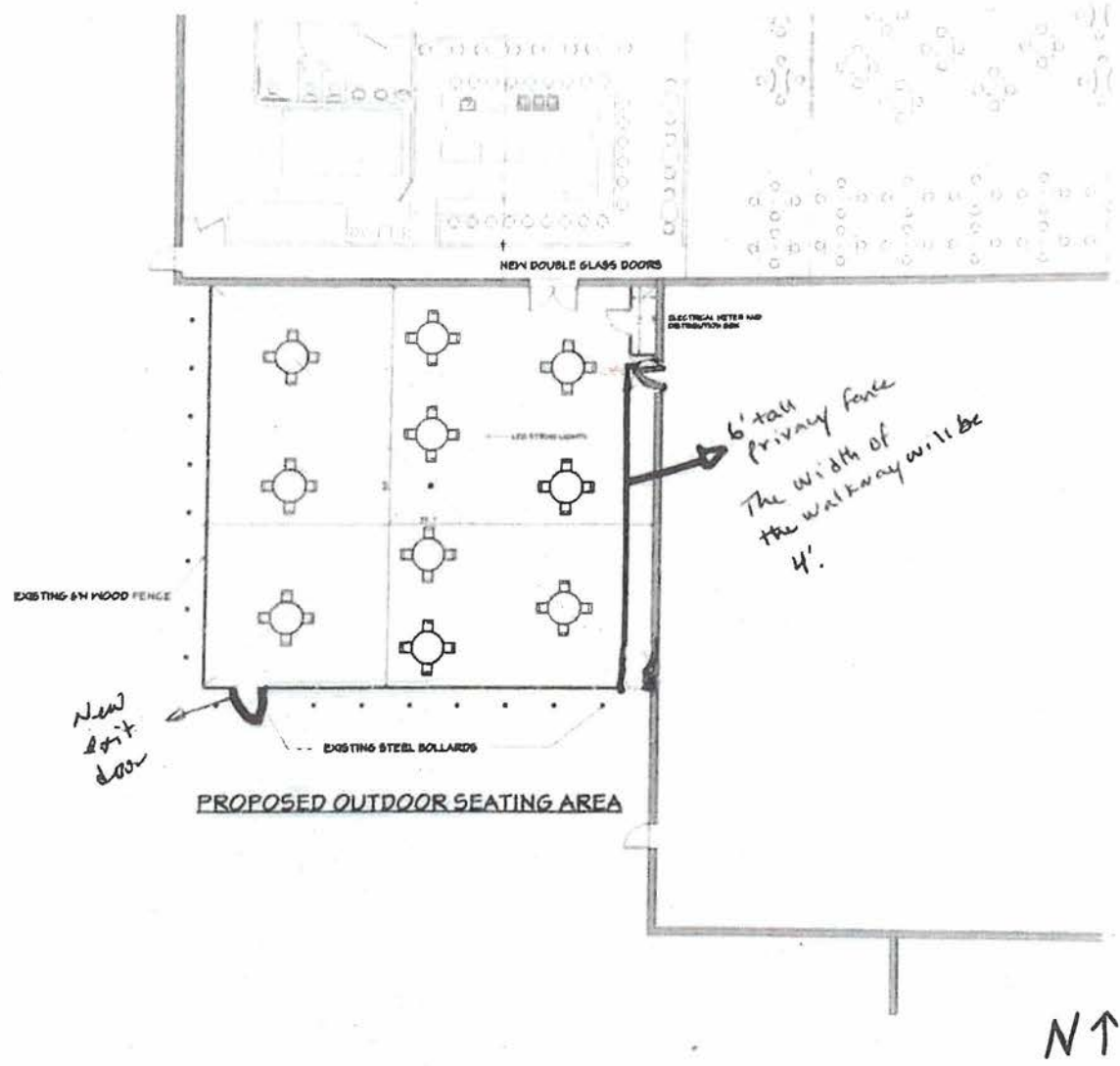
VILLAGE OF
BARTLETT

AERIAL VIEW

RECEIVED
COMMUNITY DEVELOPMENT

MAY 10 2019

VILLAGE OF
BARTLETT

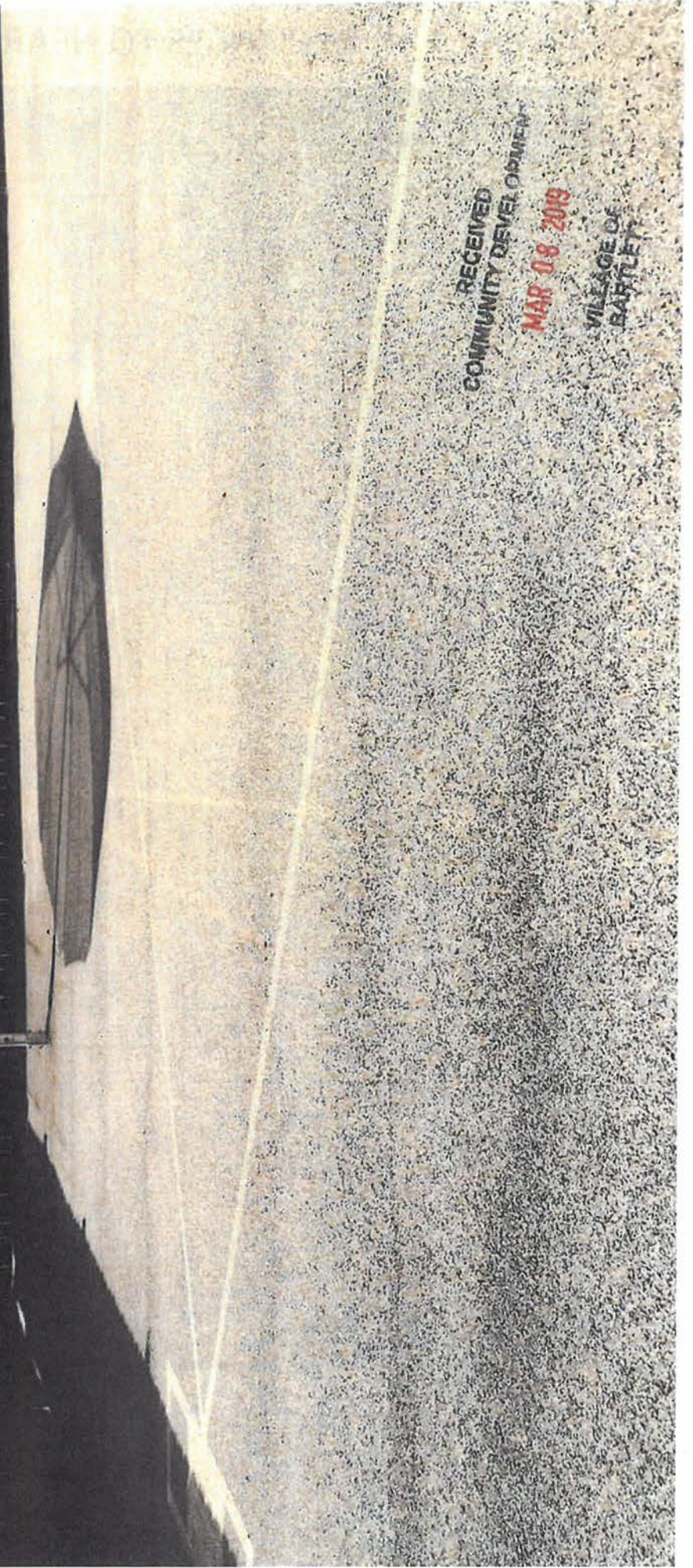


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COMMUNITY DEVELOPMENT

MAR 08 2019

VILLAGE OF
BARTLETT



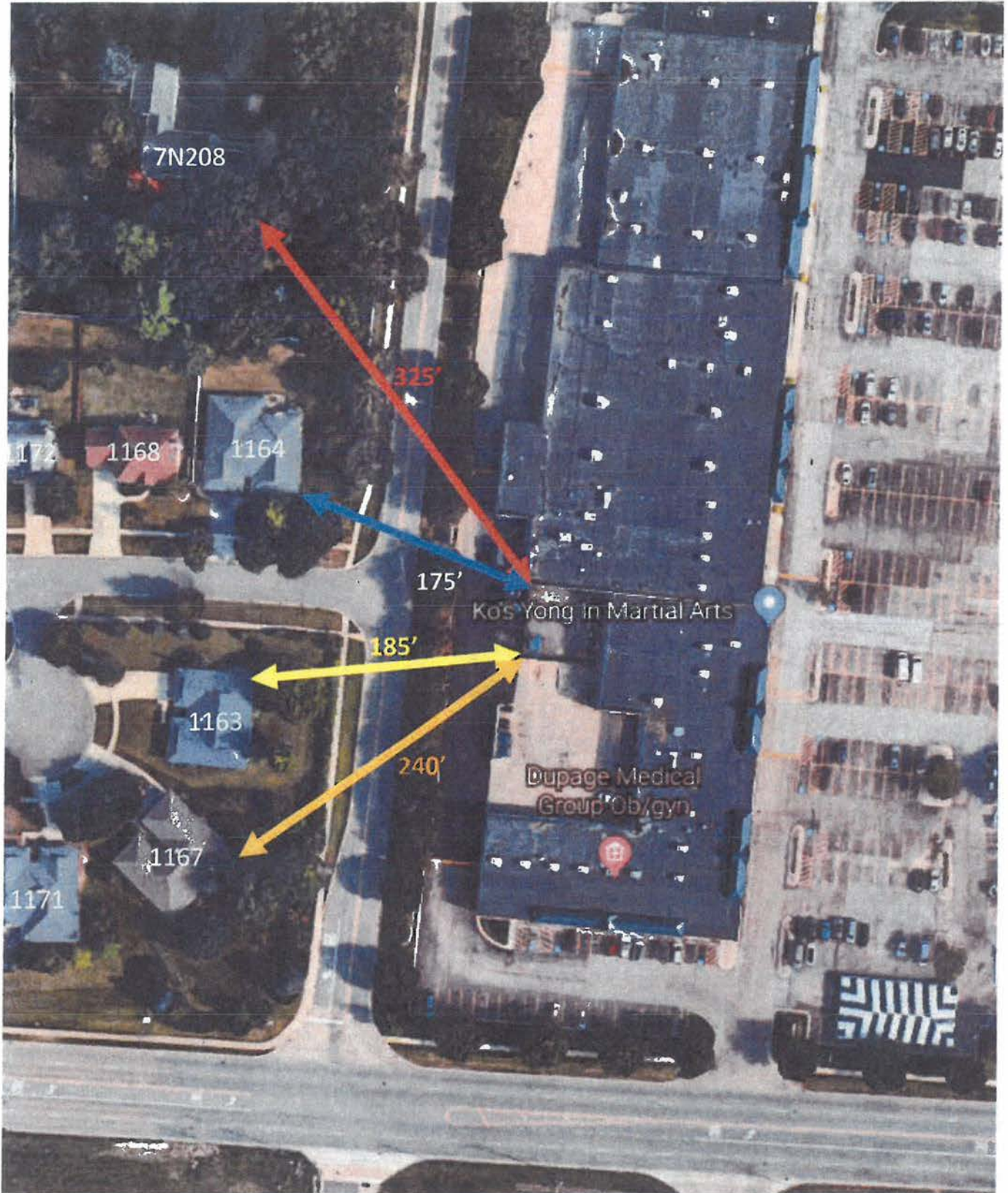


RECEIVED
COMMUNITY DEVELOPMENT

MAR 08 2009

VILLAGE OF
BARTLETT

DISTANCES TO NEARBY HOMES





Agenda Item Executive Summary

Item Name Downtown Decorative Holiday Lighting Committee or Board Committee

BUDGET IMPACT

Amount:	\$13,200 - \$19,305	Budgeted	N/A
List what fund	General Fund		

EXECUTIVE SUMMARY

Enhancing the visual appeal of downtown Bartlett has been consistently in the Village's Strategic Plan, and has been a priority for the Village Board. In past years, the Village has purchased street light pole décor through Artistic Holiday Designs for the street lights entering and in downtown Bartlett. In previous meetings of the Village Board, Staff was directed to look into lighting of the parkway trees in downtown, but the vast majority of the trees were not near any electrical output, so the installation of outlets near the trees was cost prohibitive. Staff began looking into other options for decorative lighting of the Village Hall, Police Building, Metra Station, Depot Museum and in the Town Center.

Village Staff contacted Artistic Holiday Designs to once again provide a proposal and different options for Holiday and decorative lighting that can be installed near Village Hall, the Metra Station and throughout downtown. Artistic Designs came out and met with Village Staff to look at the different areas in order to come up with potential designs for each area. Artistic Designs provided many options for décor, examples are attached for your review. The installations proposed for the Town Center, like the fountain décor, require the installation of a new electrical service, which Staff is currently working with ComEd to provide.

Staff is recommending starting out by lighting the Village Hall, Police Building, Depot Museum and Metra Station with the C9 Warm White Bulbs for \$7,600. Curtain Lighting can also be added for an additional \$5,600. The Village will lease these lights and have them installed, and the Village Public Works Staff will install locally purchased lights on the evergreen tree in Town Center. If the Board wishes to include the fountain décor, it would cost up to \$6,105. These prices do not include delivery. If directed, Staff will enter into a contract with Artistic Holiday Designs for the purchase of these lights, and can set up a plan to purchase more decorative lighting in future years, or if interested in solely the C9 bulb décor, Staff can seek out other vendors that perform this service.

ATTACHMENTS (PLEASE LIST)

Memo
Artistic Holiday Designs Presentation

ACTION REQUESTED

- ✓ For Discussion Only
- Resolution
- Ordinance
- Motion:

Staff: Dan Dinges, Director of Public Works

Date: 6/10/2019

Memo

To: Paula Schumacher, Village Administrator
From: Dan Dinges, Director of Public Works
Subject: **Downtown Holiday Decorative Lighting**
Date: June 10, 2019

BACKGROUND

Enhancing the visual appeal of Downtown Bartlett has been consistently in the Village's Strategic Plan, and has been a priority for the Village Board. In past years, the Village has purchased street light pole décor through Artistic Holiday Designs for the street lights entering and in Downtown Bartlett. In previous meetings of the Village Board, Staff was directed to look into lighting of the Parkway trees in Downtown, but the vast majority of the trees were not near any electrical output, so the installation of outlets near the trees was cost prohibitive. Staff began looking into other options for decorative lighting of the Village Hall, Police Building, Metra Station, Depot Museum and in the Town Center.

DISCUSSION

Village Staff contacted Artistic Holiday Designs to once again provide a proposal and different options for Holiday and decorative lighting that can be installed near Village Hall, the Metra Station and throughout Downtown. Artistic Designs came out and met with Village Staff to look at the different areas in order to come up with potential designs for each area. Artistic Designs provided many options for décor, examples are attached for your review. The installations proposed for the Town Center, like the fountain décor, require the installation of a new electrical service, which Staff is currently working with ComEd to provide.

RECOMMENDATION

Staff is recommending starting out by lighting the Village Hall, Police Building, Depot Museum and Metra Station with the C9 Warm White Bulbs for \$7,600. Curtain Lighting can also be added for an additional \$5,600. The Village will lease these lights and have them installed, and the Village Public Works Staff will install locally purchased lights on the evergreen tree in Town Center. If the Board wishes to include the fountain décor, it would cost up to \$6,105. These prices do not include delivery. If directed, Staff will enter into a contract with Artistic Holiday Designs for the purchase of these lights, and can set up a plan to purchase more decorative lighting in future years, or if interested in solely the C9 bulb décor, Staff can seek out other vendors that perform this service.



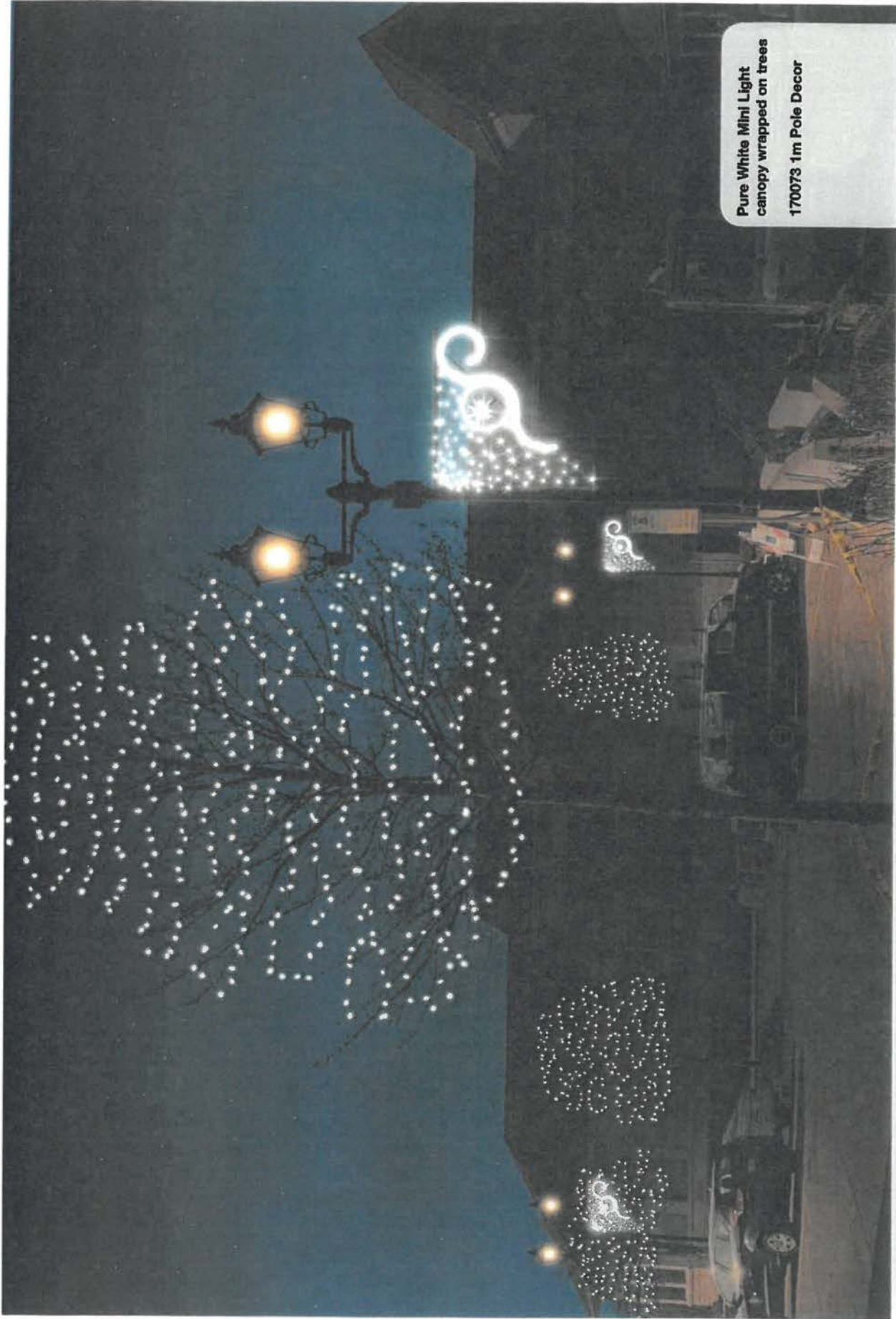
C9 bulbs on roofline
H 6.5ft x 3.28ft

Pure White Curtain lighting
with twinkle

Starflake in warm white
3.28 ft diameter

Village Hall & Police
Bartlett / Illinois

Artistic
Holiday Designs

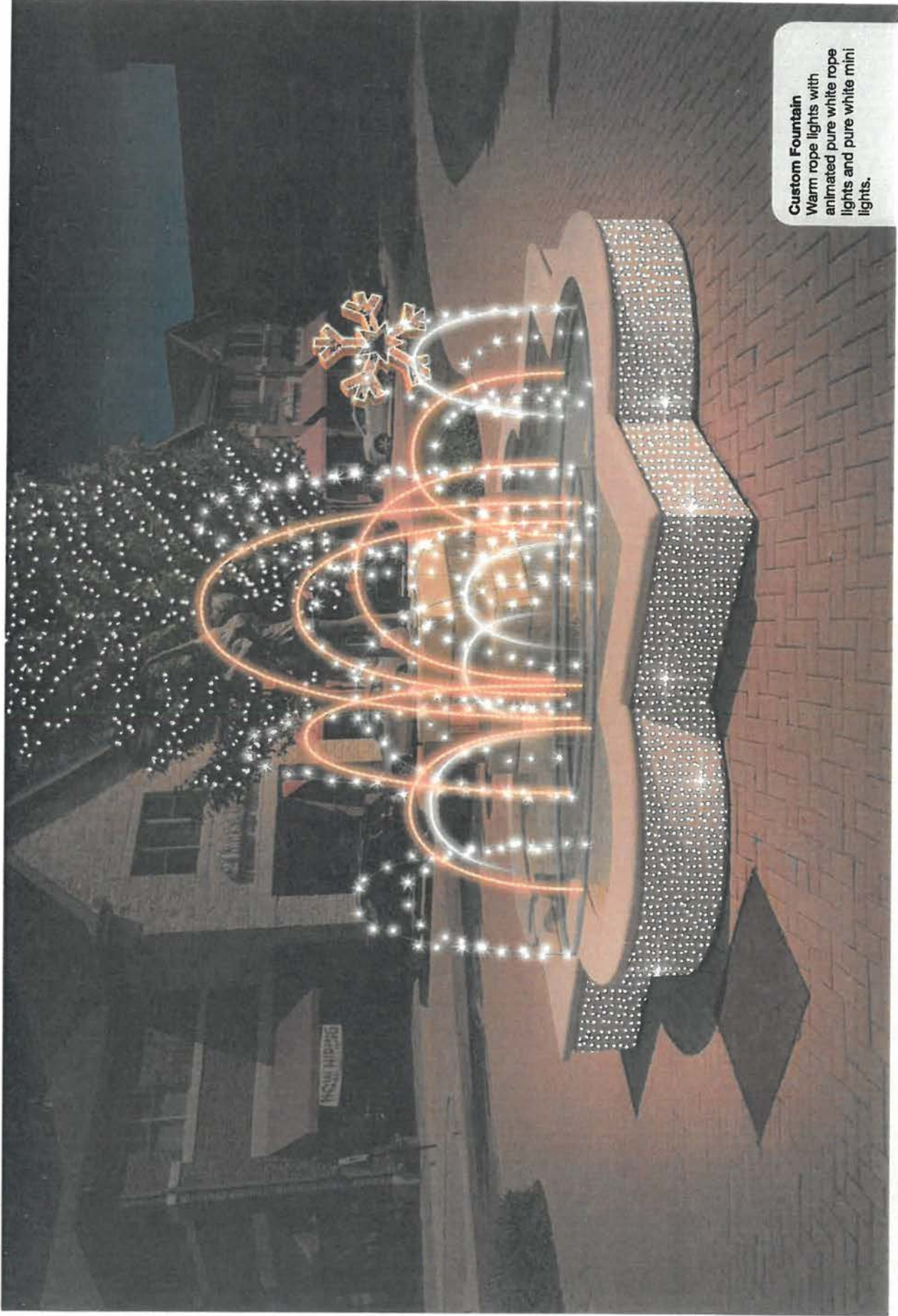


Pure White Mini Light
canopy wrapped on trees
170073 1m Pole Decor

Village Hall & Police Tree Lighting with pole decor

Bartlett / Illinois

Artistic
Holiday Designs



Custom Fountain
Warm rope lights with
animated pure white rope
lights and pure white mini
lights.

Fountain
Bartlett / Illinois

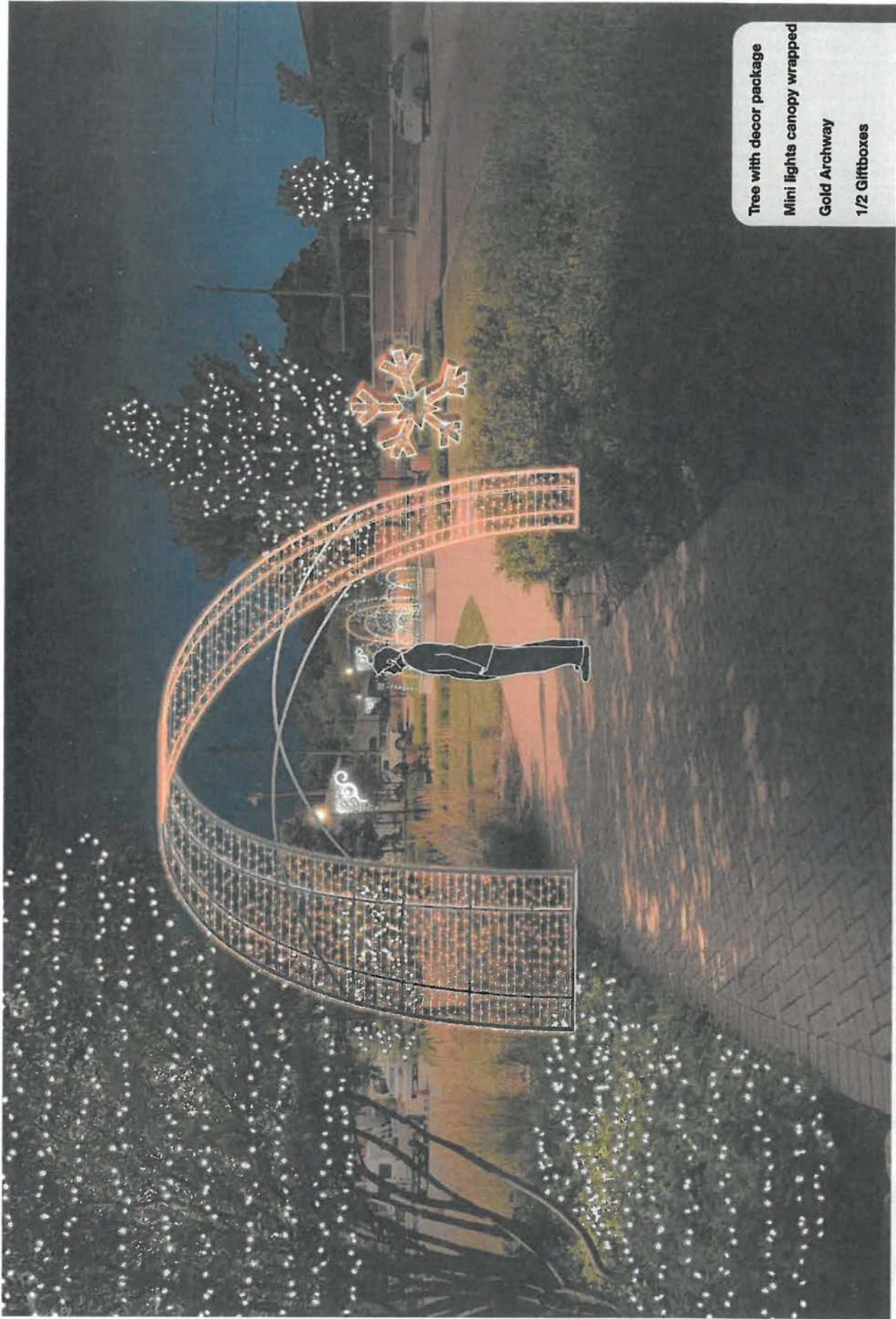
Artistic
Holiday Designs



Tree with decor package
Mini lights canopy wrapped
Gold Archway
H 11.71ft x W 17.38ft x D
4.59ft
1/2 Giftboxes

Path walk thru design - version 1
Bartlett / Illinois

Artistic
Holiday Designs

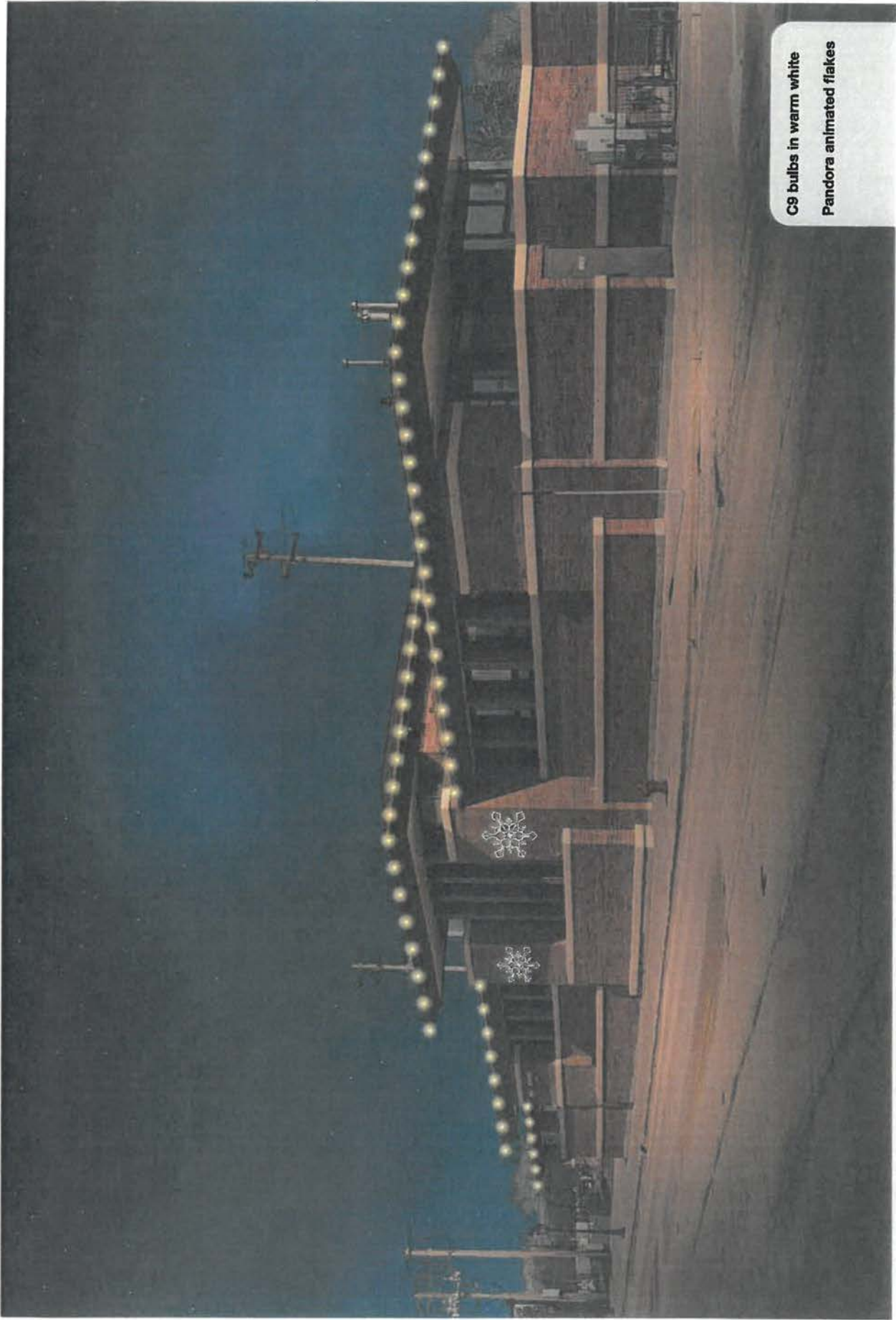


- Tree with decor package
- Mini lights canopy wrapped
- Gold Archway
- 1/2 Giftboxes

Path walk thru design view 2 - version 1

Bartlett / Illinois

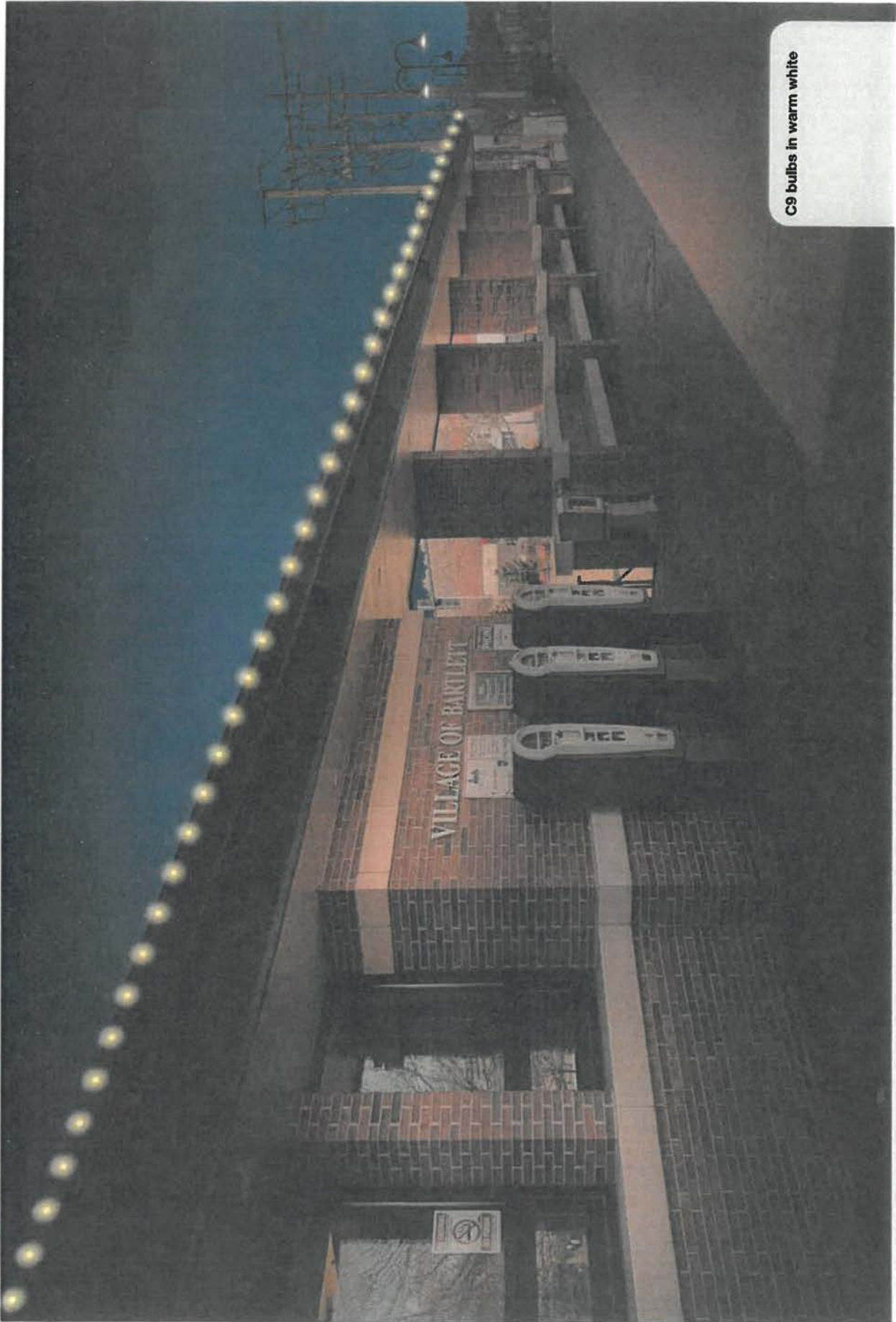
Artistic
Holiday Designs



C9 bulbs in warm white
Pandora animated flakes

Train Station
Bartlett / Illinois

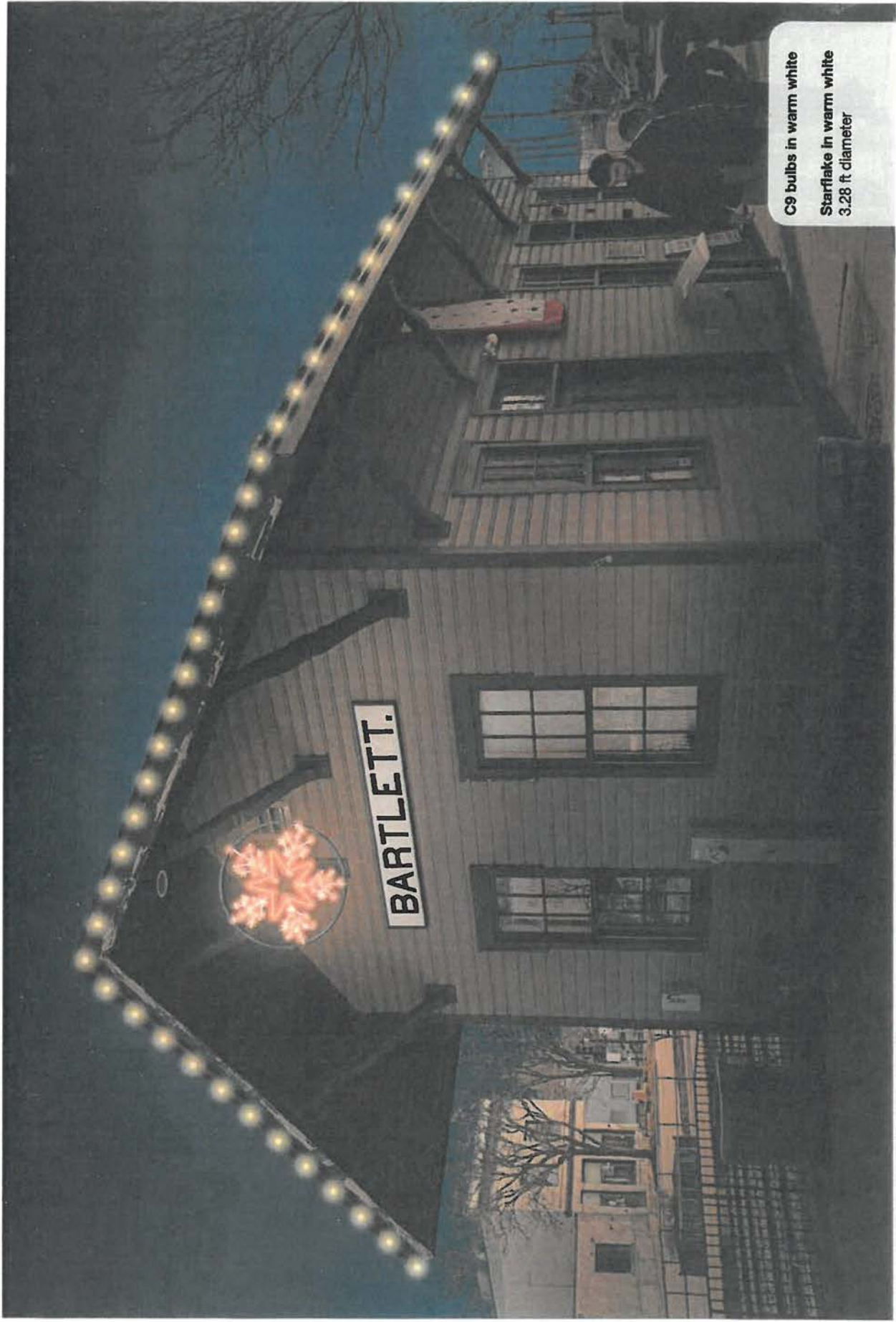
Artistic
Holiday Designs



C9 bulbs in warm white

Train Station - view 2
Bartlett / Illinois

Artistic
Holiday Designs



C9 bulbs in warm white

Starflake in warm white
3.28 ft diameter

Depot Museum
Bartlett / Illinois

Artistic
Holiday Designs