



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
June 15, 2021**

CALL TO ORDER

President Wallace called the Committee Meeting of June 15, 2021 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:21 p.m.

ROLL CALL

PRESENT: Chairmen Deyne, Gandsey, Gunsteen, Hopkins, Reinke, Suwanski, President Wallace

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Assistant Village Administrator Scott Skrycki, Sr. Management Analyst Sam Hughes, Management Analyst Joey Dienberg, Finance Director Todd Dowden, Director of Public Works Dan Dinges, Assistant Public Works Director Tyler Isham, Public Works Engineer Bob Allen, Planning & Development Director Roberta Grill, Building Director Brian Goralski, Head Golf Professional Phil Lenz, Police Chief Patrick Ullrich, Deputy Chief Geoff Pretkelis, Deputy Chief Jim Durbin, Village Attorney Bryan Mraz and Village Clerk Lorna Giles.

BUILDING & ZONING, CHAIRMAN HOPKINS

Le P'tit Resto Bar Tapas-Site Plan Amendment/Special Use Permits/Variation

Chairman Hopkins presented Le P'tit Resto Bar Site Plan Amendment and stated that it would be in the existing 1,235 square-foot barn building on the Banbury Fair property. The Special Use for a restaurant to serve liquor, outdoor seating, live entertainment, and a PUD to allow two principal buildings on one zoning lot. It also includes a Variation to reduce the required number of parking spaces.

Planning and Development Services Director, Roberta Grill stated that they are also doing a building addition on the bathrooms and expansion of the kitchen. A fire sprinkler is not required for the barn building but a smoke alarm system is and they will be installing one.

President Wallace asked when the Metra parking would be available.

Ms. Grill stated at 11:00 a.m.

Chairman Gunsteen asked if there was a Phase 2 parking plan.

Ms. Grill stated "no".

President Wallace stated that he thought it was fantastic and a great addition.



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Chairman Hopkins stated that they will send this to the Zoning Board of Appeals and the Plan Commission for further review.

President Wallace asked when this business would open.

Ms. Grill stated the sooner the better for the petitioner.

Chairman Hopkins asked if it could go directly back to the board for a final vote.

All agreed.

The Residences at Bartlett Station

Chairman Hopkins presented the Residences at Bartlett Station and stated that the petitioner was requesting to amend the approved Town Center ordinances, preliminary/final PUD and approved special use, to allow for the construction of a 104-unit apartment project at the southwest corner of Railroad Avenue and Berteau. The building would be five stories in height and include a mix of fourteen studios, forty-eight one bedroom, and forty-two two-bedroom units. A plat of consolidation as well as variations from the Downtown Zoning Overlay and major design expectations are also being requested as part of the development. This will also go before the Zoning Board of Appeals and the Plan Commission for further review and to conduct the required public hearing.

Ms. Grill talked about the site plan that has forty-eight underground parking stalls as well as seventy-three surface parking stalls for a total of one hundred twenty-one.

Chairman Deyne stated that he was very anxious to see the results from the Plan Commission and the Zoning Board of Appeals. He stated that they would get the residents feedback on that and they can review the comments.

Chairman Gandsey stated that in regards to the parking spots, was there any research or studies done on what is needed, how people are changing their driving habits, or how many cars they have.

Ms. Grill stated that is what the Downtown Overlay Zone came up with which is a much more reduced parking requirement which is the 1.25 spots per unit. There is a big change in parking requirements, especially in the downtown area.

Chairman Gandsey asked if when people come to rent an apartment, is it in their contract how many spots they are allowed.

Ms. Grill stated that the petitioner was there if you wanted him to address this.



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President Wallace stated that to reiterate what Chairman Deyne said, they are going to have the Zoning Board of Appeals, Plan Commission as well as a Public Hearing so right now this is just conceptual.

Petitioner Manny Rafidia stated that in regards to the parking, he owns and operates a few retail properties (shopping centers) and has been able to reduce the amount of required parking for these centers. He felt that people's driving habits have changed a lot because of Uber and Lyft. With this situation, people who live in an apartment are usually not as dense as a condominium. The parking will dictate whether the tenants are going to stay in these rental units or not. He did not believe the parking would be a problem. On the contrary, he felt that they will have overage of parking because the two bedroom units will only have one car. The Metra train station has free parking after 11:00 a.m. as well as the weekend. There is also parking on the street on Railroad Avenue and Berteau.

Chairman Deyne verified that there will be 42 bike racks on the site.

Ms. Grill stated that they are going to have a special joint public hearing so the residents only have to come out for one public hearing and present one time and that will be on July 1.

Attorney John Pikarski, attorney for petitioner, stated that his practice is limited to land use. He stated that most of the questions should be addressed to the Plan Commission and Zoning Board as opposed to the Committee of the Whole.

Chairman Hopkins asked if there were any issues with parking in the Town Center.

Ms. Grill stated that the residents would say that there has been some parking issues. As far as complaints, they have not had any issues with the police.

Chairman Hopkins stated that it is a good-looking building but he didn't think it fits with the other condominium buildings. He asked about the aluminum panels and the roofline matches.

President Wallace stated that he liked the fact that it doesn't look like one giant unit, he liked the diversity. He talked about new construction in South Elgin and stated that none of the buildings look alike.

Chairman Suwanski asked if there was something that supports whether more people live in apartments versus condos. Is there a study?

Mr. Rafidia stated that it is based on his personal knowledge.



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Chairman Suwanski asked if the tree line is going to remain.

Mr. Rafidia stated "yes".

Chairman Reinke stated that the parking is obviously going to be key and they will look that over very closely, both "for" and "against". He asked that comments be presented at the joint meeting since the board reviews the transcripts very closely.

Chairman Hopkins asked what the rent structure would be for these units.

Mr. Rafidia stated \$1.50 to \$1.75 per square foot.

Chairman Hopkins stated that this will go to the Plan Commission and Zoning Board of Appeals for their joint meeting on July 1, 2021. He encouraged all residents wanting to speak will have discussion time during the "public comments" portion of the meeting.

Landlord and Tenant Regulations

Chairman Hopkins asked Chairman Reinke to present this item since he had a conflict of interest.

Chairman Reinke stated that this is a proposed Amendment to Title 3: Landlord and Tenant Regulations. Cook County approved of the residential tenant landlord ordinance in January of this year. It requires all municipalities in Cook County to either adopt the ordinance or adapt their own ordinance. The village attorney has drafted the proposed attached ordinance that states the village currently follows and enforces all federal and state regulations and the rights, obligations and remedies of both the tenant and landlord in the rental of dwelling units sufficiently protect the public health, safety, and welfare of tenants and landlords within the village.

Staff believes that because Bartlett is located in three counties and we are currently enforcing all applicable codes, a municipal ordinance that is consistent among all three counties would provide a greater benefit to the village. We either have to opt "in" or opt "out".

Attorney Mraz stated that if you don't opt "out", you are automatically "in". In his opinion it is overly broad so they have drafted a simpler version. He envisions that when a landlord owns property in Cook County, tenants could raise this ordinance and it will be a mess in court. He thinks for consistency's sake, he feels the county is overreaching, this is an option that defaults to the state law.

President Wallace stated that he recommends this ordinance that defaults to the state law.



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Chairman Gandsey asked why Cook County adopted this ordinance.

Mr. Mraz stated that Cook County is huge and they have various levels or quality of apartments. There can be abuses in certain cities or towns that encompass Cook County. We don't have those aged apartments in Bartlett. The ordinance says that you have to have heat and running water and the village has codes for this. The perception is that tenants aren't protected sufficiently but his opinion is that this ordinance goes far beyond in the other direction and is too onerous on landlords. The courts in DuPage County protect tenants and he felt that this goes too far in the other direction.

Chairman Reinke stated that the tenants will still be protected by state law and this avoids the possibility that the village's ordinance would be challenged in court because Cook County exceeded its authority under the Illinois Constitution. He doesn't want the village to get dragged into that fight, just like we avoided the assault weapons ban fight.

Chairman Deyne stated that he knew this was a Cook County ordinance that was going to encompass all three of our counties.

Attorney Mraz stated that this would only affect rental apartments in Cook County. His proposed ordinance says that we are not going to follow the Cook County ordinance. We are just going back to what we have right now which is state law controlled.

Chairman Reinke stated that they will forward this on to the Village Board for a final vote.

Chairman Deyne moved to adjourn the meeting and that motion was seconded by Chairman Suwanski.

ROLL CALL VOTE TO ADJOURN THE MEETING

AYES: Chairmen Deyne, Gandsey, Gunsteen, Hopkins, Reinke, Suwanski

NAYS: None

ABSENT: None

MOTION CARRIED

The Committee of the Whole meeting adjourned at 7:43 p.m.

Lorna Gilless
Village Clerk