

# VILLAGE OF BARTLETT ZONING BOARD OF APPEALS AGENDA 228 MAIN STREET November 5, 2020 7:00 P.M.

- I. Roll Call
- II. Approval of the October 1, 2020 Meeting Minutes
- III. (#20-02) Rana Cold Storage (1320-1340 Brewster Creek Blvd)

Variation: To allow loading docks in the corner side yard

**PUBLIC HEARING** 

#### IV. (#20-08) Bucky's on Stearns

Variations:

- A. A 34-foot reduction from the required 60-foot corner side yard (fuel canopy-W. Stearns Rd),
- B. A 25-foot reduction from the required 60-foot front yard (fuel canopy Route 59)
- C. To reduce the interior parkway landscape requirements (Route 59 & Stearns Rd)

#### **PUBLIC HEARING**

#### ∨. (#20-17) Brewster Creek Business Park, Lot 2A

Variations:

- A. To allow loading docks in the corner side yard
- B. To reduce the number of required parking spaces from 463 to 423

#### **PUBLIC HEARING**

- VI. Old Business/New Business
- VII. Adjournment



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

#### Roll Call

Present: M. Werden, B. Bucaro, J. Banno, C. Deveaux, G. Koziol, G. Papa, and M. Sarwas

Absent: None

Also Present: Village Planner, Kristy Stone

#### **Approval of Minutes**

A motion was made to approve the September 3, 2020 meeting minutes.

Motioned by: G. Koziol Seconded by: B. Bucaro

#### Roll Call

Ayes: J. Banno, B. Bucaro, C. Deveaux, G. Koziol, M. Sarwas, and M. Werden

Nays: None

Abstain: G. Papa

The motion carried.



#### (#20-09) 1070 Dartmouth Drive

Variations:

A. To allow a six (6) foot tall fence in the corner side yard

B. To allow ground-mounted solar panels in the corner side yard

PUBLIC HEARING (CONTINUED FROM SEPTEMBER 3, 2020 MEETING)

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Exhibit D – Photos from Petitioner showing proposed fence location

Exhibit E – Letters from surrounding property owners

**M. Werden** reopened the Public Hearing and asked if the Petitioners were present. The Petitioners were not present.

M. Werden asked for a motion to continue the Public Hearing until after the next case.

Motioned by: M. Sarwas Seconded by: C. Deveaux

#### **Roll Call**

Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux

Nays: None

The motion carried.



(#20-12) 630 Golfers Lane

Variation: A five (5) foot reduction from the required 20-foot rear yard

PUBLIC HEARING (CONTINUED FROM SEPTEMBER 3, 2020 MEETING)

The following exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Exhibit D – Photos from witness Mark Siwik of 569 Rose Lane

Exhibit E – Written statement from Vicie Pruden of 626 Golfers Lane

Exhibit F – Letter from Mary McFarland of RE/MAX Central

The Petitioner, Dan Palmer of 630 Golfers Lane came forward and was sworn in by M. Werden. D. Palmer read from a letter. I guess this is all my fault. Lori and I have lived in Bartlett all our adult lives. This is our third home here. Our last home is where we lived the longest and raised our children. Getting older and not needing the big home anymore, we moved to our current address four years ago. Bartlett on the Greens is one of the few single-family ranch subdivisions in Bartlett. This home is smaller and it has an open space behind us that we have never had before. It's perfect for us. I knew about this particular subdivision because my mother was an original owner way back in 1988. Recently, Lori asked about building a three-season room and when I hesitated, she reminded me that shortly before we moved here, had said let us do that at the next house and so, we are at the next house and as you can see, it is my fault. I explained that there were several hoops that we had to jump through here. I knew about the H.O.A. and their reputation for being difficult, but I also knew that others had built these rooms, so we pressed forward, and we received H.O.A. approval. After that, I consulted with the Building Department because I wanted to get an idea of what was involved. Bartlett's codes are stiffer than many towns and I needed to figure out if it was feasible. They informed me that I would also need a variance since homes that border Villa Olivia in Bartlett on the Greens had reduced back yards. Those backyards were reduced in part because of the open space behind it, but make no mistake, the lots are smaller because the builder could fit more homes in the PUD that way. I imagine that the ZBA had to consider that alteration way back in the 1980s. The golf course lots commanded lot premiums when first sold. Those premiums do not evaporate, they become part of the value of a property. We paid that price when we purchased the home. The sellers commanded a higher price based on the location. After that, I spoke with Community Development Staff and learned about the process necessary to gain approval. I specifically asked what types of projects and to what extent the ZBA generally responds favorably to. I know they cannot speak for you, but I do know they can speak from experience. We planned this room accordingly. I have learned that my neighbor to the south has objected to our plans because she felt it would impair her view. I guess I look at it as I am just trying to enjoy our own property. Any time you live in close proximity, there are going to be things that you do not necessarily like. Maybe I do not like that I cannot park my car in my driveway because her tree hovers over it and drops debris three out of the four seasons of the year. Maybe I do not like that I cannot park my car across the street from our own home because my neighbor backed into my wife's car and then she asked us not to park there. I guess it is too much to look behind you when you are backing up, but we did not say anything because, you know, neighbors. These things happen. Now I am told that my planned three-season room will create a hardship to their view. The room is less than



160 square feet; enough room for a few chairs and a table. It would impact very little of their 180degree view from their deck. And what do they think I am looking at when I look to the south? Their deck, which seems allowable extends into the set back nearly as far as mine does and is three times the size. They added roof structure to it at some point and that would seem to me to trigger the same kind of ZBA review requirements that we are going through. Aside from that, it does impact our views. It just never dawned on me that something they have in their yard is any of my business. In general, views are not protected. This structure could be built most anywhere else in town requiring only a building permit. In our subdivision alone, there are other structures that impact more than the 10-foot depth of my planned project. There are trees, bushes, and privacy fences on decks and all sorts of view obstructions that exist already on many properties in Bartlett on the Greens. The only reason this has come up is because of my rear yard variance request. The rear yard variance request is to extend five (5) feet into the setback. If my understanding of a rear yard setback is correct, it means that they do not want me to get too close to anything built behind me. The structures behind me are over 500 feet away. The golf course will remain open space for the foreseeable future. Villa Olivia must remain a golf course through 2022 based on the agreement and covenant when the Village first approved the subdivision. After that, it must remain open space into the 2040s. That requirement was added when the Park District purchased the land and reannexed it to Bartlett after the Villa Olivia lawsuit. We are not asking for any side yard variance. My neighbor characterized the room as being within 10 feet of her home. There is more distance than that between the two (2) homes alone as per Village Code and there is another 12 feet to the structure from the corner of my home. All we are asking for is to build this small three-season room so that we too can enjoy our home and our view. This size of this structure was deliberately kept small in the hope of gaining a favorable review from this board. In a balancing of interests, we believe that what we are seeking is not unreasonable. Lori sits out on our back porch religiously. This room would allow use in more inclement weather. We just want to enjoy our property the same as any other homeowner in that subdivision does. I apologize for the long missive, but this is important to us. M. Werden basically you are proposing the same footprint as the deck has right now. D. Palmer same footprint, no bigger. Obviously, I would like to have a bigger room, but we cannot have a bigger room. If I was on a bigger lot with no rear yard I could build it 20 x 20 feet. K. Stone they are adding a deck north of the room addition, which is outlined in green on the plat of survey. M. Werden how does that compare to the one that exists right now? K. Stone it is about the same size. It comes out just as far as the current deck. Decks are allowed to encroach up to 10 feet into the required rear yard. The deck does not require a variation. Loir Palmer of 630 Golfers Lane stated that she asked a realtor to give an opinion as to the benefits or negatives to putting this on a home and her letter states; she thinks these are positive benefits to both the property and the neighbors if a three-season room is added. The existing deck is old and not aesthetically pleasing. Additional outdoor space to be used by the owner later in the fall and earlier in the spring would be a positive. Again, replacing a deck that is in excess of 20 years of age would be a positive to the property and the renovation would be a high quality, more house-like looking structure, which is what a lot of the existing three-season rooms currently look like. In closing, she said, I do not see any negatives to the resale value to either the homeowner or neighboring properties. C. Deveaux is the three-season room on the second floor. L. Palmer yes, where the existing deck is. G. Koziol does the proposed addition extend past the footprint of the existing deck or is it exactly in line with the outer edge of the deck? Inaudible. Why do they need a variation? K. Stone decks are allowed to encroach 10 feet into the required rear yard. The required rear yard is 20 feet. A deck can encroach 10 feet into that. Once



you put a roof over it, it is no longer considered a deck. It is considered a room addition and that has to meet the rear yard setback. G. Koziol thank you for the explanation. That makes sense. D. Palmer we are not going to build it any longer than the deck that exists there already. G. Koziol I could not get onto other properties, but from what I could see, it appeared that there were a large number of decks and three-season rooms. You are proposing a three-season room over the ground level. Will the ground level also be enclosed? D. Palmer no, the ground level will not be enclosed. G. Koziol the proposed future addition is not larger than the current deck. L. Palmer yes, what we are proposing will not go any further into the rear yard or be any wider than the existing deck. We have a walk-out basement that has a pretty old concrete and we will be replacing that. D. Palmer we are looking to make that a usable patio and by moving the stair case from the side of the house to under the deck, it becomes usable. You can walk down to the lower level without going through the house. The room will be the same footprint as the existing deck. We will add an additional deck to the north. G. Koziol can Staff comment about other properties and about the number of other structures? K. Stone a lot of the homes were built right up to the 20-foot setback. A lot of them have decks that are at grade. Decks 18 inches or below are allowed to extend up to five feet from the property line, but not within the easement. There have been two variations granted by the Zoning Board and the Village Board. One is on Golfers Lane. The other one was on Rose Lane in 1999. One of the variations was for six feet. The other one was a 13-foot encroachment that was permitted. There have been two variations approved previously in this neighborhood, but for the most part, what you see out there, the patios are allowed to encroach and do not have to meet the 20-foot setback that the Petitioners must for theirs being on the second story. L. Palmer there are a lot of decks there that have privacy fencing on either end of the deck so that you cannot see the neighbor's property. We have provided you with a lot of pictures of other structures in the neighborhood and pictures of our property as well as the house to the south. M. Werden when I was out there, I noticed that you keep the house open with the shades up and typically in a three-season room there are a lot of windows. I would think that you could see through that. **D. Palmer** the idea is to leave the windows open and not even close them.

#### M. Werden reopened the Public Hearing portion of the meeting.

Witness Vicie Pruden of 626 Golfers Lane came forward and stated that she lives right next door to the Petitioners, L. Palmer and D. Palmer, and is here to oppose the variance because the purpose is to allow a room addition to be constructed on the upper level of a small open deck facing Villa Olivia Golf Course. As far as I know, there are not supposed to be any room additions of any kind on the golf course. The golf course homes were marketed as open green space with unobstructed views of the golf course. It was to remain this way for 35 years making it a great place to spend your retirements years. Buyers paid a large premium for the golf course sites. The yards are smaller than is typical in Bartlett and because of the open green space and views afforded by the golf course it was reasoned that we did not need bigger yards. We cannot build playsets, swings, storage sheds, or anything that cannot be put away at day's end. I am sure this would not work with a room addition. The north and south sides of this addition will have walls, a door, windows, stairs, and a roof. My view to the north will be totally blocked and partially my views to the west. This will look like a small house on top of a deck. There is only 10 feet separating our two homes. This will definitely block my view and compromise my open space. I believe it will be an eyesore that will adversely affect my property value. It certainly will have a negative impact on the quality of life I have enjoyed using my deck for the past 30 plus years.



When I walk out onto the deck, I see open green space of the golf course, a clear view on both sides with neighboring decks almost in an unobstructed line. it is important to me not to have the open view to the north blocked. Most of my activities are carried on the north side as are the patio doors leading from my dining room and my kitchen. It is frustrating to me having lived there for over 30 years for someone to move next door for only about two (2) years and then make significant changes that affect me and eventually, I believe the whole community. I ask you not to approve this variance. Mike Stapleton of 992 McPhee Drive, Lake in the Hills, IL, V. Pruden's son-on law stated, I am here to summarize the packet, pages 39 and 40. This gives reason for recommendation for this approval is that there is no detrimental impact. As my mother-in-law just said, the view from the deck will be greatly hampered by this, especially the south elevation. The view would be blocked totally to the north. We have a lot of gatherings there and family events. This has caused great distress for her in the past two (2) months with her health seeing that she is going to have that view blocked if the variance is granted. I know that the Board has their rules, but if this is granted, to me this is a slippery slope. If it is granted for one, it will be granted for another. This is a great expense with loss of property value. When she bought the property back in 1987 or 1988, she paid \$12,000 extra just to have that view. We want to ask the Board for flexibility with this and with the fixed code requirement that is already in place. We do not want the variance granted because of the various reasons that we already stated. M. Werden I went out and viewed the property and from her deck, the view will not be obstructed from the golf course directly behind her. It is not a real scenic view of the property to the Petitioner's that would be blocked. M. Stapleton I submitted an email with photos that show the view looking north and west, and what we would see would be a structure/room addition. We would see a wall on the south elevation with stairs coming down. G. Koziol when I look at the aerial view looking down on 630 Golfers Lane to the left of the deck and house proper, there is a tree and since that is not being removed and part of the new construction, it has a certain degree of blockage. Are there other structures like this surrounding this area? K. Stone on this side of Villa Olivia, there is one that received a variation. Everything else met the setback. There is only one that received a variation on this side of the golf course. There is one on Rose Lane that had to receive a variation. Everything else that does not back up to the course on Golfers Lane has met the setback. Witness Sue Pruden of 140 W. Wood Street, Palatine, IL, V. Pruden's daughter stated, this has been my family's home for over 30 years with three generations having lived there. When my parents built their house, they had to pay a high premium to live on the golf course so that they could enjoy the expansive green open views. It is my understanding that the Home Owner's Association has approved this. My mother was never informed by the Home Owner's Association about meetings regarding the Palmer's room addition. The Home Owner's Association approval of the room addition was unethical and an abuse of power in my opinion. I do not understand why you would build something so large on top of your deck knowing that it would have a negative impact on my mom's quality of life after 30 years. I am asking the Zoning Board to not approve the variance. M. Werden we have nothing to do with the Home Owner's Association. Apparently, they got approval, but we do not enforce the bylaws of the Home Owner's Association. G. Koziol has the Home Owner's Association made a statement about their ruling on this property? K. Stone there was a member of the Home Owner's Association who came in and said the Board had voted for approval, but she was contemplating whether that was the right way to vote. She felt she did not have enough information, but they had already made their decision. Again, that has no bearing on this variation request. We request that the homeowner tries to get Home Owner's Association approval, but it is not required to get a building permit from us. It is two separate processes.



Witness Mark Siwik of 569 Rose Lane stated that he is a member of the H.O.A. and was part of the rewriting of the bylaws. They do have the right to make approval on this based on the bylaws. A lot of the decks along the second hole and the fifth hole have a privacy wall. Our view is out towards the golf course. I bought the house to look at the golf course not to look at my neighbor's deck. I do not think this is going to knock down the value of our homes whatsoever. I think we are all better for it and I do not have an issue with it. I think this is a nice addition. Witness Patrick Conrardy of 683 Rose Lane stated, I also back up to the golf course. I brought pictures that depict all of the different six (6) foot high privacy fences that are on just about every deck on Rose Lane. My neighbor to the east planted trees and bushes for privacy. I have no view of the golf course to the left of my house and I am fine with that. There is no view ordinance in our bylaws. There is no automatic right to preserve status quo with respect to light, air, view or privacy with one exception. That exception is if somebody maliciously blocks a view with structure that has no reasonable use to the owner. This is not the case. It is their right to build this addition. G. Koziol I live in a community where there were premium lots. The focal point of my lot is not so much to the side, left and right, but to the back and as you look out further to the back. When you are looking out that is when you see the open view. I think these homes on the golf course seek to take advantage of that open view onto the golf course and as this gentleman said, over time, people plant trees and bushes, which changes the view. It is within reason that they made those changes. I think it is within reason that the homeowners here are asking for a reasonable change to the rules. Witness, Susan Camiliere of 618 Golfers Lane stated, I came tonight wanting to hear both sides. I am far enough away that this does not affect me. Seeing the aerial view, I do not see the problem. It is not going to go any further out to the north, and there is really nothing there. Looking out straight ahead to the golf course is the view. If it was my neighbor, I would not have a problem with this. Witness **Dawn Daluge** of 565 Rose Lane stated I am currently the Home Owner's Association Treasurer. I am not here in an official capacity. I am here as a homeowner. I do agree with several of the statements made by the previous commenters, one of them being that many of the homes have three-season rooms. Rose Lane and Golfers Lane have views to the golf course. We also paid a premium to have a golf view, as it was still part of the home when we purchased it. Our deck has a privacy screen. We built it within the past six (6) years with approval from the Village of Bartlett. I cannot see the house to the north or south, but our view to the golf course remains as beautiful as the day we moved in. Over a period of time, people make improvements. I think that is normal. I think that the way we live today is different than the way it was promoted in 1988. I see this as an improvement to the home and to the neighborhood as a whole. Witness Luis Garcia of 635 Golfers Lane stated that they are across the street from the Petitioner and the golf course view is limited. I like the proposal. It is an improvement.

M. Werden asked if there were comments from the Board. B. Bucaro asked M. Stapleton if you look to your property from the Petitioner's property, would they be looking at your deck in a similar manner. M. Stapleton yes, but that is a deck and not a room addition. B. Bucaro it has a roof. M. Stapleton it is a lattice roof to keep the golf balls from coming onto the deck. K. Stone the roof is lattice so the Building Department does not consider that to be an enclosed structure. It does not have to meet the same setback as a room addition. However, the pergola was done without a permit. The homeowner at 626 Golfers Lane has been contacted to submit a building permit application after the fact for the roof and the pergola. This came to my attention as part of my due diligence. When we see something that looks like it may be a nonconforming structure or done without a permit, we notify the Building



Division and they go through their records. M. Stapleton this was done in 1988. G. Papa just to clarify, you live in Lake in the Hills. M. Stapleton yes. My mother-in-law lives there. G. Papa so you do not live at this property. M. Stapleton correct. C. Deveaux when was the deck and lattice work built? M. Stapleton it was built with the house. K. Stone there was a permit issued for the deck. There was no permit issued for the pergola. M. Stapleton we understand the builder did that and that it was all built at the same time. K. Stone not according to the building permit submittal. M. Werden I do not see what the problem is with the people to the north with the view. You are looking at the golf course and that is not being obstructed. I am not sure that the view of the deck is a valid concern. M. Stapleton the deck is not what is in question. What is in question is putting a structure on top of that deck. M. Werden there argument was that this will block the view of the other people's deck if this gets granted and I do not see that she is losing much of a view. Putting up a structure it will totally block the view to the north. M. Werden what is so spectacular about the view to the north? M. Stapleton it is open space. M. Sarwas you are looking at a line of trees. The view is to the golf course. M. Stapleton the whole idea is to have open space and a view. There was a premium price paid for that view and we recommend that you do not grant the variance. B. Bucaro what I am struggling with is that we are looking at a couple of degrees. The golf course view is not going to be compromised. M. Stapleton I do not garee. The view to the north is definitely going to be impaired by another wall the same level as the deck at 626 Golfers Lane. When we look down the way we will be seeing another wall. B. Bucaro when you look directly north. M. Stapleton exactly. The deck they have now is fine that is not an obstruction, but once you put a roof and structure in the same footprint it is very obtrusive. G. Papa I do not believe that this will be intrusive based on the testimony that we have from other home owners that live in that area. In addition, we have an affidavit from Mary McFarland from RE/MAX stating in her opinion, as a real estate broker, she does not see any negative effects, only positive effects. I do not see this being an obstruction. M. Sarwas I think when you are talking about paying a premium price, you are paying a premium price for the view of the golf course, not a premium for the neighbors that have an open yard or something that I view down the way. You are paying for the view of the golf course. You are guaranteed that it will stay a golf course and the property will remain. I think it is a little bit of a stretch that the view of your neighbor's yard is part of the view that you were charged a premium for. M. Stapleton it is the panoramic view from the deck. C. Deveaux when I walked out there, the deck at 626 Golfers Lane obstructs the view of the panoramic view of 630 Golfers Lane. I think your panoramic view argument is not valid. Your argument that the structure would interfere with the view I do not believe is valid. You have a great view of the golf course. I believe that the Petitioners are entitled to improve their deck. M. Werden you have plenty of open space behind you. It does not seem valid to me either. G. Koziol when I visited the property, the deck on 630 Golfers Lane does show its age. It needs something to be done with it to make it better. I think the proposal to put in the deck and the three-season room is very reasonable and adds to the value of their home and adds to their interest and willingness to stay in Bartlett. I do not see the view being blocked. There is a slight blockage to the side, but that is up close. As you take in the panoramic view, it is not the immediate property to your right and left. I think the request is reasonable for the property that the Petitioner has and what they want to do. M. Stapleton are they keeping the tree by the stairs? K. Stone the stairs will actually curve around the three-season room. The tree is significantly further from that and should not be impacted by the construction. L. Palmer the tree is not going anywhere. V. Pruden what I am objecting to is the feeling of open space. Now when I go out to the deck I will be looking at a wall and that is going to make a difference. This is not ground level it is up high and that is what I think is bad. That is



what disturbs me. It will be closed in and I think will affect my property value. It is the open space that is going to be compromised. **M. Werden** there will be windows in the three-season room. You should still be able to see through towards the neighbors to the north. You should be able to see through the three-season room once it is built because there will be windows on three sides. I do not see that it will be a real blocked view. **V. Pruden** if it were a lower level, it would not be so bad, but since it is up high it just takes away from the whole feeling of open space. It is going to make a difference. **J. Banno** in regard to the new stairs, do they stick out further than the current deck? **K. Stone** steps are allowed to encroach into a setback. They do not have to follow setback regulations. It is an access issue. **M. Werden** thank you for the clarification.

**G. Koziol** made a motion to pass along a **positive recommendation** to the Village Board to approve case **(#20-12)** 630 Golfers Lane to allow a five (5) foot reduction from the required 20-footrear yard subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: G. Koziol Seconded by: B. Bucaro

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

#### **Roll Call**

Ayes: G. Papa, B. Bucaro, G. Koziol, M. Sarwas, C. Deveaux, and M. Werden,

Nays: J. Banno

The motion carried.



M. Werden reopened the Public Hearing for Case (#20-09) that was continued from earlier during the meeting.

M. Werden asked if the Petitioners were present. The Petitioner, Cezary Lesniewski came forward and stated that he apologized for being late and wanted to thank everyone who went out to look at the property because it is much different than a picture from when you are there. The Petitioner passed around a packet of photos that showed the property from every direction showing the location of the proposed fence. K. Stone the original plat of survey showed the sidewalk in the right-of-way. At some point in time, the sidewalk was reconstructed. When it was reconstructed, it encroached on part of the Petitioner's property. It is not entirely within in the right-of-way. It varies. Sometimes it encroaches and sometimes it does not. We did not know that before. The Petitioner has a plat of survey that is dated several years after the original plat of survey that we were using and it clearly shows that the sidewalk is within the Petitioner's property. C. Lesniewski yes, you can see on the picture that is marked with a cross that represents the border. Picture #2 shows it from the opposite side and picture #3 shows where the sidewalk is. K. Stone as the sidewalk gets closer to the bike path it moves entirely into the right-of-way. That portion is not on the Petitioner's property, but as you get closer to Dartmouth Drive, it does encroach. C. Lesniewski you can see that on picture #11. M. Werden it looks like you made improvements. There will be a better view of the school from the cul-de-sac. C. Lesniewski yes, as you can see from the pictures we moved the fence another three and a half (3-1/2) feet towards our property. The tree will also be outside the fence and that area will be completely repaired with sod to create new grass and plants will be added so that it looks nice. M. Werden picture #15 shows where the fence is going to cut through. C. Lesniewski yes, where the person in the yellow shirt is standing. If a car is on the east side of the bike path they will be able to see the entrance of the school. K. Stone we received this site plan towards the end of the day on Friday. Staff did not have a lot of time to review the site plan. There is not a clear dimension on where the fence is going to be from the bike path or the property line. None of the dimensions clearly show what the set back is from the bike path or the property line. C. Lesniewski the fence will be 14' from the bike path. M. Werden the bike path is partially on the Petitioner's property. K. Stone correct. The property line is in the center of the bike path. There was an easement granted in 1994. M. Werden this is bringing the fence in considerably more than originally planned. K. Stone correct. Originally, the fence was right up against the bike path. C. Lesniewski we could move the fence further out, but then we would have to move the large boulder. M. Werden it would be an unreasonable request to move the boulder and not an easy task. C. Lesniewski the boulder is like a landmark for me and I would not want to move it. J. Banno how many feet from the property line along the bike path will the proposed fence be? C. Lesniewski it will be 14 feet from the bike path and the tree will be on the outside of the fence. M. Werden originally the tree was going to be inside the fence. K. Stone the property line is about five (5) feet into the bike path. We are using the bike path as a measurement because that is easier to visualize. J. Banno along the curved part of the property line, how many feet back from the property line will the fence be? C. Lesniewski it will be about five (5) feet from the property line. We used the sidewalk as a guide. I brought a sample of the material that we are going to use for the fence. It will be a composite material. The Petitioner passed around the sample fence for the commission to examine. K. Stone the nicer side of the fence that looks like wood grain is required to face out. C. Lesniewski this fence material has a 50-year warranty. We are also going to add bushes along the fence on the cul-de-sac side so that it looks nice. M. Werden you had mentioned the people across the street in the cul-de-sac are supportive



of your ideas. C. Lesniewski yes, we have supportive letters from the surrounding neighbors. M. Werden I am impressed with what have done with bringing the pictures and I am glad that you got letters from the neighbors that would have to look at the fence and that they do not have a problem with it. G. Koziol do you have an idea of what color you would like to use for the fence? Maggie Lesniewski of 1070 Dartmouth Drive stated that they are looking at a neutral color that will be a light beige to match the house and the neighborhood. Aesthetics are very important to us and this will be an improvement to the neighborhood. Also, the neighbors took the time write letters to say that they do not have any objection, that is a testament that this is not going to bother the neighbors who will have to see the fence every day. G. Koziol I was glad to see that you did go to the neighbors and speak with them. You have to share the space of the neighborhood. I am happy to see on the new plan that greenery is going to be planted on the outside of the fence. That is going to soften the view of the fence. M. Werden you are dealing with something unusual with the property line variation with the sidewalk being beyond your control. I think you are doing the best you can because it is an unusual configuration on the lot. You can see from the last hearing, unless you get people to testify for you and write the letters that you are more likely to have people opposed to something. I am impressed that people are not opposed to something that large, but you have an unusual lot shape. I am impressed with what you have done and the things that you have brought before us so that we have better ammunition to base our decisions on. M. Sarwas I think the new plan is a nice compromise. I drove by for the third time today and when you look at the actual available space, it is not that much. I think it is nice that this comes in and gives you privacy. G. Koziol asked why solar panels are not allowed to be put on the roof. K. Stone the Petitioner's Home Owner's Association told them they could not. The Village does not prohibit roof-mounted solar panels. It meets our building code. Their Home Owner's Association denied their request. The Village does not enforce that. If the Petitioner came in for a building permit, we would issue a building permit because it meets code. There is a disclosure on the building permit application that says if the Home Owner's Association exists, they are doing so at their own risk. The Petitioner is trying to cooperate with their Home Owner's Association. G. Koziol that is a strong commitment. C. Lesniewski the Home Owners' Association told us that the solar panels cannot be visible from any street. B. Bucaro my concern initially was the fence being at the sidewalk. I saw it as a safety issue. I understand why you cannot go back 10 feet. Moving the fence back the way you have it now alleviates any safety concerns and is a nice compromise helping to meet the ordinance as best you can. M. Werden that is key, as best you can. You are somewhat limited. I am impressed with how much you have striven to work with us and have compromised.

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

**C. Deveaux** made a motion to pass along a **positive recommendation** to the Village Board to approve case **(#20-09)** 1070 Dartmouth Drive to allow a six (6) foot high fence in the corner side yard and to allow ground-mounted solar panels in the corner side yard subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: C. Deveaux Seconded by: M. Sarwas



Roll Call

Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux

Nays: None

The motion carried.



#### Old Business/ New Business

**K. Stone** we will have at least three (3) cases next month; two (2) buildings in Brewster Creek Business Park, a gas station, and possibly an apartment building downtown. We just received a submittal for a building that is 436,000 square feet that is going across from the McKesson building and RANA Pasta is expanding to do frozen foods. They went into the old Dania building and want to add loading docks. Bucky's is looking to go to the southwest corner of Route 59 and Stearns Road with a complete tear down and rebuild.

**G. Koziol** Staff definitely deserves a thank you for their work. This was the most unique couple of meetings in the past few months.

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

Motioned by: G. Koziol Seconded by: J. Banno

Motion passed by unanimous voice vote.

The meeting was adjourned at 9:05 pm.

### PLANNING & DEVELOPMENT SERVICES MEMORANDUM 20-171

DATE:

October 27, 2020

TO:

The Chairman and Members of the Zoning Board of Appeals

FROM:

Kristy Stone, Village Planner

RE:

(#20-02) Rana Cold Storage

#### **PETITIONER**

Rana Meal Solutions

#### SUBJECT SITE

1320 -1340 Brewster Creek Blvd – Lot 8 in Brewster Creek Business Park Unit 2

#### **REQUEST**

Variation – to allow loading docks in the corner side yard

#### SURROUNDING LAND USES

	<u>Land Use</u>	Comprehensive Plan	<u>Zoning</u>
Subject Site	Industrial	Mixed Use Business Park	I-2 EDA
North	Industrial	Mixed Use Business Park	I-2 EDA
South	Industrial	Mixed Use Business Park	I-2 EDA
East	Industrial	Mixed Use Business Park	I-2 EDA
West	Industrial	Mixed Use Business Park	I-2 EDA

#### **DISCUSSION**

- 1. This site was approved on December 19, 2006 by Ordinance #2006-139 granting approval of a 300,600 square foot spec building. The building was originally designed for a single tenant (Dania Furnishings) with an office area, retail outlet store and warehouse space which included a total of 64 exterior loading docks on the north and east sides of the building. The building was completed in 2008.
- 2. In 2017, Axis Warehouse moved into the western 139,600 square feet of the building. In 2020, Rana Meal Solutions expanded their cold storage operations (approximately 1320 coolers) into the eastern 161,000 sq. ft. of the building.

- 3. The petitioner is requesting a Site Plan Amendment to add four (4) eight (8) loading docks on the south side of the building and an additional curb cut on Brewster Creek Boulevard which would provide access to the proposed loading docks. The Plan Commission will conduct the review of the petitioner's request for the Site Plan Amendment at their November 12, 2020 meeting.
- 4. The Petitioner is also requesting a **Variation** to allow loading docks in the corner side yard (along Brewster Creek Blvd.).
- 5. Trucks utilizing the new loading docks would enter the site via the new curb cut and exit the loading area via the existing curb cut.
- 6. Ordinance #2006-139 also granted a variation to reduce the required parking by 229 spaces. There are currently 110 parking spaces on this site with 6 accessible spaces; the requirement at the time of the original site plan (based on Dania's floor plan) was 339 parking spaces. The proposed changes to the building do not change the amount of parking required.
- 7. A minimal amount of existing landscaping will be removed from this area and new landscaping will be planted in the interior parkway to screen the proposed loading docks. Staff has approved the Landscape Plan.
- 8. The loading dock addition will be painted to match the existing building.
- 9. Engineering plans are currently being reviewed by the Staff.

#### **RECOMMENDATION**

- 1. According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals should render a decision based upon the following:
  - A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
  - B. That conditions upon which the petition for the variation are based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.
  - C. That the purpose of the variation is not based exclusively upon a desire to make money out of the property.

- D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.
- E. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
- F. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
- G. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

A variation shall be recommended only if the evidence, in the judgment of the Board of Appeals, meets all the conditions enumerated above.

2. Background information is attached for your review.

/attachments x:\comdev\mem2020\171\_rana cold storage\_zba.docx



#### 7/22/20

To: President and Board of Trustees

Hello and thank you for your time in assisting the Rana family in our growth of our product in America.

With our sales and product growing as quickly as it is, we had to expand into a new building next to our plant 1320 Brewster Creek.

We chose this building because of its position in relation to our other building, but the only issue is that it does not have any cross docks.

We are requesting that you can help us with this request.

We have provided all necessary drawings to explain what it is we are planning on construction.

We hope you will approve this for the Rana family.

Thanks again and I look forward to hearing back from you soon.

Have a nice day

Salvatore Trupiano / Construction Manager



For Office Use Only Case # 2020-02 RECEIVED
PLANNING & DEVELOPMENT

JAN 3 1 2020

PROJECT NAME Rana Cold Storage	VILLAGE OF BARTLETT		
PETITIONER INFORMATION (PRIMARY CONTACT			
Name: Rana Meal Solutions			
Street Address: 1320 Brewster Creek Pkwy			
City, State: Bartlett IL	Zip Code: 60103		
Email Address: strupiano@rana.us	Phone Number: 630-277-0415		
Preferred Method to be contacted: See Dropdown			
PROPERTY OWNER INFORMATION			
Name: 1340 Brewster Creek LLC			
Street Address: 1307 SChiferl Rd			
City, State: Bartlett	Zip Code: 60103		
Phone Number: 630-580-0371			
OWNER'S SIGNATURE: Con Polloto (OWNER'S SIGNATURE IS REQUIRED or A LETT SUBMITTAL.)	Date: 1/29/2020 TER AUTHORIZING THE PETITION		
ACTION REQUESTED (Please check all that apply)			
Annexation Text Amendment PUD (preliminary) Rezoning See Dr PUD (final) Special Use for: Subdivision (preliminary) Variation: F Subdivision (final) Site Plan (please describe use: commercial, industrial)	ropdown to See Dropdown		
	, , 1		

Other (please describe)

### SIGN PLAN REQUIRED? See Dropdown

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPER	RTY INFORM	<u>IATION</u>			
Common	ı Address/Gei	neral Location of	Property: <u>1340/132</u>	20 Brewster Creek PKW	ΥΥ
Property	Index Numbe	r ("Tax PIN"/"P	arcel ID"):		
Zoning:	Existing: Se	e Dropdown	Land Use:	Existing: See Dropdov	wn
	Proposed: Se	ee Dropdown		Proposed: See Dropdo	own
		esignation for th	is Property: See [	Oropdown Fer to Future Land Use Map)	
For PUD	o's and Subdiv	isions: ts:	 Width	Denth	
		Area			
APPLIC.		RTS (If applicable,	including name, addres	s, phone and email)	
Engineer	- - - - - - -	PARTNE, 2610 CA	RS IN CHE COOK	DESIGN RR	
Other	_	-1001-000	UND, LL		

#### FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals 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 ZBA and Village Board to review.)

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

DUE TO USDA REGULATIONS RAW MATERIALS AND FINISHED GOODS CANNOT BE DELIVERED FROM THE SAME AREA. RAW MATERIALS ARRIVE AT THE BUILDING ON THE NORTH. THE PROPOSED DOCKS ON THE SOUTH IN THE FRONT YARD WOULD BE FOR SHIPPING FINISHED GOODS. SHIPPING OF FINISHED GOODS CANNOT BE LOCATED ON THE EAST DUE TO THE LOCATION OF THE FREEZER AND CONSTRAINTS OF THE BUILDING SIZE.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

THE ORIENTATION OF THE BUILDING IS PARALLEL WITH BREWSTER CREEK BOULEVARD AND THE EXISTING DOCKS HAVE BEEN DESIGNED ON TWO ADJACENT SIDES OF THE BUILDING. TYPICAL LARGER WAREHOUSE FACILITIES ARE DESIGNED FOR DOCKS ON OPPOSITE SIDES OF THE BUILDING. THE EXISTING 1315 BREWSTER CREEK BOULEVARD BUILDING ACROSS FROM OUR PROPERTY HAS DOCKS THAT FACE THE BOULEVARD AS WELL AS 1350 MUNGER ROAD WITHIN THE BUSINESS PARK.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

THE DECISION TO PROVIDE DOCKS ON THE SOUTH SIDE OF THE BUILDING IN THE FRONT YARD IS BASED ON USDA OPERATIONAL CONCERNS.

	THE EXISTING BUILDING AND PROPERTY IS A PRE-EXISTING CONDITION.
	the granting of the variation will not be detrimental to the public welfare or injurious to erty or improvements in the neighborhoods in which the property is located.
	THE PROPOSED DOCKS ARE ACCESSED BY A NEW ACCESS DRIVE AND ALLOW FOR TRUCKS TO ENTER AND EXIT THE DRIVE WITHOUT BACKING INTO THE BOULEVARD PER OUR TRUCK TURNING EXHIBIT.
	*
	the proposed variation will not impair an adequate supply of light and air to adjust, or substantially increase the congestion in the public streets, or increase the dang
,	or endanger the public safety, or substantially diminish or impair property values within ent neighborhood.
,	or endanger the public safety, or substantially diminish or impair property values within
,	or endanger the public safety, or substantially diminish or impair property values within ent neighborhood.  THE PROPOSED DOCK LOCATION IS AT THE MIDDLE OF THE EXISTING BUILDING AWAY FROM ADJACENT PROPERTIES AND NEW LANDSCAPING IS PROVIDED
,	or endanger the public safety, or substantially diminish or impair property values within ent neighborhood.  THE PROPOSED DOCK LOCATION IS AT THE MIDDLE OF THE EXISTING BUILDING AWAY FROM ADJACENT PROPERTIES AND NEW LANDSCAPING IS PROVIDED
,	or endanger the public safety, or substantially diminish or impair property values within ent neighborhood.  THE PROPOSED DOCK LOCATION IS AT THE MIDDLE OF THE EXISTING BUILDING AWAY FROM ADJACENT PROPERTIES AND NEW LANDSCAPING IS PROVIDED
adjac	or endanger the public safety, or substantially diminish or impair property values within ent neighborhood.  THE PROPOSED DOCK LOCATION IS AT THE MIDDLE OF THE EXISTING BUILDING AWAY FROM ADJACENT PROPERTIES AND NEW LANDSCAPING IS PROVIDED BETWEEN THE NEW ACCESS DRIVE AND EXISTING BREWSTER CREEK BOULEVARD.  the granting of the variance requested will not confer on the applicant any special prives denied by the provisions of this Title to other lands, structures or buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structures of buildings in the standard property of the structure of the
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#### **ACKNOWLEDGEMENT**

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.
SIGNATURE OF PETITIONER:
PRINT NAME: Salvatore Trupiano
DATE: 1-29-20

#### REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

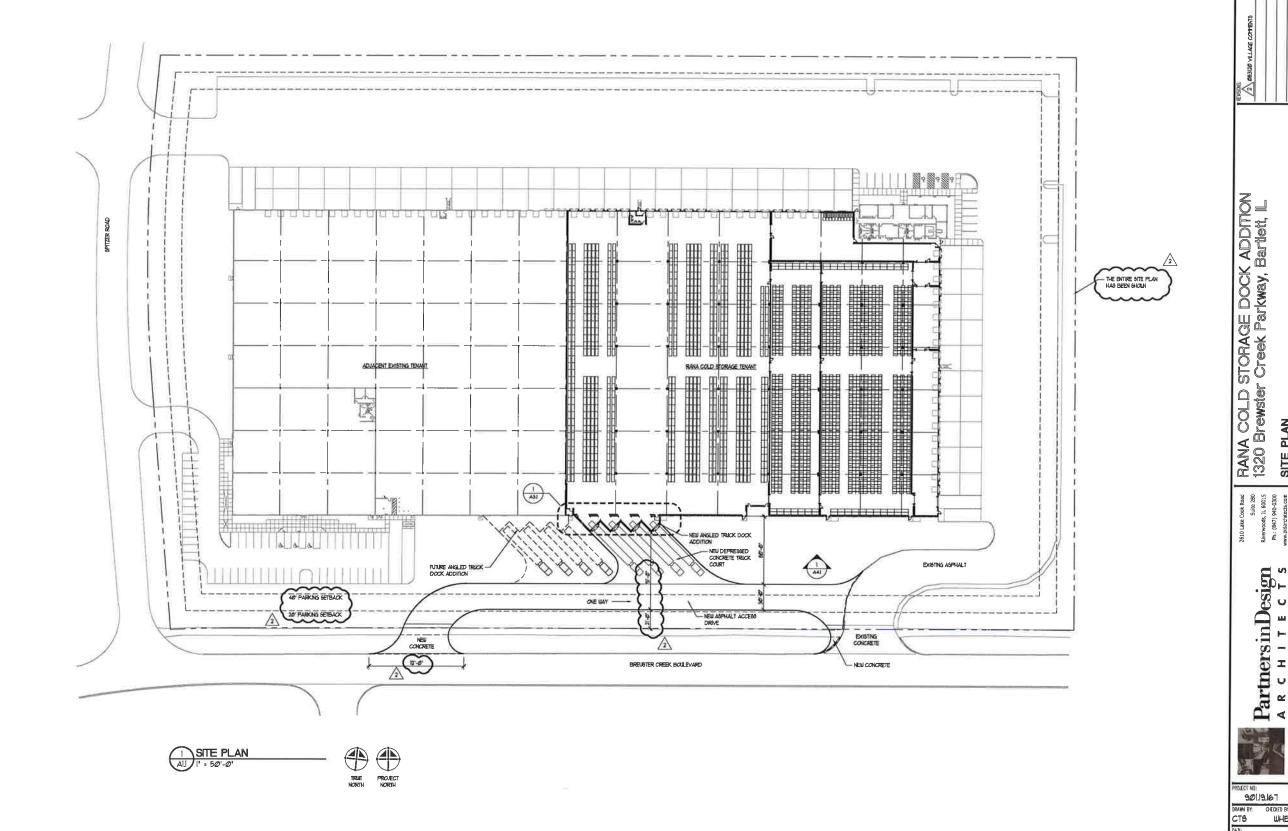
NAME OF PERSON TO BE BILLED: Ron DeRosa - G4 Construction Group,	LC
ADDRESS: 1307 Schifer   Rd.	
Bartlett, IL 60103	
PHONE NUMBER: 630-580-0750	
EMAIL: [derosa@grecoandsons.com	
SIGNATURE: Ros Dellera	
DATE: 1/29/2020	

C

# Location Map

2020-02 1320-1340 Brewster Creek Blvd.
Site Plan Amendment
Variation - Docks in the Corner Side Yard
PIN: 01-05-201-006







PROJECT NO:

901.19.16 T

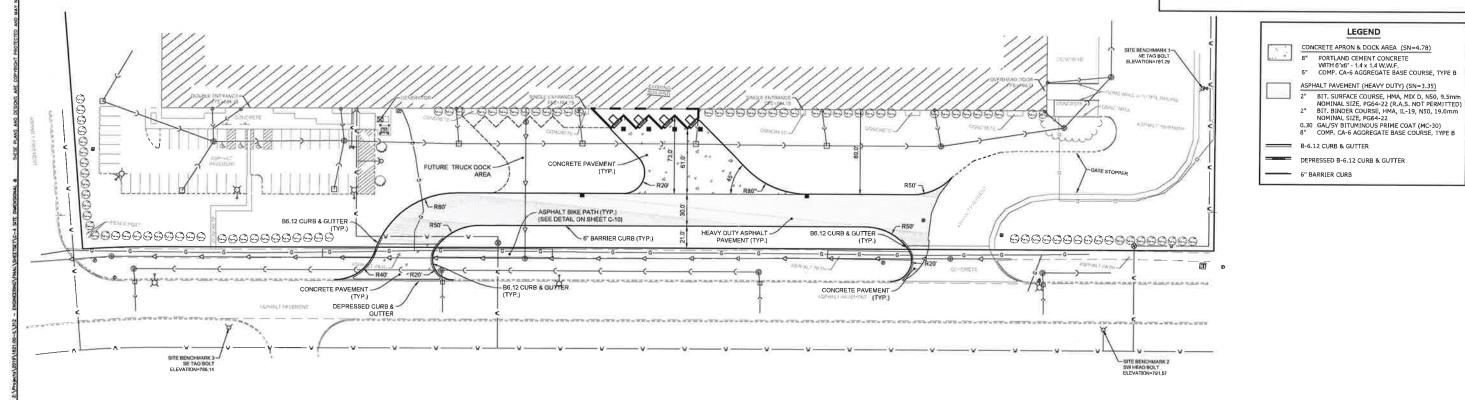
DRAWN BY: CHECKED BY:

CT9 WHB Ø8212Ø

A1.1

#### SITE DIMENSIONAL AND PAVING NOTES

- ALL PROPOSED CURB AND CUTTER SHALL BE B6.12 UNLESS OTHERWISE NOTED,
- ALL DIMENSIONS ARE FACE OF CURB TO FACE OF CURB OR BUILDING FACE UNLESS OTHERWISE NOTED.
- BUILDING DIMENSIONS, GRADING, PARKING, AND UTILITY LAYOUT HAVE BEEN PREPARED BASED UPON ARCHITECTURAL INFORMATION. SUBSEQUENT ARCHITECTURAL CHANGES MAY EXIST AND CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION. IN CASE OF DISCREPANCIES BETWEEN ARCHITECTURAL PLANS AND CIVIL PLANS, NOTIFY BOTH ARCHITECT AND ENGINEER;
- LOCATION OF PRIVATE SIDEWALKS SHALL BE COORDINATED WITH PROPOSED DOORWAYS.
  CONTRACTOR TO VERIFY ACTUAL BUILDING PLAN LOCATIONS WITH ARCHITECT/DEVELOPER
  PRIOR TO CONSTRUCTING THE SIDEWALKS.
- REBAR / TIEBARS SHALL BE USED IN ALL LOCATIONS WHERE CONCRETE ABUTS OTHER CONCRETE FEATURES (ie., SIDEWALK ADJACENT TO FOUNDATION WALL, PAVEMENT, AND SIDEWALK ADJACENT TO CURB & GUTTER). TIEBAR SIZE AND SPACING SHALL BE PER IDOT SPECIFICATIONS,
- CONTRACTOR SHALL CONSTRUCT ALL HANDICAP ACCESSIBLE ROUTES IN ACCORDANCE WITH LOCAL AND STATE ADA REQUIREMENTS.
- 7. PAVEMENT SLOPES THROUGH HANDICAP ACCESSIBLE PARKING AREAS SHALL BE 2.00% MAXIMUM IN ANY DIRECTION.
- 8. REFER TO CONSTRUCTION DETAILS AND GRADING ENLARGEMENTS FOR SIDEWALK RAMPS AND HANDICAP STRIPING.
- REFER TO PHOTOMETRICS PLAN (BY OTHERS) FOR LIGHT STANDARDS AND SPECIFICATIONS.
- COMPACTED SUBBASE MATERIAL SHALL BE PROOF ROLLED WITH A LOADED SIX (6) WHEEL DUMP TRUCK IN THE PRESENCE OF A VILLAGE INSPECTOR, AND APPROVED PRIOR TO PLACING ANY PAVING MATERIAL.





PLAN I DESIGN I DELIVER PINNACLE ENGINEERING GROUP

ENGINEERING BRSO IBERS I SUBJECT.

ENGINEERING BRSO IBERS

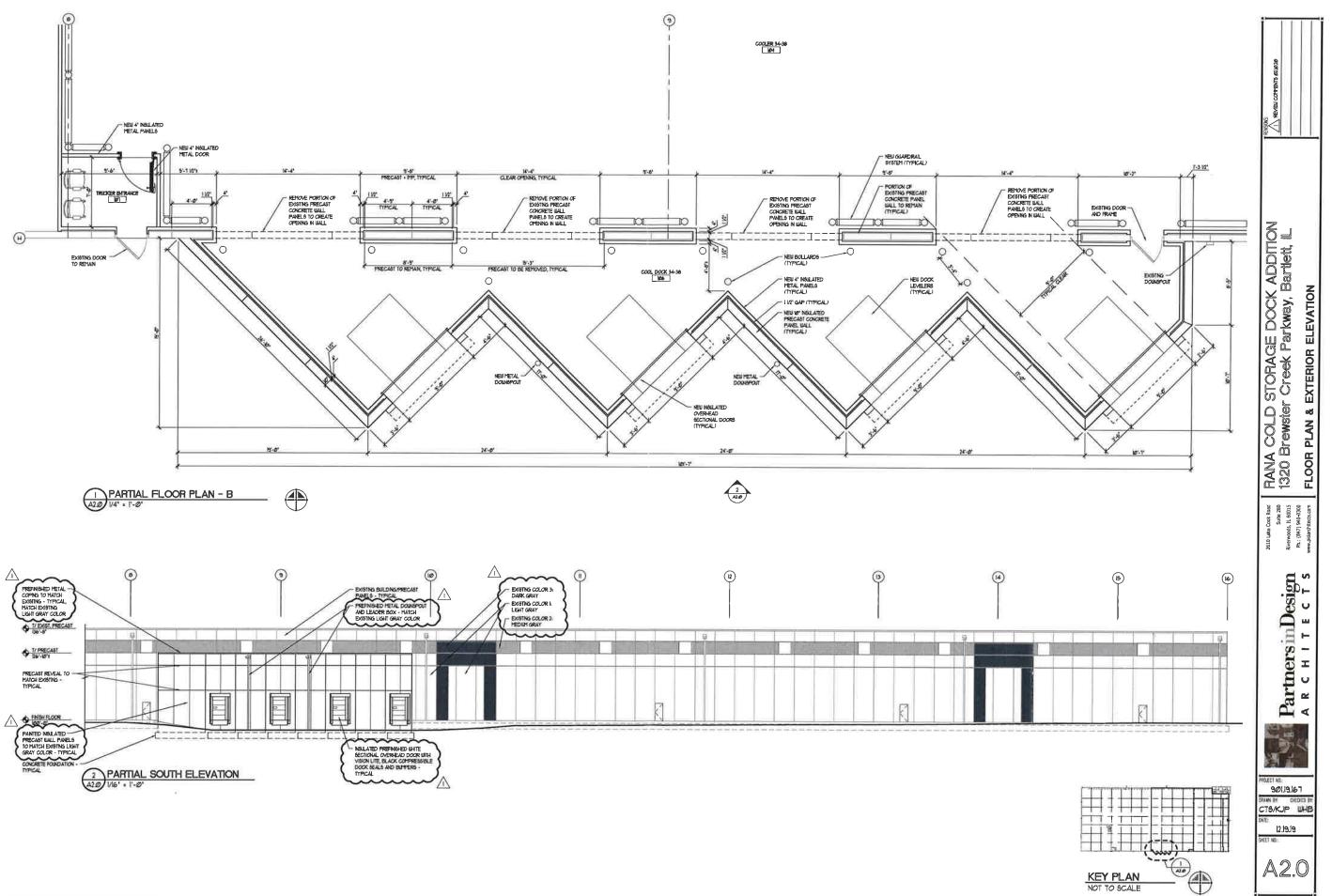
**TRUCK DOCK & ACCESS IMPROVEMENTS** 1340 BREWSTER CREEK BOULEVARD BARTLETT, IL

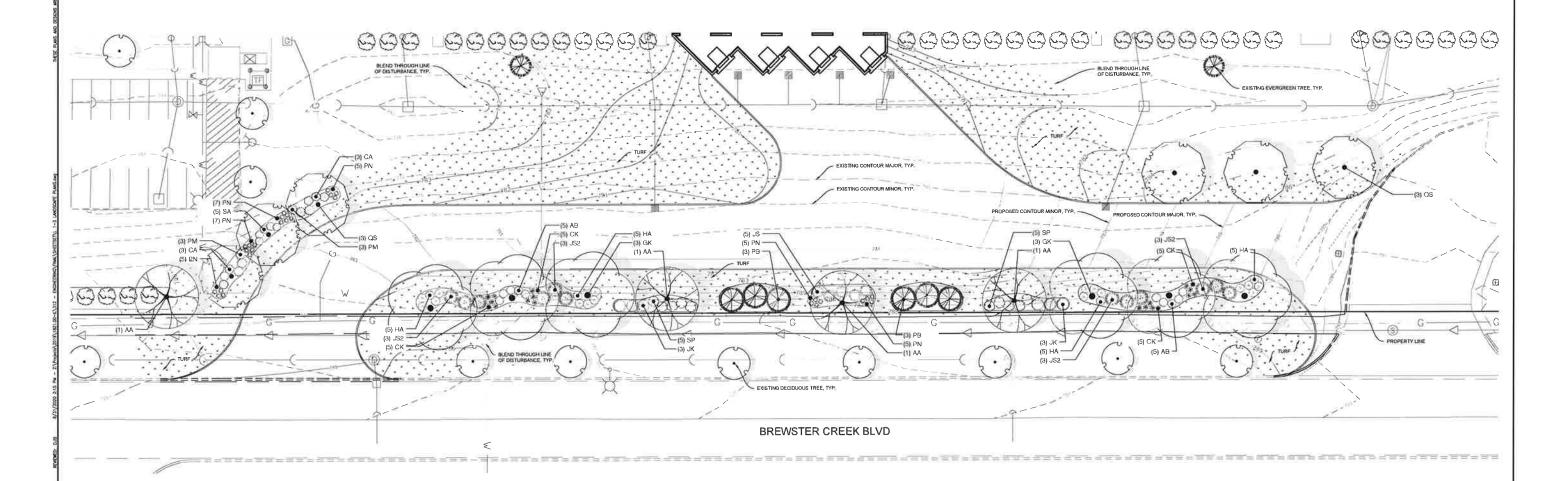
		KEATOTOMA		
1	PER VILLAGE REVIEW	8/31/20		
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**SITE DIMENSIONAL & PAVING PLAN** 











NORTH

PLAN I DESIGN I DELIVER

PINNACLE ENGINEERING GROUP

ENGINEERING INATURAL PESCURPES SIGNATURE AND THE PROPERTY OF THE P

TRUCK DOCK & ACCESS IMPROVEMENTS 1340 BREWSTER CREEK BOULEVARD BARTLETT, IL

		1
PER VILLAGE REVIEW	8/31/20	

LANDSCAPE PLAN

SHEET L-3

### PLANNING & DEVELOPMENT SERVICES MEMORANDUM 20-172

DATE:

October 27, 2020

TO:

The Chairman and Members of the Zoning Board of Appeals

FROM:

Kristy Stone, Village Planner

RE:

(#20-08) Bucky's on Stearns

#### **PETITIONER**

Richard McMahon on behalf of Buchanan Energy

#### **SUBJECT SITE**

900 S Route 59 (Southwest corner of Stearns Rd and Route 59)

#### **REQUESTS**

#### Variations -

- a) a 34 ft. variation from the required 60 ft. corner side yard (fuel canopy-W. Stearns Rd),
- b) a 25 ft. variation from the required 60 ft. front yard (fuel canopy Route 59)
- c) to reduce the interior parkway landscape requirements (Route 59 & Stearns Rd)

#### SURROUNDING LAND USES

	<u>Land Use</u>	Comprehensive Plan	<b>Zoning</b>
Subject Site	Gas Station	Commercial	B-4
North	Gas Station/ Retail Center	Commercial	B-3 & B-3 PUD
South	Retail Center	Commercial	B-4
East	Bank	Commercial	B-3
West	Car Wash	Commercial	B-4

#### **ZONING HISTORY**

This property annexed into the Village of Bartlett and was rezoned to the Commercial District by Ordinance 1963-07. During the comprehensive rezoning of the Village in 1978, the property was rezoned to the B-4 (Community Shopping) Zoning District. Automobile service stations were listed as permitted uses in the 1978 Zoning Ordinance. The Mobil gas station was issued a building permit in 1982. The 1983 Zoning Ordinance Amendment listed automobile service stations as a Special Use in the B-4 Community Shopping District, making the existing Mobil gas station a nonconforming use.

#### DISCUSSION

- 1. The Petitioner is requesting Site Plan Review for a proposed Bucky's convenience store and gas station on two lots (currently Mobil & Sonic) at the southwest corner of Route 59 and Stearns Road in the B-4 (Community Shopping) Zoning District. The Plan Commission will conduct the public hearing for the Special Use Permits and review the petitioner's request for Site Plan Review at their November 12, 2020 meeting.
- 2. The 4,700 sq. ft. convenience store will be located on Lot 4 of the Home Depot Subdivision (Sonic). The 10 pump islands (20 total stations), fuel canopy and fuel tanks will be located on the existing Mobil site. The existing Mobil building, fuel canopy, Sonic and drive-in canopies will be demolished. The existing underground fuel tanks will be removed and replaced in accordance with the State Fire Marshall's standards. The Village's Environmental Consultant has provided recommendations to protect the public health and environment during the redevelopment of the site.
- 3. The Petitioner is requesting Special Use Permits (a) for an automobile service station to bring the existing use into conformance, (b) to sell package liquor and (c) for outdoor sales.
- 4. The new convenience store would be oriented towards Route 59 and would operate 24 hours, seven (7) days a week. The building is accessible to patrons from both the east and west sides. It would have a maximum height of 22 feet and be constructed with concrete masonry units that have the appearance of brown brick and fiber cement panels in three (3) earth tones. A decorative metal canopy is located over the entrance of the convenience store. The posts for the fuel canopy are wrapped with the same material as the building.
- 5. The existing gas station originally had three (3) full access curb cuts, two (2) on Route 59 and one (1) on Stearns Rd. Sonic did not have direct access to Stearns Road. The northernmost curb cut on Route 59 was eliminated during the IDOT's intersection improvements and the remaining curb cut became a right-in/right-out due to the construction of a barrier median. At the request of DuPage County Highway, the curb cut on Stearns Road will be moved further west from the Route 59 intersection, it also functions as a right-in/right-out since a barrier median is in place along Stearns Road.
- 6. The site is also accessible on Stearns Road from the full access curb cut for the internal access drive in the Home Depot Subdivision and via two (2) existing cross access points from the parking lots to the south.
- 7. The Petitioner has submitted plans to IDOT (Route 59) and DuPage County Highway Department (W. Stearns Rd.) for their review.

- 8. The Petitioner is requesting the following setback **Variations:** 
  - A 34 ft variation from the required 60 ft. corner yard to allow the fuel pump canopy 26 feet from the north property line (W. Stearns Rd),
  - A 25 ft variation from the required 60 ft. front yard to allow the fuel pump canopy 35 feet from the east property line (Route 59)
- 9. A **Variation** is also being requested to reduce the interior parkway landscaping requirements. The Landscape Ordinance requires a 25-foot wide interior parkway that includes 1 tree per 30 feet of frontage and 3-ft tall shrubs that screen 75% of the parking areas. Due to installation of a sidewalks and land takings as part of the intersection improvements, the interior parkway varies in width. The Petitioner is proposing ornamental grasses and shrub plantings along Route 59 and W. Stearns Road where there is adequate width; one tree is proposed along Route 59.
- 10. The Zoning Ordinance requires a total of 33 parking spaces, 13 parking spaces for the convenience store and two (2) parking spaces for each pump island. Thirty-five (35) spaces including one (1) accessible space are designated for the convenience store and two (2) parking spaces are at each island for the fuel center.
- 11. The Landscape Plan is currently under review by the Staff.
- 12. The Photometric Plan is under review by the Staff. The Plan indicates that the light fixtures under the fuel center canopy will be recessed into the canopy.
- 13. A revised Traffic Impact Analysis has been submitted by the Petitioner and is currently being reviewed by the Village's Traffic Engineer.

#### **RECOMMENDATION**

- 1. According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals should render a decision based upon the following:
  - A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
  - B. That conditions upon which the petition for the variations are based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.
  - C. That the purpose of the variations is not based exclusively upon a desire to make money out of the property.

- D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.
- E. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
- F. That the proposed variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
- G. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

A variation shall be recommended only if the evidence, in the judgment of the Board of Appeals, meets all the conditions enumerated above.

2. Background information is attached for your review.

/attachments x:\comdev\mem2020\172\_buckysonstearns\_zba.docx

### Buck's Inc.

#### 2500 BRICKVALE ROAD, ELK GROVE VILLAGE, IL 60007 (402) 718-6724

RMcMahon@BuchananEnergy.com

5 June 2020

President Kevin Wallace and Members of the Board of Trustees Village of Bartlett 228 South Main Street Bartlett, Illinois 60103

Dear President Wallace;

Buck's Inc., as the development arm of Buchanan Energy, is applying for the necessary Village entitlements to allow us to raze and rebuild the Mobil branded c-store we own on the southwest corner of the intersection of IL 59 and Stearns Road.

After the recent IDOT right of way takings the existing store, built in 1982, now sits on a lot containing only 30,000 s.f. which is far too small for a modern convenience store with fuel sales. To solve this problem, Buck's Inc. has entered into a contract to purchase the neighboring Sonic property which will add approximately 42,000 square feet.

For over a year, engineers and architects have designed and redesigned the site plan to keep all gasoline infrastructure on our Mobil lot and entirely off the Sonic lot which shall remain part of the Home Depot Subdivision and therefore is subject to the Home Depot Subdivision covenants. This site plan we are presenting positions the convenience store entirely on the Home Depot Lot 4 and keeps all fuel tanks and piping isolated on our Mobil lot. We have retained all the existing interior cross access points, the driveway on IL 59 recently rebuilt by IDOT, and we plan to move the Stearns Road driveway recently rebuilt by IDOT further west away from the intersection.

Stormwater management on the Mobil lot will be handled entirely on the Mobil lot and stormwater on the Sonic lot will continue to be managed as part of the Home Depot subdivision.

The 38 year old fuel storage tanks and all piping will be completely removed and any soil contamination discovered shall be remediated under the auspices of both the State Fire Marshall and the Illinois EPA. The new fuel tanks and piping will be state-of-the-art double walled systems.

The existing 690 s.f. convenience store with 6 fuel dispensers will be replaced by a 4,700 s.f. convenience store with 10 fuel dispensers reflecting the new dynamism of the neighborhood. When the store was built in 1982 Steans Road carried little traffic west and hosted a Clark gas station on the northeast corner on what is now the Walgreen's pharmacy.

To make this happen we are requesting a Special Use for an automobile service station, package liquor sales, outdoor sales for propane and seasonal items and certain variations to the Village setback, signage, and landscape requirements.

We believe these improvements shall be a positive contribution to the community on many different levels.

FOR THE COMPANY:

Richard J. McMahon



### VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

#### **REVISED AND RESUBMITTED**

PROJECT NAME Bucky's on Stearns Road

For Office Use Only Case # 2020-08

RECEIVED

SEP 25 2020

			VILLAGE OF
PETIT	IONER INFORMATION (PRIM	ARY CONTACT)	BARTLETT
Name:	Richard McMahon		
Street	Address: 2500 Brickvale Drive		
City, S	state: Elk Grove Village, IL		Zip Code: 60007
Email .	Address: RMcMahon@Buchanar	Energy.com	Phone Number: 402-718-6724
Preferr	red Method to be contacted: Email	J.*	
PROPI	ERTY OWNER INFORMATION	1	
Name:	Two Owners (See Attached)		
Street	Address:	A	
City, S	tate:		Zip Code:
Phone:	Number: 402-718-6724		
(OWN)	ER'S SIGNATURE: ER'S SIGNATURE IS REQUIR ITTAL.)	ED or A LETTER	Date:  R AUTHORIZING THE PETITION
ACTIO	ON REQUESTED (Please check al	ll that apply)	
	Annexation	Text Amendment	O. D. D. Starre
	PUD (preliminary)		down to See Dropdown
	PUD (final)		nobile Service Station, Package Liquor sales, outdoor sales
	Subdivision (preliminary)	Variation:	Setbacks, and Landscaping
	Subdivision (final)		
( <del></del>	Site Plan (please describe use: com Neighborhood Shoppi	mercial, industrial, song- 4,700 s.f. retai	quare footage):
	Unified Business Center Sign Plan		
	Other (please describe)		

#### SIGN PLAN REQUIRED? Yes

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION						
Common Address/C	Common Address/General Location of Property: 900 S. Rt. 59 and 1121 W. Stearns Rd.					
Property Index Num	iber ("Tax PIN"/	"Parcel ID"): 01-04-4	03-029 and 01-04-403-035			
Zoning: Existing:	B-4 Refer to Official Zonir	Land Use:	Existing: Commercial  Proposed: Commercial			
•	Comprehensive Plan Designation for this Property: Commercial  (Refer to Future Land Use Map)					
Acreage: 1.75		(2332	1,			
For PUD's and Subdivisions:  No. of Lots/Units:						
Minimum Lo	t: Area	Width	Depth			
Average Lot: Area Width Depth						
APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)						
Attorney Richard McMahon, Buck's Inc.						
	2500 Brickvale Rd., Elk Grove Village, IL 60007  402-718-6724 RMcMahon@BuchananEnergy.com					
Engineer	Steve Kudwa, C	Craig Knoche & Associ	ates			
	24 N. Bennett, Geneva, IL 60134					
	630-845-1272	KudwaS@crk-eng.o	com			
Other						

## FINDINGS OF FACT FOR VARIATIONS

Yard

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals 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 ZBA and Village Board to review.)

- 1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
  - The Home Depot Restrictive Covenants prohibit underderground storage tanks (Sec. 10.02). The design of this project keeps the underground storage tanks and all petroleum infrastructure on the legal lot currently used by the petitioner as an automobile service station. This lot is outside the Home Depot subdivision. The convenience store is sited on the legal lot which is a part of the HD subdivision. In addition, the recent IDOT takings for the expansion of the intersection reduced the size of both lots. Strict application of the Village setback requirements would cause abandonment of the project.
- 2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

The unique legal status of the Buck's lot as a automobile service station outside but adjacent to the Home Deport subdivision being co-developed with the Sonic lot inside the Home Depot subdivision is unique to any other B-4 properties within the Village.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The age of the existing gas station on the Buck's lot, built in 1982, with outdated fuel storage and dispensing infrastructure is the primary driver of the request for the redevelopment.

4.	That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.
	The difficulties and hardships in adhering to the ordinance has not been created by any person presently having an interest in the property.
5.	That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
	The granting of the proposed building and canopy setback variations will have no detriment to the neighboring properties nor to the public health. The granting of these variations will allow the complete rebuilding of an old facility with aged petroleum infrastructure and the cleanup of any latent environmental issues discovered during the construction.
6.	That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
	The proposed building and canopy setback variations will not impair the adequate supply of light and air to the adjacent property. They will not in any way increase congestion in the public streets, nor increase the danger of fire, endanger public safety, or diminish or impair property values in the adjacent neighborhood.
7.	That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.
	The granting of the proposed building and canopy setback variations will not confer any special privelage denied to other lands, structures or buildings in the same district.

## FINDINGS OF FACT FOR VARIATIONS

# Landscape

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals 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 ZBA and Village Board to review.)

- 1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
  - Strict application of the 25' interior parkway and 4' wide foundation planting reuirements would make the property incapable of redevelopment because of the unique physical constraints resulting from the IDOT intersection widening and the legal constraints imosed by the Covenants and Restrictions of the Home Depot subdivision. The design solutions presented combining narrower foundation planting areas and landscape urns represent an attempt to achieve the Village's goals by alternative methods recently used in the development of the retail strip center immediatly adjacent.
- 2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

The situation wherein the Buck's lot outside but adjacent to the Home Deport subdivision is being co-developed with the Sonic lot inside the Home Depot subdivision is unique to any other B-4 properties within the Village. This has governed the layout design of the project.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The age of the existing gas station on the Buck's lot, built in 1982, with outdated fuel storage and dispensing infrastructure is the primary driver of the request for the redevelopment.

4.	That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.
	The difficulties and hardships in strictly adhering to the ordinance is a result of the IDOT takings and the Home Depot subdivision requirements were not created by any person presently having an interest in the property.
5.	That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
	The granting of the interior parkway setback variation and the foundation planting variation will have no detriment to the neighboring properties nor to the public health. The granting of these variations will allow the complete rebuilding of an old facility with aged petroleum infrastructure and the cleanup of any latent environmental issues discovered during the construction.
6.	That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
	The proposed interior parkway setback variation and the foundation planting variation will not impair the adequate supply of light and air to the adjacent property. They will not in any way increase congestion in the public streets, nor increase the danger of fire, endanger public safety, or diminish or impair property values in the adjacent neighborhood.
7.	That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.
	The granting of the proposed interior parkway setback variation and the foundation planting variation will not confer any special privelage denied to other lands, structures or buildings in the same district.

## ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

PRINT NAME: Richard J. McMahon

DATE: 25 September 2020

## REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

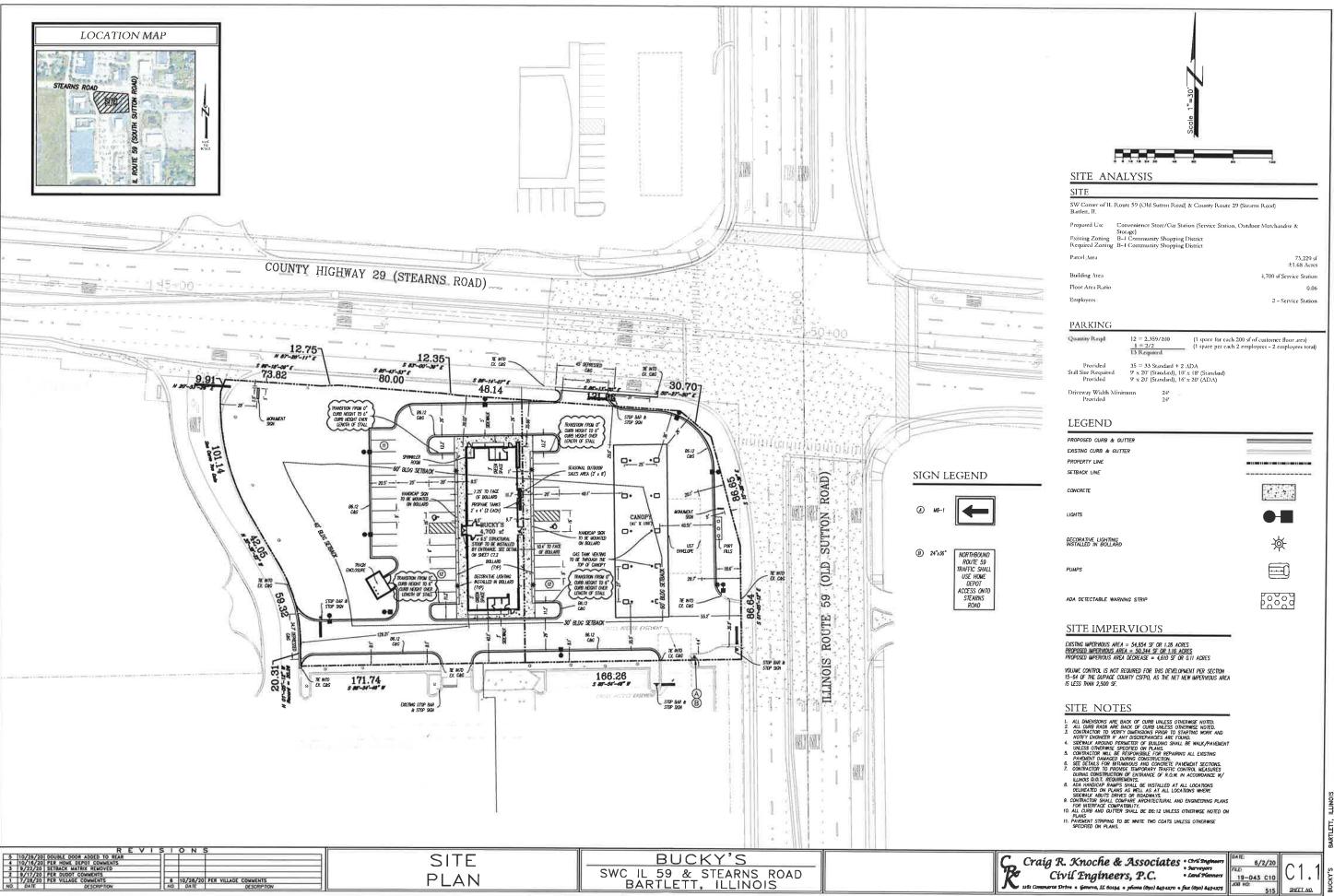
The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

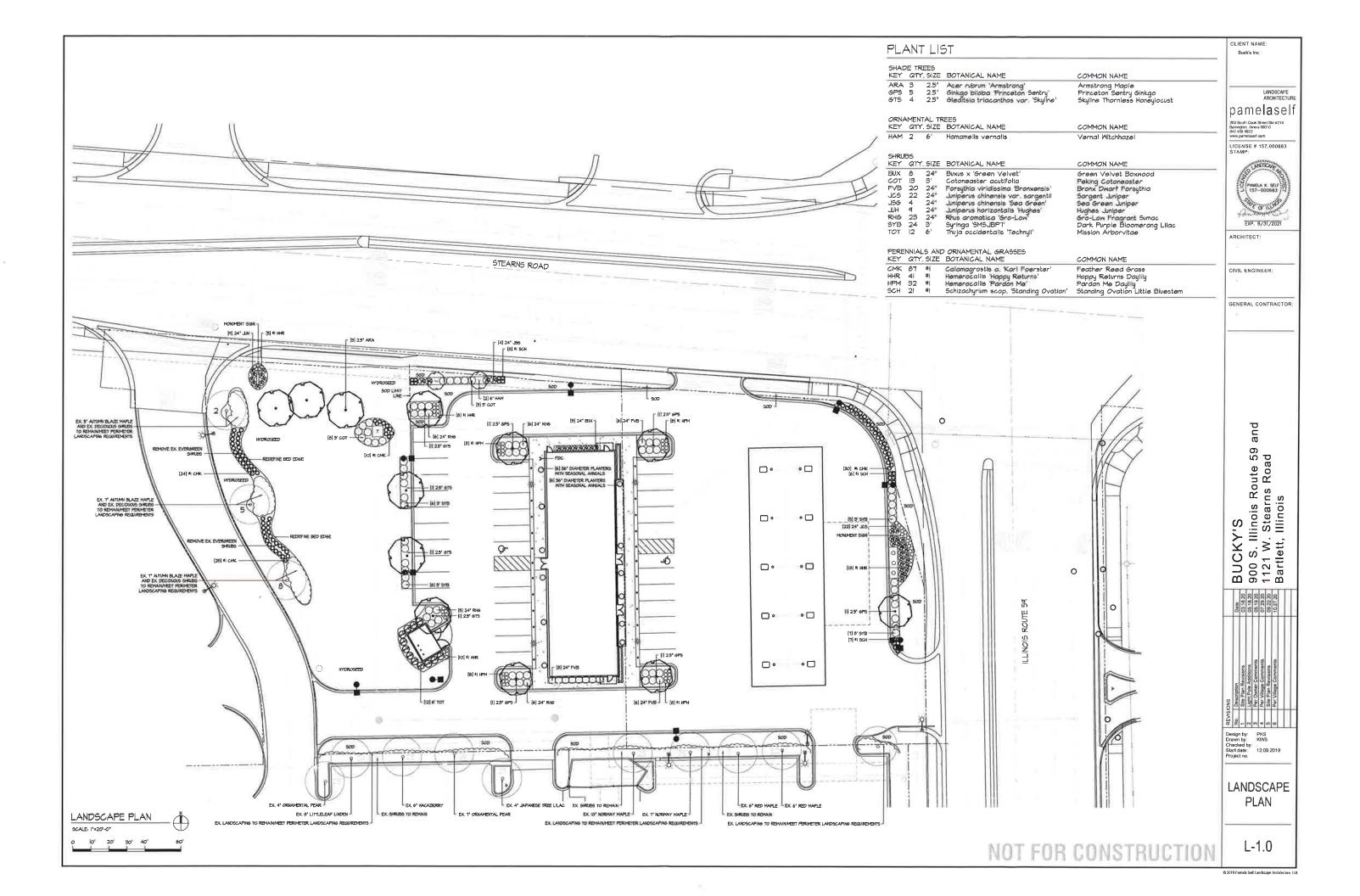
NAME OF PERSON TO BE BILLED: Buck's Inc. c/o Richard McManon
ADDRESS: 2500 Brickvale Drive, Elk Grove Village, IL 60007
PHONE NUMBER: 402-718-6724
EMAIL: RMcMahon@BuchananEnergy.com
SIGNATURE: Richard Me Makon attorney-in-fact
DATE: 25 September 2020
DAIL.

# **LOCATION MAP**

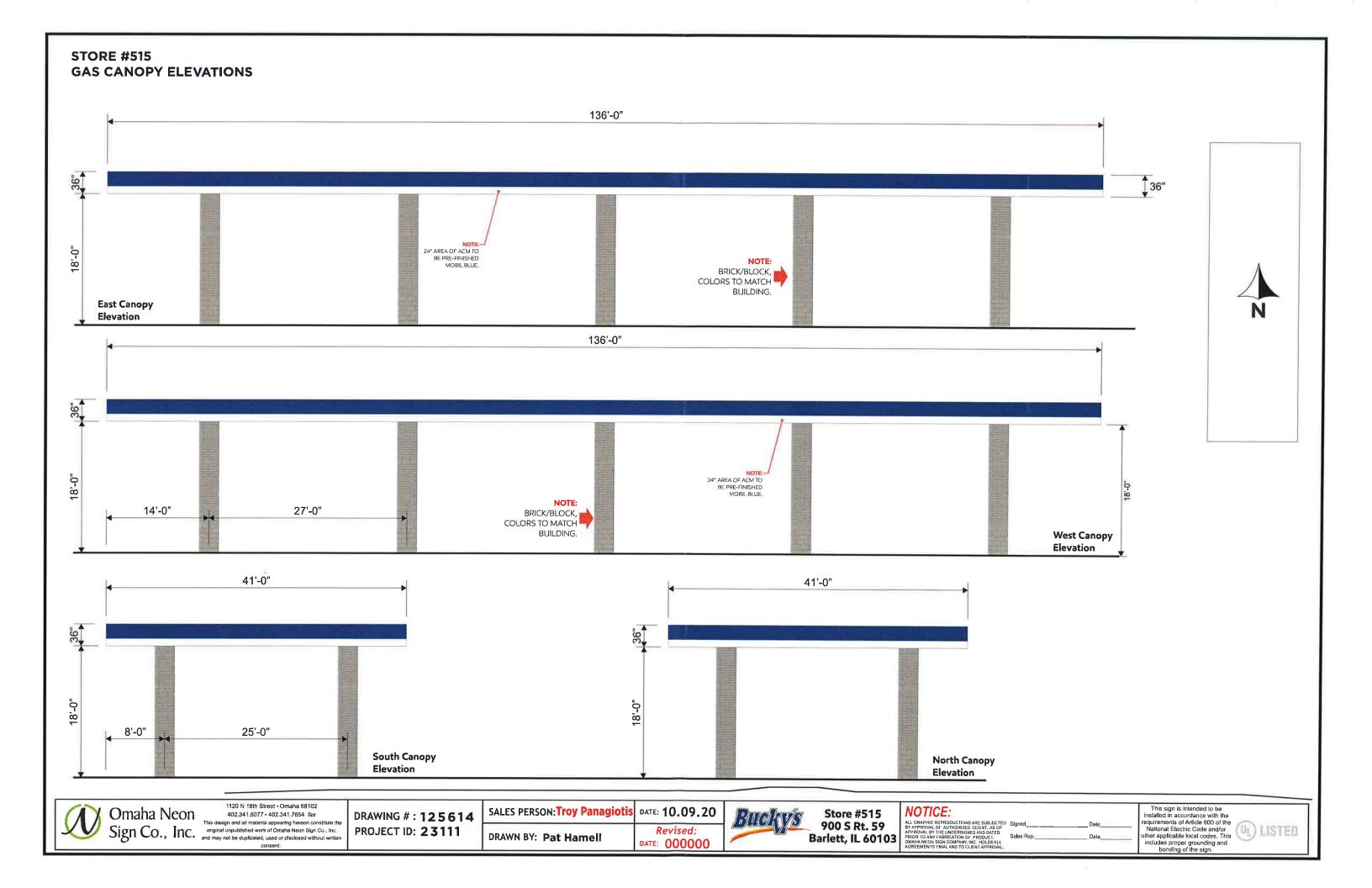
20-08 Bucky's on Stearns
PINs: 01-23-403-403 & 01-04-403-035
Site Plan, Special Use Permits, Variations

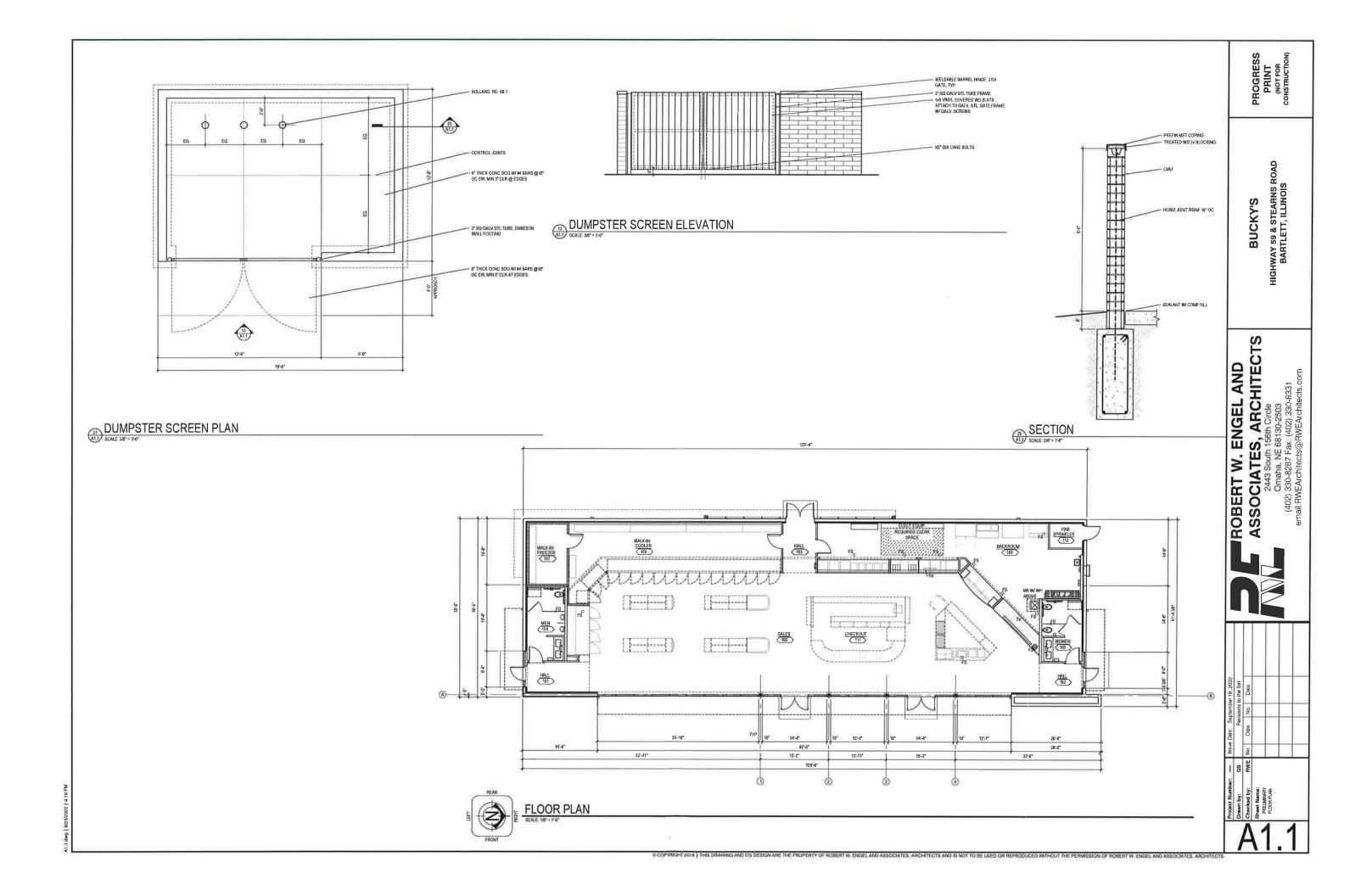






# **STORE #515 BUILDING ELEVATIONS** FRONT ELEVATION SCALE: 3/32" = 1'-0" **RIGHT ELEVATION** LEFT ELEVATION SCALE: 1/8" = 1'-0" SCALE: 1/8" = 1'-0" **REAR ELEVATION** SCALE: 3/32" = 1'-0" Omaha Neon Sign Co., Inc. 1120 N 18th Street \* Omaha 68102 402,341,6077 \* 402,341,7654 fax This design and all material appearing hereon constitute the original unpublished work of Omaha Neon Sign Co., Inc. and may not be duplicated, used or disclosed without written This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. DATE: 10.08.20 SALES PERSON: Troy Panagiotis Store #515 900 S Rt. 59 NOTICE: DRAWING #: 125608 PROJECT ID: **23111** Revised: DRAWN BY: Pat Hamell Barlett, IL 60103 DATE: 000000





# PLANNING & DEVELOPMENT SERVICES MEMORANDUM 20-170

DATE:

October 27, 2020

TO:

The Chairman and Members of the Zoning Board of Appeals

FROM:

Kristy Stone, Village Planner

RE:

(#20-17) Brewster Creek Business Park Lot 2A (Cook County)

#### **PETITIONER**

Brian Quigley on behalf of Conor Commercial Real Estate

#### **SUBJECT SITE**

Lot 2A of the Cook County portion of the Brewster Creek Business Park

#### **REQUEST**

Variations:

To allow loading docks in the corner side yard (south side – Jack Court), To reduce the number of required parking spaces from 463 to 423

#### **EXISTING AND PROPOSED CONDITIONS**

	Land Use	Comprehensive Plan	<u>Zoning</u>
Subject Site	Vacant	Mixed Use Business Park	I-2 EDA
North South East West	Vacant/Wetland Industrial Warehouse Wetland Vacant	Mixed Use Business Park Mixed Use Business Park Open Space Mixed Use Business Park	I-2 EDA I-2 EDA I-2 EDA I-2 EDA

#### DISCUSSION

1. The Petitioner is requesting a Site Plan Review for a proposed 435,692 square foot warehouse building on 24.8 acres (Lot 2A) in the Cook County portion of the Brewster Creek Business Park. The Plan Commission will conduct the review of the petitioner's request for Site Plan Review at their November 12, 2020 meeting.

- 2. The building is designed with the potential for four (4) tenant spaces, each containing 2,500 square feet of office area located at the corners of the building. The remaining 435,692 square feet of the building is designated for warehouse space.
- 3. The proposed 44-ft tall building would be constructed with insulated, pre-cast concrete panels with recessed pre-cast accent panels. The color palette proposed will consist primarily of varying shades of white and gray with blue color accents.
- 4. The Site Plan identifies 50 exterior docks, (25 on the north side and 25 on the south side) with four (4) drive-in doors proposed, two each on the north and south sides of the building. The I-2 EDA Zoning District requires the docks on the south side of the building to be enclosed and recessed 15 feet from the front building elevation due to their location along a corner side yard (Jack Court). The petitioner is requesting a **Variation** from this requirement. Landscaping, including evergreen trees, and the required parkway tree plantings along Jack Ct. will provide screening of this loading area from the roadway.
- 5. One (1) curb cut is proposed along Spitzer Road (west property line) and three (3) are proposed along Jack Court (south property line).
- 6. The Petitioner is also requesting a **Variation** to allow for a reduction in the required number of parking spaces on the property. The Site Plan identifies 423 parking spaces, including twelve (12) handicapped accessible spaces. The Zoning Ordinance requires 463 spaces.
- 7. The Site Plan also identifies 125 truck trailer stalls for additional parking along the north and east property lines.
- 8. The Photometric and Landscape plans are currently being reviewed by the Staff.

#### RECOMMENDATION

- 1. According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals should render a decision based upon the following:
  - A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
  - B. That conditions upon which the petition for the variations are based

are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

- C. That the purpose of the variations is not based exclusively upon a desire to make money out of the property.
- D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.
- E. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
- That the proposed variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
- G. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

A variation shall be recommended only if the evidence, in the judgment of the Board of Appeals, meets all the conditions enumerated above.

2. Background information is attached for your review.

/attachments x:\comdev\mem2020\170\_bcbp lot 2 (cook)\_zba.docx

#### RECEIVED

V<sub>3</sub>

September 18, 2020

Mr. Kevin Wallace Village Board Village of Bartlett 228 South Main Street Bartlett, IL 60103 SEP 2 1 80 KB

PLANNING & DEVELOPMENT VILLAGE OF BARTLETT

RE: Conor Commercial – Building #1 | Brewster Creek Business Park

Dear Mr. Wallace and Village Board Trustees,

Conor Commercial Real Estate has entered into a contract to purchase the lot directly northeast of Spitzer Road and Jack Court in the Cook County of the Brewster Creek Business Park. The property is approximately 24.8 acres and the proposed development consists of a 435,692 square feet warehouse building along with surface parking lots.

The site is currently being mass graded by Elmhurst Chicago Stone in order to provide a compacted and buildable site. Conor Commercial and their construction partner, McShane Construction Company, plan to begin construction of the warehouse building as soon as they receive approval. We request that you approve the development application as submitted for the proposed development.

Please feel free to reach out to us with any questions you have regarding the development application.

Sincerely, V3 Companies

Bryan C. Rieger, P.E. Senior Project Manager



For Office Use Only Case # 2020-17

#### **RECEIVED**

(Village Stavup) Ex 2 1 2020

PLANNING & DEVELOPMENT VILLAGE OF

PROJECT NAME Brewster Creek - Building #1	PLANNING & DEVELOPMENT VILLAGE OF BARTLETT
DESIGNATION OF THE ORDER ASSESSMENT OF THE ORDER OF THE O	<u></u>
PETITIONER INFORMATION (PRIMARY CONTAC	
Name: Conor Commercial Real Estate: Brian Quigley	<b>/</b>
Street Address: 9500 W. Bryn Mawr Avenue, Ste. 200	8
City, State: Rosemont, IL	Zip Code: 60018
Email Address: bquigley@conor.com	Phone Number: 847-217-6551
Preferred Method to be contacted: Email	
PROPERTY OWNER INFORMATION	
Name: Elmhurst Chicago Stone Company	
Street Address: 400 West First Street	·
City, State: Elmhurst, IL	Zip Code: 60126
Phone Number: 630-832-4000	2
OWNER'S SIGNATURE:	Date:
(OWNER'S SIGNATURE IS REQUIRED OF A LETT	
SUBMITTAL.)	
<b>ACTION REQUESTED</b> (Please check all that apply)	
`	
Annexation Text Amendment PUD (preliminary) Rezoning See D	
	Yard Loading Docks, Parking Reduction
**	Talu Loading Docks, Faiking Reduction
	1 (
Site Plan (please describe use: commercial, industria 435,642 SF Industrial Building on 24.8 acr	ai, square iootage):
Unified Business Center Sign Plan	
Other (please describe)	

# **SIGN PLAN REQUIRED?** No

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

# **PROPERTY INFORMATION**

Common Address/	General Location of Proper	rty: Northeas	st corner of Spitzer Rd and Jack Ct
Property Index Nun	nber ("Tax PIN"/"Parcel I	D"): <u>06-33-</u> 3	300-001 and 06-32-401-003
<b>Zoning:</b> Existing:  Orange Proposed:	Refer to Official Zoning Map)	Land Use:	Existing: _Vacant Proposed: Industrial
Comprehensive Plan	n Designation for this Pron	erty: Indus	_
Acreage: 24.8	Comprehensive Plan Designation for this Property: Industrial (Refer to Future Land Use Map)		er to Future Land Use Map)
For PUD's and Subo	divisions: Units:		
Minimum Lo	t: Area	Width	Depth
Average Lot:	Average Lot: Area Width Depth		
APPLICANT'S EX Attorney	PERTS (If applicable, includin	g name, addres	s, phone and email)
Engineer	V3 Companies, Ltd. 7325 Janes Avenue, Woo	dridge, IL 60	517
	Bryan Rieger, brieger@v3	3co.com, 630	-333-3525
Other	Harris Architects		
	4801 Emerson Ave. Suite	210, Palatin	e, III
	Greg Loughran, gloughran	n@harrisarch	nitects.com, 847-303-1155

#### FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals 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 ZBA and Village Board to review.)

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

Loading in Front Yard: The site fronts on two streets, Spitzer Road and Jack Court. Spitzer Road is a thru street and Jack Court is a cul-de-sac. No loading is proposed on the west side fronting Spitzer Road. The market has shown that a double loaded building is appropriate for this site and loading docks is proposed on the south side. Parking Reduction: 463 stalls are required based on code. 423 stalls are proposed to be constructed as part of this development. This amount is sufficient for this development and the warehouse use expected.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

Loading in Front Yard: The loading docks will face south to a similarly configured building on the other side of Jack Court.

Parking Reduction: The proposed use of this building does not demand the amount of parking which is required in the ordinance. On similar projects the parking shown is sufficient to meet the need of the potential tenant.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

Loading in Front Yard: To provide a functional building on this property, a double loaded building is critical.

Parking Reduction: The developer is confident that sufficient parking is provided with the development. The development is providing 91% of the code requirements.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

The loading and parking requirements for the I-2 EDA zoning district set forth by the provisions of this Title are the cause of the alleged difficulty.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

Loading in Front Yard: The loading in the front yard will not be detrimental to the public welfare or injurious to other property improvements in the neighborhoods. The building directly across Jack Court to the south has a similar configuration. Parking Reduction: The granting of the requested parking variation will not be detrimental to the public welfare nor will it be injurious to other property or improvements in neighboring area. Sufficient parking for the development is being provided.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

The granting of the proposed loading and parking variances will not impair the above listed items.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The granting of the proposed loading and parking variances will not confer the application any special privilege that is denied by the provisions of this Title to other lands, structures, or buildings in the same district.

# **ACKNOWLEDGEMENT**

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

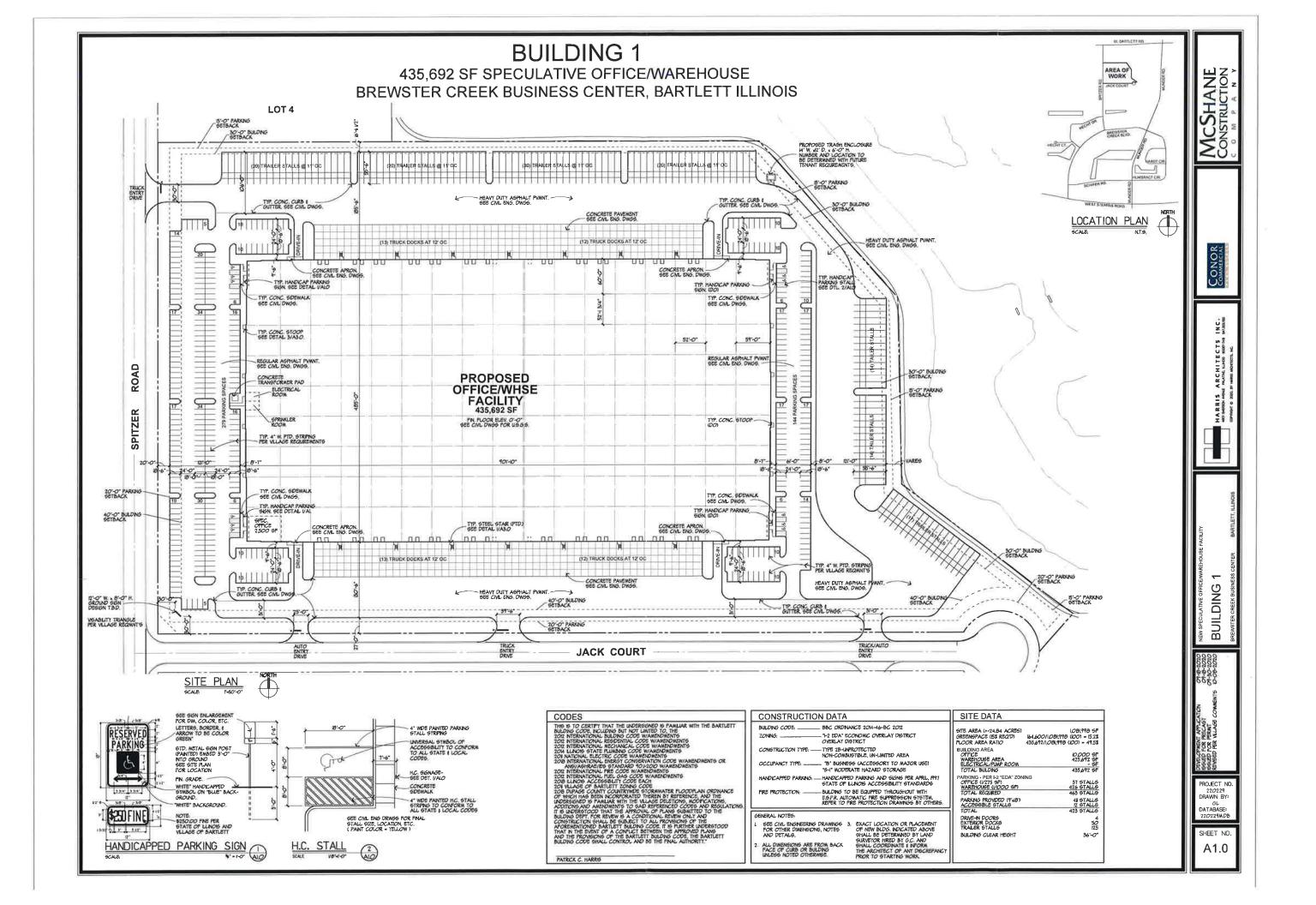
Any late, incomplete or non-conforming application submittal will not be processed until ALL

materials and fees have been submitted.
SIGNATURE OF PETITIONER:
PRINT NAME: BRUAN WUGLEY
DATE: 0CT. 13, 2020
REIMBURSEMENT OF CONSULTANT FEES AGREEMENT
The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.
NAME OF PERSON TO BE BILLED: BLAN QUIGLEY GO COUR COMMERCIA
NAME OF PERSON TO BE BILLED:
GERM (1) POVAL MANUE SUITE 200
ADDRESS: 9500 W BRYN MAWR, SUITE 200
ADDRESS: 9500 W BRYN MAUR, SUITE 200 ROSEMONT, IL 60018
ADDRESS: 9500 W BRYN MAWR, SUITE 200
ADDRESS: 9500 W BRYN MAWR, SUITE 200  ROSEMONT, IL 60018
ADDRESS: 9500 W BRYN MAWR, SUITE 200  ROSEMONT, IL 60018  PHONE NUMBER: 847) 217-655/

# **LOCATION MAP**

20-17 BCBP Lot 2A (Cook County) Site Plan, Variations



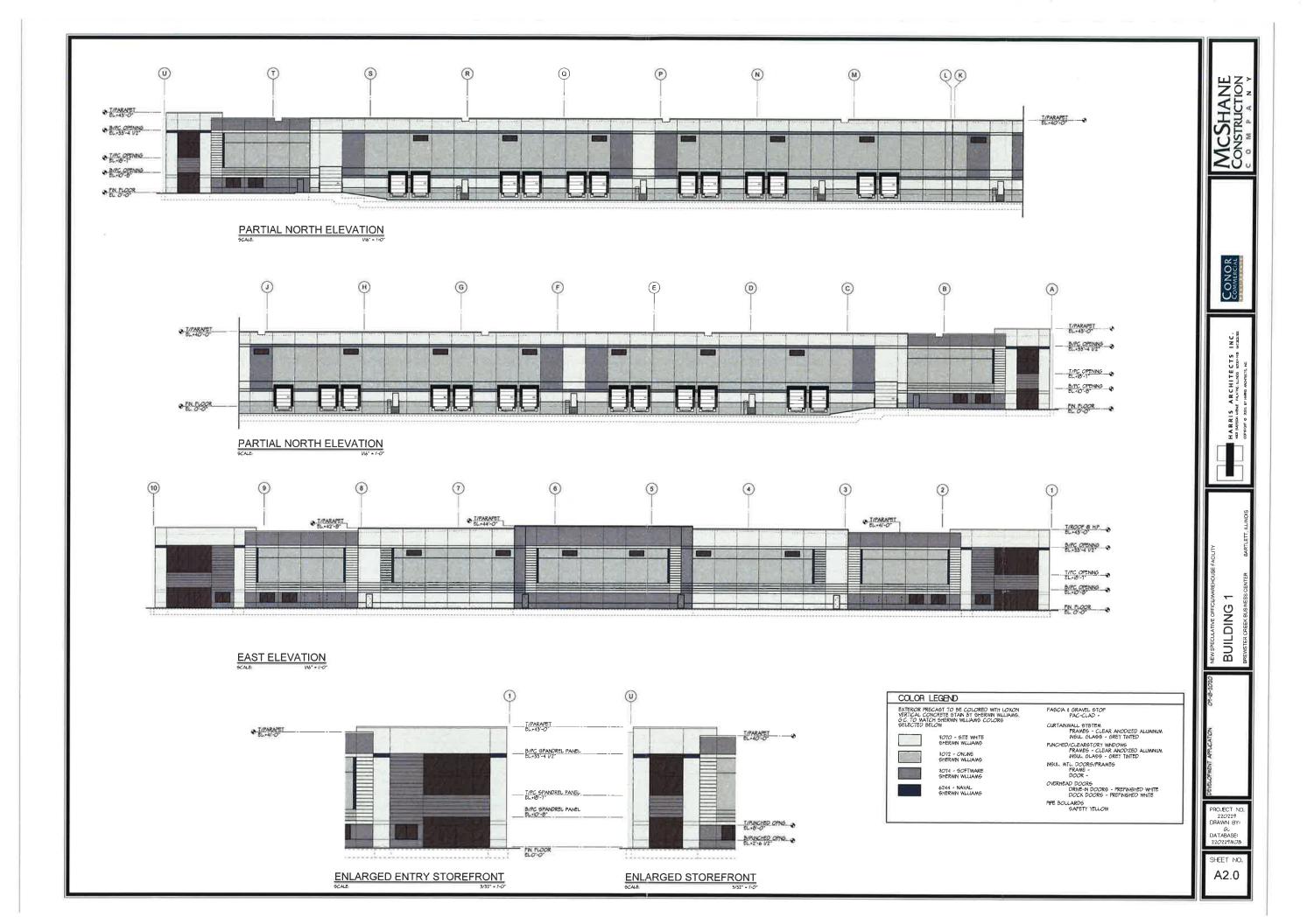


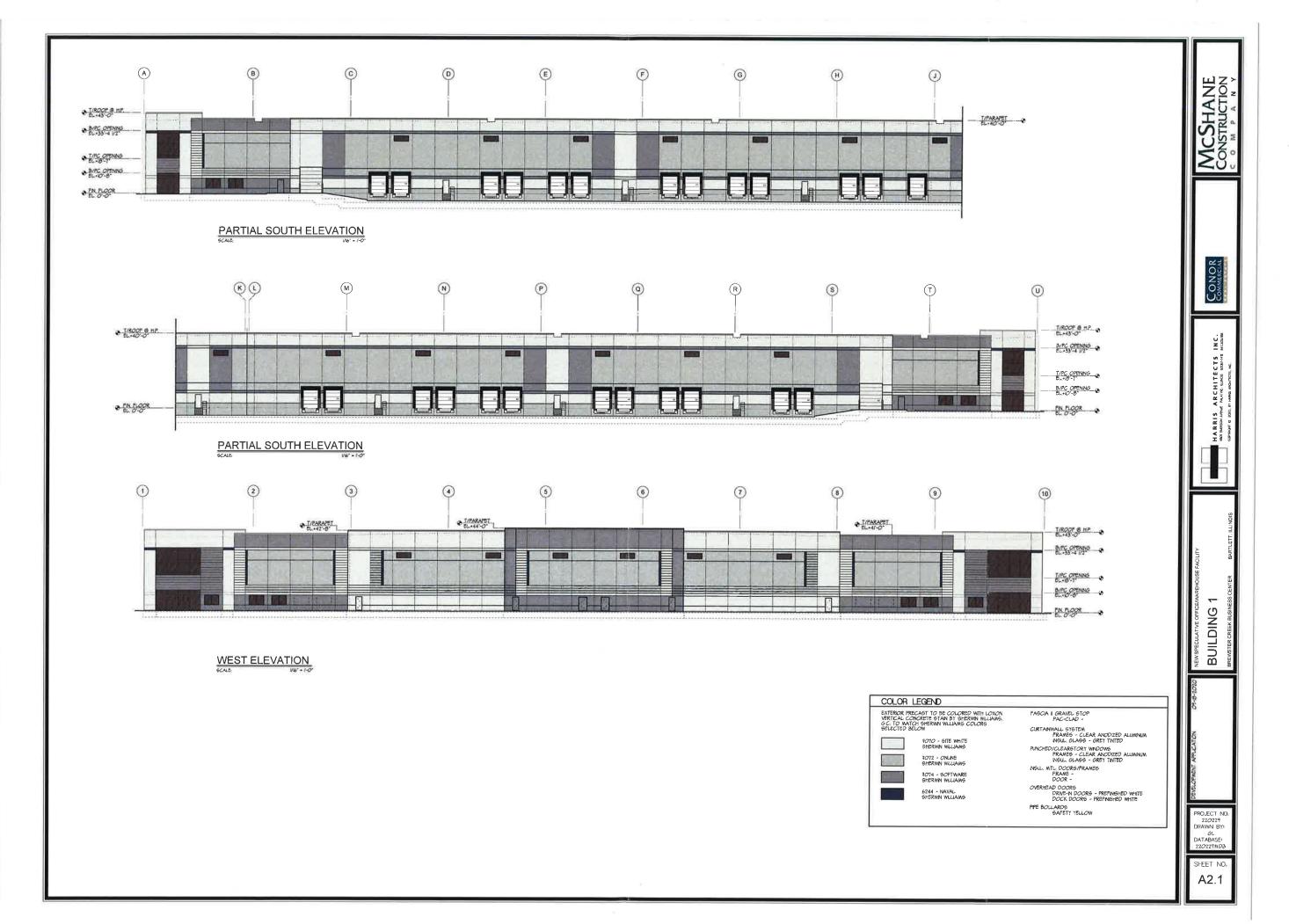












Plant material shall be nursery grown and be either balled and bur-lapped or container grown. The requirements for measurement, branching and ball size shall conform to the latest additio of ANSI Z60.1, AMERICAN STANDARD OF NURSERY STOCK by the American Nursery &

Any materials with damaged or crooked/disfigured leaders, bark abrasion, sun scald, insect

damage, etc. are not acceptable and will be rejected. Trees with multiple leaders will be rejected unless called for in the plant list as multi-stem or clump (cl.).

If any mistakes, omissions, or discrepancies are found to exist with the work product, the It allowed a facilities that it is used to be promptly notified so that they have the opportunity to take any steps necessary to resolve the issue. Failure to promptly notify the lating cap Architect and the Owner of such conditions shall absolve them from any responsibilities for the consequences. of such failure.

Under no circumstances should these plans be used for construction purposes without examining actual locations of utilities on site, and reviewing all related documents mentioned herein, including related documents prepared by the project Civil Engineer and Architect

Civil Engineering or Architectural base information has been provided by others. The location of various site improvements on this set of drawings is only illustrative and should not be relied upon for construction purposes

All bed lines and tree saucers shall require a hand spaded edge between lawn and mulched

Quantity lists are supplied as a convenience. However, Bidders and the Installing Contractor should verify all quantities. The drawings shall take precedence over the lists. Any discrepancies shall be reported to the Landscape Architect

Actions taken without the knowledge and consent of the Owner and the Landscape Architect or in contradiction to the Owner and the Landscape Architect's work product or recommends shall become the responsibility not of the Owner and the Landscape Architect, but for the parties responsible for the taking of such action

Refer to Civil Engineering documents for detailed information regarding size, location, depth and type of utilities, as well as locations of other site improvements, other than landscape improvements.

Plant symbols illustrated on this plan are a graphic representation of proposed plant material types and are intended to provide for visual clarity. However, the symbols do not necessarily types and are intended to provide for visual clarity. He represent actual plant spread at the time of installation

All plant species specified are subject to availability. Material shortages in the landscape industry may require substitutions. All substitutions must be approved by the Village, Landscape Architect and Owner.

The Landscape Contractor shall verify location of all underground utilities prior to digging by calling "J.U.L.L.E." (Joint Utility Location for Excavations) 1-800-892-0123 and any other public or private agency necessary for utility location.

Grading shall provide slopes which are smooth and continuous. Positive drainage shall be provided in all areas.

Tree branching shall start no less than six (6) feet above pavement, measured from pavemen

inches (30") above pavement on landscape islands at the end of parking rows

Seed mixes shall be applied mechanically so that the seed is incorporated into the top one-half inch (1/2") of the seed bed. The seed shall then be covered with the specified blanket (installed per manufacturer's, specs) or Hydro-mulch.

All plant material shall be guaranteed for one (1) year from the date of acceptance

All completed planting beds and tree saucers, except for groundcover beds, shall be mulched with three (3) inches of un-dyed shredded hardwood bark. All groundcover beds shall be mulched with three (3) inches of pine bark fines.

To insure visibility, shrubs and ornamental grasses shall not exceed a mature height of thirty

KEY QTY BOTANICAL NAME COMMON NAME TYPE DECIDUOUS SHADE TREES Autumn Bleze Freeman Mapie 2 5" BB AFJ AMM CO GAG GTD GTS GD QB QE Acerm 'Morton' State Street Maple Celts occidentals Hackberry Autumn Gold Ginkgo Ginkgo b 'Autumn Gold Gledilsia I i 'Draves' 3 0" BB Street Kepper Hon 2 5\*9B 2 5\*8B Gleditsia (1. Skyline Skyline Honeylocus 2 5" BB 2 5" BB 2 5" BB Kenlucky Coffeetres Swamp White Oak Quercus bicolo Querçus ellipsoidalis Hills Oak Quercus imbricaria Shingle Oak Burr Oak 3.0" BE QBO QR TSB TCG UF Quercus macrocrap 2.5" BE Quercus rubra Red Oak 3.0" BB 2.5" BB Taradium d. Wickelso Shawnee Brave Bald Cypresi Title o Gleolei en 25°88 25°88 Accolade Elm EVERGREEN TREES 15 Picea abies 20 Picea g. Densata' 15 Picea pungens 10 Psaudotsuga menziesii PA PGD PP PM 9, 88 9, 88 9, 88 Norway Spruce Black Hills Spruce Colorado Green Spruc DECIDIOUS ORNAMENTAL TREES Crataegus v. Winter King' Malus 'Donald Wyman' Winter King Hawthorn Donald Wyman Crabappie 6' BBcl 6' 8Bcl 2.0" BB 6' 8Bcl 6' 8B Malue s. Firebire Sargent Tine Crabapp Beijing Gold Tree Lila Swings p. 'Zhing Zhiming DECIDUOUS SHRUBS & SHRUB ROSES 54 Amnie a 'Brilliantissim Cornus racemosa Cotoneaster Hesser 20 Dievilla r 'G2X885411 Red Kodiak Diervilla Meadowlark Forsyllis Forsythia x. Meadowlark Ozark Wich Haze Blue Fostival St. Johnsword Gro-Low Sume. Easy Elegamee Kashmir Rose Frau Degmar Hastrup Rose Purple Pasvement Rose Double Play Painted: Lady Spire. Mas Kim Lilae Blue Milfin Arrowood Mburnur Chicago Luste Wburnum Autuma Jazz Viburnum Nohican Viburnum 175 Rhus a 'Gro Low' Rose BAlmir 12 Hose Warmir
6 Rose r. 'Frau Dagmar
6 Rose r. 'Purple Paven
9 Spriaea j. 'Minspri

B1 Syringe p. 'Miss Kim'
110 Viburnum d. 'Christom 30 Viburnum d Synnestved
44 Viburnum d 'Raiph Senk
42 Viburnum lantana
62 Viburnum lantana EVERGREEN SHRUBS Kaileys Compact Juniper Mountbattan Juniper Sea Green Juniper Hughes Juniper Blue Pacific Juniper Dense Yew Emerald Green Arbords Techney Arbordae 5 BB 4 BB PERENNIALS 10 Coreopsis v Golden Show Echinacea x Sunnase Sechinacea C Geoppaid 32 Gerantum x Max Frie 22 Hemerocallis Going Bana Friemerocatts Summer Mi 24 Hauchera Obsidian 14 Hosta Tempress Mr 12 Hosta June 18 Nepeta I Novanepjun' 19 Nepeta I Novanepjun' 20 Pjack p Tioonfal' 21 Stachys o Hummteld' Golden Showers Coreopsis
Big Sky Sunrise Coneflower
Butterfly Cleopatra Coneflower
Max Frie Geranium
Going Bananas Daylily
Summer Wine Daylily
Obsidian Coralbells
Empress Wu Hosta
June Hosta June Hosta Blue Wooder Carmint Junior Walker Calmint Bubblagum Pink Phlox Alpine Belony GROUNDCOVERS & MNES 2 Carex flacca 36 Ulriope spicata Blue Sedge (20 plants) Creeping Lilyturf (360 plants) from 10 flat MATERIAL & LABOR LIST:

DESCRIPTION

No Mow Fescus Seed fits

Southern Pine Bark Fines

Kentucky Bluegrass Blend w/Perennial Rye Kentucky Bluegrass Blend w/Perennial Rye

S75 by North American Green (or equal)

Shredded Hardwood Bark Compost (Yard Waste or Mushroom)

PLANT UST

QTY ITEM

280 CY Mulch 21 CY Mulch 3 CY Mulch

7 212 SY Name Seed w Hydro Mirch 10 834 SY Seed w Hydro Mulch 988 SY Seed w/ Straw Blanket

Call before you dig.

EXPIRES: 10/31/2021

**REVISIONS** 

1 - Village Review #1

CREEK

BARTLETT, ILLINOIS

**BREWSTER** 

10-09-20



Park & Recreation Design Site & Community Plan

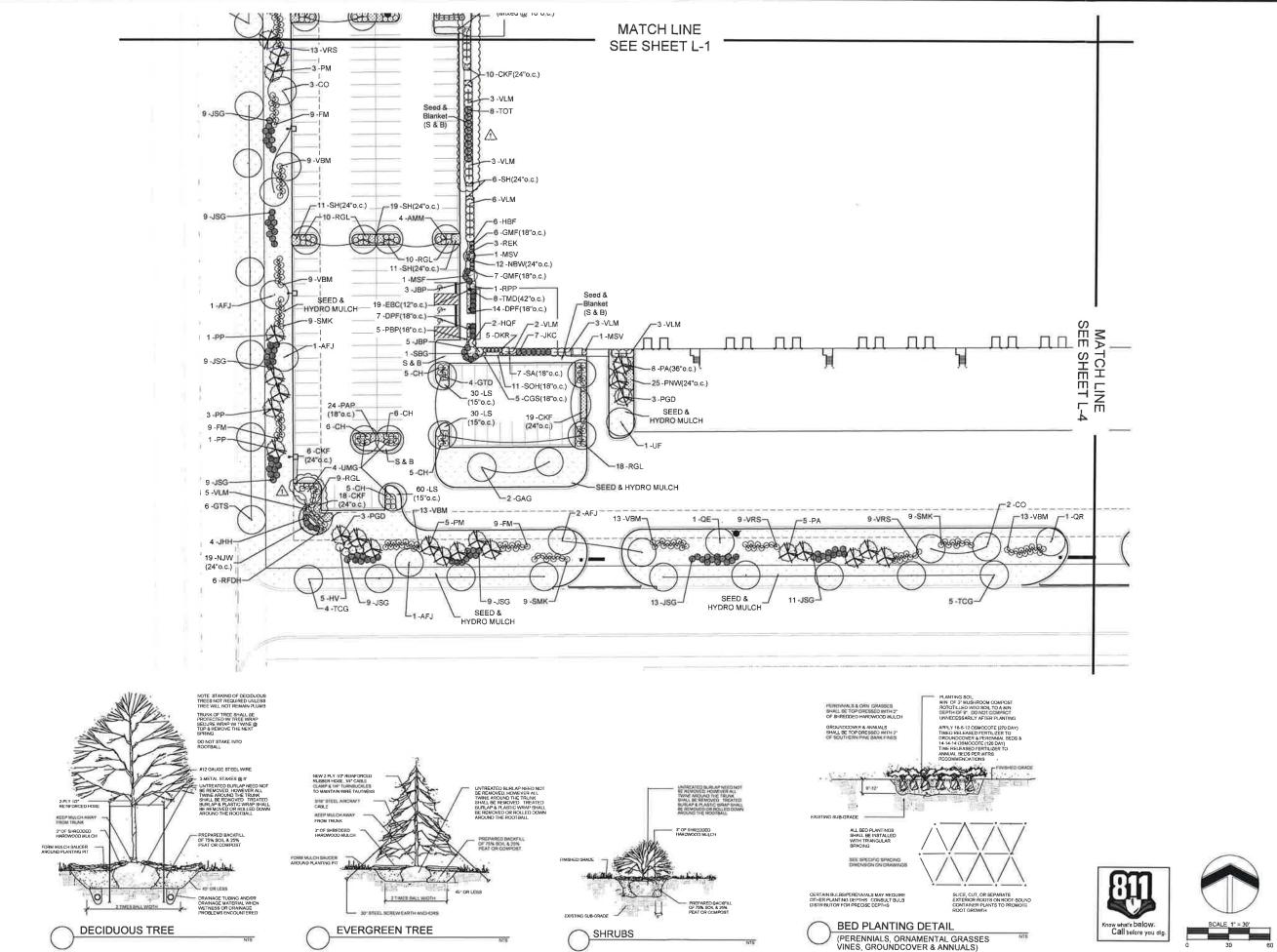
> LANDSCAPE PLAN

PROJECT NO : JOB NO :: L1520 - 9237

DATE: 09-16-20 SCALE:\_\_\_\_1"=30' PLANNER: JMR

DRAWN BY: RM CHECKED:

SHEET L-1



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REVISIONS

BREWSTER CREEK

BARTLETT, ILLINOIS





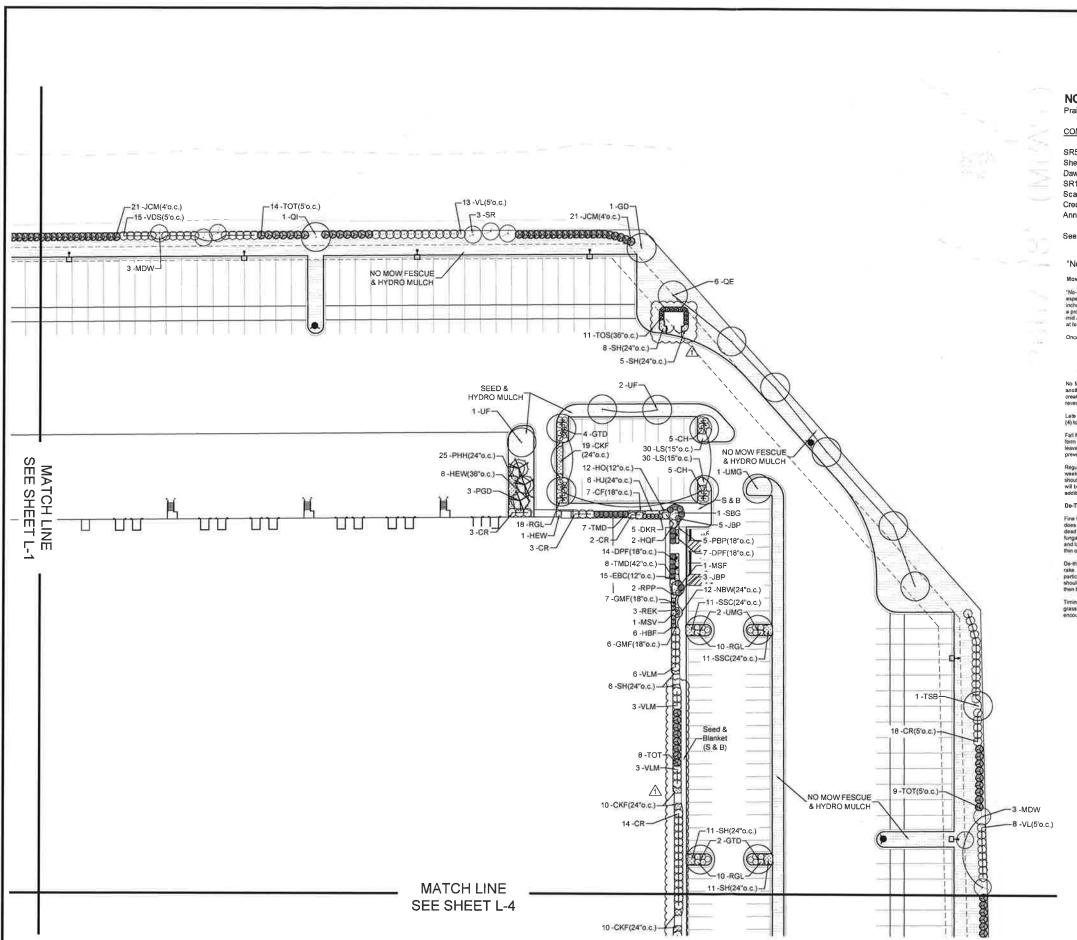
LANDSCAPE PLAN

PROJECT NO.: JOB NO.: L1520 - 9237

DATE: 09-16-20 SCALE: 1"=30' PLANNER: JMR DRAWN BY: RM CHECKED:

SHEET

L-2



#### NO MOW FESCUE SEED MIX

Prairie Nursery Westfield, WI

COMMON NAME	PERCENT	GERMINATION
SR5100 Chewings Fescue	23,52%	85%
Sheep Fescue	23.52%	85%
Dawson Red Fescue	11,76%	85%
SR100 Hard Fescue	11.76%	85%
Scaidis Hard Fescue	11.76%	85%
Creeping Red Fescue	11.70%	85%
Annual Ryegrass	3.88%	90%

Seed Rate 5 lbs per 100 sq. ft. or 220 lbs per acre

#### "No-Mow" Maintenance Program

'No-More' lawns may require occasional moving during the first two (2) years of establishment to control weeds, especially with lawns that are seeded in spring. Most annual weeds can be controlled by moving at a heightof four inches (4) in the first growing season. It blemish weeds such as sweet clover, Queen Arries is Luce, Durdock, etc. are a problem in the second year, they should be moveed at four inches (4") just as they begin to flower, usually allowed and Just. The carefully street inches (4") as second time when they to shown later in the season.

Once the "No-Mow" tawn is established there are four (4) basic mowing options

- No mowing at all One late spring mowing, usually in early June when the seedheads appear Fall mowing with a mulching mower, especially in wooded areas to chop up fallen leeves Regular mowing, usually monthly, to meintain a more "cropped" appearance

No Mowing: This will result in a turl whose leaves grow to about six sinches (6") in height that will draps over one another to create a low-growing meadow effect. Seatheads about two feet (2") tall will appear in early to mid June, orceating a rice meadow effect. The seatheads will typically fall to the ground by late summer, and the lawn will revert to its normal height of about five to six inches.

Late Spring Mowing: Mowing the "No-Mow lawn once a year in June when the seedheads appear at a height of four (4) to five (5) inches to remove the seedheads and the turf will re-grow to its normal height.

Fall Mowing. This as a good option for seedings under or in open woodlands. The fescus grasses usually will not form seattlead's when growing is shade, so June mowing is not required to maintain a normal height. However, leaves from deciduous trees must either be raked up and removed, or chopped up with a mulching mower in order to overent smollaring of the full over winter.

Regular Mowing: For a traditional maniformed lawn look, regular mowing can be done every three (3) to four (4) weeks, or when the grass reaches a height of fix inches (67). Most fire fescues do not tolerate close mowing, and should be mowed no lower than 3.5 inches. More remove more than one third of the total leaf material, or the surf will be damaged. Always out grass with a sharp mower blade to minimize training of the leaves which will cause additional stress to the grass plant.

Fine fescues lend to develop a fratch. layer near the soil surface over time. Thatch is composed of dead grass that does not decompose. It can smother the growth of new grass shoots, reducing the density of the lawn and creating dead spots. The thatch layer also breds to retain moisture at the ground level, which can encourage the growth of lungst diseases. Thatch development is encouraged by high levels of soil Nitrogen, and is more common in rich soil and lawns that are regularly fertilized. If match builds up to a point where dead grass is visible and grass begins to thin out, the lawn should be of chusched.

De-thatching can be accomplished using a mechanical de-thatcher or power rack, or by hand using a de-thatching rate. Set mechanical de-thatcher to a depth where they lift the that to the without digging up the soil. If the thatch is particularly lifts, the de-thatcher will need to be sol deeper, and some soil disturbance will likely occur. The thatch is should be racked out of the laws and removed. If open soil is visible following de-thatching, the affected areas should then be over-seeded with "No-More Issum in:

Timing of de thatching is very important. Cool season feacue lawns should be de -thatchied in mid-spring after the grass has greened up and begun active growth. De -thatching in early spring before the lawn begins to grow tends tendourage weeks.



10.09(20

# BREWSTER CREEK

BARTLETT, ILLINOIS





Park & Recreation Design

#### LANDSCAPE PLAN

PROJECT NO .: JOB NO .: L1520 - 9237

DATE: 09-16-20 SCALE: 1"=30" PLANNER: JMR DRAWN BY: RM CHECKED:\_\_\_\_

SHEET

L-3

REVISIONS

**BREWSTER** CREEK



IRG Ives/Ryan 1741 S. WIESBROOK ROAD WHEATON, IL 60189 PHONE: 630,738,0726

Landscape Architecture Park & Recreation Design Site & Community Planning

PLAN

PROJECT NO .: JOB NO .: L1520 - 9237

DATE: 09-16-20 SCALE: 1"=30' PLANNER:\_\_\_JMR DRAWN BY: RM CHECKED:\_\_\_\_