



Village of Bartlett
Plan Commission Minutes
November 12, 2020

J. Lemberg called the meeting to order at 7:05 pm.

Roll Call

Present: J. Lemberg, Chair, M. Hopkins, D. Gunsteen, J. Miaso, D. Negele, J. Kallas, and T. Ridenour

Absent: A. Hopkins

Also Present: Planning & Development Services Director, Roberta Grill, Village Planner, Kristy Stone, and Associate Planner, Devin Kamperschroer

Approval of Minutes

A motion was made to approve the September 10, 2020 meeting minutes

Motioned by: J. Miaso

Seconded by: D. Gunsteen

Roll Call

Ayes: M. Hopkins, D. Gunsteen, J. Miaso, D. Negele, T. Ridenour

Abstain: J. Kallas

The motion carried.



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(#20-02) Rana Cold Storage (1320-1340 Brewster Creek Blvd)
Site Plan Amendment

K. Stone this site was originally 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 with 64 exterior loading docks on the north and east sides of the building. In 2017, Axis Warehouse moved into the western 139,600 square feet of the building. In 2020, Rana Meal Solutions expanded their cold storage into the eastern 161,000 sq. ft. of the building. The Petitioner is proposing to add loading docks on the south side of the building along Brewster Creek Boulevard. Loading docks are only permitted in rear and side yards so they are requesting a variation for that so that they have direct access to the frozen food section of the warehouse. That is going to be heard before the Zoning Board of Appeals at their December 3, 2020 meeting. In addition to the load docks, they are adding a curb cut onto Brewster Creek Boulevard which will allow trucks to enter and exit in a one-way traffic pattern. There was a variation granted as part of the 2006 Ordinance to reduce the number of required parking spaces. The proposed changes to the warehouse loading docks do not affect the parking requirement for the site. The minimal amount of existing landscaping will be removed and they will add a significant amount of evergreen trees to help screen the loading areas from Brewster Creek Boulevard. The loading dock addition will be painted to match the building. Staff recommends approval subject to the conditions and Findings of Fact in your Staff report.

The Petitioner was not present. **T. Ridenour** asked why the loading docks would not work at the back of the building. **K. Stone** the Petitioner needs the docks in the front to have access to the frozen foods. **D. Negele** asked, is there a berm along Brewster Creek Boulevard where the Petitioner wants to have the loading docks? **K. Stone** there is not a berm. **T. Ridenour** is there an exhibit that shows the rest of the loading docks? **K. Stone** along the north side of the building there are loading docks and along the east side of the building. **T. Ridenour** is the Petitioner saying that the existing 64 docks are not sufficient? **R. Grill** the Petitioner told Staff that they need the cross access through the building for their cold storage and have to have loading docks on the front and back of the building. **K. Stone** the building across Brewster Creek Boulevard also received a variation for loading docks in the front yard. The Petitioner decided to angle their docks so that they are not as noticeable on the front elevation. The building to the south has their docks facing the road. **T. Ridenour** is the western half of the building not being used right now? **K. Stone** no, Axis Warehouse is located in that part of the building. **D. Negele** what is the height of the evergreen trees that they will be planting along Brewster Creek Boulevard? **K. Stone** the trees will be 6 feet tall at the time of planting.

J. Lemberg asked if there were any further questions or motions by the Commission.

J. Miaso made a motion to pass along a **positive recommendation** to the Village Board to approve case **(#20-02) Rana Cold Storage** for a Site Plan Amendment subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: J. Miaso
Seconded by: J. Kallas



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Roll Call

Ayes: J. Kallas, M. Hopkins, D. Gunsteen, J. Miaso, D. Negele, and T. Ridenour
Nays: None

The motion carried.



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(#20-08) Bucky's on Stearns

Site Plan Review

Special Use Permits:

- A. To allow an automobile service station
- B. To sell package liquor
- C. To allow outdoor sales

PUBLIC HEARING

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

D. Gunsteen recused himself from the discussion.

K. Stone This property was 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 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 Uses in the B-4 Community Shopping District, which makes the existing Mobil gas station a nonconforming use. The Petitioner is requesting Site Plan Review for a proposed Bucky's convenience store and gas station on two lots, which are currently a Mobil and Sonic at the southwest corner of Route 59 and Stearns Road. The 4,700 square foot convenience store would be located on Lot 4 of the Home Depot Subdivision. The 10 pump islands, fuel canopy and fuel tanks will be located on the existing Mobil site. The existing Mobil building, fuel canopy, and Sonic drive-in 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 soil and groundwater associated with the tank removal and redevelopment of the site. The Petitioner is requesting three Special Use Permits; for an automobile service station to bring the existing use into conformance, to sell packaged liquor, and for outdoor sales. The new convenience store would be oriented towards Route 59 and would operate 24 hours, seven days a week. The building would be accessible to patrons from both the east and west sides of the building. 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 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. The existing gas station originally had three full access curb cuts; two on Route 59 and one on Stearns Rd. Sonic has not had direct access to Stearns Road. The northernmost curb cut on Route 59 was eliminated during the IDOT intersection road 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 will also function as a right-in/right-out since a barrier median is in place along Stearns Road. 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 existing cross access points from the parking lot to the



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south. The Petitioner has submitted plans to IDOT and DuPage County Highway Department for their review and they in addition to the Village's Traffic Consultant have approved and signed off on the curb cut locations as shown on the Site Plan.

The Petitioner is requesting two setback variations for the fuel canopy as well as a reduction in the interior parkway landscaping requirements. The Zoning Board of Appeals conducted the Public Hearing and recommended approval at their November 5, 2020 meeting. The Zoning Ordinance requires a total of 33 spaces and the Petitioner is providing 35 spaces. The Landscape Plan is under review by the Staff. The Photometric Plan is also under review. The Plan indicates the light fixtures under the fuel canopy will be recessed into the canopy as requested by Staff. Staff recommends approval of the Petitioner's requests for a Site Plan and Special Use Permits subject to the conditions and Findings of Fact outlined in the Staff report. We would like to make one change to Condition G. The Petitioner and our Traffic Consultant and Staff talked today about the fuel tank deliveries. The Petitioner said that they feel that with the existing gas station they have not had a problem with tanker deliveries having to have their time restricted. The Village's Traffic Engineer said she would be willing to remove that condition provided the Petitioner works with Staff in the future if traffic circulation on the site becomes a problem. The Petitioner has agreed that if it becomes a problem, they would be willing to address this with Staff in the future, but does not want limit himself to those restrictions at this time. The Petitioner is present if you have any questions for him or for Staff.

The Petitioner, **Richard McMahon** on behalf of Buchanan Energy came forward and was sworn in by **J. Lemberg**. **R. McMahon** stated that the existing Mobil site was about 33,600 square feet before IDOT's taking. IDOT took a lot of the green area from the front. The Mobil site, which was built in 1982 preceded the Home Depot Subdivision. Home Depot has restrictions in their REA that defines petroleum products as a hazardous substance. We have designed this so that we will not have any fuel tanks or piping on what is currently Lot 4. When this is done, it will be essentially two lots that are zoned the same. The convenience store will be on the Sonic lot and all of the gas station canopy and underground fuel tanks will all be on what exists right now as the Mobil lot. We will be planting feather grass on the front corner where it is quite narrow. We wanted to have more front green space, but we could not because of the IDOT taking and the need to keep the canopy and fuel dispensing equipment off the Home Depot lot. We have minimum distances to have good internal circulation for when people come in in the morning with landscaping trailers, etc. The new canopy will be located where the existing canopy is. We are not moving the canopy closer to the street. Our building would be just across the property line and on part of the Sonic lot with parking in the back. Beyond the parking on the west side, there is an area that is currently concrete that we will be changing to grass. The total square footage of the lot is about 76,000 square feet and 31% of the lot would be green space in the back rather than the front, but we are constrained and that is why we are asking for the variations. The parking in the back could be reserved for EV charging in the future. We want to be able to allow Bartlett to be one of the first communities in Illinois to have charging stations. We are able to do that because our store is larger than the typical convenience store. We will be able to reorient the inside of the store and redesign what we do inside the store so that people can come in and spend 20 minutes doing something in the store while they are using the EV charging stations. We are also asking for Special Use for outside displays. We are not allowed under the REA as it exists now to have propane because Home Depot has written that out as a competitive item for sale. We would



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like the right to have propane should Home Depot ever allow us to have it in addition to the seasonal items we are asking for. All the water that falls on the canopy and roof to the building will go into the storm sewers and any water on the driveway would go into a collection system that goes through a downstream defender before it goes into the storm sewer as required by DuPage County. We would maintain that every six months. The underground tanks were installed in 1982 and it is time that they come out. We will put in new state-of-the-art tanks. The tanks are doubled walled with interstitial space between the double walls. There are sensors that detect fuel or water going into that area so that if there are leaks, the sensors detect that and shut down the whole system. The piping is also double walled. It will be a major improvement over what is currently there. These tanks have a 30-year warranty. The manufacturer has never had a claim against them for an improperly installed tank here in the United States. There are monitoring wells and observation wells that will be put in because that is part of the environmental cleanup of the existing tank. The computers will actually test the pressure on the tanks every night. The installer will have to meet certifications and the State Fire Marshall will be there when the old tanks come out and when the new tanks go in. **T. Ridenour** what is the restriction that keeps you from moving the whole project to the west? **R. McMahon** we cannot put any motor fuel on the Home Depot lot. It is a hazardous substance prohibited by the REA. **T. Ridenour** do you have motor fuel all the way up to the face of the retail building? **R. McMahon** the tanks are by the road and the motor fuel goes from the tanks to the dispensers underneath the canopy. **M. Hopkins** what stops you from pushing the whole thing 10 feet west if motor fuel will not will not cross that line? **R. McMahon** we looked at it and felt that it was best to not get involved with the Home Depot REA with anything to do with gas. It is an open issue so we have left all of the cross-access points untouched. We did not want to have anything that would be considered hazardous substances on their site and while the pipelines are not there now, we did not want to leave any room for interpretation for that. **M. Hopkins** it seems like you should ask. **R. McMahon** we have been asking on other things. It is one of the reasons I am here and that it has been so long since I originally started working on this. Home Depot is very reluctant to provide any answers very quickly and they cannot even give us permission on that. I would have to get permission from all of the other people on the site too. **M. Hopkins** if you do not have any motor fuel, it is not making sense to me that the line that is at the face of the building at the old Mobil lot, it seems like that is not where the motor fuel dispensing is. **R. McMahon** the lot is a gasoline lot. The soil is considered separately. It is not just a question of whether or not the fuel lines are there, it is the use. **M. Hopkins** there is parking there so if everything moved 10 feet to the west, that line would not get out of the parking spaces. I just do not understand the rationale here. **T. Ridenour** can you move the canopy 10 feet to the west or not, which would mean you would have to move the building 10 feet to the west and still be in compliance with the fuel tank storage and not be on the Home Depot lot? **R. McMahon** no, we feel that would be causing Lot 4 to be used for motor fuel and all of the attendant issues that would come up with that. We are just trying to keep it clean. We are keeping the convenience store on the Lot 4 where it is a permitted use underneath the REA and we are keeping anything to do with petroleum off of the Home Depot lot. **T. Ridenour** we understand that you do not want any fuel on the western lot, but the question is, can you move the canopies and pumps 10 feet to the west and still be in compliance? **R. McMahon** no, because Lot 4 is being kept free of any motor fuel and we are keeping all of the motor fuel on the other lot because we have to register that lot with the State Fire Marshall. It is a lot that has contamination on it and we are keeping it separate for that reason. **M. Hopkins** you are not moving the contamination west. You have a sidewalk and parking. What difference does it make where that falls on the property line if the tanks



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and the dispensing remain on the Mobil lot? **R. McMahon** it is the use. A lot that is contaminated as is the existing Mobil lot brings in a lot of other different issues and we just want to keep them separate. **M. Hopkins** there is vapor mitigation in the environmental report. Are there other reasons that stop you from doing it? It just does not make sense to me at present **R. McMahon** legally, we want to keep it clean and we also felt that the canopy is not moving from where the existing canopy is right now either and it is the same line up as the one across the street. **M. Hopkins** before we had the IDOT taking on Route 59 and Stearns Road, we had much more of a significant setback on the BP that we were left with and what we have now is pinched and compromised on the northwest corner with an uncomfortable carriage walk that would feel very dangerous to walk on if you actually had to use it. The geometry is shown on the Site Plan that picks up that corner and shows how the walk is working and the paving area on the northwest corner for comparison. That is not where we started with the project, but that is what we ended up after the IDOT taking. This is a great project, but the corner is very pinched and you have land to the west. I do not hear the real reason why you do not slide this whole thing westward a little bit. **R. McMahon** if that happened we would not be able to do the project. **T. Ridenour** can you move the building 10 feet to the west? **R. McMahon** we would not want to because it would increase the distance people walk from the dispensers under the canopy. **T. Ridenour** if you move the building 10 feet to the west then you should be able to move the canopy 10 feet to the west and still keep all of your gasoline and storage on the Mobil lot. **R. McMahon** we feel that the uses are distinct by not having anything to do with Lot 4 the Home Depot lot. We also feel that we do not want to be beyond where the BP is. We have a tax advantage here in Bartlett from Cook County and we would like people coming south being able to see our canopy and not have it blocked by our competitors. We have not moved the canopy any closer to the road from the existing one right now. **T. Ridenour** is it not closer to the road with the taking of the property? **R. McMahon** I cannot move this. If this project is not approved now before the end of the year, it will not happen because the tax law changes for my seller. My contract with the seller expires on December 28, 2020 and will not be renewed. This is a one time shot. We have worked long and hard on this, and Staff has recommended this. We feel we need to do it this way. I do not have time to go back and change it. **D. Negele** I do think that intersection was compromised when it came to the expansion along Stearns Road. As it is, we limited the side that we have between the sidewalk and the road. If the Petitioner is not moving the canopy any closer, I do not see why we cannot accept that as well. **T. Ridenour** we understand the reasons, we are just not sure whether we are giving up too much green space between the road and the project. **R. McMahon** I do not believe we are giving up green space. We are not taking any green space that is there. We are just not creating more. We feel weighing all of these issues and having as much on the back, which is a vast increase in the amount of green space with the combined lots is more than adequate compensation. **J. Kallas** do you have any intention of putting a carwash there and green space. **R. McMahon** no, the REA, which will not allow a carwash to be built within the Home Depot Subdivision. They allowed one and that is the only one that is there. We are not asking for a car wash. Home Depot has expressly prohibited that. **M. Hopkins** will there be outdoor sales other than washer fluid and propane? **R. McMahon** typically, we only have propane and firewood when it is in season. **M. Hopkins** is there a possibility that this is going to change to a Casey's and will that change the aesthetics and/or the signage? **R. McMahon** yes, and it will change the signage. I do not know about the aesthetics. They would have to come back and talk to the Village to do that. **M. Hopkins** you would not change the overall character. **R. McMahon** no, we would not. As it is approved right now is how it would be built. **J. Lemberg** does the Village have a definition



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that is different between a service station and a gas station or are they the same? **K. Stone** we do not have "gas station" listed as a use in our Zoning Ordinance so we use "automobile service station". **R. Grill** we are planning to update our commercial chapter in the Zoning Ordinance and that will be changed. We feel it is outdated terminology. **R. McMahon** I do see that is a problem in a lot of communities. **J. Lemberg** on the Site Plan, they are connecting a driveway from the southern driveway exit to the driveway that goes to Home Depot. Does the Village expect people coming out of Home Depot to increase traffic on that driveway so that they do not have to go up to the traffic light and turn right to go south? **K. Stone** our Traffic Consultant did not have any concern with the amount of traffic utilizing that curb cut. DuPage County had some concerns with the traffic coming north from where the Starbucks is and trying to get into the left turn lanes to make a left onto Route 59, but there were no concerns about cars using that as an access point. Staff supports having cross-access easements throughout developments like this.

J. Lemberg opened the Public Hearing portion of the meeting. No one came forward.

J. Miaso made a motion to pass along a **positive recommendation** to the Village Board to approve case (#20-08) **Bucky's on Stearns** Site Plan Review and Special Use Permits to allow an automobile station, to sell package liquor, and to allow outdoor sales subject to the conditions including revised Condition G and Findings of Fact outlined in the Staff report.

Motioned by: J. Miaso
Seconded by: M. Hopkins

J. Lemberg closed the Public Hearing portion of the meeting.

Roll Call

Ayes: J. Kallas, M. Hopkins, J. Miaso, D. Negele, and T. Ridenour
Nays: None

The motion carried.



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(#20-17) Brewster Creek Business Park, Lot 2A
Site Plan Review

D. Gunsteen is included in this discussion.

K. Stone 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 building is designed with the potential for four (4) tenant spaces, each containing a 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. The proposed building would be 44 feet tall and be constructed with insulated, pre-cast concrete panels. The color palette proposed will consist primarily of varying shades of white and gray with blue color accents. The Site Plan identifies 50 exterior docks, 25 on the north side and 25 on the south side of the building. As with the previous case that we had with Rana, they are proposing loading docks in what is considered the corner side yard along Jack Court. They are also requesting a variation to allow a reduction in the number of parking spaces. Those two variation requests will be reviewed by the Zoning Board of Appeals at their December 3, 2020 meeting. The Petitioner is proposing one curb cut along Spitzer Road and three along Jack Court. The easternmost curb cut along Jack Court has been moved by the Petitioner so that it does align with the existing curb cut for the property to the south. The site plan identifies 125 truck trailer stalls for additional parking along the east and north property lines. Staff is currently reviewing the Photometric and Landscape Plans. Staff does recommend approval of the Petitioner's requests for a Site Plan subject to the conditions and Findings of Fact in your Staff report.

J. Lemberg asked if the Petitioner was present. The Petitioner was not present.

T. Ridenour can we discuss the parking variation requirement versus what the Petitioner is proposing?

K. Stone the Petitioner is requesting a variation to reduce the number of parking spaces by 40. They originally showed landbank parking in the middle of the loading areas, which Staff was not supportive of. We asked them to remove those spaces. We did not think it was safe circulation to have parking in the center of loading areas. **T. Ridenour** are we having a problem in the business park with excess parking on the street? **K. Stone** the buildings that we have had parking problems with have not been warehouse facilities. It has been more where there is food processing. This is going from 463 spaces as is required to 424 spaces. **D. Gunsteen** off of Spitzer Road it shows a truck entrance drive at 30 feet. Is that wide enough and is that approach large enough to accept trucks in and out? Are we limiting the trucks in or out, or is that a full access point? **K. Stone** Spitzer Road is to be full access. **D. Gunsteen** is there going to be congestion with the trucks and the cars going out the same approach? **K. Stone** the Petitioner did not want to have passenger vehicles using that approach. That was only going to be for trucks. **D. Gunsteen** auto is strictly off of Jack Court? **K. Stone** correct. **D. Gunsteen** is there a reason it is open on the top? **K. Stone** it is for emergency access. They like to have full access. **D. Gunsteen** at the rear of the property where the angle is, on the 30-foot setback, it looks like a tight area to accommodate trucks going in and out. It seems like where the concrete island sticks out it is pretty tight. **K. Stone** that is something we could probably approach the Petitioner with. It does exceed the width requirement for landscape islands at that location. **D. Gunsteen** I think a little adjustment would save the trucks from going up over the curb. I think we need to put a "No Parking Overnight" sign on



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Jack Court as we continue to see these buildings going up. I have seen trucks parked on some of the side streets. **R. Grill** there are "No Parking" signs and the police can write a ticket for that. **D. Gunsteen** would the trucks circulate off of Spitzer Road and then come on to Jack Court? I think the large island that sticks out should be lined up so that the trucks can come straight through or move the entrance down a little bit. **K. Stone** the entrance is located to align with the curb cut across Jack Court. We can adjust the island, but we do not want to move the curb cut. **D. Gunsteen** my only concern is those islands. **T. Ridenour** as this is a spec building, if somebody came back and wanted to build a higher proportion of office would you have to tell them no? **K. Stone** if they wanted more office square footage they would have to ask for a variation. **D. Negele** how do they figure 10,000 square feet for an office? Is that standard? **K. Stone** this is typically what has been shown on the spec buildings. They typically do not have many employees. **D. Negele** so there is ample parking? **R. Grill** the Petitioner did state at the Village Board Committee meeting that they felt very confident that they would have enough parking for this type of building. **T. Ridenour** what is the truck flow? **K. Stone** trucks will not go through the west side parking areas. The trucks are meant to travel along the exterior of the site.

J. Lemberg asked if there were any further questions or motions by the Commission.

J. Kallas made a motion to pass along a **positive recommendation** to the Village Board to approve case (#20-17) **Brewster Creek Business Park**, Lot 2A for Site Plan Review subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: **J. Kallas**
Seconded by: **J. Miaso**

Roll Call

Ayes: **J. Kallas, M. Hopkins, D. Gunsteen, J. Miaso, D. Negele, and T. Ridenour**
Nays: None

The motion carried.



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Old Business/ New Business

R. Grill introduced Associate Planner, Devin Kamperschroer to the Commission members and stated that there will not be a meeting next month, but when we do have our next meeting, it will be via Zoom. We reviewed building plans recently for The Wheaton Eye Clinic that is going to be located in a former bank building in the Home Depot Subdivision. In December, we will be dropping off a small thank you for your service to all of the commission members. We do have one Plan Commissioner that is celebrating a big milestone. **D. Negele** has been a member for 15 years. Congratulations **Diane**.

J. Lemberg asked if there was a motion to adjourn.

Motioned by: J. Kallas
Seconded by: J. Miaso

Motion passed by unanimous voice vote.

The meeting was adjourned at 8:10 pm.