



**VILLAGE OF BARTLETT  
PLANNING & ZONING COMMISSION  
AGENDA**

**BARTLETT MUNICIPAL CENTER  
228 S. MAIN STREET  
July 7, 2022  
7:00 P.M.**

- I. Call to Order
- II. Roll Call
- III. Approval of the June 2, 2022 Planning & Zoning Commission meeting minutes
- IV. Public Forum
- V. **(#22-10) 1277 Keim Trail**  
Variation – to reduce the required 30-foot building separation  
**PUBLIC HEARING**
- VI. **(#20-18) Dunkin Donuts (Schick)**  
Preliminary/Final Subdivision, Site Plan, Special Use, Variation  
**PUBLIC HEARING**
- VII. **(#22-03) Cannabis in Commercial Districts**  
Text Amendment  
**PUBLIC HEARING**
- VIII. New Business/Old Business - Rules & Procedures Discussion
- IX. Adjournment



Village of Bartlett  
Planning and Zoning Commission  
June 2, 2022

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**M. Werden**, Chair called the meeting to order at 7:05 pm.

**Roll Call**

**Present:** B. Bucaro, S. Callahan, C. Deveaux, M. Hopkins, J. Kapadoukakis, G. Koziol, J. Miaso, M. Sarwas, M. Werden

**Absent:** None

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

**Approval of Minutes**

A motion was made to approve the May 5, 2022 meeting minutes.

**Motioned by:** B. Bucaro

**Seconded by:** J. Miaso

**Roll Call**

**Ayes:** B. Bucaro, S. Callahan, C. Deveaux, M. Hopkins, J. Kapadoukakis, G. Koziol, J. Miaso, M. Werden

**Nays:** None

**Abstain:** M. Sarwas

**The motion carried.**

**M. Werden** opened the public forum. No one from the public came forward. **M. Werden** closed the public forum.



Village of Bartlett  
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**(#22-06) 841 Brookside Drive**

**Variation – Side Yard**

**PUBLIC HEARING**

The following exhibits were presented:

**Exhibit A – Picture of Sign**

**Exhibit B – Mail Affidavit**

**Exhibit C – Notification of Publication**

**Exhibit D – Letter from 839 Brookside Drive**

The petitioner, **Pete Rakiewicz** of 841 Brookside Drive came forward and was sworn in by **M. Werden**. **P. Rakiewicz** stated, I am here tonight requesting a variance of 2-1/2 feet to the north side of my home. Having a 1-car garage has proven to be difficult at times. In 2018, I extended my driveway up on the north side of my property approximately 8 feet wide. I would like to extend my 1-car garage into a 2-car garage over that existing 8-foot concrete slab. When the house was built 40 years ago, it was placed in the center of the lot and if it was placed slightly to the south approximately 2-1/2 feet I would not need to ask for this variance. Also, in my back yard, there is a 60-foot utility easement. To construct a 2-car garage in the back of the property that would consume a very large portion of the back of my property. Additionally, if I did that, I would have to demolish the existing garage. The proposed garage addition would match identically to the siding of the house and the overall appearance of the house. I have a letter from my next-door neighbor directly to the north at 839 Brookside Drive who would be the most affected neighbor from this addition. In the letter, she does express that she has no issues with the plans for our addition. **M. Werden** asked staff, did you get any calls from any neighbors? **D. Kamperschroer** no. **M. Werden** I think it is admirable that the neighbor who you would be encroaching on the most does not have a problem with this addition because this is pretty close to the property line. Seeing that nobody is opposed to this and you do have the letter, I think it would be a big improvement for you.

**M. Werden** opened the public hearing portion of the meeting. No one from the public came forward.

**B. Bucaro** made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#22-06) 841 Brookside Drive for a side yard variation** subject to the findings of fact outlined in the staff report.

**Motioned by: B. Bucaro**

**Seconded by: M. Sarwas**

**M. Werden** closed the public hearing portion of the meeting.

**Roll Call**

**Ayes: B. Bucaro, S. Callahan, C. Deveaux, M. Hopkins, J. Kapadoukakis, G. Koziol, J. Miaso, M. Sarwas, M. Werden**

**Nays: None**

**The motion carried.**



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**Old Business/ New Business**

**K. Stone** if you recall, at the last couple of meetings, we discussed the Rules of Procedure. We drafted some rules and they were reviewed by the Village Attorney who added some footnotes to the rules and also made sure that our suggestions were in accordance with the Open Meetings Act. Some of the changes were not exactly what we wanted. We were hoping to be able to have a quorum to include members that are remote. We cannot do that at this time due to the Open Meetings Act requiring a quorum to be physically present. That was only allowed during the emergency order because of COVID. **G. Koziol** what is the issue with remote attendance? **K. Stone** we can still have remote attendance, but need to have at least 5 members physically present. **M. Werden** as long as we have 5 members present the member attending remotely would still be able to vote. **K. Stone** the members that are present would vote on whether to allow that member to join remotely and if it is agreed that they are allowed to attend remotely, they can vote. **G. Koziol** in that case, it would be business as usual as if they were physically in attendance. **K. Stone** yes. **R. Grill** this does state that you should contact the staff and/or the chairman and let them know that is what you would like to do. **B. Bucaro** we had a discussion last month specifically about COVID since it is still around that it is possible that any one of us would attend remotely because of that. On page 5 of the Rules and Procedures, there is a list of reasons. Would that be considered an emergency? **K. Stone** it would be considered a personal illness. **B. Bucaro** I think this is a lot of information and adds a lot of structure to the commission and to the commissioners. It really emphasizes that we have to make the commitment if we want to sit here. As far as laying out the procedures, we have been doing most of this, but this really makes it very formal. I think it is good. I have a couple of suggestions. **M. Werden** is this the time to suggest changes? **R. Grill** you do not have to vote on this tonight if you would like to review it more. **M. Hopkins** I would like to have another month. **R. Grill** okay, that is fine. **B. Bucaro** on page 4, Article 3 – Rules of Order, Section 2, paragraph D., Conduct of Public, the last sentence "The Chairman shall take such actions as needed to maintain an orderly and civil meeting" I would suggest moving that into a separate paragraph to apply it to both commission members and to the public. I think that would be clearer if it was separate. **R. Grill** how does everyone else feel about that? **M. Hopkins** maybe that sentence could appear in both the Conduct of Members and Conduct of Public paragraphs. **M. Werden** does "actions as needed" include asking the police to eject somebody who is overly contentious? **R. Grill** yes, when we are asking someone to leave. We could add paragraph E. and state "The Chairman shall take such actions as needed to maintain an orderly and civil meeting between both the public and the P&Z Commission members". **M. Werden** that would be good. **B. Bucaro** page 5, Section 3, paragraph A states "shall notify the Secretary as soon as possible if you are not going to be there". I think that the chairman should also be contacted at the same time. **R. Grill** the Secretary is defined as the Director of the PDS Department, but we can add chairman. Sometimes if you notify the Director we contact the chairman for you. We could put and/or. Would that suffice? **B. Bucaro** I just think that the chairman should know. **G. Koziol** if you contact the secretary does that individual have to prepare the environment for a remote attendance? The chairman cannot do that. He would have to contact the secretary for the remote attendance. **R. Grill** this is not necessarily for remote attendance. It would be to establish a quorum. If we have several members call in to say that they are not going to make a meeting due to an illness that is concerning for us and we will then call each of you to ask if you will be in attendance. By us doing that we are notifying the chairman as well. **B. Bucaro** it is not just for electronic attendance, it is in case you cannot make the meeting. **R. Grill** we are just concerned whether we will have a physical quorum at Village Hall. **B. Bucaro** that can be



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under electronic attendance for one of those reasons, but you also could not have a quorum at a meeting. **R. Grill** if you are calling to say that you are going to Zoom in, the P&Z members have to vote on that and if the P&Z says no, that member is not voting and is not on Zoom for that meeting. We can review this with the Village Attorney, but I do not see a problem with what you are asking for. **M. Werden** it is not fair to everybody else, especially the petitioner who has complied if we do not have a meeting because we do not have a quorum. **B. Bucaro** Page 7, Article 3, section 6, Rules of Order, paragraph C, item iv. regarding motions, does that refer to closing a public hearing and can you explain that? **R. Grill** this is when a debate amongst yourselves is taking place and there is a disagreement or the discussion is going on longer than you feel is necessary. You have the right to make a motion or close the debate, or call the question, which means all conversations stop and a motion is made without further debate. It basically stops all discussion. **B. Bucaro** can any commissioner make that motion? **R. Grill** yes. **G. Koziol** could we use this motion to end a discussion? **R. Grill** yes, you would be making a motion to close that debate. **M. Werden** could there be a continuance? **R. Grill** yes, it could be to continued. If you call to close the debate there is no more discussion. It is very standard. **G. Koziol** what is the policy if enough people called and said they cannot make a meeting and we had to cancel a meeting, how would the members be notified of the cancellation? **K. Stone** if a meeting is cancelled because we do not have a quorum, depending on how much time we have, we would post a notice that the meeting is cancelled and when the next regularly scheduled meeting date is. However, if we have a public hearing scheduled for that date the members that can attend would formally continue the public hearing to the next regularly scheduled date without having to republish and renotify. That is not considered part of regular business. **M. Werden** page 8, item C "Speakers shall limit their remarks to no more than 3 minutes unless additional time is granted by the Chairman or a majority vote by the Planning & Zoning Commission." That is not always the case unless there is a large crowd or somebody is going on and on. Do we have to limit the time or is this an option? **R. Grill** our Village Clerk has a timer. They are not very strict on the timing. If someone is in the middle of a sentence they will not be cut off. I think it all depends on how you and the commission want to treat that 3-minute mark. That is just a standard number that fulfills the requirement. **M. Werden** we can enforce that when we need to. **R. Grill** yes. **G. Koziol** it would depend on how many people want to speak. We would let them finish speaking within reason. **R. Grill** I think you hit the legal jargon which is "within reason". **M. Sarwas** I think it depends on what they are saying. I have been on both sides and if they are really trying to explain something we do want to hear what they are saying, but not if they are rambling. **M. Werden** when there have been meetings that look like there might be a lot of people that want to speak I will say there is a 3-minute limit, but that does not happen too often. **K. Stone** there will be more cases like that. It will happen more than you are used to. **R. Grill** it does help the public too when you have a large crowd with a number of people that want to speak. By making an announcement that we are going to try to keep the comments to 3 minutes it is totally understandable and within reason. That would allow everyone that wanted to speak that night to be able to speak. **K. Stone** this section that we are discussing is part of the public forum. The public forum is for things that are not on the agenda, but for someone that comes in from the public and wants to discuss an issue that you do not have a staff report for. It is not the public hearing. That is why there is a 30-minute time limit so that items that are scheduled on the agenda can be discussed at that meeting. **R. Grill** on Page 15, Section 3 under Attendance, it states that "A P & Z Commission member shall not miss two (2) consecutive meetings without first discussing the absence with the Chairman or the PDS Director. Any P & Z Commission member absent from 3 or more meetings





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in any twelve (12) month period may be recommended for dismissal. This shall be at the discretion of the Village President." **M. Werden** that is probably a good thing. **J. Kapadoukakis** I am assuming that sickness is exempt from that. **R. Grill** yes, as long as you notify the Secretary and the Chairman. **M. Hopkins** page 10, Section 2. states "relief" requested, but the cases will not always be about relief. **R. Grill** correct, it is not always going to be a relief. We can review that with the Village Attorney. **B. Bucaro** with a planning item, is there a lot of cross examination? **R. Grill** typically at a Plan Commission meeting the chairman would keep notes of the public's concerns and then ask for the questions to be answered. That keeps the questions directed to either the attorney or the commission. **M. Hopkins** Section 6 Cross-Examination says there needs to be 7 days written notice ahead of the meeting for the General Public Qualified Right. That is a real question mark for me. **R. Grill** the Village Attorney is going to keep that. **K. Stone** the other Rules of Procedure that I researched did not have that section. I found 3 that were very similar to what I had originally proposed and our Village Attorney added more. **B. Bucaro** we will discuss this again next month? **K. Stone** yes, we can discuss this again next month and we will bring these items that were discussed to our attorney and then send you the updates. **R. Grill** each of you received the Planning & Zoning Commission Expectations to sign and date after you have read it. **B. Bucaro** does the Village Board have Rules of Procedures? **R. Grill** yes, they do and it is in an ordinance. **M. Werden** when can we schedule the terrorist/emergency preparedness training? **K. Stone** I spoke with Commander Rybaski about that and he will schedule that with us for the fall. We will have a public hearing for a text amendment on cannabis dispensaries on commercial districts. We will also have a Plat of Subdivision for Dunkin Donuts at Schick Road and Route 59. **R. Grill** as you know, I am retiring and this is my last Thursday night meeting after 32 years. It has been a pleasure working with all of you and getting to know each of you. I have really enjoyed it. **M. Werden** you were very dedicated and we are all going to miss you. **G. Koziol** we both started serving Bartlett at about the same time and looking back, I am proud to say that Roberta's work and actions for the Village of Bartlett have been above and beyond the norm and that is why we are here tonight. Bartlett is a better place because of the work performed by Roberta. I feel that I am more capable in what I do and have done over the many years that I have had the opportunity to work with you Roberta. You will be missed by all of us, but we are happy knowing that you are moving into a new chapter of your life. Now you will have more time to be with the special people in your life and to do more of what you want to do. **M. Hopkins** I have a unique perspective because I have been practicing architecture for the last 40 years. I work with planners and directors of community development in many suburbs and each municipality has their own codes and rules, etc. Roberta probably does not realize how extraordinary she is in just plain sensibility, practicality, talent and communication, the ability to wrangle so many people and make things happen in a friendly way is unique. She shines above her contemporaries and Bartlett has been the beneficiary of that.

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

**Motioned by: C. Deveaux**  
**Seconded by: J. Miaso**


**Motion passed by unanimous voice vote.**

**The meeting was adjourned at 8:00 pm.**

**PLANNING AND DEVELOPMENT SERVICES MEMORANDUM**  
**22-55**

DATE: June 28, 2022

TO: The Chairman and Members of the Planning and Zoning Commission

FROM: Devin Kamperschroer, Associate Planner 

RE: **(#22-10) 1277 Keim Trl**

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**PETITIONER**

Joseph Class

**SUBJECT SITE**

1277 Keim Trl.

**REQUEST**

Variations – to reduce the required 30-foot building separation

**ZONING HISTORY**

The property was annexed into the Village in 1973 by Ordinance #1973-09 and was subsequently zoned A-3 Multiple Planned Development. The property was rezoned to the SR-4 Single Family Residence District as a part of the 1978 comprehensive rezoning of the Village. The property was rezoned to the ER-2 PUD zoning district by Ordinance #1984-29, and later to the ER-3 PUD zoning district by Ordinance #1988-96. Ordinance #1989-08 approved a final planned unit development for 55 single family homes with side-yard setback of 7.5 feet and a minimum distance of 30 feet between buildings. The property is located within the Durwood Forest Subdivision which was recorded in 1989.

**DISCUSSION**

1. The subject property is zoned ER-3 PUD (Estate Residence – Single Family).
2. The petitioner has applied for a building permit to construct a new single-family home on a vacant lot in the Durwood Forest Subdivision.
3. The petitioner is requesting **variations** from the 30-foot building separation requirement to allow for the construction of a new single-family home to be

located 24.82 feet from the home to the east (1281 Keim Trail) and 27.35 feet from the home to the west (1273 Keim Trail).

4. The proposed residence would be located 16.8 feet from the east property line and 17.33 feet from the west property line.
5. The proposed improvements would cover 20% of the lot with impervious surface. Lots of this size are allowed up to 30% impervious surface coverage.
6. If the variations are approved, the building permit could be issued for the proposed single-family home.

### **RECOMMENDATION**

According to the provisions of the Zoning Ordinance, the Planning & Zoning Commission 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 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.
- 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



**CD Memo 22-55**

**June 28, 2022**

**Page 3**

lands, structures or buildings in the same district.

A variation shall be recommended only if the evidence, in the judgment of the Planning & Zoning Commission, sustains all the conditions enumerated above.

Background material is attached for your review and consideration.

dk/attachments

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# VILLAGE OF BARTLETT

President and Board of Trustees

## Letter of Intent for Zoning Variance for:

1277 Keim Trail  
Bartlett, Illinois 60103

## Dear Village President and Board of Trustees:

We are requesting a variance for the above address to seek relief of the required 30' setback from each of the neighboring homes, per the final PUD plan.

- The neighboring home to the West is currently a 27.35' setback.
- The neighboring home to the East is currently a 24.82' setback.

Our proposed home cannot be reasonably moved to create 30' of separation from the neighboring homes without making our home smaller (which may violate Durwood Forest's Restrictive Covenants) or moving it back several feet (15+/-), which would use up a significant portion of our lot. Part of the issue is the proximity to the sideline that the existing homes are setback. For a 30-foot separation each home should be about 15 feet off the line to equally share in the separation responsibility. The northern home is at 7.5' off the line and the southern is 8.5' off the line. This puts most of the responsibility of the 30' separation on our lot which is not fair.

- Granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.
- The granting of the variance would have no effect on any adjoining properties. This zoning relief requested will not cause any detriment to the common good, as the literal interpretation and strict application of the applicable zoning requirements would cause substantial undue and unnecessary hardship to the current property owner not just a casual/discretionary inconvenience to the property owner.

Thank you for your consideration.

Sincerely,

*Joseph Class and Kristen Wolf*

Property Owners



# VILLAGE OF BARTLETT VARIATION APPLICATION

For Office Use Only  
Case # 2021-10  
RECEIVED  
PLANNING & DEVELOPMENT  
JUN 07 2022  
VILLAGE OF  
BARTLETT

### PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Joseph Class

Street Address: 118 Waterbury Circle

City, State: Schaumburg, IL

Zip Code: 60193

Email Address: jrclass12@gmail.com

Phone Number: 6302174135

Preferred Method to be contacted Email

### PROPERTY OWNER INFORMATION

Name: Joseph Class and Kristen Wolf

Street Address: 118 Waterbury Circle

City, State: Schaumburg, IL

Zip Code: 60193

Phone Number: 6302174135

OWNER'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

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

### DESCRIPTION OF VARIATION REQUEST (i.e. setback, fence height) including SIZE OF REQUEST

*(i.e. 5ft., 10 ft.)*

Setback variation of less than 3 ft to the west and just over 5 ft to the east.

### PROPERTY INFORMATION

Common Address/General Location of Property: 1277 Keim Trail

Property Index Number ("Tax PIN"/"Parcel ID"): 01-10-416-002

Acreage: .50

Zoning: See Dropdown (Refer to Official Zoning Map)

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

Attorney \_\_\_\_\_

Surveyor Spies & Associates, Inc. - Civil Engineers and Land Surveyors

Other \_\_\_\_\_

## FINDINGS OF FACT FOR VARIATIONS

Both the Planning & Zoning Commission 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 Planning & Zoning Commission shall make findings based upon evidence presented on the following standards:

**(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Planning & Zoning Commission 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.

Home would have to be reduced in size (from what is already drawn). Restrictive covenants for Durwood Forest have minimum square footage requirements for two story homes. Alternatively, the home would have to be moved +/- 15 feet to accommodate the regulation, which would severely decrease the usable size of the lot (due to easements and other minimum setbacks to the front and back)

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.

These conditions are unique to this property in that the current neighboring homes are both VERY close to the sidelines which puts a disproportionate amount of the setback burden on our home exclusively. We already are spaced 16+ feet from the sideline as opposed to each neighbor who are spaced 7.5' and 8.5' respectively from the sideline.

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

This is a single family home that will become our primary residence. It is not a rental property opportunity or spec home.

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.

My wife and I purchased this lot outright during the winter with the intent of building a single family home. The existing neighboring homes were built when Durwood Forest was originally developed.

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 variance we are seeking is very small and we are already taking on the majority of the spacing burden, as-drawn. The neighbor's views will not be obstructed.

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.

That is correct. We intend to build a home that fits well within Durwood Forest and our neighboring homes. Ideally our home will increase the property value of others.

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.

Confirmed.

**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: Joseph R. Class

PRINT NAME: Joseph Class

DATE: 06/07/2022

**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: Joseph Class

ADDRESS: 118 Waterbury Cir  
Schaumburg, IL 60193

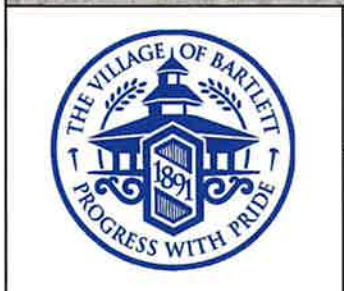
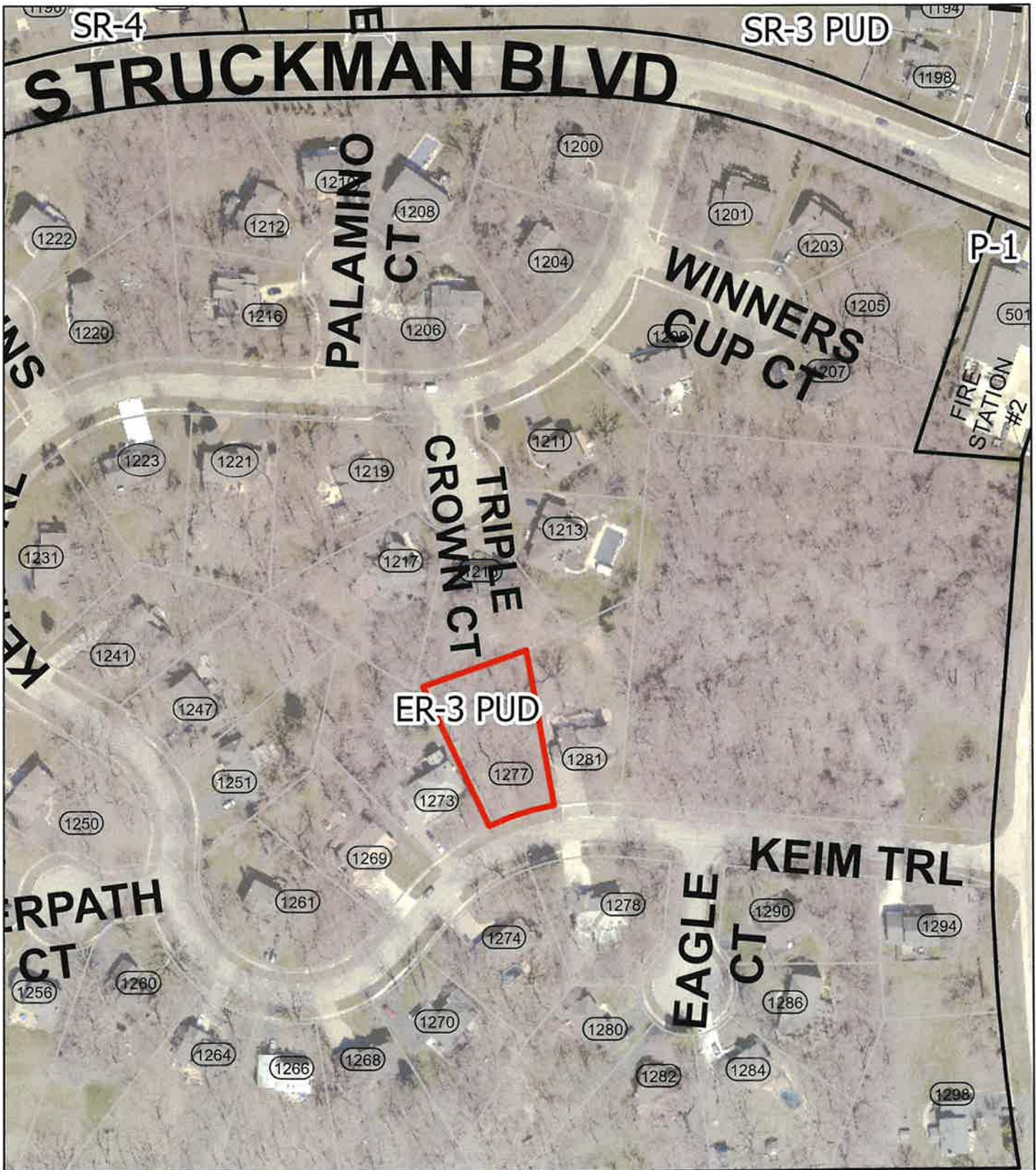
PHONE NUMBER: 6302174135

EMAIL: jrclass12@gmail.com

SIGNATURE: Joseph R. Class

DATE: 06/07/2022

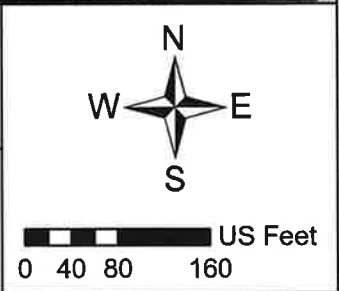




# Location Map

Case # 2022-10  
1277 Keim Trl.

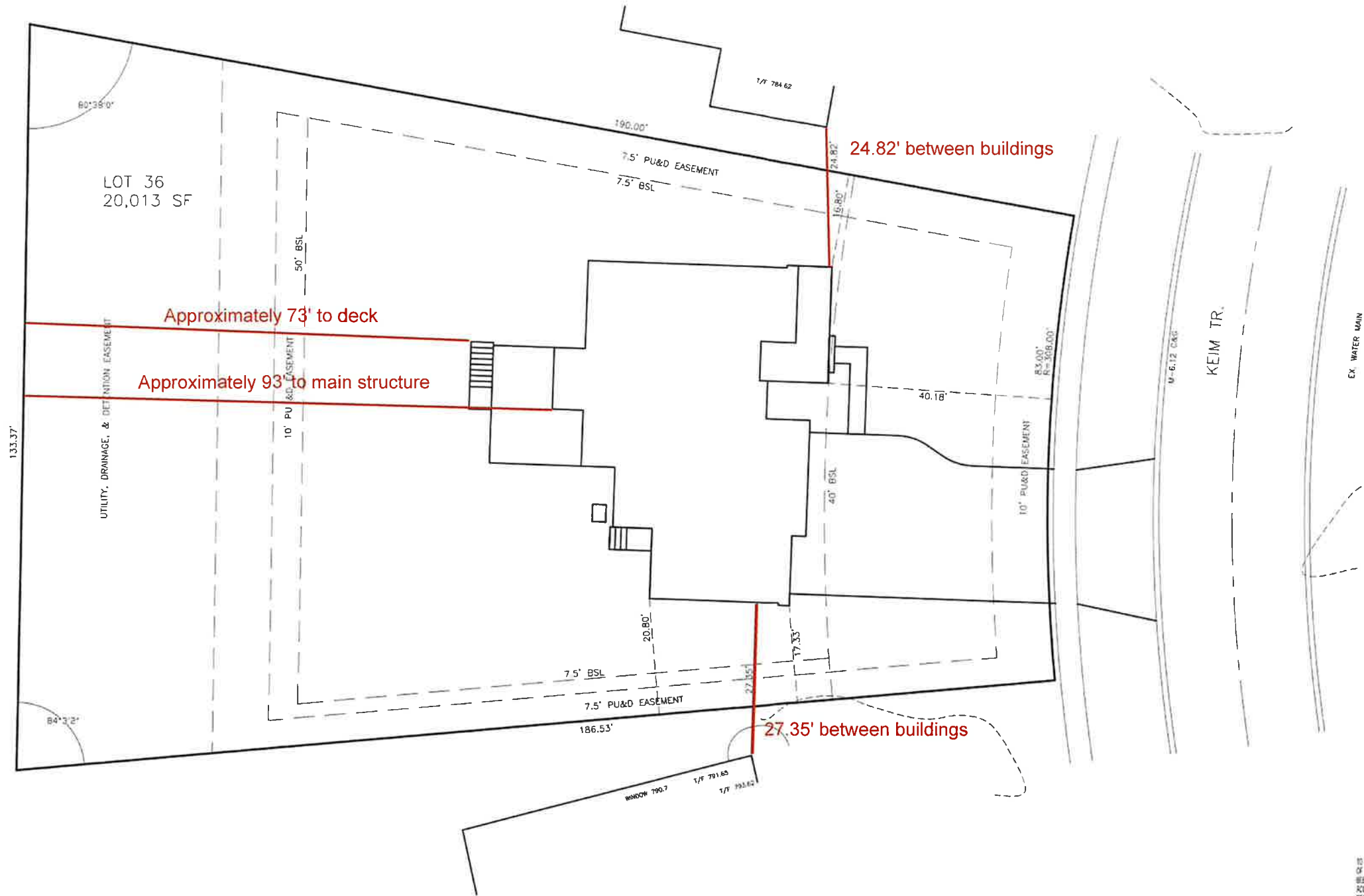
2022



LOT 10 IN DURWOOD FOREST, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 2, 1989 AS DOCUMENT R89-093019 AND CERTIFICATE OF CORRECTION RECORDED OCTOBER 17, 1989 AS DOCUMENT R89-130070, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 1275 KEIM TRAIL, BARTLETT, ILLINOIS.

SCALE 1"=10'  
PW 01-10-416-002



- CONST. ENTR.
- TREE PROTECTION
- REMOVE TREE
- EXIST. ELEV.
- EXIST. CONTOUR
- PROPOSED FINISH GRADE
- SILT FENCE
- DOWNSPOUT AND DIRECTION

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF THE SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SITE OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DRAINAGE OF SUCH WATERS INTO PUBLIC AREAS OR SUCH WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJACENT PROPERTY BECAUSE OF THE CONSTRUCTION OF THIS SITE.

DATED THIS 07 TH DAY OF MAY 2022  
  
 MAF  
 ENGINEER



**SPIES & ASSOCIATES, INC.**  
 Civil Engineers - Land Surveyors  
 534 WEST CAMPUS DRIVE  
 ARLINGTON HEIGHTS, ILLINOIS 60004  
 PH 847.577.8808 FAX 847.577.0229

REVISIONS

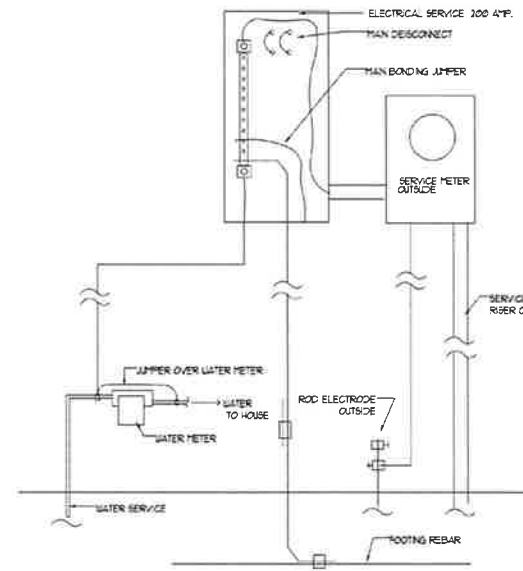
DRAWN BY: TJS  
 DESIGNED BY: TJS  
 CHECKED BY: TJS

JOB NO. 5316  
 SCALE: 1"=10'  
 DATE: 03-07-22

**SITE PLAN**  
**1275 KEIM TRAIL**

SHEET NO.  
**1**  
 OF 2 SHEETS





**TYPE 2 COPPER WATER** AND SOLDER REQUIRED ON ABOVE GROUND WATER LINES AND VENT PIPING TO BE COPPER TYPE K OR K-CATION OR SCHEDULE 40 PVC UNDERGROUND SANITARY TO BE SERVICE WEIGHT C-90 IRON OR SCHEDULE 40 PVC TO BE K COPPER REQUIRED ON UNDERGROUND DOMESTIC WATER LINES TO BE 1/2" R TEST OR WATER PRESSURE REQUIRED ON WATER PIPING AT TIME OF ROUGH INSPECTION AND RUSH INSPECTIONS

... NEEL PLUMBING MUST MEET ALL NEEL PLUMBING CODE AND JURISDICTION ORDINANCES

**DOUBLE JOISTS:**

- UNDER ALL BEARING PARTITIONS AND UNDER PLASTER FINISHED NONBEARING PARTITIONS WHEN PARALLEL TO FLOOR JOISTS
- DOUBLE JOISTS WHICH ARE SEPARATED TO PERMIT THE INSTALLATION OF PIPING OR VENTS SHALL BE SOLID BLOCKED SPACED A MAXIMUM OF FOUR FEET (4') ON CENTER
- DOUBLE THE FLOOR JOISTS FLANGING EACH SIDE OF FLOOR OPENING FOR FLENUM OF FLANGE SPRING JOISTS TOGETHER
- DOUBLE FLOOR JOISTS SUPPORTING HOT WATER HEATERS WASHING MACHINES WASH ROOMS BATHROOMS OR SPECIAL LOADING CONDITIONS
- DOUBLE JOISTS ON EACH SIDE OF UNSUPPORTED STAIRWAY OPENINGS
- LOADING CONDITIONS MAY REQUIRE MORE SUPPORT THAN DOUBLING OF JOISTS

NO WATER PIPING SHALL BE INSTALLED IN ANY EXTERIOR WALL GARAGE WALL, ATTIC OR OTHER UNDESIGNATED AREA OR CHASE UNLESS INSTALLED IN A SEPARATE SOLID SECONDARY WALL OR CHASE

INSULATION ABOVE SHALL NOT BE USED FOR ISOLATION OF WATER PIPING

**NOTE:** ALL SOLS TO BE ANCHORED TO FLOOR WITH BASE PLATES WELDED TO COLS AND ANCHORED TO FLOOR WITH STRUCTURAL BOLTS # 4 (MINIMUM 1" MINIMUM) THE BOTH ENDS OF BEAM

**NOTE:** PROVIDE TREATED 3/4" PLATE ON TOP OF ALL STEEL BEAMS

**NOTE:** PROVIDE 1/2" DIA. FLOOR JOIST JACKS ALL ROOMS UNLESS NOTED OTHERWISE

**LIMITED AREA SPRINKLERS:** ALL ONE- AND TWO-FAMILY DWELLINGS SHALL BE PROTECTED WITH LIMITED AREA SPRINKLER SYSTEMS AT THE FOLLOWING LOCATIONS:

- KITCHENS
- ONE HUNDRED (100) SQUARE FEET OVER GARAGE MECHANICALS
- LANDSCAPE ROOMS

ALL LIMITED AREA SPRINKLER SYSTEMS SHALL COMPLY WITH SECTION 903.5 OF THE FIRE CODE (ORD. 10-1-16 8-3-10-14) AND ORD. 2010-51 6-16-10-1)

**RADON REMOVAL REQUIRED:** A PRIMARY BASE RADON REMOVAL SYSTEM IS REQUIRED IN ADDITION A DEDICATED RECEIPT SHALL BE INSTALLED IN THE ATTIC WITHIN 5 FEET OF THE RADON SYSTEM PIPING FOR THE FUTURE CONVERSION TO AN ACTIVE RADON REMOVAL SYSTEM

**RADON CONTROL SYSTEM (NO BENDS):**

- ALL CONCRETE FLOOR THAT COME IN CONTACT WITH THE GROUND SHALL BE LAID OVER A GAS PERMEABLE FLOOR FINISH OR OTHER A MINIMUM 1/2" THICK UNBURNED LAYER OF CLEAN AGGREGATE OVERLAY OF A LAYER OF STRENGTH MANUFACTURED MATING DESIGNED TO ALLOW THE VERTICAL FLOW OF GAS.
- ALL OPENING GAPS AND JOINTS IN FLOOR AND WALL ASSEMBLIES IN CONTACT WITH SOIL OR GROUND SHALL BE SEALED WITH AN APPROVED GROUND PENETRATING FOAM ADHESIVE SEALER OR FLOOR JOIST JOINT SEALER. FLOOR JOIST JOINTS SHALL BE SEALED WITH A FLOOR JOIST JOINT SEALER OR FLOOR JOIST JOINT SEALER. FLOOR JOIST JOINTS SHALL BE SEALED WITH A FLOOR JOIST JOINT SEALER.
- VENT PIPES SHALL BE INSTALLED SO THAT ANY PLUMBING OR COOPERATION DRAINS DOWNWARD INTO THE GROUND BENEATH THE AREA OF A GAS PERMEABLE MEMBRANE

**NOTE:** PROVIDE GYPSUM BOARD AROUND ALL BASEMENT WALLS UNLESS A SINGLE FAMILY HOME IS NOT SPRINKLERED. FLOOR ASSEMBLIES THAT ARE NOT OVERHUNG UNDER OR STRUCTURAL COMPOSITE LAMBER OR EQUAL TO ONE GREATER THAN 1/2" DIA NOMINAL MEMBERS SHALL BE PROVIDED WITH A 1/2" GYPSUM WALLBOARDS MEMBRANE 5/8" WOOD STRUCTURAL PANEL, GYPSUM OR EQUIVALENT ON THE UNDERSIDE OF THE FLOOR FRAMING MEMBER 20'S (RC 903.2.1)

**FIRESTOPPING:** FIRE STOPPING REQUIREMENTS FOR GARAGES AND MECHANICAL ROOMS

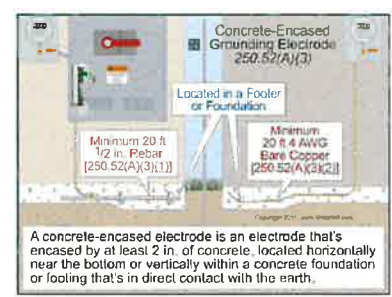
ALL WALLS, CEILING BEAMS AND COLUMNS SHALL BE 5/8" TYPE X DRYWALL

ATTIC UP WALL DOWNSTAIRS AND MAIN ACCESS PANELS SHALL HAVE A MIN OF ONE LAYER OF 5/8" TYPE X DRYWALL OVER GROUND PANEL PROVIDE TWO LAYERS IN GARAGES

RE-BLOCK AT THE TOP OF EVERY 1/2" SHOWERS WITH A WOOD BLOCKING EVERY 5/8" SPACE ALL JACOBS OR PROVIDE WATER RESISTANT BARRIER OVER 1/2" GYPSUM BOARD WITH A DOWN TO THE FLOOR BEHIND ALL TUBS AND SHOWERS SHALL FOR PROPER FIRESTOPPING OR USE OTHER APPROVED MATERIALS

**FINISH BASEMENT:**

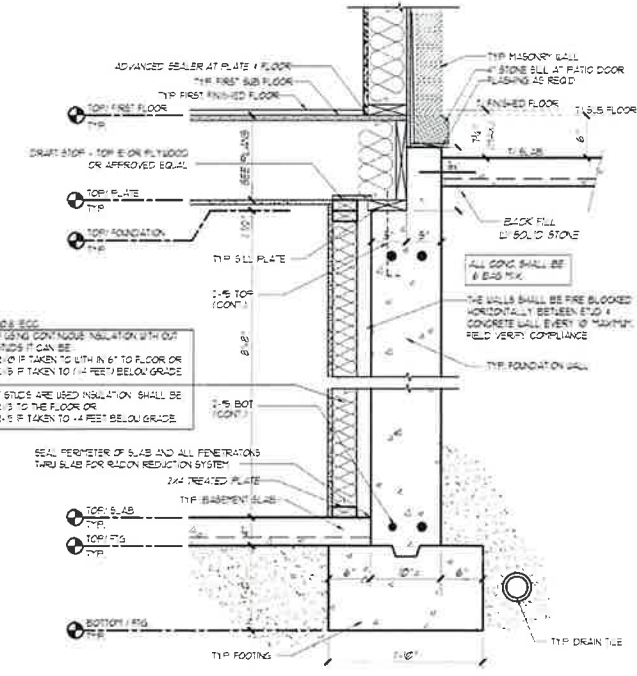
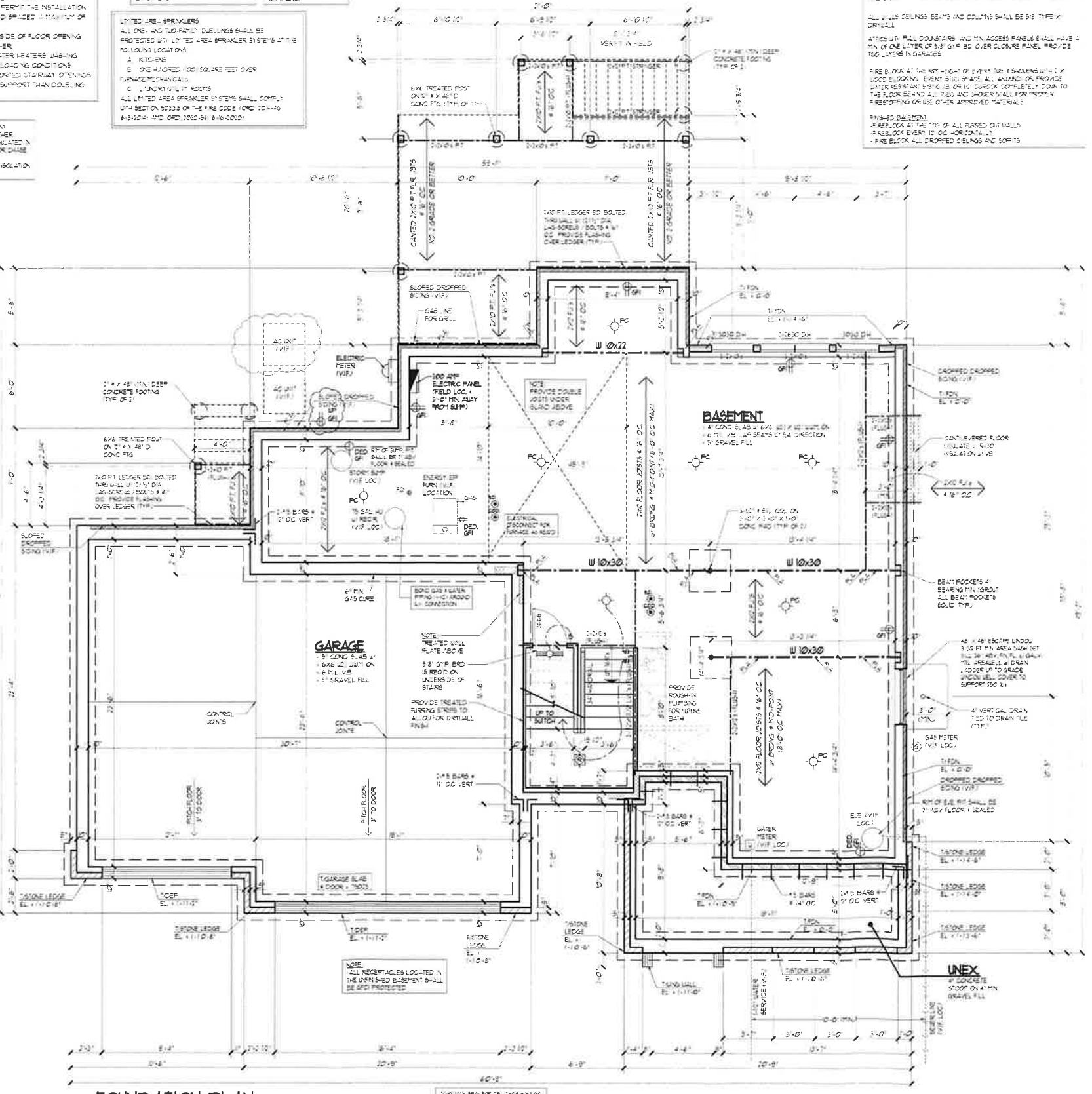
- RE-BLOCK AT THE TOP OF ALL PURRED OUT WALLS
- RE-BLOCK EVERY 10' OR ADDITIONAL 1/2" DOWN TO THE FLOOR BEHIND ALL TUBS AND SHOWERS SHALL FOR PROPER FIRESTOPPING OR USE OTHER APPROVED MATERIALS
- RE-BLOCK ALL DROPPED CEILING AND SOFFITS



**BASEMENT EGRESS:** DOOR AND WALLS WINDOW WELLS USED FOR EGRESS SHALL BE 8' 0" MIN. x 4' 0" MIN. PROJECT ON OF 3/4" BEYOND THE FACE OF THE FOUNDATION WALL. BOTTOM OF WELLS OVER 44" BEING GROUND SHALL BE EQUIPPED WITH LADDER FIXED TO THE WELL. THE LADDER MAY PROJECT UP INTO THE WELL. BUT NOT INTERFERE WITH THE WINDOW OPERATING TO FULLY OPEN POSITION. WELLS OF WINDOW FOR EGRESS CAN NOT BE MORE THAN 44" ABOVE THE FLOOR FINISH. FOR EGRESS WELLS SHALL HAVE A MIN OPEN AREA OF 5.7 SQ FT x 4 MIN WIDTH OF 10" AND A MIN HEIGHT OF 24"

**NOTE:** THAT A 100% WINDOW DOES NOT EQUAL 5.7 SQ FT

ALL WINDOW WELLS SHALL BE EQUIPPED WITH COVERING CAPABLE OF SUPPORTING A FULL GROWN ADULT (150 LBS) WHO COVERS FOR EGRESS WELLS SHALL BE OPERABLE FROM INSIDE THE WELL WITHOUT ANY TOOLS OR SPECIAL EQUIPMENT



**FDN. SECTION AT FRONT PATIO**  
SCALE: 1/4" = 1'-0"

**FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"

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DATE: 01-29-2022  
 DRAWN BY: JPS  
 CHECKED BY: JPS  
 PERMIT:  
 REVISION: 04-25-22  
 REVISION:  
 PROJECT NO:  
 SEAL DATE:  
 EXPIRES DATE: 1/30/2022

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**A1**  
 SHEET:

NOTE: FOR ALL ST. LINTELS OVER MASONRY OPENING SEE SCHEDULE BELOW

STEEL ANGLE	CLEAR OPENING
1/2" X 3/4" X 3/8"	4'-0" OR LESS
1/2" X 3/4" X 1/2"	4'-0" TO 4'-6"
1/2" X 3/4" X 5/8"	4'-0" TO 5'-0"
1/2" X 3/4" X 3/4"	4'-0" TO 6'-0"
1/2" X 3/4" X 7/8"	4'-0" TO 8'-0"
1/2" X 3/4" X 1"	4'-0" TO 10'-0"
1/2" X 3/4" X 1 1/8"	4'-0" TO 12'-0"
1/2" X 3/4" X 1 1/4"	4'-0" TO 14'-0"
1/2" X 3/4" X 1 1/2"	4'-0" TO 16'-0"
1/2" X 3/4" X 1 3/4"	4'-0" TO 18'-0"
1/2" X 3/4" X 2"	4'-0" TO 20'-0"

VERIFY WITH STRUCTURAL ENGINEER OVER 8'-0"

FOLOWS ALL CODES AND MASONRY GUIDE LINES WHEN INSTALLING INCLUDING ADDITION OF SUPPORT IF NEEDED AT LESS OF LINTEL ANY CHANGES MUST BE VERIFIED BY ARCHITECT OR STRUCTURAL ENGINEER

PRIME ALL LINTELS WITH PRIMER BEFORE INSTALLATION

FLASHING MUST FULLY COVER STEEL ANGLE

SHORE MASONRY FOR SEVEN DAYS FOR OPENING TO CURE AND UNDER SHOTS SHOULD BE VERIFIED WITH STONE AND BRICK SELECTION BY MASONRY SUPPLIER AND CHECK WITH STRUCTURAL ENGINEER

INSTALL LINTEL TO HEADER WITH 1/2" X 1/4" GALVANIZED STEEL BOLTS 4" ON CENTER SPACING 1/4" FOR SPACING OVER 1' WIDE

1/2" X 3/4" DIA. GUY WIRE SET IN COARSE WITH OPENING OVER 1' WIDE

**CONCRETE:**

- ALL FOOTINGS & FOUNDATION WALLS SHALL BE CAST IN PLACE CONCRETE
- ALL CONCRETE SHALL BE 2800 PSI
- FOOTINGS SHALL BE 12" THICK MINIMUM
- BOTTOM OF ALL FOOTINGS SHALL BE 4" BELOW GRADE MINIMUM
- PROVIDE 2" REBAR TOP AND BOTTOM IN ALL FOUNDATION WALLS
- BASEMENTS WITH HABITABLE SPACE AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING MIN. OPENING SHALL HAVE A NET CLEAR OPENING OF 5'6" (5'0" TO 6'0")
- WINDOW WELLS SHALL BE 8" TO 12" WITH A MIN. PROJECTION OF 3/4" (THE AREA OF THE WINDOW WELL SHALL ALLOW THE EMERGENCY ESCAPE AND RESCUE WINDOW TO BE FULLY OPENED, NO REBAR)
- ALL WINDOW WELLS HEIGHTS TO MATCH TOP OF FOUNDATION OR NOTED OTHERWISE BY CIVIL ENGINEER TO PREVENT GROUND WATER TO ENTER INTO LEVELS
- WINDOW WELLS WITH A VERTICAL DEPTH GREATER THAN 24" SHALL BE EQUIPPED WITH A PERMANENTLY ATTACHED LADDER OR STEPS USABLE WITH THE WINDOW IN THE FULLY OPENED POSITION (NO REBAR)
- WINDOW WELL COVERS ARE REQUIRED TO BE GRILLS, SCREENS OR SIMILAR DEVICES ARE REQUIRED TO BE PLACED OVER ALL WINDOW WELLS WEATHER RESISTANT ESCAPE OR OTHERWISE THEY SHALL BE CAPABLE OF SUPPORTING A FULL GROUND LOAD 1' MIN. CLEARANCE 150 LBS/FT<sup>2</sup> AND BE OPERABLE WITH-OUT SPECIAL TOOLS OR KNOWLEDGE

**CARPENTRY:**

- ALL PLUMBING WALLS AND EXTERIOR WALLS SHALL BE 2"x6" WOOD STUDS INCLUDING WALLS ENVELOPING RADON VENT PIPE
- ALL TRAYING SHALL BE 1/2" O.C.
- ALL HEADERS INTERIOR AND EXTERIOR SHALL BE 2"x12" W/ 10" FLYWOOD BETWEEN OR NOTED OTHERWISE
- ALL ROOF SHEATHING SHALL BE 5/8" EXTERIOR GRADE PLYWOOD OR OSB OR PARTICULATE BOARD
- CEILING AND WATER SHIELD SHALL BE 1/2" BETWEEN FINISHED INTERIOR WALL - MEASURED HORIZONTALLY (AN ICE BARRIER THAT COMES WITH AT LEAST TWO LAYERS OF UNDERLAYMENT) CEMENTED TOGETHER OR OF A SELF-ADHERING POLYMER MODIFIED BITUMEN SHEET (NO JOINTS)
- ALL FLOORS SHALL BE 3/4" PLYWOOD OR 5/8" REDWOOD OR DURALOCK MAY BE SUBSTITUTED FOR SECOND LAYER OF PLYWOOD IN AREAS TO RECEIVE TILE FLOORING (OSB IS NOT ALLOWED ON FLOORS)
- ALL GYPSUM BOARD SHALL BE 5/8" THICK MINIMUM
- THE ENTIRE ENVELOPE (EXTERIOR WALLS) SHALL BE COMPLETELY SHEATHED WITH 1/2" PLYWOOD OR 5/8" OSB
- INSIDE OF BOPPTS MUST BE FIRE STOPPED WITH 1/2" BOARD OR PLYWOOD AT THE CONCEALED WALL & CEILING AREA EXTERIOR
- FIRE STOP ALL PENETRATIONS WITH CRITICAL COMPOUND, CONVENTIONAL MATERIAL OR APPROVED FIRE STOP MATERIAL
- FIRE STOP STUD BRACES WITH 1/2" WOOD AT THE RIM HEIGHT OF THE TUB EVERY STUD SPACE (WATER RESISTANT 5/8" 6" PLYWOOD OR 1/2" DURALOCK MUST BE BROUGHT DOWN TO THE FLOOR BEHIND ALL TUBS & SHOWER STALLS FOR PROPER FIRE STOPPING)

**ELECTRICAL:**

- SMOKE ALARMS SHALL BE INTERCONNECTED WITH BATTERY BACKUP AND SHALL BE LOCATED PER ALL REQUIREMENTS OF SECTION 910 OF THE IBC AS FOLLOWS:
  1. IN EACH SLEEPING ROOM
  2. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS WITHIN 5'-0"
  3. ON EACH STORY OF THE DWELLING INCLUDING BASEMENTS
  4. ABOVE OR NEAR THE FURNACE
- CARBON MONOXIDE DETECTORS SHALL BE PROVIDED AS FOLLOWS:
  1. OUTSIDE EACH SEPARATE SLEEPING AREA WITHIN 5'-0" OF THE BEDROOMS
  2. ON EVERY FLOOR ON WHICH A FOSSIL FUEL UTILITY EQUIPMENT IS AND LOCATED IN THE ROOM IN WHICH THE FURNACE OR WATER HEATER IS LOCATED
  3. ON EVERY FLOOR ON WHICH SLEEPING ROOMS ARE HEATED BY ANY TYPE OF WARM AIR HEATING PLANT THAT BURNS FOSSIL FUEL
- ALL SWITCHES RECEPTACLES & LIGHT FIXTURES IN A BATHROOM POLDER ROOM SHOWER ETC SHALL BE GFC PROTECTED
- ALL OUTLETS SHALL BE ARC-Fault Circuit Interrupters (AFCI) TAMPER RESISTANT WITHIN ENTIRE DWELLING UNIT PER 2020 NEC 210.8(A) (1) AREAS TO BE PROTECTED
- INSIDE OUTLETS MUST BE EVERY 12'-0" O.C. BEGINNING 6'-0" FROM THE ENTRY DOOR ALL HALLWAYS MUST HAVE (MIN.) 12' OUTLET ALL HALLWAYS MUST HAVE (MIN.) CEILING LIGHT CONTROLLED BY A WALL SWITCH AT OPPOSITE ENDS (15' MAX. FOR 12' HALLWAYS)
- ALL ELECTRICAL CONDUCTORS SHALL BE COPPER (ALUMINUM IS NOT PERMITTED)
- RIGID GALVANIZED CONDUIT MUST BE USED IN THROUGH OR UNDER ALL INTERIOR OR CONCRETE SLAB CONSTRUCTION THROUGH ALL FOUNDATION WALL PENETRATIONS
- EXTERIOR BELOW GRADE CONDUIT MAY BE RIGID GALVANIZED (MIN) 1/2" DEEP OR ELECTRICAL GRADE PLASTIC CONDUIT APPROVED FOR DIRECT BURIAL WITH A GROUND CONDUCTOR (MIN) 1/2" DEEP OR TYPE UFPL CABLE WITH GROUND CONDUCTOR (MIN) 1/2" DEEP

**MECHANICAL:**

- AIR CONDITIONING EQUIPMENT INCLUDING RAISE HEAT PUMPS ETC ARE NOT PERMITTED IN THE REQUIRED 5' SIDE YARD SETBACKS (PER ZONING ORDINANCE)
- ALL BATHROOMS SHOWER & POLDER ROOM EXHAUST FANS SHALL HAVE INSULATED DUCTWORK TO THE EXTERIOR
- PROVIDE A MIN. OF 1 1/2" PRECAST CONCRETE PAD UNDER ALL FURNACES WHICH ARE SET ON A WOOD FLOOR (OR USE 1 LAYER OF 1/2" DURALOCK OR 2" THICKNESS OF POLISHED CONCRETE)
- ATTIC AND CRAWL SPACE FURNACES ARE NOT PERMITTED

**GLASS & GLAZING:**

- GLASS AND GLAZING SHALL CONFORM TO ALL REQUIREMENTS OF THE DUPAGE COUNTY BUILDING CODE (ALL WINDOWS SHALL HAVE INSULATED GLASS)
- PROPERLY IDENTIFIED SAFETY GLAZING MUST BE USED AT ALL HAZARDOUS LOCATIONS (IE STORM DOORS TUB SHOWER ENCLOSURES ETC)
- ADDITIONAL AIR EXCHANGER REQUIRED FOR FINISHED AREAS OF BASEMENT ALL ROOMS WITH EXHAUSTER TO MEET ALL REQUIREMENTS OF SECTION 903.3.1 NATURAL VENT REQUIREMENTS
- ADDITIONAL MECH. LIGHT WILL BE USED TO PROVIDE ADDITIONAL LIGHT TO MEET THE REQUIREMENT FOR AN AVERAGE OF 6 FOOT CANDLES IN THE ROOM AT A HEIGHT OF 30" ABOVE FLOOR

**NOTE: FINISH FLOOR SHALL BE INSTALLED IN ANY EXTERIOR WALL GARAGE WALL, UTILITY OR OTHER UNFINISHED AREA OR CHASE UNLESS INDICATED IN A SEPARATE ISOLATED SECONDARY WALL OR CHASE**

**NO WATER PIPING SHALL BE INSTALLED IN ANY EXTERIOR WALL GARAGE WALL, UTILITY OR OTHER UNFINISHED AREA OR CHASE UNLESS INDICATED IN A SEPARATE ISOLATED SECONDARY WALL OR CHASE**

**INSULATION ALONE SHALL NOT BE USED FOR ISOLATION OF WATER PIPING**

**UNFINISHED AREAS**

ALL ONE AND TWO FAMILY DWELLINGS SHALL BE PROTECTED WITH LIMITED AREA SPRINKLER SYSTEMS AT THE FOLLOWING LOCATIONS:

- KITCHENS
- ONE HUNDRED (100) SQUARE FEET OVER FINISHED MECHANICALS
- LANDSCAPE UTILITY ROOMS

ALL LIMITED AREA SPRINKLER SYSTEMS SHALL COMPLY WITH SECTION 903.5 OF THE FIRE CODE (ORD. 10-444, 6-3-12) AND ORD. 2000-96, 6-4-2001

**FIRESTOPPING**

FIRE STOPPING REQUIREMENTS FOR GARAGES AND MECHANICAL ROOMS

ALL WALLS CEILING BEAMS AND JOISTS SHALL BE 5/8" 2"x6" TYPICAL

ATTIC WITH FULL DOWNSTAIRS AND MIN. ACCESS PANELS SHALL HAVE A MIN. OF ONE LAYER OF 5/8" GYP BOARD OVER CLOSURE PANEL PROVIDE TWO LAYERS IN GARAGES

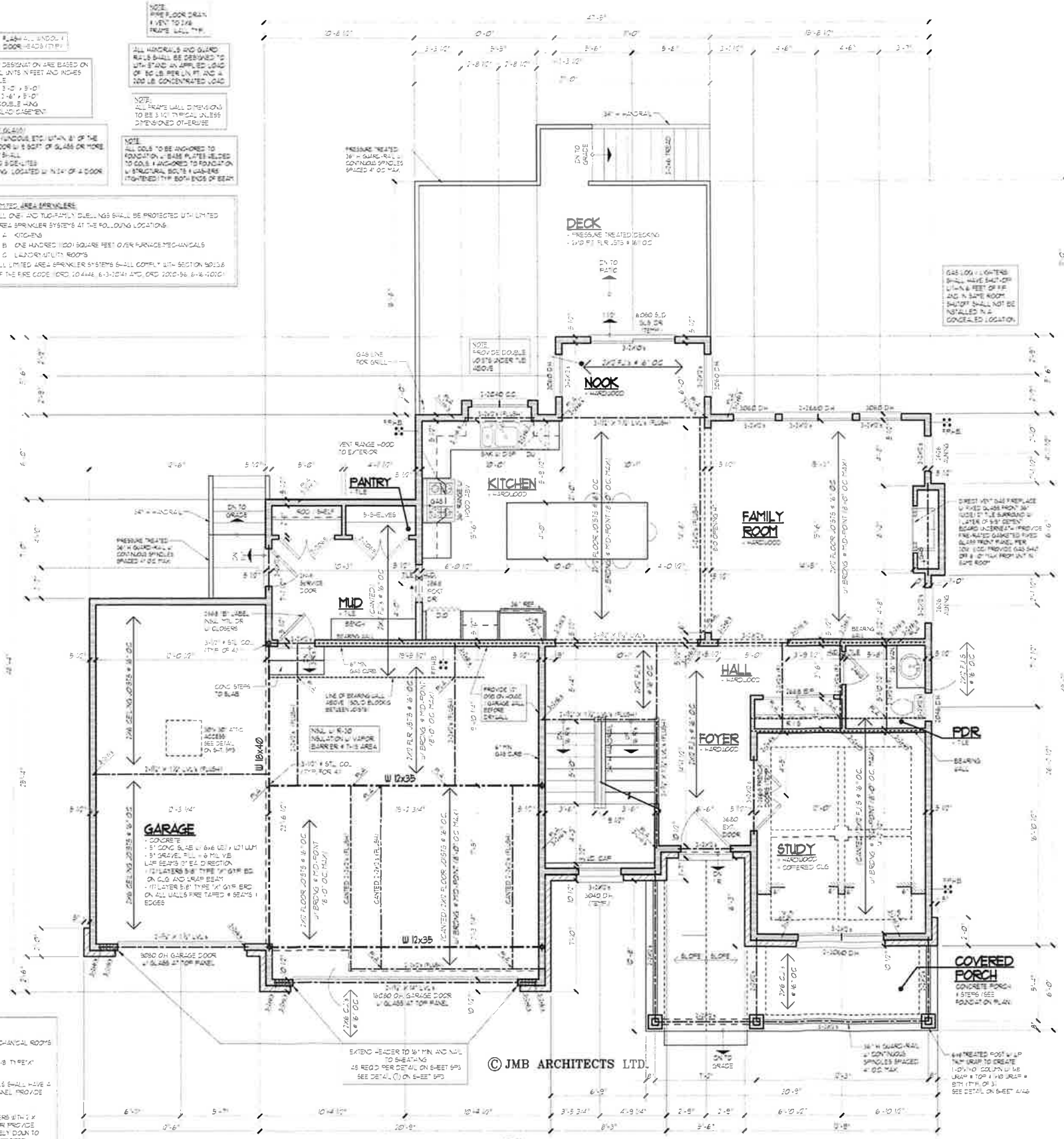
FIRE BLOCK AT THE RIM HEIGHT OF EVERY TUB & SHOWER WITH 1/2" WOOD BLOCKING EVERY STUD SPACE ALL AROUND OR PROVIDE WATER RESISTANT 5/8" GYP OR 1/2" DURALOCK COMPLETELY DOWN TO THE FLOOR BEHIND ALL TUBS AND SHOWER STALLS FOR PROPER FIRE STOPPING OR USE OTHER APPROVED MATERIALS

**FINISHED BASEMENT**

REBLOCK AT THE TOP OF ALL FINISHED WALLS

REBLOCK EVERY 10' O.C. HORIZONTALLY

FIRE BLOCK ALL DROPPED CEILING AND SOFFITS



**FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"  
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**FRAMING NOTES**

ALL EXTERIOR WALLS THAT FRAME OUT CONDITIONED SPACES MUST BE FRAME UP TO AND DIMENSION AT 15'-0" MIN. UNLESS NOTED OTHERWISE.

ALL INTERIOR INTERIOR FRAME WALLS TO BE 1/4" DIMENSIONED AT 13'-0" MIN. UNLESS NOTED OTHERWISE.

ALL PLUMBING SHALL BE CONSTRUCTED WITH 3/4" INSULATED WALLS INCLUDING RADON VENT TALL TRAYING TO BE AT 16'-0" OC.

BRICK AND STONE ON FLOOR PLAN VIEW IS DIMENSIONED AT 15'-0" MIN.

WINDOW HEADER HEIGHTS:  
FLOOR HEIGHT: 10'-0" TO BE 6'-0" W/ 1" HEADER HEIGHT  
FLOOR HEIGHT: 8'-0" TO BE 10'-0" W/ 1" HEADER HEIGHT  
FLOOR HEIGHT: 8'-0" TO BE 10'-0" W/ 1" HEADER HEIGHT  
ABOVE SUB FLOOR - UNLESS NOTED OTHERWISE!

ALL WINDOW SIZES TO BE 4" MIN. OF HEADS W/ 1" 2" X 10000 SHEAR PLATE BETWEEN NAILED AS REQD.

ALL HEADER SUPPORTS A 2x4 WALL SHALL BE 3x4x8 MIN. TWO OR PILES W/ ONE KING UNLESS NOTED OTHERWISE.

ALL HEADER SUPPORTS A 2x4 WALL SHALL BE 3x4x8 MIN. TWO OR PILES W/ ONE KING UNLESS NOTED OTHERWISE.

ENTER OR EXITS OVER 0'-0" IN HEIGHT REQUIRE HORIZONTAL SOLID BLOCKING (BRICKS) BETWEEN STUDS (LOCATE AT JOINT OF WALL SHEATHING).

STUDS FOR TWO STORY SPACE TO BE FULL 4x8 GAT STUDS.

ALL POINT LOADS FROM INTERIOR DOOR HEADERS ABOVE MUST BE PICKED UP BY SOLID BLOCKING OR NOTED OTHERWISE.

ANY OTHER POINT LOADS SHOULD BE PICKED UP BY DOUBLE FLOOR JOIST OR NOTED OTHERWISE.

ALL FLOOR JOIST SHALL BE DOUBLED UNDER ALL KITCHEN ISLANDS, BATH TUBS AND 2x4 HEAVY JPS. ANGLES.

PROVIDE DOUBLE BALL STUDS UNDER ALL DOUBLE FLOOR JOIST TYP.

RAVISE DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS OVERHEAD TUBS AND SOLID BLOCKING UNDER PERPENDICULAR PARTITIONS. BALL JOISTS TO A LOW FOR ELECTRIC PIPING AND MECHANICAL TRIGGERS.

ALL FLASH BEAMS INCLUDING BIL FLOOR JOISTS AND MICRO-PILES AND HEADERS TO HAVE METAL JOIST HANGS AT FLASH W/ PERPENDICULAR CONNECTION.

NOTE: 4x8 JOIST NOT ALLOWED IN REQUIRED 5x6 AND 6x8 JOISTS.

HANDRAIL ON MIN ONE SIDE OF STAIR RETURN TO WALL OR 2x4 NAIL ROD.

ROOFING CEILING JOIST AND RAFTER CONNECTIONS CEILING JOISTS AND RAFTERS SHALL BE NAILED TO EACH OTHER IN ACCORDANCE WITH TABLE 608.3(1) CEILING JOISTS SHALL BE CONTINUOUS OR SECURELY JOINED IN ACCORDANCE WITH TABLE 608.3(1) WHERE THEY MEET OVER INTER OR PARTITIONS AND ARE NAILED TO ADJACENT RAFTERS TO PROVIDE A CONTINUOUS TIE ACROSS THE BUILDING WHEN SUCH JOISTS ARE PARALLEL TO THE RAFTERS.

WHERE CEILING JOISTS ARE NOT CONNECTED TO THE RAFTERS AT THE TOP WALL PLATE JOISTS CONNECTED HIGHER IN THE ATTIC SHALL BE INSTALLED AS RAFTER TIES OR RAFTER TIES SHALL BE INSTALLED TO PROVIDE A CONTINUOUS TIE WHERE CEILING JOISTS ARE NOT PARALLEL TO RAFTERS. RAFTER TIES SHALL BE INSTALLED RAFTER TIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CONNECTION REQUIREMENTS IN TABLE 608.3(1).

RAVISE VENT PIPE TO BE IN THE STUD WALL 4" MIN.

WHERE CEILING JOISTS OR RAFTERS ARE NOT PROVIDED THE RISE FORMED BY THESE RAFTERS SHALL BE SUPPORTED BY 4 WALL OR OTHER DESIGN IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICE.

COLOR TIES SHALL BE CONNECTED IN THE UPPER THIRD OF THE ATTIC SPACE IN ACCORDANCE WITH TABLE 608.3(1).

INTERIOR SPACES THAT BE FINE BLOCKED WITH 5/8" GYPSUM BOARD OR 5/8" GYPSUM OR THE CONCRETE WALL AND CEILING AREAS BY RAYL OR 50% MIN. FRAMED AND FILLED WITH MINERAL WOOL.

ALL FLASH BEAMS AND HEADERS TO HAVE METAL JOIST HANGS TO SUPPORT JOISTS OR RAFTERS ON EACH END TYP.

USE RECOMMENDED NAILS FOR HANGERS.

608.3(4) MAKE UP AIR GAS SYSTEMS EXHAUSTING MORE THAN 100 CFM SHALL BE PROVIDED WITH MAKE UP AIR WHERE A CLOSURE IS DESIRED FOR THE INSTALLATION OF A CLOSURE SYSTEM AN OPENING HAVING AN AREA OF NOT LESS THAN 100 SQUARE INCHES FOR MAKE UP AIR SHALL BE PROVIDED IN THE CLOSURE ENCLOSURE OR MAKE UP AIR SHALL BE PROVIDED BY OTHER APPROVED MEANS.

608.3(4) AIR SYSTEMS TO BE INSTALLED TO PROVIDE MAKE UP AIR REQUIRED EXHAUST 1000 CFM SYSTEMS CAPABLE OF EXHAUSTING IN EXCESS OF 400 CUBIC FEET PER MINUTE (CFM) SHALL BE PROVIDED WITH MAKE UP AIR AT A RATE APPROXIMATELY EQUAL TO THE EXHAUST AIR RATE. SUCH MAKE UP AIR SYSTEMS SHALL BE EQUIPPED WITH MEANS OF CLOSURE AND SHALL BE AUTOMATICALLY CONTROLLED TO START AND OPERATE SIMULTANEOUSLY WITH THE EXHAUST SYSTEM.

ALL ATTIC SPACES CONTAINING 30 CFM OR MORE UNF-160 HEAD HEIGHT OF 30 INCHES OR MORE 30Vx30 MIN. ACCESS OPENINGS.

30Vx30" ATTIC ACCESS W/ SWITCHED LIGHT FIXTURE IN ATTIC W/ ADDITIONAL PROTECTOR FOR ROOF MOUNTED ATTIC FAN. RADON RADIANT VENT FAN IS NEEDED IN NEW CONSTRUCTION.

ACCESS DOORS FROM CONDITIONED SPACES TO UNCONDITIONED SPACES SHALL BE WEATHER STRIPPED AND INSULATED TO A LEVEL EQUIVALENT TO THE INSULATION ON THE SURROUNDING SURFACES.

WORKING SPACE AT LEAST 30 INCHES DEEP AND 30 INCHES WIDE SHALL BE PROVIDED IN FRONT OF THE CONTROL, SWITCH TO SERVICE AN APPLIANCE.

DOUBLE LAYER OF 5/8" TYPE W/ 5/8" STIFF ON GYPSUM CEILING FASTEN FIRST LAYER WITH 1/2" LONG NAILS OR SCREWS AT 6" OC ALONG EACH FRAMING MEMBER. INSTALL SECOND LAYER IN OPPOSITE DIRECTION WITH ALL JOISTS STAGGERED FROM JOISTS IN FIRST LAYER USING 1/2" LONG NAILS OR SCREWS TO 6" OC ALONG EACH FRAMING MEMBER.

PROVIDE SOLID BLOCKING BETWEEN GATED JOISTS AND RM BOARD AT 2x6 TYP.

M308 FURNACES AND AIR HANDLERS FURNACES AND AIR HANDLERS WITHIN COMPARTMENTS OR CLOSURES SHALL HAVE A 4" MIN. WORKING SPACE CLEARANCE OF 2" ABOVE, ALONG AND SIDES BACK AND TOP WITH A TOTAL WIDTH OF THE ENCLOSURE BEING AT LEAST 10" NICHES WIDER THAN THE FURNACE OR AIR HANDLER. NOTE THE MANUFACTURER OF THE EQUIPMENT MAY REQUIRE GREATER CLEARANCES.

PLUMBING IN EXTERIOR WALLS SHALL BE PROTECTED FROM FREEZING AND SHALL NOT REDUCE THE REQUIRED WALL INSULATION REQUIREMENTS.

John Michael Becher A.L.A. N.C.A.R.B.  
180 W. Park, Suite #10  
Eimhurst, Illinois 60126

**JMB ARCHITECTS LTD.**  
E-Mail: jmbarch@comcast.net Phone: 630.279.8228

LIGHT & VENT SCHEDULE						
ROOM NAME	AREA	LIGHT (%)		VENT (%)		MECH cfm
		REQ.	ACT.	REQ.	ACT.	
<b>FIRST FLOOR</b>						
STUDY	171	13.7	24.92	6.6	13.1	N/A
KITCHEN/NOOK	357	28.4	50.24	14.7	37.35	N/A
FAMILY ROOM	231	18.5	34.25	9.2	41.05	N/A
POWDER ROOM	33	N/A	N/A	N/A	N/A	49.5
<b>SECOND FLOOR</b>						
MASTER BEDROOM	247	19.8	37.02	8.9	20.35	N/A
BEDROOM 2	181	14.5	21.1	7.2	11.88	N/A
BEDROOM 3	183	13.0	21.1	6.5	11.88	N/A
BEDROOM 4	179	14.3	21.1	7.2	11.88	N/A
MASTER BATH	139	N/A	N/A	N/A	N/A	208.5
BATH 2	50	N/A	N/A	N/A	N/A	75.0
BATH 3	74	N/A	N/A	N/A	N/A	111.0
<b>*BASEMENT UNFINISHED AREA</b>						
AREA	1,065	2%	ACT.			

\* ADDITIONAL AIR-EXCHANGER REQD FOR FINISHED AREAS OF BASEMENT. ALL ROOMS W/ EXCHANGER TO MEET AN LIGHT & VENT AS REQUIREMENTS OF SECTION 903.3.11 NATURAL VENT REQUIREMENTS.

\*\* ADDITIONAL TECH LIGHT WILL BE USED TO PROVIDE ADDITIONAL LIGHT TO MEET THE REQUIREMENT FOR AN AVERAGE OF 6 FOOT CANDLES IN THE ROOM AT A HEIGHT OF 30" ABOVE FLOOR.

**NOTE: PROVIDE SOLID BLOCKING POSTING UNDER ALL POINT LOADS.**

**NOTE: FINISH STONE SILL JAMBEN UNLESS AS REQD MIN FINISH OF 15 DEGREES.**

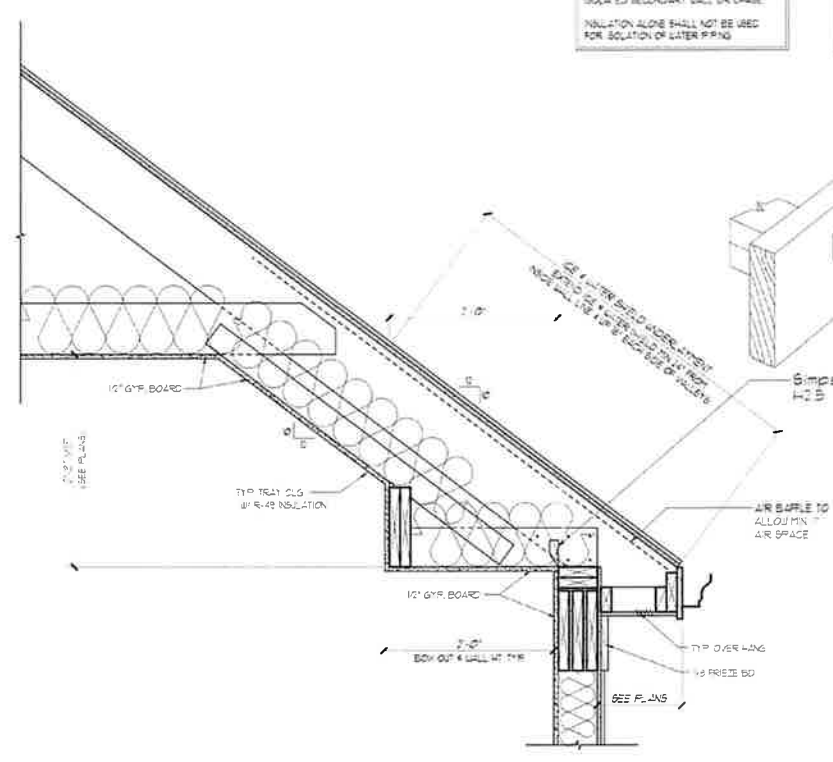
**NOTE: ACCESS DOORS FROM CONDITIONED SPACES TO UNCONDITIONED SPACES SHALL BE WEATHER STRIPPED AND INSULATED TO A LEVEL EQUIVALENT TO THE INSULATION ON THE SURROUNDING SURFACES.**

**NOTE: LIMITED AREA SPRINKLERS:**  
A. ONE AND TWO FAMILY DWELLINGS SHALL BE PROTECTED BY A LIMITED AREA SPRINKLER SYSTEMS AT THE FOLLOWING LOCATIONS:  
1. KITCHENS  
2. LAUNDRY/UTILITY ROOMS  
ALL LIMITED AREA SPRINKLER SYSTEMS SHALL COMPLY WITH SECTION 903.3.8 OF THE FIRE CODE (ORD 2014-46 6-13-2014) AND ORD 2010-56 6-18-2010).

**NOTE: FIRE DRYER SHALL BE 1 FEET TO THE FRAME WALL TYP.**

**NOTE: FIRE DRYER SHALL PROVIDE CLEARANCE OF 1" OVERHANG UNDER W/ FLOOR DRAIN AND 5" W/ 5/8" BOARD ON WALLS & CEILING.**

**NOTE: VENT DRYER TO EXTERIOR. THE MAX LENGTH OF A CLOTHES DRYER EXHAUST DUCT SHALL NOT EXCEED 15' FROM THE DRYER LOCATION TO THE WALL OR ROOF TERMINATION. THE MAX LENGTH OF THE DUCT SHALL BE REDUCED BY 1' FOR EACH 90° BEND AND 5/8" FOR EACH 30° BEND.**



**TYP. TRAY CLG.**  
SCALE: 1/4"=1'-0"  
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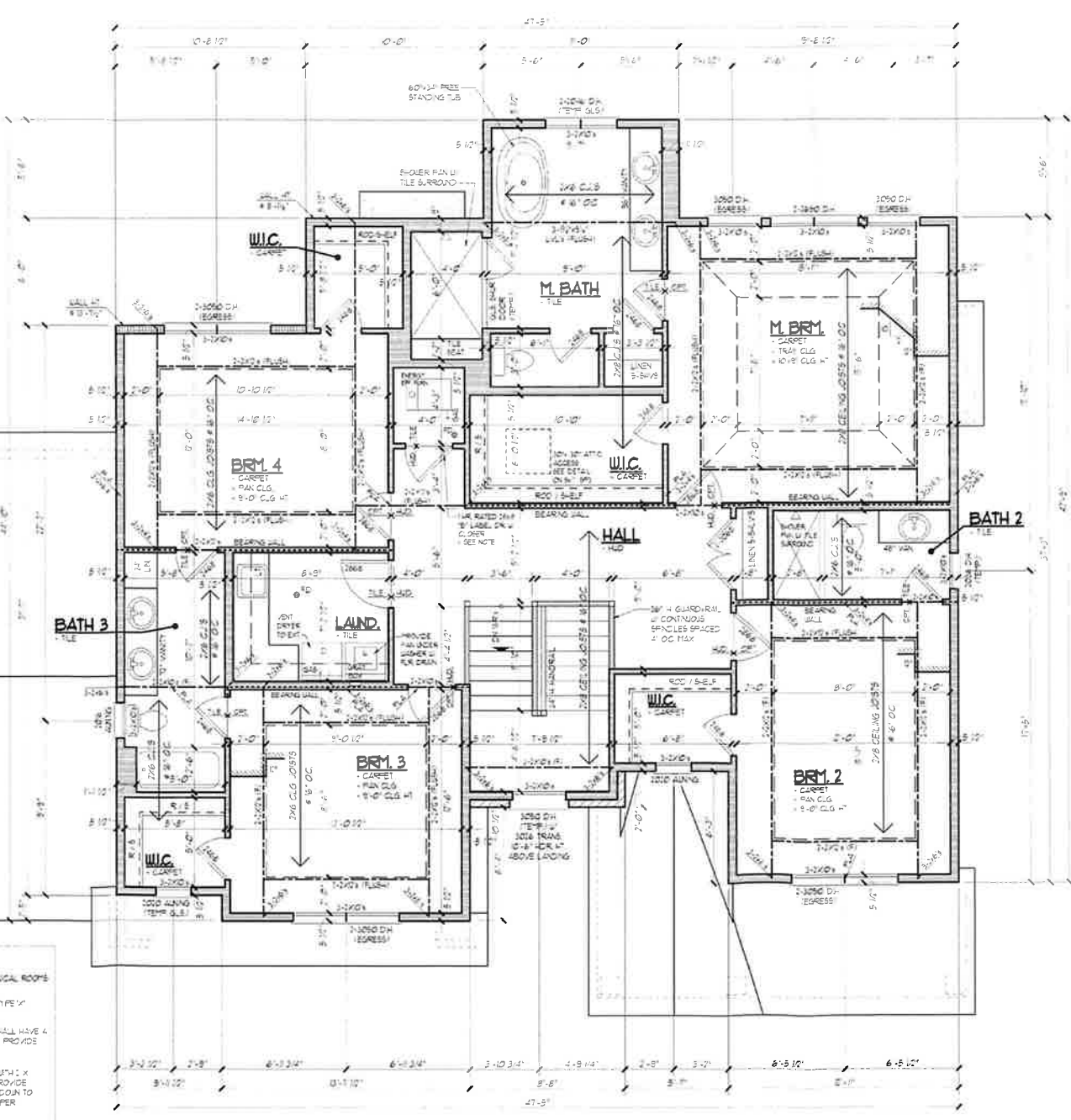
**FIRESTOPPING**  
FIRE-STOPPING REQUIREMENTS FOR GARAGES AND MECHANICAL ROOFS

ALL WALLS, CEILING BEAMS AND COLUINS SHALL BE 5/8" TYPE W/ DRYWALL.

ATTICS WITH RAIL DOWNSHAFT AND FIN ACCESS PANELS SHALL HAVE A MIN OF ONE LAYER OF 5/8" GYPSUM BOARD OVER CLOSURE PANEL. PROVIDE TWO LAYERS IN GARAGES.

FIRE BLOCK AT THE FIN HEIGHT OF EVERY TUB & SHOWERS WITH: X WOOD BLOCKING EVERY 5/8" GYPSUM BOARD OR 1/2" DRYWALL COMPLETELY DOWN TO THE FLOOR BEHIND ALL TUBS AND SHOWER STALL FOR PROPER FIRESTOPPING OR USE OTHER APPROVED MATERIALS.

FINISHED BASEMENT:  
- FIREBLOCK AT THE TOP OF ALL FINISHED WALLS  
- FIREBLOCK EVERY 16" OC HORIZONTAL  
- FIRE BLOCK ALL DROPPED CEILING AND BOPPTS

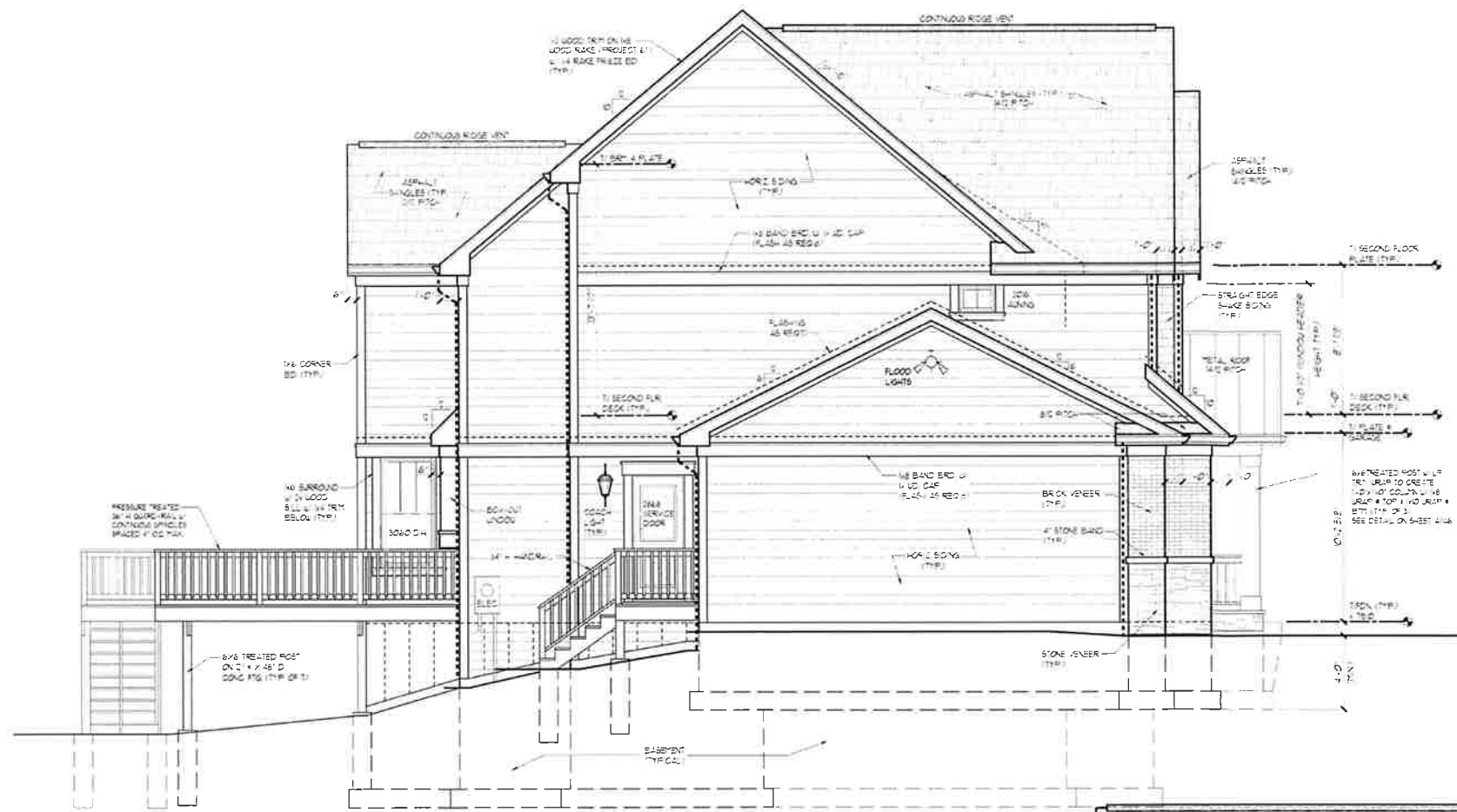


**SECOND FLOOR PLAN**  
SCALE: 1/4"=1'-0"  
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**NEW RESIDENCE FOR:**  
**MJB CONTRACTORS**  
1277 KEIM TRAIL  
BARTLETT, IL 60103

DATE: 03-05-2021  
DRAWN BY: JMB  
CHECKED BY: JMB  
PERMIT:  
REVISION: 04-29-21  
REVISION:  
PROJECT NO.:  
SEAL DATE:  
EXPIRES DATE: 1/30/2021

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**A3**  
SHEET:



**LEFT SIDE ELEVATION**  
SCALE 1/4"=1'-0"  
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FLASH ALL WINDOW & DOOR HEADS (TYP.)

NOTE: FINISH STONE SHALL COVER UNDOORS AS REQUIRED MIN. FINISH OF 3" DEEPNESS

UNDOOR DEFINITIONS ARE BASED ON NOMINAL JAMB HEIGHT AND WIDTHS  
EXAMPLE:  
3000 x 3'-0" x 5'-0"  
3600 x 3'-0" x 5'-0"  
36" x DOUBLE HANG, 60" x DOUBLE CASEMENT

NOTE: WHEN TWO ROOFS INTERSECT WITH DIFFERENT ROOF PITCHES BLOCK TOP OF STUD WALLS AS REQUIRED TO LINE UP FLASHING WITH A MINIMUM OF 1" OVERLAP

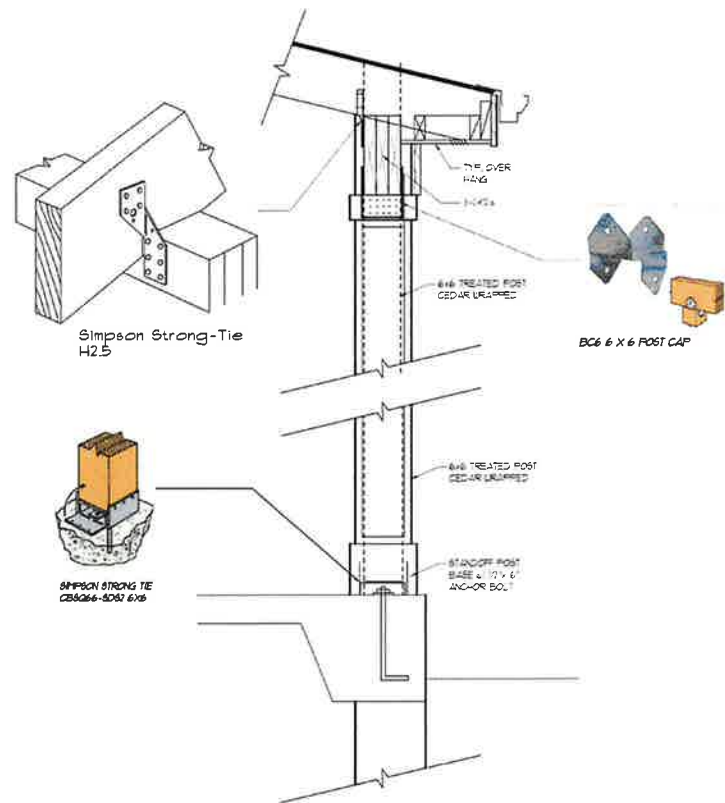
NOTE: LITE GLASS:  
ALL GLASS UNDOOR ETC. WITHIN 8" OF THE FINISHED FLOOR LINE IS TO BE GLASS OR MORE  
-SIGHTLINE SHALL  
-DOORS AND SILENT  
-ALL GLAZING LOCATED WITHIN 4" OF DOOR JAMB

NOTE FOR ALL 6" LINTELS OVER MASONRY OPENING SEE SCHEDULE BELOW

LINTEL SCHEDULE:	
6" STEEL ANGLE	CLEAR OPENING
4" x 3" x 3/8"	4'-0" OR LESS
4" x 3" x 3/8"	5'-0" - 6'-0"
4" x 4" x 3/8"	6'-0" - 7'-0"
4" x 4" x 3/8"	7'-0" - 8'-0"
4" x 4" x 1/2"	8'-0" - 9'-0"
4" x 6" x 1/2"	9'-0" - 10'-0"
4" x 6" x 1/2"	10'-0" - 16'-0"
VERIFY WITH STRUCTURAL ENGINEER	OVER 16'-0"

FOLLOW ALL CODES AND MASONRY GUIDE LINES WHEN INSTALLING INCLUDING ADDITIONAL SUPPORT IF NEEDED AT LEGS OF LINTEL  
ANY CHANGES MUST BE VERIFIED BY ARCHITECT OR STRUCTURAL ENGINEER

PRIME ALL LINTELS WITH PRIMER BEFORE INSTALLATION  
FLASHING MUST FULLY COVER STEEL ANGLE  
REMOVE 1" SPAN FOR SEVEN DAYS FOR OPENING 12" WIDE AND UNDER  
DATA SHOULD BE VERIFIED WITH STONE AND BRICK SELECTION BY MASONRY SUPERVISOR AND CHECK WITH STRUCTURAL ENGINEER  
ATTACH LINTEL TO HEADER WITH 1/2" x 4" GALVANIZED LEG BOLTS #16 @ 16" OC  
SHORE SPAN 3/4" FOR SEVEN DAYS FOR OPENING OVER 12" WIDE  
1/2" x 3/4" DIA GALV WIRE ST. COUPLERS WITH OPENING OVER 12" WIDE



**DETAIL A**  
SCALE 1/4"=1'-0"  
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**FRONT ELEVATION**  
SCALE 1/4"=1'-0"  
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The client acknowledges that they have read and understood these drawings and specifications and that they have agreed to the terms and conditions set forth herein.  
These drawings are prepared for the use of the contractor and are not to be used for any other purpose without the written consent of JMB Architects, Ltd.  
JMB Architects, Ltd. is not responsible for any errors or omissions in these drawings and specifications.

John Michael Becher A.L.A. N.C.A.R.B.  
180 W. Park, Suite #10  
Elmhurst, Illinois 60120

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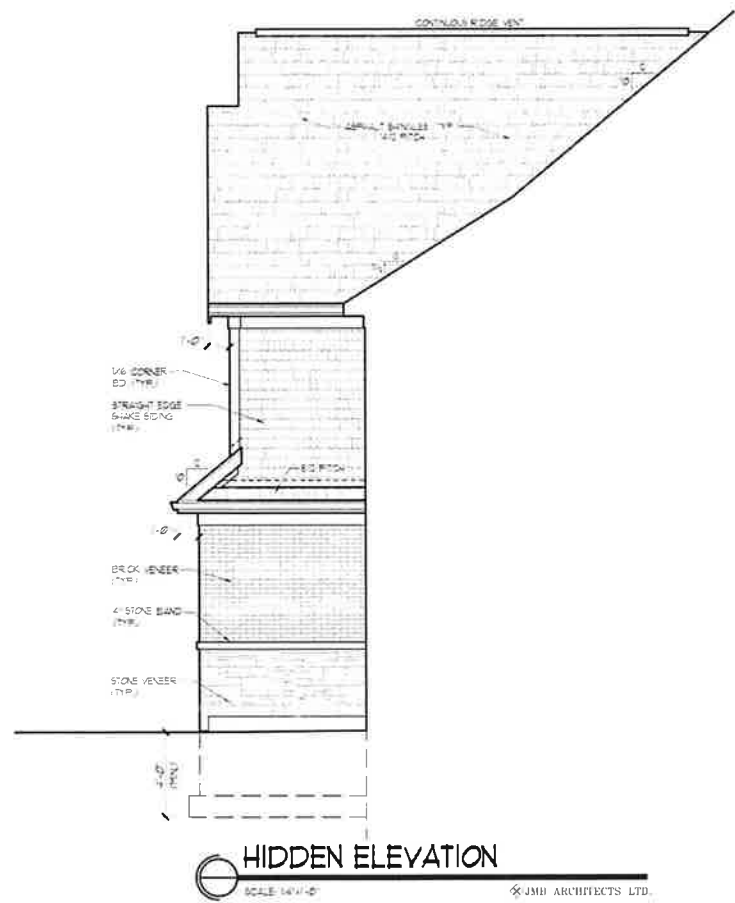
**NEW RESIDENCE FOR:**  
**MJB CONTRACTORS**  
1277 KEIM TRAIL  
BARTLETT, IL. 60103

DATE: 02-24-2022  
DRAWN BY: KF  
CHECKED BY: JS  
PERMIT:  
REVISION: 04-28-22  
REVISION:  
PROJECT NO.:  
SEAL DATE:  
EXPIRES DATE: 10-20-22

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**A6**  
SHEET:

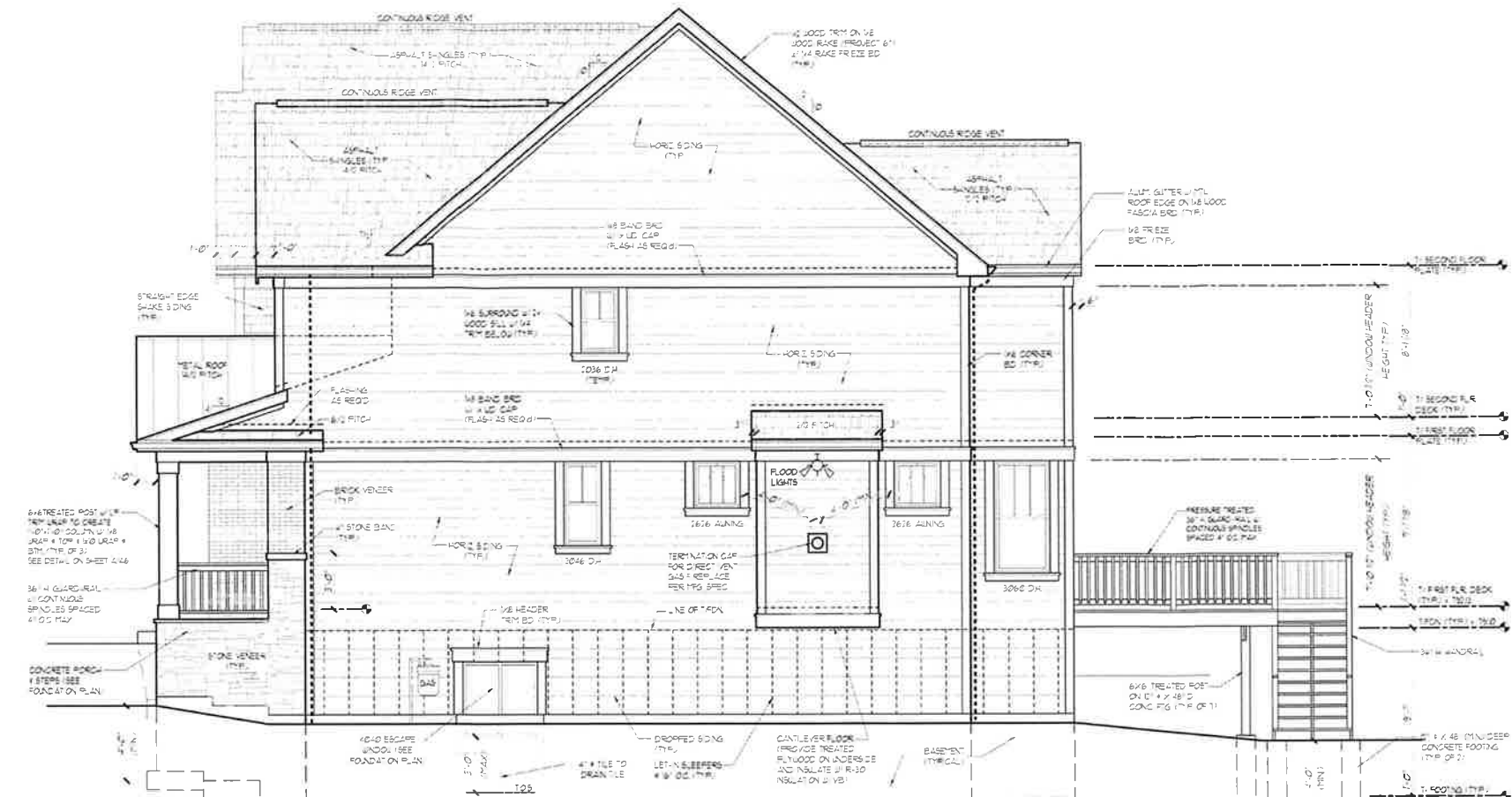




**HIDDEN ELEVATION**

SCALE 1/4"=1'-0"

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**RIGHT SIDE ELEVATION**

SCALE 1/4"=1'-0"

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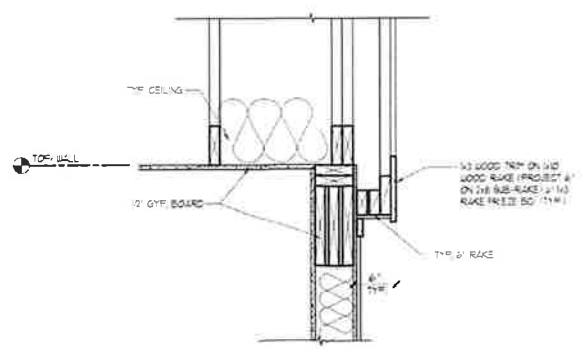


**REAR ELEVATION**

SCALE 1/4"=1'-0"

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**TYP. 6" RAKE DETAIL**

SCALE 1/4"=1'-0"

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- FLASH ALL WINDOW & DOOR HEADS (TYP.)
- NOTE: FINISH STONE SILLS UNDER WINDOWS AS REQ'D (TYP.)
- WINDOW DESIGNATION ARE BASED ON NOMINAL SIZE, FEET AND INCHES. EXAMPLES: 3060 = 3'-0" x 5'-0"; 3660 = 3'-6" x 5'-0"; D.P. = DOUBLE HUNG; C.C. = GLAZED CASPETS
- NOTE: WHEN TWO ROOFS INTERSECT WITH DIFFERENT ROOF PITCHES BLOCK TOP OF RAKE SILL AS REQ'D TO NE OF FASCIA AT A MINIMUM OF 1" OVERHANG
- NOTE: (TYP. GLASS) - ALL GLAZED WINDOWS ETC. WITHIN 6" OF THE FINISHED FLOOR W/ 8" SIG. OF GLASS OR MORE. SHOW 1/8" G.I. BALL, COOLING AND SIDE LITES - ALL GLAZING LOCATED W/ IN 24" OF A DOOR JAMB

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John Michael Becher A.L.A. N.C.A.R.B.  
 180 W. Park, Suite #10  
 Elmhurst, Illinois 60126  
**JMB ARCHITECTS, LTD.**  
 E-Mail: jmbarch@comcast.net Phone: 630.279.9228

**NEW RESIDENCE FOR:**  
**MJ&B CONTRACTORS**  
 1277 KEIM TRAIL  
 BARTLETT, IL. 60103

DATE:	03-09-2022
DRAWN BY:	JPE
CHECKED BY:	JPE
PERMIT:	
REVISION:	04-13-22
REVISION:	
PROJECT NO.:	
SEAL DATE:	
EXPIRES DATE:	03-09-2022

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**A7**  
 SHEET:

**PLANNING AND DEVELOPMENT SERVICES MEMORANDUM**

**22-47**

DATE: June 24, 2022  
TO: The Chairman and Planning & Zoning Commission Members *KS*  
FROM: Kristy Stone, Interim PDS Director  
RE: **(#20-18) Dunkin (NWC Schick Rd & Route 59)**

---

**PETITIONER**

ECA Architects of behalf of Reema Rajabali

**SUBJECT SITE**

Northwest Corner of Schick Road and Route 59

**REQUEST**

Preliminary/Final Subdivision  
Site Plan (Lot 1-Dunkin Donuts)  
Special Use Permit – Drive through establishment  
Variation – parking in the corner side yard

**SURROUNDING LAND USES**

	<b><u>Land Use</u></b>	<b><u>Comprehensive Plan</u></b>	<b><u>Zoning</u></b>
<b>Subject Site</b>	<b>Vacant</b>	<b>Commercial</b>	<b>B-3 PUD</b>
North	Daycare	Commercial	PD
South	Gas Station	Commercial	PD
East	Single Family	Estate Residential	R-1*
West	Townhomes	Attached Residential (Low Density)	PD

\*DuPage County – Single Family Residence

**BACKGROUND**

Ordinance #1988-22 approved the annexation of the property. Upon annexation, the property was automatically zoned ER-1 Estate Residence.

Ordinance #1988-36 approved the rezoning of the property to the B-3 (Neighborhood Shopping) Zoning District.

Ordinance 1991-50 approved a preliminary plat of subdivision and granted a special use permit and site plan approval for an Amoco automotive service station. *A final plat of subdivision was never submitted, approved or recorded.*

Ordinance 2008-87 approved Heidner's Chase Plaza, a development which was comprised of two buildings (12,000 retail center and 4,000 sq.ft. bank) on a single lot. The ordinance granted special use permits for a planned unit development, a drive-through for the multi-tenant retail building, a drive-through bank and the filling of wetlands, approved the preliminary/final PUD plan for Phase 1, a preliminary PUD plan for Phase 2 and a unified business center sign plan. *The project was never constructed.*

## **DISCUSSION**

1. The petitioner is requesting a **Preliminary/Final Subdivision** consisting of two lots at the northwest corner Schick Road and Route 59.
2. The lots will share a full access curbcut on Schick Road; with no direct access provided to Route 59.
3. The plat identifies a 25-foot wide right-of-way dedication to allow for a future deceleration right-turn lane on Route 59 to Schick Road.
4. A 5-ft wide sidewalk will be installed along Schick Road and a sidewalk easement is granted along the west property line of lot 2. *The access drive west of the site is not a publicly dedicated street; therefore, a public sidewalk was not previously provided. If the properties to the north also grant sidewalk easements along the private drive, a sidewalk will be installed when lot 2 develops to improve pedestrian access to the commercial properties for residents of Woodland Hills and Brentwood Townhomes.*
5. A modification from the Subdivision Ordinance is being requested to eliminate the parkway tree requirement along Schick Road due to the presence of underground utilities within the right of way.
6. The petitioner is also requesting a **site plan** and **special use permit** for a Dunkin Donuts with a drive-through on Lot 1.
7. Twelve seats are provided inside the 1,970 square foot restaurant. Outdoor seating (24 seats) is also provided on patios on the north and south sides of the building.
8. Traffic circulation within the lot is one-way, counter-clockwise around the building. Two menu/order boards are located at the northwest corner of the building and there are a total of twelve (12) stacking spaces from the pickup window which exceeds the Zoning Ordinance requirement of six (6).

9. The site plan identifies 16 parking spaces, including one (1) accessible space which meets the Zoning Ordinance requirement of sixteen (16) spaces. Due to the right-of-way dedication, a **variation** is being requested to allow parking within the 50-foot setback from Route 59. The parking will be located 30 feet from the new property line.
10. The elevations include gray face brick, metal panels and fiber cement siding/panels. Orange accent beams serve as a canopy on the south, east and west elevations.
11. Staff has reviewed and approved the photometric plan and landscape plan for Dunkin' Donuts.
12. An underground storage vault is proposed for stormwater management for lot 1. Separate stormwater management will be required on lot 2 once it develops.
13. The petitioner has submitted a traffic study which was reviewed by the Village's traffic consultant who generally concurred with the findings in the study.

## **RECOMMENDATION**

1. The Staff recommends **approval** of the petitioner's requests for preliminary/final subdivision, site plan and special use permit subject to the following conditions and findings of fact:
  - A. Building permits shall be required for all construction activities;
  - B. Village Engineer approval of the engineering plans;
  - C. Landscaping must be installed within one year of the issuance of a building permit;
  - D. If landscaping cannot be installed at the time of construction, a landscape estimate shall be submitted to the Planning & Development Services Department for review and approval by the Village Forester and a bond posted in the approved amount for its future installation;
  - E. All proposed signage shall require permits and approval from the Planning & Development Services Department prior to installation;
  - F. IDOT approval of the right of way dedication;
  - G. A Public Improvements Completion Agreement (PICA) must be submitted and approved by the Village Board;
  - H. Findings of fact (site plan):
    - i. That the proposed restaurant is allowed as a permitted use and the drive-through is permitted as a special use in the B-3 PUD Zoning District;
    - ii. That the proposed building, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses;
    - iii. That the vehicular ingress and egress to and from the site and

circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well;

- iv. That the site plan provides for the safe movement of pedestrians within the site;
  - v. That there is a sufficient mixture of grass trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses. Any part of the site plan area not used for buildings, structures, parking or access ways shall be landscaped with a mixture of grass, trees and shrubs; (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements.)
  - vi. That all outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.
- I. Findings of fact (special use permit):
    - i. The proposed drive through is desirable to provide a use which is in the interest of public convenience and will contribute to the general welfare of the community;
    - ii. That the proposed drive through will not under the circumstances of the particular case be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity;
    - iii. That the drive through shall conform to the regulations and conditions specified in the Bartlett Zoning Ordinance for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.
2. According to the provisions of the Zoning Ordinance, the Planning & Zoning Commission 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 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.
    - 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 P & Z Commission, sustains all the conditions enumerated above.*

3. The plans and additional background information are attached for your review.

kms/attachments

x:\comdev\memos 2022\047\_dunkin\_pz.docx



RECEIVED  
PLANNING & DEVELOPMENT  
MAY 19 2022  
VILLAGE OF  
BARTLETT

May 9, 2022

Mr. Kevin Wallace  
Village President  
Village of Bartlett  
228 S. Main Street  
Bartlett, IL 60103

RE: Dunkin' Donuts – Route 59 and Schick Road

Dear Mr. Wallace:

On behalf of our client, we are submitting an application for the subdivision and development of the vacant property located at the northwest intersection of Route 59 and Schick Road. This project includes construction of a new 1,970 SF freestanding Dunkin' Donuts building, with a drive thru that includes a standard drive thru lane, a mobile ordering lane and bypass lane, outdoor seating, a parking lot for the Dunkin', landscaping, a trash enclosure and signage.

The project will address stormwater management with underground detention located at Northern portion of the property. The site will be accessed thru a proposed full access off Schick Road only. Future cross access will be provided at the Schick Road access.

We are also requesting modification from the Subdivision Ordinance on the parkway tree requirement along Schick Road for this project. Due to the location of existing underground utilities (watermain and fiber optic cable) and the proposed public sidewalk, there is not enough room to provide the required parkway trees within the ROW limits. These parkway trees have been proposed +/- 12' north of the south lot line for lots 1 and 2, as this is the closest to the ROW they can be located without conflict.

Sincerely,



Eric Carlson, Architect  
ECA



# VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

**For Office Use Only**  
 Case # 2020-18  
 RECEIVED  
 PLANNING & DEVELOPMENT  
 MAY 09 2022  
 VILLAGE OF  
 BARTLETT

**PROJECT NAME** Dunkin' Donuts

**PETITIONER INFORMATION (PRIMARY CONTACT)**

**Name:** Reema Rajabali c/o ECA Architects

**Street Address:** 24 N Bennett Street

**City, State:** Geneva, Illinois

**Zip Code:** 60134

**Email Address:** sarah@ecaarchitects.com  
eric@ecaarchitects.com

**Phone Number:** 630-608-0500 x 106 (Sarah)

**Preferred Method to be contacted:** Email



**PROPERTY OWNER INFORMATION**

**Name:** Reema Rajabali - Sahara Management, Inc.

**Street Address:** 5005 Newport Drive, Suite 501

**City, State:** Rolling Meadows, IL

**Zip Code:** 60008

**Phone Number:** 847-420-4585

**OWNER'S SIGNATURE:** *Reema Rajabali* **Date:** 11/19/2021  
*(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)*

**ACTION REQUESTED** (Please check all that apply)

- Annexation
- PUD (preliminary)
- PUD (final)
- Subdivision (preliminary)
- Subdivision (final)
- Site Plan (please describe use: commercial, industrial, square footage): 130,675 SF  
commercial site. (Lot 2 - Dunkin': 40,807 SF)
- Unified Business Center Sign Plan
- Other (please describe) \_\_\_\_\_
- Text Amendment
- Rezoning See Dropdown to See Dropdown
- Special Use for: drive-thru and outdoor seating
- Variation: parking in 50' setback off Rt 59

**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 Property:** NW corner of Rt. 59 & Schick Rd.

**Property Index Number ("Tax PIN"/"Parcel ID"):** 01-16-200-027

**Zoning:** Existing: B-3 PUD  **Land Use:** Existing: Vacant   
(Refer to Official Zoning Map)

Proposed: B-3 PUD  Proposed: Commercial

**Comprehensive Plan Designation for this Property:** Commercial

(Refer to Future Land Use Map)

**Acreage:** 2.9999 Acres (Lot 2 - Dunkin': 1.9071 Acres)

**For PUD's and Subdivisions:**

No. of Lots/Units: 2

Minimum Lot: Area 2,500 s.f. Width \_\_\_\_\_ Depth \_\_\_\_\_

Average Lot: Area \_\_\_\_\_ Width \_\_\_\_\_ Depth \_\_\_\_\_

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

**Attorney** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Engineer** Knoche Engineering, P.C.  
24 N Bennett Street, Geneva, IL 60134  
630-845-1273 (Matt Ervin) ErvinM@crk-eng.com

**Other** ECA Architects  
24 N Bennett Street, Geneva, IL 60134  
630-608-0500 x106 (Sarah Dring) sarah@ecaarchitects.com

## **FINDINGS OF FACT FOR SITE PLANS**

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

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

1. The proposed use is a permitted use in the district in which the property is located.

The proposed use is a permitted use within the B-3 district.

2. The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with the adjacent land uses. Future cross access and consideration has been planned for the vacant property to the West.

3. The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.

Vehicular ingress and egress to and from the site off Schick Road and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on the adjacent roadways. Future cross access to the adjacent vacant site to the West has also been accommodated at the Schick Road access. The main entrance into the site is only from Schick Road and there is no access into the property from Rt 59.

4. The site plan provides for the safe movement of pedestrians within the site.

The site plan provides for safe movement of pedestrians within the site.

5. There is sufficient mixture of grass, trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public. Any part of the site plan area not used for buildings, structures, parking or accessways shall be landscaped with a mixture of grass, trees and shrubs. (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements)

The landscape plan provides sufficient plantings within the interior and perimeter of the site. The proposed development will be in harmony with the adjacent land uses and will provide a pleasing appearance to the public. Areas of the site that haven't been used for buildings, structures, parking or accessways will be landscaped with a mixture of grass, trees and shrubs. There has been a request for modification of the Subdivision Ordinance in regards to the parkway trees along Schick Road. Due to the location of existing utilities (watermain & fiber optic) and the proposed public sidewalk, there is not enough room to provide parkway trees within the parkway. These parkway trees have been proposed just north of the ROW, within private property.

6. All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.

The trash enclosure will be screened with an enclosure wall & gates. The gates are opaque.

**FINDINGS OF FACT FOR SPECIAL USES** DRIVE THRU

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

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

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

The drive-thru is crucial to the function of the Dunkin' Donuts restaurant. The standard drive thru operation combined with the mobile ordering lane has been tested and carefully designed by Dunkin' corporate as a safe and effective method to service customers quickly, accurately and efficiently. This is a necessary and desirable service which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

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

The drive-thru special use will not under the circumstances of this case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

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

The Dunkin' Donuts drive-thru shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.



**FINDINGS OF FACT FOR VARIATIONS** Request for parking in 50' setback off Rt 59

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 site abuts Illinois Rt 59 and therefore, requires the client to provide a 25' R.O.W. dedication from the existing property line. This reduces the size of the property and reduces the amount of workable site after applying the 50' setback off the new property line location.

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 location of the property along Illinois Rt 59 is unique to the property and this is not applicable to most properties within the same zoning classification. The adjacency to Illinois Rt 59 takes away 25' of the property for ROW dedication and provides a hardship to the development of the site. A variation is needed to allow parking within the 50' setback.

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

The purpose of the variation is not based upon a desire to make more money, but of a desire to make the property usable as a Dunkin' with required number of parking spaces, a drive thru lane and a bi-pass lane along the drive thru.

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 difficulty/hardship is caused by the provisions of this Title and 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 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.

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 variation, to allow parking in the 50' setback along Rt 59, will not impair an adequate supply of light and air to the adjacent property - it is not a tall element. It will not substantially increase the congestion in the public streets - it allows for required parking within the site. It will not increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood - it is a standard parking lot designed to allow for fire access, safe maneuvering, etc.

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.

Granting this variance 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. It has been mentioned to the client that this is a typical request for parcels along Illinois Rt 59.

**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: Reema Rajabali

PRINT NAME: Reema Rajabali - Sahara Management, Inc.

DATE: 11/19/2021

**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**: Reema Rajabali - Sahara

ADDRESS: 5005 Newport Drive, Suite 501  
Rolling Meadows, IL 60008

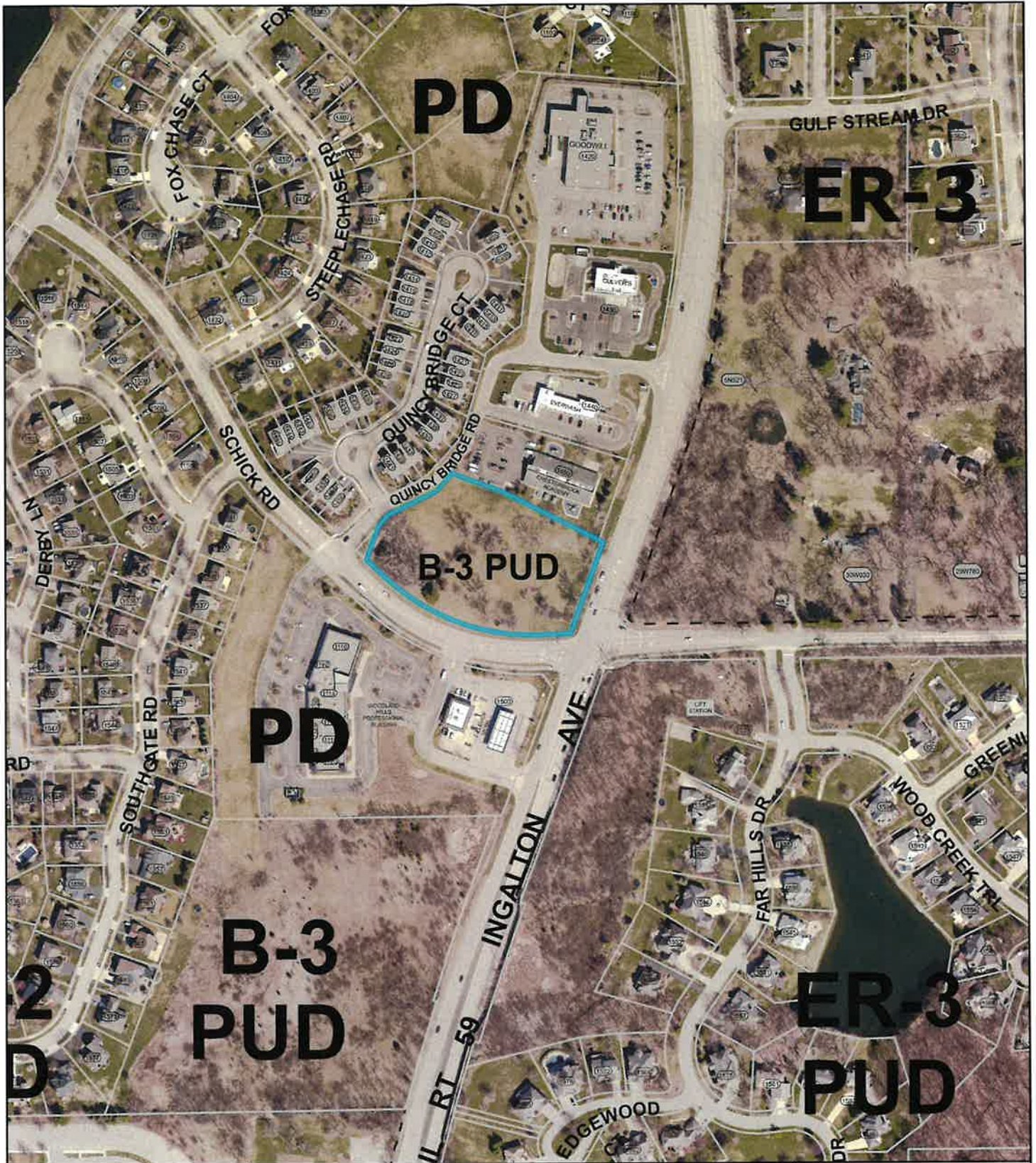
PHONE NUMBER: 847-420-4585

EMAIL: reema.rajabali@saharamgmt.com

SIGNATURE: Reema Rajabali

DATE: 11/19/2021





# Location Map

01-16-200-027

2022



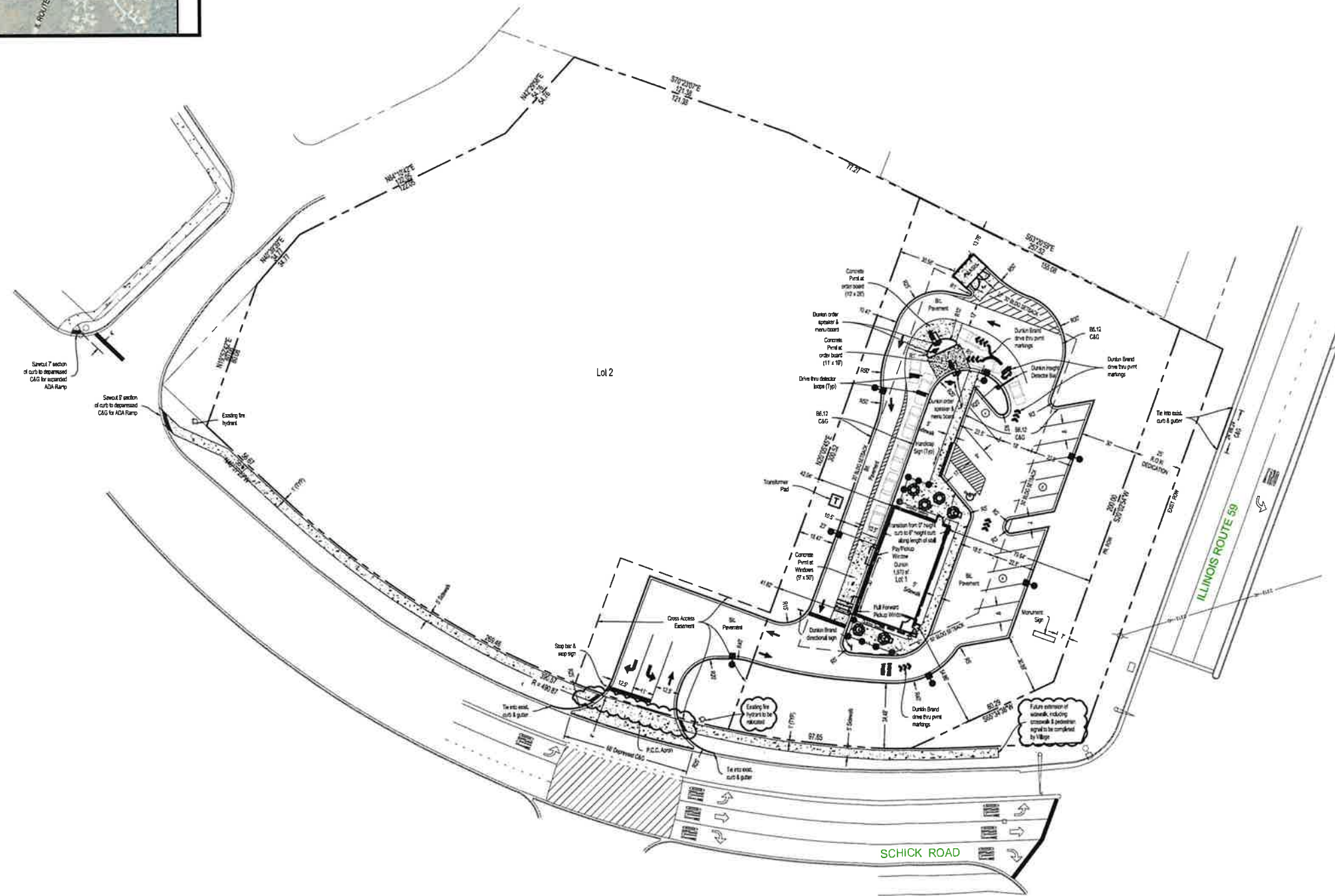
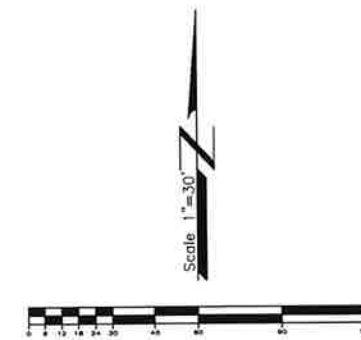
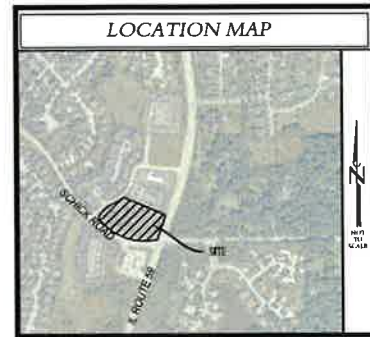
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**SITE ANALYSIS**

**SITE**

NW Corner of Route 59 & Schick Road  
 Bartlett, IL  
 Proposed Use: Restaurant with Drive Thru  
 Existing Zoning: B-3 PUD  
 Required Zoning: B-3 PUD

Parcel Area	123,918 sf ±2.845 Acres
Lot 1 - Dunkin	40,859 sf ±0.938 Acres
Lot 2 - Future	83,059 sf ±1.907 Acres
Building Area	1,970 sf
Floor Area Ratio	0.05

**PARKING**

Quantity Req'd	16 = 1 x 960/60 16 Spaces	Restaurant (1 space per every 60 sf floor area)
Provided	16 = 15 Standard + 1 ADA	
Stall Size Required	9' x 20' (60')	
Provided	9' x 22' (60'), 16' x 22' (ADA)	

**LEGEND**

Proposed Curb & Gutter	
Existing Curb & Gutter	
Property Line	
Setback Line	
Concrete	
ADA Detectable Warning Strip	
Light Pole	
Decorative Bollard Lighting	

**SITE IMPERVIOUS**

Existing Impervious Area = 165 of OR 0.00 Acres  
 Proposed Impervious Area = 20,056 of OR 0.46 Acres  
 Net New Impervious Area = 19,893 of OR 0.46 Acres

Volume Control is required for this development per section 15-64 of the DuPage County CSFPO, as the net new impervious area is greater than 2,500 sf.

Total Volume Control Required is equal to 20,056 sf \* 1.25' = 2,089 cu ft.

**SITE NOTES**

- All dimensions are back of curb unless otherwise noted.
- All curb radii are back of curb unless otherwise noted.
- Contractor to verify dimensions prior to starting work and notify engineer if any discrepancies are found.
- Sidewalk around perimeter of building shall be walkway unless otherwise specified on plans.
- Contractor will be responsible for repairing all existing pavement damaged during construction.
- See details for concrete and concrete pavement sections.
- Contractor to provide temporary traffic control measures during construction of entrances of R.O.W. in accordance w Illinois D.O.T. requirements.
- ADA handrails strips shall be installed at all locations delineated on plans as well as at all locations where sidewalk abuts drive or roadway.
- Contractor shall compare architectural and engineering plans for interface compatibility.
- All curb and gutter shall be 36" unless otherwise noted on plans.
- Pavement striping to be white two coats unless otherwise specified on plans.

REVISIONS		
NO.	DATE	DESCRIPTION
4	5/6/22	PER VILLAGE COMMENTS
3	3/15/22	PER VILLAGE COMMENTS
2	11/20/21	PER DUNKIN COMMENTS
1	11/19/21	PER VILLAGE COMMENTS

**SITE PLAN**

**DUNKIN DONUTS**  
 NWC IL 59 & SCHICK ROAD  
 BARTLETT, ILLINOIS

**Craig R. Knoche & Associates**  
 Civil Engineers, P.C.

DATE: 9/30/21	<b>C1.1</b>
FILE: 21-049 C10	
JOB NO: 21-049	
SHEET NO.	

DUNKIN DONUTS BARTLETT, ILLINOIS



CLIENT NAME  
Knoche Engineering, P.C.  
24 North Bennett Street  
Geneva, Illinois

LANDSCAPE ARCHITECTURE

**pamelaself**

202 South Cook Street Ste #214  
Barrington, Illinois 60010  
847 439 4922  
www.pamelaself.com

LICENSE # 157.000883  
STAMP:

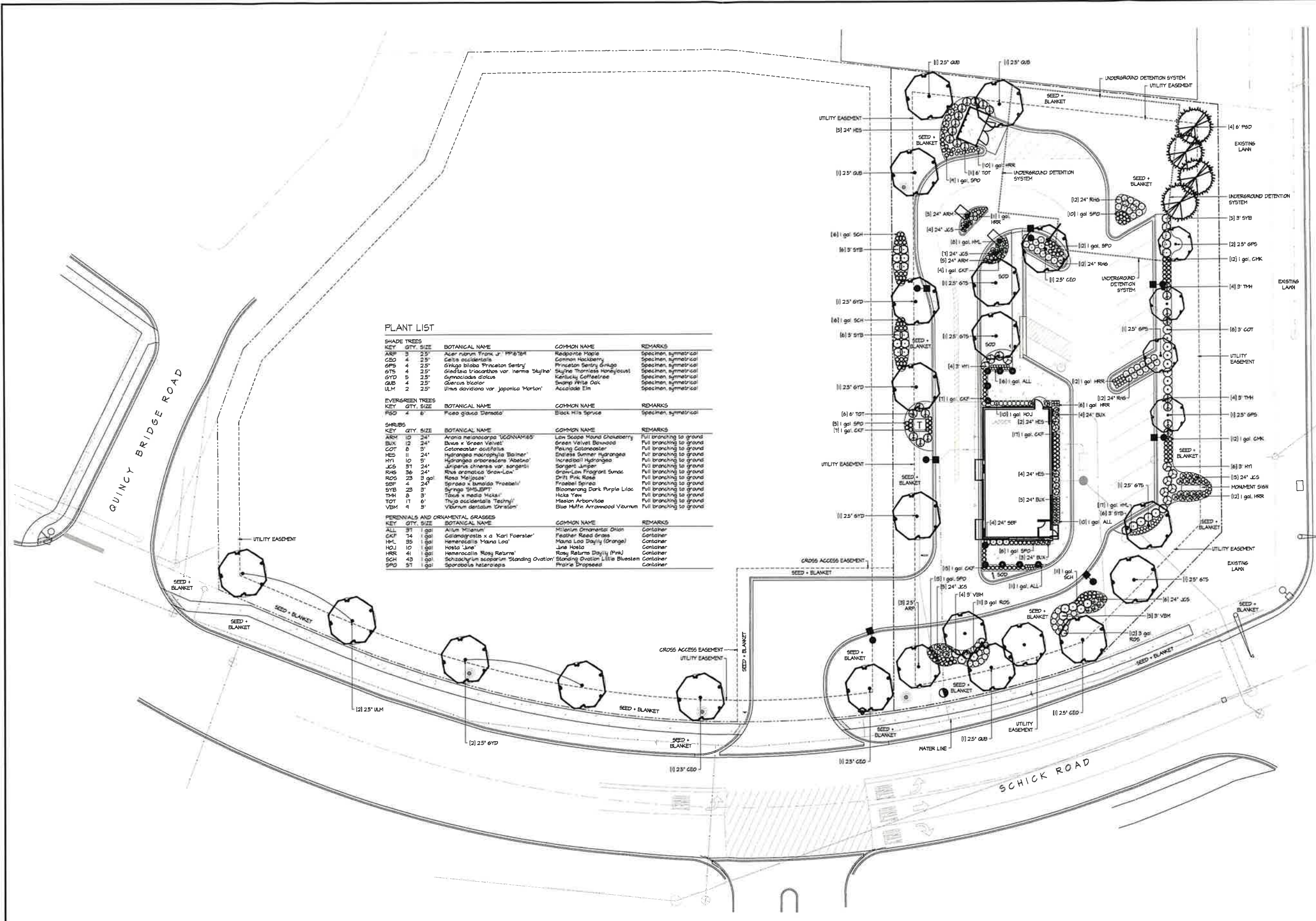
ARCHITECT:

CIVIL ENGINEER:

GENERAL CONTRACTOR:

ILLINOIS STATE ROUTE 52

**DUNKIN DONUTS**  
NWC Route 59 and Schick Road  
Bartlett, Illinois



**PLANT LIST**

SHADE TREES	KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
ARB	3	25'	Acer rubrum 'Frank J.' 'HH675H'	Redpointe Maple	Specimen, symmetrical	
CEO	4	25'	Celtis occidentalis	Common Hackberry	Specimen, symmetrical	
GPS	4	25'	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	Specimen, symmetrical	
GTS	4	25'	Gleditsia triacanthos var. 'nana' 'Skyline'	Skyline Thornless Honeylocust	Specimen, symmetrical	
GTD	5	25'	Gymnocladia dioica	Kentucky Coffeetree	Specimen, symmetrical	
QUB	4	25'	Quercus bicolor	Swamp White Oak	Specimen, symmetrical	
ULM	2	25'	Ulmus americana var. 'japonica' 'Morton'	Accolade Elm	Specimen, symmetrical	
EVERGREEN TREES	KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
P50	4	6'	Picea glauca 'Densata'	Black Hills Spruce	Specimen, symmetrical	
SHRUBS	KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
ARJ	10	24"	Aronia melanocarpa 'IGNAMI45'	Low Shrub Round Chokeberry	Full branching to ground	
BUX	12	24"	Buxus 'Green Velvet'	Green Velvet Boxwood	Full branching to ground	
COT	8	3'	Cotoneaster acutifolius	Peking Cotoneaster	Full branching to ground	
HES	11	24"	Hydrangea macrophylla 'Baller'	Endless Summer Hydrangea	Full branching to ground	
HYI	10	5'	Hydrangea arborescens 'Abelard'	Incrediball Hydrangea	Full branching to ground	
JCS	51	24"	Juniperus chinensis var. 'sargentii'	Sargent Juniper	Full branching to ground	
RHS	36	24"	Rhus aromatica 'Glow-Low'	Glow-Low Fragrant Sumac	Full branching to ground	
ROS	23	3 gal	Rosa 'Mejorada'	Drift Pink Rose	Full branching to ground	
SBF	4	24"	Spiraea x 'bunaida' 'Froebel'	Froebel Spiraea	Full branching to ground	
SYB	23	3'	Syringa 'SM5,BPT'	Blooming Dark Purple Lilac	Full branching to ground	
THA	8	3'	Thuja x media 'Minka'	Hicks 'New'	Full branching to ground	
TOT	11	6'	Thuja occidentalis 'Tectony'	Mission Arborvitae	Full branching to ground	
VBM	4	3'	Viburnum dentatum 'Crystall'	Blue Muffin Arrowwood Viburnum	Full branching to ground	
PERENNIALS AND ORNAMENTAL GRASSES	KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
ALL	31	1 gal	Allium 'Mikano'	Mikano Ornamental Onion	Container	
CAF	14	1 gal	Calamagrostis x a 'Karl Foerster'	Feather Reed Grass	Container	
HML	35	1 gal	Hemerocallis 'Maui Loa'	Maui Loa Daylily (Orange)	Container	
HQJ	10	1 gal	Hosta 'Jane'	Jane Hosta	Container	
HRR	41	1 gal	Hemerocallis 'Rosy Returns'	Rosy Returns Daylily (Pink)	Container	
SCH	43	1 gal	Schizachyrium scoparium 'Standing Ovation'	Standing Ovation Little Bluestem	Container	
SPQ	51	1 gal	Sporobolus heteroneus	Prarie Dropseed	Container	



**NOT FOR CONSTRUCTION**

REVISIONS

No.	Description	Date
1	Revision per updated base plan	9/30/2021
2	Village Comments/State Plan Revisions	03/17/22
3	Village Comments/State Plan Revisions	03/18/22
4	Village Comments/State Plan Revisions	03/18/22
5	Village Comments/State Plan Revisions	05/09/22

Design by: KWS/PKS  
Drawn by: KWS, NJM  
Checked by:  
Start date: 08.22.2021  
Project no.

LANDSCAPE PLAN

L-1.0

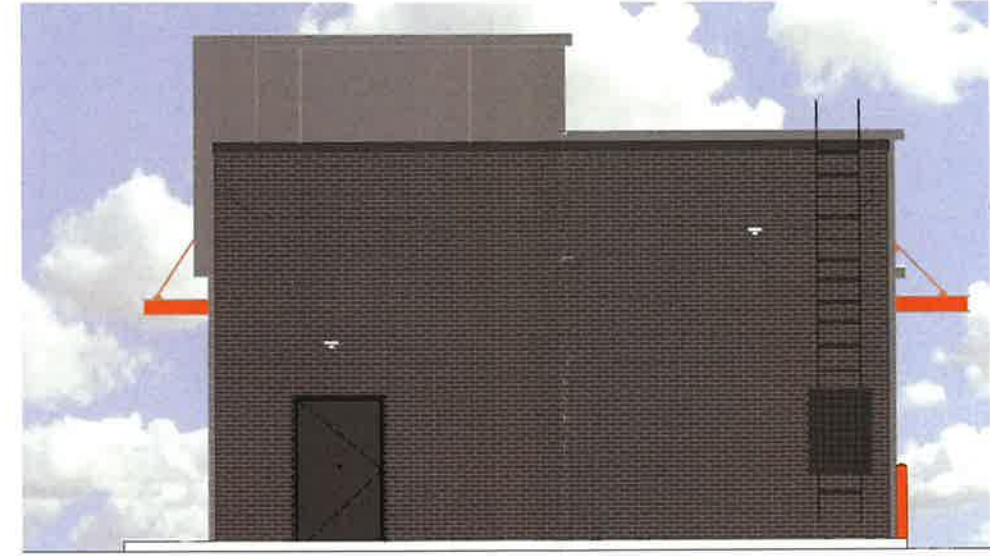




**WEST ELEVATION - DRIVE THRU**



**SOUTH ELEVATION - SCHICK RD**



**NORTH ELEVATION**



**EAST ELEVATION - ROUTE 59**

# COLOR ELEVATIONS

SCALE: 1/4" = 1'-0"  
DATE: 11.19.2021

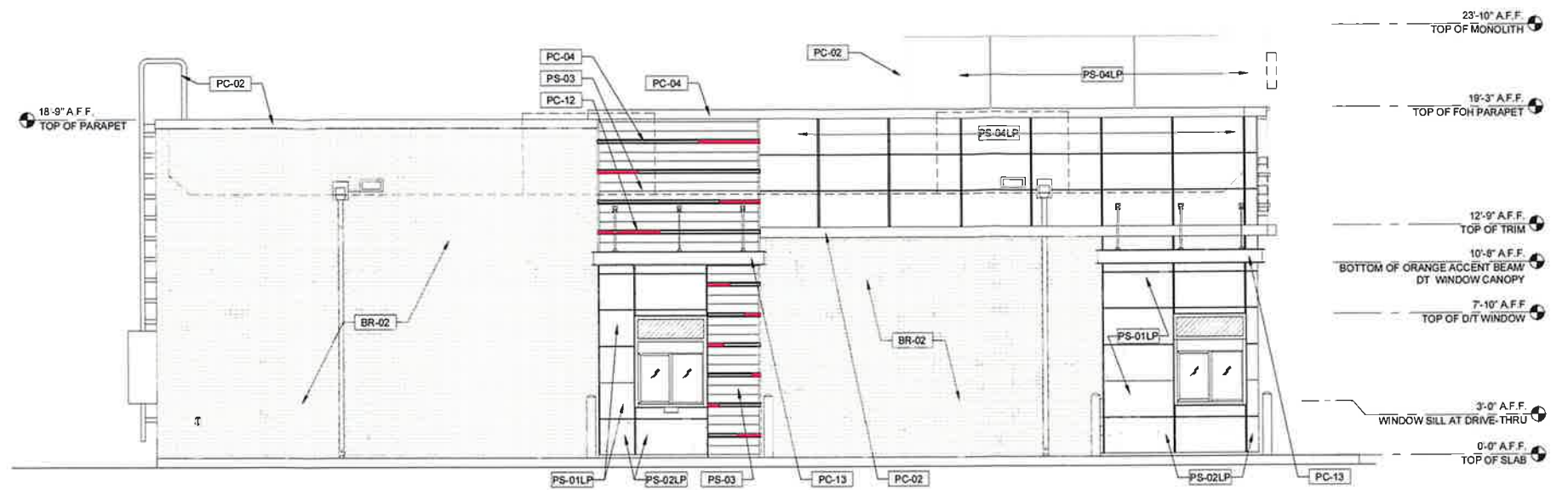
**DUNKIN' DONUTS**  
NW CORNER - RT. 59 AND SCHICK RD.  
BARTLETT, ILLINOIS



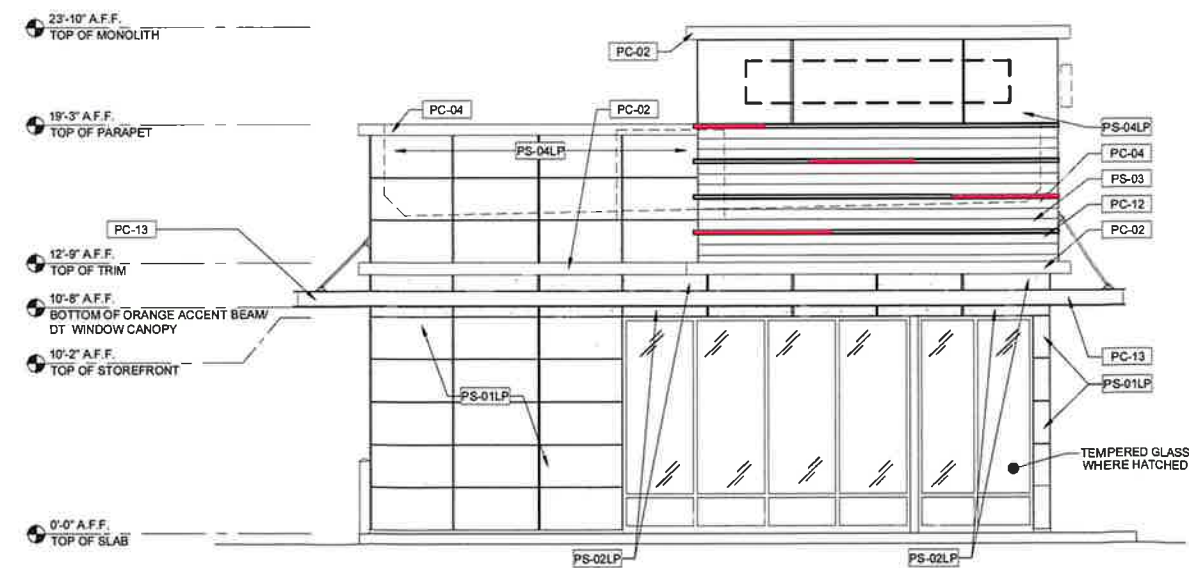


	CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION / REMARKS	VENDOR CONTACTS
<b>EXTERIOR PAINT</b>	PTE-01	PAINT	SHERWIN WILLIAMS	GRAY FINISH	SW 7019 "GAUNTLET GRAY"	PLEASE ORDER WITH LOCAL SHERWIN WILLIAMS STORE FOR A STORE NEAR YOU CALL: 800-474-3784 MARK T. WEINER NATIONAL ACCOUNT EXECUTIVE 85 CHURCH ST BARRINGTON, IL 60010 M: 617-438-1498
	PTE-02	PAINT	SHERWIN WILLIAMS	CHARCOAL FINISH	SW 7069 "IRON ORE"	
	PTE-04	PAINT	SHERWIN WILLIAMS	OFF WHITE FINISH	SW 7003 "NEBULOUS WHITE"	
	PTE-11	PAINT		DD PINK	COLOR MATCH PMS 219 C MAP ULTRA LOW V.O.C.	
	PTE-12	PAINT		DD ORANGE	COLOR MATCH PMS 165C MAP ULTRA LOW V.O.C.	
<b>EXTERIOR FIBER AND CEMENT SIDING AND PANELS</b>	PS-01LP	FIBER CEMENT PANEL	JAMES HARDIE	GRAY FINISH	COLOR "AGED PEPPER" SURFACE. PRE-FINISHED REVEAL PANEL DIMENSION (5'10" x 48" X 96") WITH COLOR MATCHED TRIMS AND COLOR MATCHED SCREWS OR COLOR "PRIMED FINISH" FIELD PAINT TO MATCH PTE-01.	JEFF HARVEY 774-287-8278 JEFFERY.HARVEY@JAMESHARDIE.COM
	PS-02	FIBER CEMENT SIDING	WOODTONE	WOOD FINISH	COLOR "NOEY GLAZE" WOOD PATTERN SURFACE. WOOD PATTERN PLANK DIMENSION: 5'14" X 12" X 5'10" TMK WITH 6" SIDING EXPOSURE. NOTE: NAILS TO MATCH WOOD FINISH.	FOR WOODTONE PRODUCT: LAURENCE TAYLOR WOODTONE SALES REPRESENTATIVE PHONE: (604) 782-2980 CELL: (604) 788-2864 LAURENCE.T@WOODTONE.COM
	PS-04LP	FIBER CEMENT PANEL	JAMES HARDIE	OFF WHITE FINISH	LARGE FORMAT PANEL	TIM FOLSTER WOODTONE MANAGER, STRATEGIC ACCOUNTS PHONE: (604) 792-3900 CELL: (604) 645-9663 TMF@WOODTONE.COM
<b>EXTERIOR METAL PAINTED COATINGS</b>	PC-01	PAINTED COATING	SHERWIN WILLIAMS	GRAY FINISH	SW 7019 "GAUNTLET GRAY"	PLEASE ORDER WITH LOCAL SHERWIN WILLIAMS STORE FOR A STORE NEAR YOU CALL: 800-474-3784 MARK T. WEINER NATIONAL ACCOUNT EXECUTIVE
	PC-02	PAINTED COATING	SHERWIN WILLIAMS	CHARCOAL FINISH	SW 7069 "IRON ORE"	
	PC-04	PAINTED COATING	SHERWIN WILLIAMS	OFF WHITE FINISH	COLOR MATCH PMS 219 C	
	PC-09	PAINTED COATING	SHERWIN WILLIAMS	DD PINK FINISH	(Sourced At Sherwin Williams Product Finishes - Lowell MA) Product LVS - General Low VOC Clear GT1039 Orange Toner 785 87g / 19gal GT1511 Low VOC Gloss Clear 528 21g / 12gal GT1043 Autumn Orange 194 04g / 05gal GT1011 Arctic White 137 20g / 02gal GT1088 Reducer 442 38g / 13gal GT1510 Low VOC Flat Clear 2157 21g / 49gal	
	PC-13	PAINTED COATING	SHERWIN WILLIAMS	DD ORANGE FINISH COLOR #505950		
<b>EXTERIOR METAL TRIM</b>	TR-01	METAL	TAMLIN	EXTRUDED METAL CHANNEL USED AT TOWER ELEMENT	PINK ACCENT BAND (SEE SP03 (PINK))	TAMLIN - XTREME TRIM JAN DANIELS 713-446-3075, jan@tlin.com
		METAL	HORACIO			OR HORACIO'S SHEET METAL MICHAEL TAVARES P. 508-665-9540, mtav@horacio.com
		METAL	AGI			OR AGI RANDY KERR 800-877-3810 EXT. 3248, rkerr@agi.net
	TR-02	METAL	TAMLIN	EXTRUDED METAL CHANNEL USED AT TOWER ELEMENT	OFF WHITE ACCENT BAND (SEE SP04 (WHITE))	
		METAL	HORACIO			
		METAL	AGI			
	TR-04	METAL	TAMLIN	(XOCLP24) OUTSIDE CORNER TRIM USED AT TOWER ELEMENT (ASS16) BOTTOM "STARTER" TRIM USED AT TOWER ELEMENT	TO MATCH FIBER CEMENT LAP SIDING PS-03	TAMLIN - XTREME TRIM JAN DANIELS 713-446-3075, jan@tlin.com
	TR-05	METAL	TAMLIN	"STARTER" TRIM USED AT TOWER ELEMENT	CLEAR ANODIZED	
	TR-06	METAL	TAMLIN	(LAW04) VERTICAL TERMINATION TRIM TYP USED AT TOWER ELEMENT	FACTORY FINISH TO MATCH FIBER CEMENT LAP SIDING PS-03	
	TR-07	METAL	TAMLIN	(LAW17E) TOP TRIM USED AT TOWER ELEMENT	FACTORY FINISH TO MATCH FIBER CEMENT LAP SIDING PS-03	
	TR-08	METAL	JAMES HARDIE	JH SURROUND VERTICAL TRIM	FINISH FACTORY CLEAR ANODIZED 18 GA TRIM AVAILABLE IN 8'-0" LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS.	
TR-09	METAL	JAMES HARDIE	JH SURROUND HORIZONTAL TRIM	FINISH FACTORY CLEAR ANODIZED 18 GA TRIM AVAILABLE IN 8'-0" LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS.		
TR-10	METAL	JAMES HARDIE	JH SURROUND OUTSIDE CORNER TRIM	FINISH FACTORY CLEAR ANODIZED 18 GA TRIM AVAILABLE IN 8'-0" LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS.	JEFF HARVEY 774-287-8278 JEFFERY.HARVEY@JAMESHARDIE.COM	
TR-11	METAL	JAMES HARDIE	JH SURROUND J-CANNEL TRIM	FINISH FACTORY CLEAR ANODIZED 18 GA TRIM AVAILABLE IN 8'-0" LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS. NOTE: CAN BE USED VERTICALLY & HORIZONTALLY @ PENETRATION OR TRANSITION W/ OTHER MATERIALS.		
<b>FACE BRICK</b>	BR-01	FACE BRICK	ENDICOTT BRICK	ENDICOTT BRICK (CREATIVE MATERIALS PRODUCT) "MANGANESE IRON SPOT" (5.5" X 2.14" X 7.58") SMOOTH MORTAR BLACK PIGMENT TO MATCH BRICK CHARCOAL FINISH.	CONTACT INFORMATION PHONE: 800-287-2993 EXT. 3895 (DUNK) FAX: 514-452-1153 EMAIL: DUNKINTILE@CREATIVEMATERIALSCORP.COM	

\*\*\*FIBER CEMENT BOARD TRIM TO BE USED AS REQUIRED TO MATCH PANEL CONFIGURATION. EXACT TRIM TO BE CALLED OUT IN CONSTRUCTION DOCUMENTS FOR CIT'S REVIEW.\*\*\*



WEST ELEVATION - DRIVE THRU



SOUTH ELEVATION - SCHICK RD

# EXTERIOR ELEVATIONS (1 of 2)

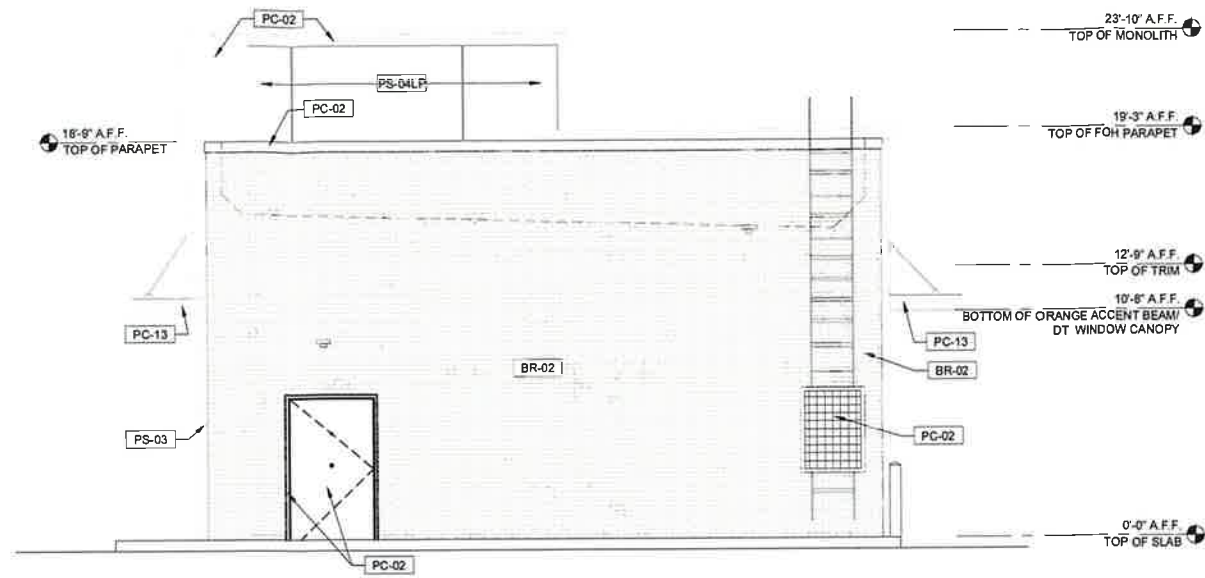
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DATE: 11.19.2021

**DUNKIN' DONUTS**  
NW CORNER - RT. 59 AND SCHICK RD.  
BARTLETT, ILLINOIS

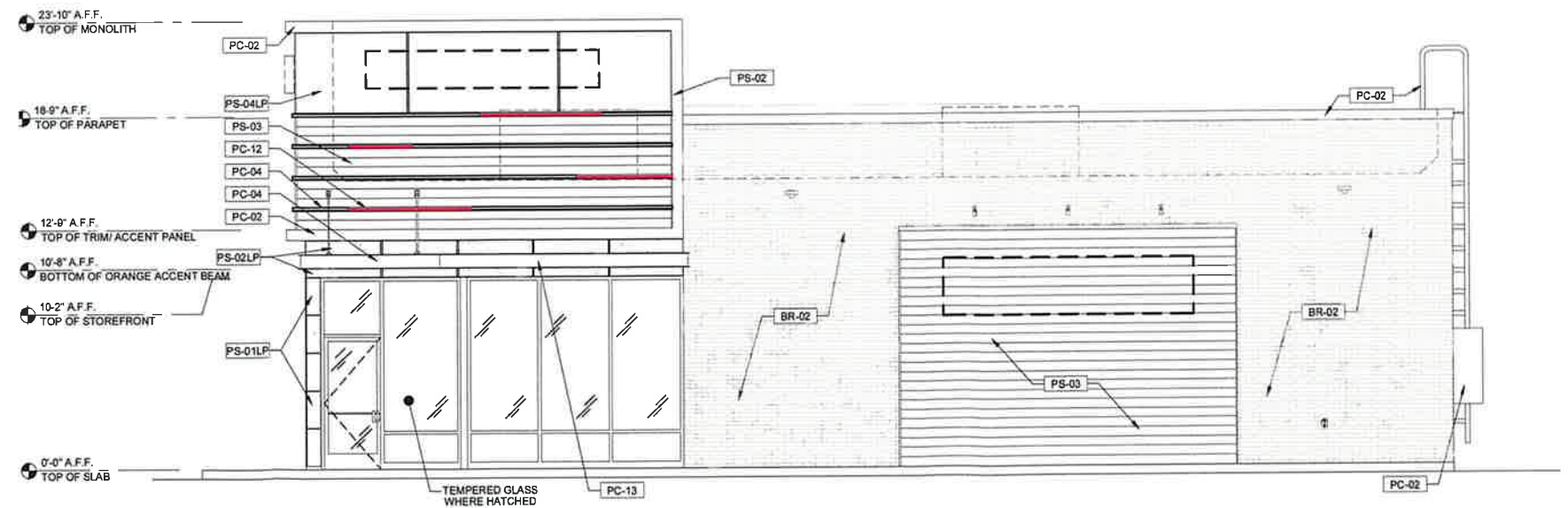
**ECA ARCHITECTS**  
PLANNERS

	CODE	MATERIAL	MANUFACTURER	PRODUCT #	DESCRIPTION / REMARKS	VENDOR CONTACTS
EXTERIOR PAINT	PTE-01	PAINT	SHERWIN WILLIAMS	GRAY FINISH	SW 7019 "GALAXYLET GRAY"	PLACE ORDER WITH LOCAL SHERWIN WILLIAMS STORE FOR A STORE NEAR YOU CALL 800-474-3784
	PTE-02	PAINT	SHERWIN WILLIAMS	CHARCOAL FINISH	SW 7069 "IRON ORE"	MARK T WEINER NATIONAL ACCOUNT EXECUTIVE 63 CHURCH ST BARRINGTON RI 02806 M: 813-435-1495
	PTE-04	PAINT	SHERWIN WILLIAMS	OFF WHITE FINISH	SW 7003 "NEBULOUS WHITE"	
	PTE-03	PAINT		DD PINK	COLOR MATCH PMS 219 C MAP ULTRA LOW VOC	
	PTE-12	PAINT		DD ORANGE	COLOR MATCH PMS 165C MAP ULTRA LOW VOC	
EXTERIOR FIBER CEMENT SIDING AND PANELS	PS-01LP	FIBER CEMENT PANEL	JAMES HARDIE	GRAY FINISH	COLOR "AGED PEWTER" SURFACE PRE FINISHED REVEAL PANEL DIMENSION (5'10" x 48"X96") WITH COLOR MATCHED TRIMS AND COLOR MATCHED SCREWS OR COLOR "PRIMED FINISH" FIELD PAINT TO MATCH PTE-01	JEFF HARVEY 774-287-6275 JEFFERY.HARVEY@JAMESHARDIE.COM
	PS-02	FIBER CEMENT SIDING	WOODTONE	WOOD FINISH RUSTIC SERIES WOODTONE	COLOR "HONEY GLAZE" WOOD PATTERN SURFACE WOOD PATTERN PLANK DIMENSION 8'14" x 12' x 5/8" THK WITH 6" SIDING EXPOSURE NOTE: NAILS TO MATCH WOOD FINISH	FOR WOODTONE PRODUCTS LAURENCE TAYLOR WOODTONE SALES REPRESENTATIVE PHONE: 604-792-2800 CELL: 604-796-2064 LAURENCE.T@WOODTONE.COM TIM FOLSTER WOODTONE MANAGER STRATEGIC ACCOUNTS PHONE: (604) 792-3680 CELL: (604) 845-9663 TMF@WOODTONE.COM
	PS-04LP	FIBER CEMENT PANEL	JAMES HARDIE	OFF WHITE FINISH LARGE FORMAT PANEL	COLOR "ARCTIC WHITE" SURFACE PRE FINISHED REVEAL PANEL DIMENSION (5'10" x 48"X96") WITH COLOR MATCHED TRIMS AND COLOR MATCHED SCREWS OR COLOR "PRIMED FINISH" FIELD PAINT TO MATCH PTE-04	
EXTERIOR METAL PAINTED COATINGS	PC-01	PAINTED COATING	SHERWIN WILLIAMS	GRAY FINISH	SW 7019 "GALAXYLET GRAY"	PLACE ORDER WITH LOCAL SHERWIN WILLIAMS STORE FOR A STORE NEAR YOU CALL 800-474-3784
	PC-02	PAINTED COATING	SHERWIN WILLIAMS	CHARCOAL FINISH	SW 7069 "IRON ORE"	MARK T WEINER NATIONAL ACCOUNT EXECUTIVE
	PC-03	PAINTED COATING	SHERWIN WILLIAMS	OFF WHITE FINISH	SW 7003 "NEBULOUS WHITE"	
	PC-04	PAINTED COATING	SHERWIN WILLIAMS	DD PINK FINISH	SW 7003 "NEBULOUS WHITE"	
EXTERIOR METAL TRIM	TR-01	METAL	TAMLYN	EXTRUDED METAL CHANNEL USED AT TOWER ELEMENT	PINK ACCENT BAND (SEE SP03 (PINK))	TAMLYN - XTREME TRIM SANDHELLS 713-446-3075, @tamlyns@tamlyn.com OR HORACIO S SHEET METAL MICHAEL TAVERES P: 506-855-8942, @mjt@michaeltaveres.com OR AGI RANDY HERR 800-677-5810 EXT: 3248, @agi@agi.net
	TR-02	METAL	TAMLYN	EXTRUDED METAL CHANNEL USED AT TOWER ELEMENT	OFF WHITE ACCENT BAND (SEE SP04 (WHITE))	
	TR-04	METAL	TAMLYN	(XOCLP34) OUTSIDE CORNER TRIM USED AT TOWER ELEMENT	TO MATCH FIBER CEMENT LAP SIDING PS-03	
	TR-05	METAL	TAMLYN	(ASS18) BOTTOM "STARTER" TRIM USED AT TOWER ELEMENT	CLEAR ANODIZED	TAMLYN - XTREME TRIM SANDHELLS 713-446-3075, @tamlyns@tamlyn.com
	TR-06	METAL	TAMLYN	(JMH04) VERTICAL TERMINATION TRIM TYPE USED AT TOWER ELEMENT	FACTORY FINISH TO MATCH FIBER CEMENT LAP SIDING PS-03	
	TR-07	METAL	TAMLYN	(JMH18) TOP TRIM USED AT TOWER ELEMENT	FACTORY FINISH TO MATCH FIBER CEMENT LAP SIDING PS-03	
	TR-08	METAL	JAMES HARDIE	JH SURROUND VERTICAL TRIM	FINISH FACTORY CLEAR ANODIZED 16 GA TRIM AVAILABLE IN 8' @ LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS.	
	TR-09	METAL	JAMES HARDIE	JH SURROUND HORIZONTAL TRIM	FINISH FACTORY CLEAR ANODIZED 16 GA TRIM AVAILABLE IN 8' @ LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS.	
	TR-10	METAL	JAMES HARDIE	JH SURROUND OUTSIDE CORNER TRIM	FINISH FACTORY CLEAR ANODIZED 16 GA TRIM AVAILABLE IN 8' @ LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS.	JEFF HARVEY 774-287-6275 JEFFERY.HARVEY@JAMESHARDIE.COM
	TR-11	METAL	JAMES HARDIE	JH SURROUND CHANNEL TRIM	FINISH FACTORY CLEAR ANODIZED 16 GA TRIM AVAILABLE IN 8' @ LENGTHS. USED WITH JAMES HARDIE REVEAL PANELS. NOTE: CAN BE USED VERTICALLY & HORIZONTALLY @ PENETRATION OR TRANSITION W/ OTHER MATERIALS.	
	FACE BRICK	BR-01	FACE BRICK	ENDICOTT BRICK	ENDICOTT BRICK (CREATIVE MATERIALS PRODUCT) "MANGANESE IRON SPOT" (3 5/8" x 2 1/4" x 7 5/8") SMOOTH MORTAR BLACK PIGMENT TO MATCH BRICK DARK COAL FINISH	CONTACT INFORMATION PHONE: 800-297-2967 EXT: 3955 (DUNK) FAX: 518-452-8152 EMAIL: DUNKINTLE@CREATIVEMATERIALSCORP.COM

\*\*\*FIBER CEMENT BOARD TRIM TO BE USED AS REQUIRED TO MATCH PANEL CONFIGURATION. EXACT TRIM TO BE CALLED OUT IN CONSTRUCTION DOCUMENTS FOR CIT'S REVIEW.\*\*\*



NORTH ELEVATION



EAST ELEVATION - ROUTE 59

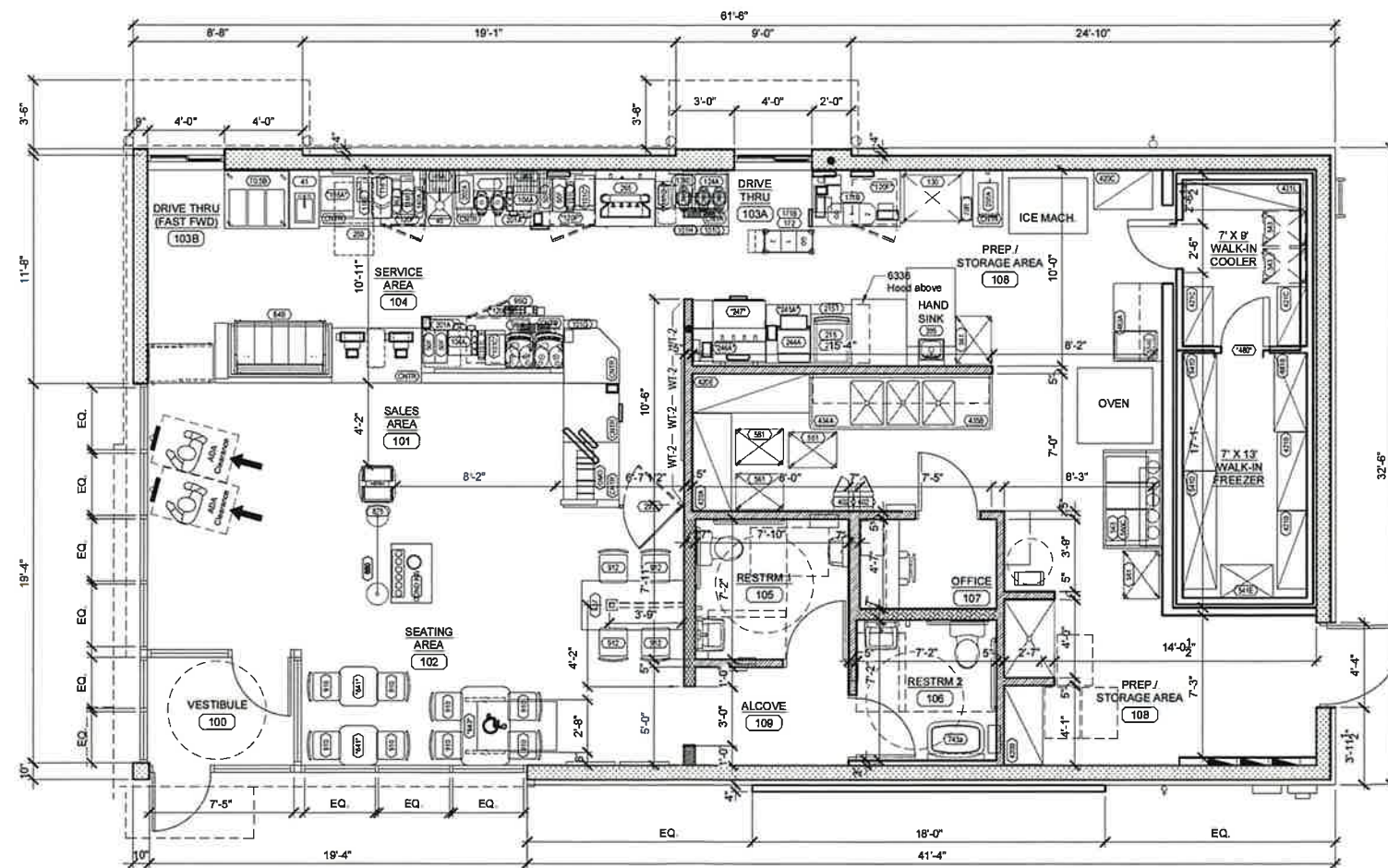
# EXTERIOR ELEVATIONS (2 of 2)

SCALE: 1/4" = 1'-0"  
DATE: 11.19.2021

**DUNKIN' DONUTS**  
NW CORNER - RT. 59 AND SCHICK RD.  
BARTLETT, ILLINOIS

**ECA ARCHITECTS**  
PLANNERS





1970 square feet



# FLOOR PLAN

SCALE: 1/4" = 1'-0"  
 DATE: 11.19.2021


**DUNKIN' DONUTS**  
 NW CORNER - RT. 59 AND SCHICK RD.  
 BARTLETT, ILLINOIS

**ECA** ARCHITECTS  
 PLANNERS

**PLANNING & DEVELOPMENT SERVICES MEMORANDUM**  
**22-054**

DATE: June 22, 2022

TO: The Chairman and Members of the Planning & Zoning Commission

FROM: Kristy Stone, Interim PDS Director 

RE: Adult-Use and Medical Cannabis Dispensing Center Zoning Ordinance Text Amendments

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**BACKGROUND**

Ordinance #2013-81 amended the Zoning Ordinance to define cannabis cultivation centers and medical cannabis dispensing centers to match the Medical Cannabis Program Act definitions and to list cannabis cultivation centers (for medical cannabis) and medical cannabis dispensing centers as a special use in the I-1 (Light Industrial) and I-2 EDA (General Industrial Economic Development Area) Zoning Districts.

Ordinance #2019-94 amended the Zoning Ordinance to allow adult-use cannabis dispensing centers as a special use in the I-1 (Light Industrial) and I-2 EDA (General Industrial Economic Development Area) Zoning Districts and as a prohibited use in all other zoning districts. The ordinance additionally restricted the number of dispensing centers to one (1) within Blue Heron Business Park/Bluff City Industrial Park and one (1) within Brewster Creek Business Park.

The original Medical Cannabis Program Act imposed a distance restriction that medical dispensing organizations could not locate within 1,000 feet of a school, day care center, day care home, or an area zoned for residential use. In 2019, the State eliminated the distance requirements for medical use dispensaries and allowed local units of government to adopt any distance requirements by local ordinance. The Village currently requires the 1,000-ft distance requirement for both medical and adult-use dispensing centers.

A concept plan was submitted for an adult-use cannabis dispensing center at the Bartlett Town Center. The application was withdrawn prior to its scheduled discussion at the March 15, 2022 Committee of the Whole meeting, however Staff requested input from the Committee regarding cannabis dispensing centers in commercial districts. The consensus of the Committee was to (1) follow the State's revision and remove the 1,000-foot distance requirement for all cannabis dispensing centers and (2) allow cannabis dispensing centers, as a special use, in the commercial districts except for B-1 (Village Center) District and the Downtown Overlay District. *A map of the Downtown Overlay District is attached.*

## **TEXT AMENDMENTS**

In order to accomplish the goal of allowing, by special use, adult-use cannabis dispensing centers and medical cannabis dispensing centers within the commercial districts of the Village (excluding the downtown), the following amendments to the Zoning Ordinance are proposed:

**Section 10-2-2 Definitions** is amended to (a) remove the requirement that adult-use cannabis dispensing centers and medical cannabis dispensing centers be located at least one thousand (1,000) feet from the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home or pre-existing property zoned or used for residential purposes and (b) remove the limit of one (1) adult-use dispensing center within the Blue Heron Business Park/Bluff City Industrial Park and one (1) within the Brewster Creek Business Park.

**Section 10-6A-6 Prohibited Uses** is amended in the B-1 Village Center District to add medical cannabis dispensing center to the list of prohibited uses. (*Adult-use dispensing centers are currently prohibited.*)

**Section 10-6B-6 Prohibited Uses and 10-6B-4 Special Uses** are amended in the B-2 Local Convenience Shopping District: to remove adult-use cannabis dispensing center from the list of prohibited uses and to add adult-use cannabis dispensing center and medical cannabis dispensing center (except in the Downtown Overlay District, where such uses shall be prohibited) to the list of special uses.

**Section 10-6C-6 Prohibited Uses and 10-6C-4 Special Uses** are amended in the B-3 Neighborhood Shopping District: to remove adult-use cannabis dispensing center from the list of prohibited uses and to add adult-use cannabis dispensing center and medical cannabis dispensing center (except in the Downtown Overlay District, where such uses shall be prohibited) to the list of special uses.

**Section 10-6D-6 Prohibited Uses and 10-6D-4 Special Uses** are amended in the B-4 Community Shopping District: to remove adult-use cannabis dispensing center from the list of prohibited uses and to add adult-use cannabis dispensing center and medical cannabis dispensing center to the list of special uses.

**Section 10-9A-6 Prohibited Uses** is amended in the PD Planned Development District to add Section C to prohibit adult-use cannabis dispensing centers and medical cannabis dispensing centers in any PD Planned Development District which is located within the Downtown Overlay District.

**Section 10-13-9 Special Uses** to amend the findings of fact specific to adult-use cannabis dispensing centers and adult-use cannabis cultivation centers to also include medical cannabis dispensing centers and medical cannabis cultivation centers and to eliminate the 1,000-foot distance requirement.

**Section 10-13-9 Special Use Permits** is amended to remove the requirement that adult-use cannabis dispensing centers are located a minimum of one thousand feet (1,000') from the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home or pre-existing property zoned or used for residential purposes.

**Proposed Use Designations for Adult-Use and Medical Cannabis Dispensing Centers  
by Zoning District**

	<b><u>Special Use</u></b>	<b><u>Prohibited Use</u></b>
<b>All Residential Districts (ER-1 thru SR-6 &amp; MH-1)</b>		<b>YES</b>
<b>B-1 Village Center District</b>		<b>YES</b>
<b>B-2 thru B-4 Commercial Districts</b>	<b>YES</b> (when <b>not</b> located within the Downtown Overlay District)	<b>YES</b> (when located within the Downtown Overlay District)
<b>OR Office/Research District</b>		<b>YES</b>
<b>I-1 &amp; I-2 EDA Industrial Districts</b>	<b>YES</b>	
<b>PD Planned Development District</b>	<b>YES</b> (when not located within the Downtown Overlay District and commercial/industrial uses are allowed)	<b>YES</b> (when located within the Downtown Overlay District)
<b>P-1 Public Land District</b>		<b>YES</b>

*A proposed cannabis dispensary use map is attached to further clarify where cannabis dispensaries could operate with a Special Use Permit if the text amendments are adopted.*

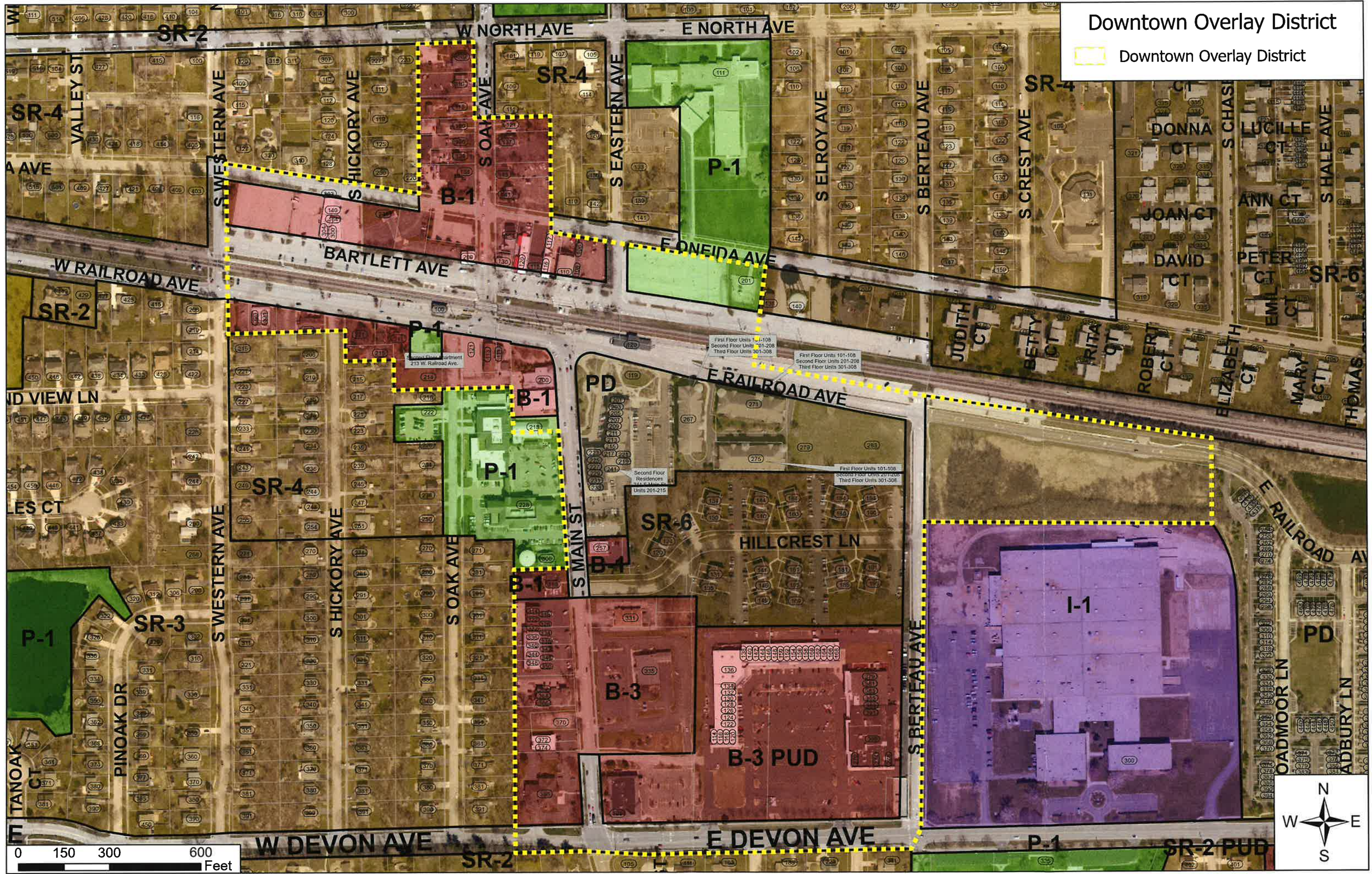
**RECOMMENDATION**

Staff recommends the Planning & Zoning Commission review the proposed text amendment, conduct the required public hearing and make a recommendation to the Village Board.



# Downtown Overlay District

 Downtown Overlay District



0 150 300 600 Feet



First Floor Units 101-108  
Second Floor Units 201-208  
Third Floor Units 301-308

First Floor Units 101-108  
Second Floor Units 201-208  
Third Floor Units 301-308

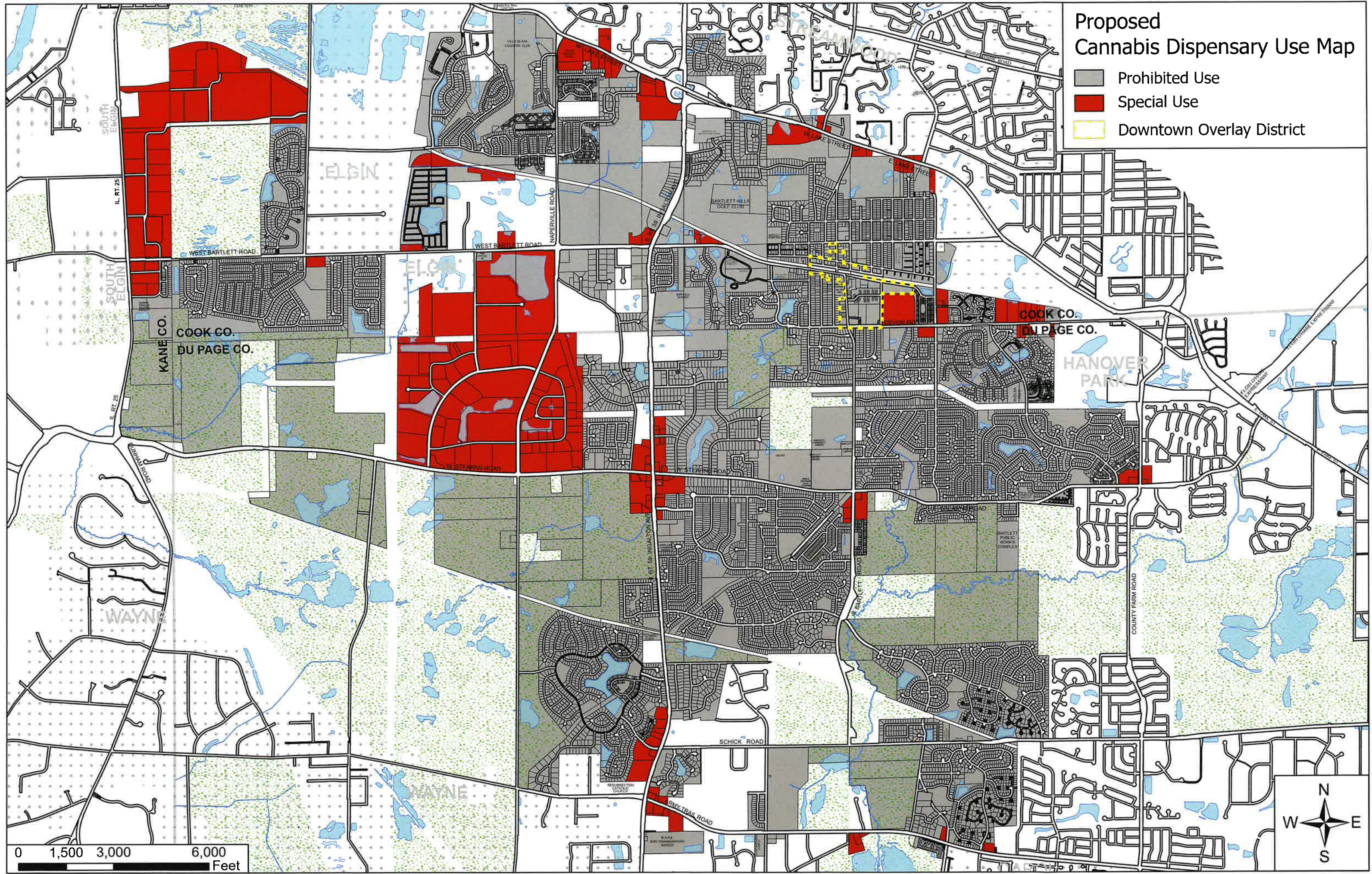
Second Floor Residences  
Units 201-215

First Floor Units 101-108  
Second Floor Units 201-208  
Third Floor Units 301-308



# Proposed Cannabis Dispensary Use Map

- Prohibited Use
- Special Use
- Downtown Overlay District



0 1,500 3,000 6,000 Feet





**VILLAGE OF BARTLETT  
PLANNING & ZONING COMMISSION  
RULES OF PROCEDURE**

**Article 1 – Officers**

Section 1. Selection

- A. Pursuant to Section 10-13-3 of the Bartlett Municipal Code, the Chairman of the Planning and Zoning Commission (the “P & Z Commission”) shall be the member of the P & Z Commission designated by the Village President at the time of his or her appointment.
- B. The Vice Chairman shall be appointed by the Chairman, subject to the confirmation of the P & Z Commission.
- C. The Director of the Planning & Development Services Department (the “PDS Department”) or his/her designee shall serve as the Secretary to the P & Z Commission.
- D. In the absence of both the Chairman and Vice-Chairman, an Acting Chairman shall be elected by the P & Z Commissioners physically present at the meeting constituting a physical quorum.

(For purposes of these Rules of Procedure, the term “Chairman” means the Chairman designated by the Village President, or in his or her absence, the Vice-Chairman appointed by the Chairman and confirmed by the members of the P & Z Commission, or in his or her absence, the member elected by the members physically present to serve as the Acting Chairman of the meeting. Further, for purposes of these Rules of Procedure, the term “members present” includes members of the P & Z Commission physically present at a regular or duly scheduled noticed, continued, rescheduled or special meeting of the P & Z Commission, and those members permitted to be present by electronic means passed by a majority of members physically present as provided in Article 3, Section 3 below.)

Section 2. Duties

- A. The Chairman shall preside at all hearings or meetings, shall provide that an oath be administered to all witnesses, shall sign documents on behalf of the P & Z Commission, shall direct the PDS Department to prepare all reports of recommendation or official action for the Village Board, and shall perform such other duties necessary to carry out the purpose the P & Z Commission.
- B. The Vice Chairman shall perform all the duties and exercise all the powers of the Chairman in the case of absence or disability of the Chairman. The Vice Chairman shall perform other such duties as directed by the Chairman.

- C. The Secretary or his/her designee shall call the roll, call public speakers, direct the preparation of the minutes of all meetings and public hearings and maintain records in accordance with the regulations of the Open Meetings Act, execute documents in the name of the P & Z Commission, prepare correspondence of subject to the instructions of the P & Z Commission and Chairman, and perform other such duties as the P & Z Commission may determine.

## **Article 2 – Meetings**

### **Section 1. General Provisions**

- A. All meetings and notices of Commission meetings shall comply with the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* (the “Open Meetings Act”). Unless a P & Z Commission meeting or portion thereof is closed pursuant to an express statutory exception under Section 2(c) of the Open Meetings Act cited in a motion to adjourn to closed session, all meetings of the P & Z Commission shall be open to the public. No final action shall be taken except at an open public meeting.
- B. A majority of the members of the P & Z Commission (five members assuming not more than one unfilled vacancy) shall constitute a quorum for the transaction of business and the taking of official action. A continuance of a public hearing to the next scheduled Commission meeting due to a lack of quorum shall not be considered transaction of business and all P & Z Commission business, including public hearing notice for a meeting at which there is no physical quorum present shall automatically be continued to the next regularly scheduled P & Z Commission meeting without further notice or republishing. The P & Z Commission may also continue, reschedule or reconvene a regular P & Z Commission hearing to a future date, time and place certain provided a physical quorum is present at which a member makes a motion to continue or reschedule or reconvene such regular meeting, and said motion passes, or it may hold a special meeting by complying with the requirements therefor hereunder and under the Open Meetings Act, including without limitation, providing notice to the members of the P & Z Commission and to the press requesting notice of such meetings, together with an agenda therefor, given not less than 48 hours before said special meeting and provided the requisite published, posted, and/or mailed notices of, and agenda for, the public hearing to be held at a special meeting state the date, time, place and subject matter of the public hearing to be held at such special meeting.
- C. A record of proceedings shall be maintained for all meetings of the Planning and Zoning Commission in accordance with applicable laws and shall at a minimum include the date, location of the meeting, Commission members present, and a record of any action taken by the P & Z Commission.
- D. Members of the public who wish to comment or testify at a public hearing to be conducted by the P & Z Commission shall comply with the provisions of Article V of these Rules of Procedure. Any member of the public who wishes to address the P & Z Commission for any other purpose, i.e., not a public hearing matter or a matter on the agenda for the P & Z Commission meeting for that date, may notify the Secretary

of his or her intent to speak during public forum; see Article IV for additional information.

### Section 2. Regular Business Meetings

- A. The Regular Business Meeting of the P & Z Commission shall be held on the first Thursday of each month at 7:00 p.m.; provided, the P & Z Commission may adopt another hour and date of holding its meetings by majority vote, and/or provided the procedure for conducting a rescheduled regular meeting, continued meeting, reconvened meeting, or special meeting as are required under the Open meetings Act are complied with.
- B. All regular meetings of the P & Z Commission shall conclude at ten o'clock (10:00) p.m. unless extended to a time certain by a simple majority of Commission members present, or unless continued to the next regular meeting of the P & Z Commission by a simple majority vote of the Commission members present, or to a different date and time as stated in the motion to continue the P & Z Commission meeting which is duly passed.
- C. Public hearings shall be scheduled by the Chairman and the Planning & Development Services Department Director, and shall occur during the P & Z Commission's Regular Business Meeting. The Planning and Development Services Director shall publish proper notice for all public hearings in the newspaper of general circulation as required by law. The petitioner shall be responsible to provide all other notices required by law.
- D. The record of proceedings for all hearings shall include documentation that notices required by the Bartlett Municipal Code have been given.

### Section 3. Special Meetings

A Special Meeting may be scheduled by the Chairman or the Planning & Development Services Director, provided that at least 48 hours' notice of and an agenda for said meeting is posted by the Village on its website and given by mail, email or telephone to each member of the P & Z Commission, and to the press that have requested notice of any such special meetings. The notice of the special meeting shall state the purpose and time of the meeting and shall otherwise comply with the Open Meetings Act.

### Section 4. Legal Holidays

Any meeting that falls on a legal holiday (New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day) shall be held on such other date as may be agreed upon by the majority of the P & Z Commission, and provided notice thereof is given and posted as required under the Open Meetings Act.

## Article 3 – Rules of Order

### Section 1. Agenda

The Secretary shall prepare the agenda for each meeting of the Planning and Zoning Commission. The Director of Planning & Development Services or his or her designee, in consultation with the Chairman, shall endeavor to manage the agenda for the Planning and Zoning Commission so as to ensure that fair and full consideration is given to each item on the agenda. The Chairman may modify the order of consideration of any item on the agenda with the concurrence of a majority of the P & Z Commission members present.

### Section 2. Regular Business Meetings

A. Order of Business: The order of business at regular business meetings shall be as follows:

- I. Call to Order
- II. Roll Call
- III. Approval of the Minutes
- IV. Public Forum
- V. Public Hearings
- VI. Reports and Recommendations
- VII. New Business/Old Business
- VIII. Adjournment

B. Item(s) Not on Agenda: The failure to specifically list a matter on the agenda shall not preclude discussion of any matter that is germane to a general topic listed on an agenda or meeting notice, but no public hearing shall take place on any item not on the Agenda for that meeting, and no final action nor vote on any recommendation of the P & Z Commission may be taken with respect thereto as to any matter not shown on the Agenda for that P & Z Commission meeting.

C. Conduct of Members:

- i. When two (2) or more Commission members seek recognition at the same time, the Chairman shall name and recognize the member who speaks first.
- ii. Commission members shall always demonstrate respect for the opinions of each other, members of the staff, and members of the audience.
- iii. While business of the P & Z Commission is being transacted, no Commission member shall leave the meeting without first informing the Chairman and ask to be excused.

D. Conduct of Public: All individuals participating in the meeting shall conduct themselves in a courteous and civil manner. No applause, cheering, or other distractions shall be permitted.

E. The Chairman shall take such actions as needed to maintain an orderly and civil meeting between both the public and the P & Z Commission members.

### Section 3. Electronic Attendance

- A. Electronic Attendance: A member of the P & Z Commission wishing to attend a Commission meeting electronically by telephonic or video means shall notify the Chairman and Secretary as soon as possible, but not less than twenty-four (24) hours before the meeting unless advance notice is impractical. Attendance by telephonic or video means is only permitted in cases of: 1) personal illness or disability; 2) employment purposes or other business of the P & Z Commission; or 3) a family or other emergency.

No more than four Commission members may attend a P & Commission meeting electronically by telephonic or video means.

- B. Physical quorum present: A majority of the P & Z Commission must be physically present at a meeting in order to achieve a quorum, and to vote on whether to allow or disallow a member or other members of the Commission who is/are not physically present, and who has/have requested to attend by meeting electronically.

C. Procedure:

- i. The Chairman will announce the name of any Commissioner(s) desiring to attend by telephonic or video means at the beginning of the meeting.
- ii. After a roll call establishing that a quorum is physically present, any member physically present may make a motion to permit another member (or members up to 4) to participate electronically by telephonic or video means. Such motion shall include the reason for the absence. All members physically present are required to vote on whether such participation will be allowed as to each member requesting to attend electronically based on one of the three permitted reasons set forth in Section 3 of this Article, and the motion must be approved by a vote of a majority of those members physically present for passage.
- iii. Commission members participating by telephonic or video means shall preface their comments by first stating their last name.

### Section 4. Motions

Motions shall be made in the affirmative and, if conditions are proposed to be imposed on any recommendation with respect to any petition, such conditions shall be included in the motion or by reference to the staff report.

The motion shall be seconded by a voting member of the P & Z Commission and restated by the Chairman before a vote is taken. The name of the individual making the motion and the name of the individual seconding the motion shall be recorded. A motion is not before the P & Z Commission until it has been seconded.

All motions are debatable except the motion to adjourn and the motion to close debate and call the question.

A motion may be amended as provided in Robert's Rules of Order, including but not limited to a motion to amend by the Commissioner who made the original motion, and must be seconded. The amended motion takes precedence over the original motion and must be voted upon if seconded. A motion to pass the original motion (as amended if the motion to amend passes) or as originally made (if the motion to amend fails to pass) must then be made or restated and a roll call vote thereon taken.

Section 5. Voting

The P & Z Commission shall conduct its vote in public session at the meeting in which evidence is concluded, unless the P & Z Commission determines additional time for deliberation is necessary and continues the public hearing for that purpose.

Voting on final recommendations of the Planning and Zoning Commission shall be by roll call. Other voting shall be by voice vote unless a roll call is requested by the Chairman or another member of the P & Z Commission. A majority of members present (in person and electronically) shall have a concurring vote order to constitute a simple majority recommendation for most matters as set forth in the following table; however, depending on the zoning relief sought in the petition before the P & Z Commission, e.g., appeals, variations, special use permits, and planned unit developments, the concurring vote of at least 5 members shall be required for a positive recommendation as to each form of zoning relief and/or subdivision approval sought as set forth in the following table. A tie vote shall result in "no recommendation".

REQUEST	VOTE REQUIRED TO PASS MOTION TO RECOMMEND	
	Simple Majority of Members Present	Minimum Five (5) Affirmative Votes
Appeals		•
Comprehensive Plan Amendments	•	
Variations		•
Major Design Exceptions	•	
Text Amendments	•	
Rezoning/Map Amendments	•	
Special Use Permits		•
Site Plan Review	•	
Planned Unit Development		•
Preliminary Plat of Subdivision	•	

In the event that a vote on a motion to recommend in favor fails to pass by the Planning and Zoning Commission on any item under consideration, the Chairman shall note that fact and the Secretary shall provide the vote results and a summary of each Commissioner's comments.



## Section 6. Rules of Order

### A. Robert's Rules of Order shall govern Commission proceedings.

Chairman to Preside: The Chairman shall preside at all regular business meetings and special meetings of the P & Z Commission provided that in the absence of the Chairman the Vice Chairman shall preside. In the absence of both the Chairman and the Vice-Chairman, an Acting Chairman shall be elected by the P & Z Commissioners physically present at the meeting shall preside.

### B. The Chairman shall preserve order and decorum and shall decide on all questions of order.

### C. Precedence of Motions:

- i. Motion to adjourn to a date certain.
- ii. Motion to adjourn.
- iii. Motion to continue the meeting to a time certain.
- iv. Motion to close debate and call the question. When a motion is made to "close debate and call the question" a vote on the main motion shall be taken without further debate unless either a motion to adjourn is made or unless the motion is objected to. If the motion to close debate and call the question is contested by an objection to the motion, the Chairman will ask for a roll call on the motion to close debate and call the question, which shall pass if approved by a majority of the P & Z Commission present (in person or electronically). A motion to close debate and call the question does not require a second.
- v. Motion to amend.
- vi. Motion to table to a date certain.
- vii. Main motion
- viii. Motion to reconsider at the same meeting. A motion to reconsider a decision made at the same meeting the original vote was taken may be made by any member of the P & Z Commission, if that member voted with the prevailing side. If the motion to reconsider is made before another item has been discussed, and if the motion is seconded and passed by a two-thirds (2/3) vote of the P & Z Commission, the item may be reconsidered at that meeting.
- ix. Motion to change a vote. A member has a right to change his or her vote up to the time that the result is announced; after that, he or she can make the change only by the unanimous consent of the assembly granted without debate.
- x. Motion to suspend the rules. Planning and Zoning Commission procedural rules may be temporarily suspended for only the matter under consideration at any time by a vote of two-thirds of Commissioners present. However, rules relating to issues governed by State statute shall not be so suspended.
- xi. Motion to remove an item from the agenda. This motion is appropriate when the P & Z Commission chooses to take no action on an item (e.g., when the petitioner has withdrawn the request).

## **Article 4 – Public Forum**

### Section 1. Public Forum

The Open Meetings Act provides that members of the public must be given an opportunity to address public officials at open meetings and provides that public comment maybe subject to the rules established and recorded by the public body. The purpose of the public forum is to allow members of the public an opportunity to address the Planning and Zoning Commission on issues of concern to them which are not part of the agenda.

### Section 2. Public Comment

- A. All members of the public who want to address the Planning and Zoning Commission at a P & Z Commission meeting shall sign up before the start of the meeting identifying themselves by name and indicating the general nature of the topic they wish to address.
- B. Members of the public shall be called in the order that they signed up (except as to public hearings which are governed by Article 5). Speakers shall address the Planning and Zoning Commission from the podium and shall state their name and address for the record before beginning their remarks.
- C. Speakers shall limit their remarks to no more than three (3) minutes unless additional time is granted by the Chairman or by majority vote of the Planning and Zoning Commission. A timer shall be used to notify speakers when the allotted time has expired. Speakers will be informed when their allotted time has expired. Upon the expiration of the allotted time, speakers shall stop speaking and leave the podium unless additional time is granted or unless there are questions directed to the speaker from Planning and Zoning Commission members.
- D. Public participation during the public forum shall be limited to no more than thirty (30) minutes in total unless extended for a time certain by the Chairman or by a majority vote of the P & Z Commission. If there are more speakers signed up to address the P & Z Commission than time will allow, public forum shall be bifurcated and continued to the end of the agenda, prior to new business.

## **ARTICLE 5 – PUBLIC HEARING RULES OF PROCEDURE.**

These Public Hearing Rules of Procedure are designed to ensure a fair and thorough public hearing process and should be considered the general parameters governing zoning public hearings.<sup>1</sup> These Rules of Procedure apply to all public hearing participants who, for the purposes of these Rules of Procedure, are the petitioner, petitioner's witnesses, and attorneys

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<sup>1</sup> It is important to make it clear that the rules of procedure are general in scope and, as noted later in the paragraph can be temporarily waived, suspended, or adjusted to meet the particular needs of the public hearing process. This statement makes it clear that the rules are designed to be flexible and this is consistent with the Supreme Court's decision in Klaeren v. Village of Lisle, 202 Ill.2d 164 (Ill. 2002) where the Court explained, among other things, that "We recognize that the right is not unlimited and may be tailored by the municipal body to the circumstances specifically before it." Klaeren at 185

representing the petitioner, objector(s), objector's witnesses, and attorneys representing objectors, if any.<sup>2</sup> All such participants are expected to conduct themselves according to these rules and in a respectful and professional manner. While the Bartlett Planning and Zoning Commission (the "P & Z Commission") has the authority, if it deems necessary, to temporarily waive, suspend, or otherwise adjust these Rules as circumstances warrant, failure by any participant in the public hearing process to follow these Rules of Procedure, as may be adjusted by the P & Z Commission may result in removal from the public hearing by the Chairman of the P & Z Commission

A copy of these Public Hearing Rules of Procedure together with registration forms shall be made available online and shall be kept on a table outside the meeting room for members of the public to be completed and filed with the Secretary. If an individual has not registered to provide comment, testimony, or questions on a petition before the P & Z Commission, or to otherwise address the P & Z Commission on any public hearing matter before it, but wishes to do so, that individual can obtain a registration form outside the public hearing room, fill the form out, and give it to the Secretary for the meeting, but shall be called to comment, testify, or ask questions (other than cross examination) after all individuals who pre-registered have commented, testified, or asked questions (other than cross examination).<sup>3</sup>

NOTICE TO ALL INDIVIDUALS WHO MAY WISH TO CROSS EXAMINE AN APPLICANT'S WITNESS(ES): Please note that if an individual or ownership entity did not receive personal mailed notice of the public hearing and wishes to cross-examine the applicant, or any applicant witnesses, that individual or its authorized representative must register not less than seven days before the public hearing date to conduct the cross- examination.<sup>4</sup>

All public hearings held before the P & Z Commission, unless otherwise required by law, will be administrative hearings. The Rules of Evidence and other Rules of Civil Procedure will not be enforced, but may serve as guidance, where appropriate, at the sole discretion of the Chairman of the P & Z Commission.<sup>5</sup>

#### Section 1. Notice.

Prior to commencement of the public hearing, the Secretary, being the Director of the PDS Department, or his or her designee who is present at the public hearing, shall confirm that proper notice of the public hearing was given in accordance with state statutes and

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<sup>2</sup> This statement makes clear that all who appear before the body holding the public hearing are subject to the rules and avoid debates as to the scope of their applicability.

<sup>3</sup> Registration rules are useful to not only manage the public hearing process, but also keep a record for municipal files on who appeared and provided testimony. In addition, the registration forms can have a notes section that may be used by the Chairperson or secretary of the P & Z Commission holding the public hearing to note the testimony offered.

<sup>4</sup> Title 10 Chapter 13 of the of the Bartlett Municipal Code requires that personal notice be sent to surrounding property owners of a zoning application on a given parcel. Individuals and entities that have received or are entitled to receive personal notice under Section 10-13-12:C of the Bartlett Municipal Code shall have an automatic right to cross examination and a qualified right for those who did not receive personal notice. These rules are set up for such a two stage system of cross examination.

<sup>5</sup> This paragraph makes it clear that public hearings before the P& Z Commission are not court proceedings and, that while some procedure will be used, it is a more flexible and informal process than a court proceeding.

the Bartlett Municipal Code, that documentation of such notice is included in the case file for the petition/applicant ("petitioner") before the P & Z Commission and that each is properly identified as an exhibit to the record.

#### Section 2. Introduction by the Chairman.

The Chairman will begin each public hearing by announcing the name of the petitioner and their petition request(s). (not all public hearing requests are for relief, Mark Hopkins asked for a different term to be used) The Chairman will explain the procedures for the conduct of the public hearing. An oath will be administered to all persons intending to testify during the course of the public hearing, and may be administered in mass to all individuals who will testify at the public hearing. Nothing said by attorneys representing any party will be considered evidence or testimony, unless the attorney's client is not present at the public hearing, and if he or she intends to testify or present evidence on behalf of a client opposed to solely to raising legal arguments, is sworn under oath. The Chairman will remind those people previously sworn under oath from a continued or reconvened public hearing that they remain under oath.

#### Section 3. Village Staff's Summary of Petition.

Village staff will summarize the basic facts of, and relief requested in, the petition. In the event that the hearing is continued from a previous date, staff will be asked to provide any new, additional, or supplemental information.

#### Section 4. Petitioner's Presentation.

The petitioner will present the petition with testimony of witnesses and other evidence. In general, the P & Z Commission should allow the petitioner to make this presentation without interruption, except for those questions allowed by the Chairman that may be immediately necessary to aid the P & Z Commission or the public in understanding a particular aspect of the presentation.

#### Section 5. Public Comment, Testimony, General Questions (Other than Cross-Examination).<sup>6</sup>

A. General. At the start of the period for public comment, testimony, and general questions, the Chairman will advise the public:

- i. of amount of time permitted for public testimony, comment, and general questions;

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<sup>6</sup> This section establishes the rules for general comments, testimony and questions and is distinguished from the rules for cross-examination. This Section of the Rules clarify they are not the rules for cross-examination to avoid confusion among members of the P & Z Commission and the general public. The distinction between general comments, testimony, and questions and cross-examination is further established in these rules by requiring that they be directed to the P & Z Commission for later redirection to staff or the petitioner.

- ii. that all speakers state their names and addresses before addressing the P & Z Commission.
  - iii. to avoid repetitive comments, testimony, and general questions;
  - iv. to appoint only one person to speak on behalf of a group; and
  - v. that all information presented to the P & Z Commission is under oath.
- B. Each person will be permitted to speak one time only, unless the Chairman determines that allowing a speaker to address the P & Z Commission again will contribute new testimony or other evidence. Unless more time is deemed necessary by the Chairman, all comments from the public will be limited to no more than five minutes per person.
- C. **Testimony, Evidence, and Questions.** Members of the public and their attorneys should address their comments, testimony, and general questions to the P & Z Commission. Following the conclusion of all public participation, the Chairman will direct the questions from the public to the petitioner or staff in an orderly and consolidated manner for response.

#### Section 6. Cross-Examination.<sup>7</sup>

- A. In addition to asking general questions, the public and their attorneys will have an automatic or qualified right to cross-examine petitioners and petitioners' witnesses in accordance with the following:
- i. **Personal Notice Recipients' Automatic Right.** People who received a personal notice addressed to them as required under the Zoning Ordinance about the public hearing, or people who should have received personal notice as provided in Section 10-13-12:C of the Bartlett Municipal Code but did not actually receive such notice and are present at the public hearing, have an automatic right to cross-examine petitioners and petitioners' witnesses. People wishing to exercise this right must be prepared to demonstrate to the satisfaction of the Chairman that they are the person to whom the notice was addressed or that they reside at the address on the notice, or are within the parameters of people required to receive personal notice. This right is based upon the fact that these people have a unique interest in ensuring the preservation of the property values of their home, as well as the use and quiet enjoyment of their property. People who qualify under this right should be prepared to elicit information that addresses these valuable property interests.
  - ii. **Petitioners' Automatic Right.** Petitioners have a right to cross-examine any witness offered in opposition to their petition.

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<sup>7</sup> These rules govern the cross-examination process and create an automatic right and qualified right to cross examination based on whether or not a person received, or was entitled to receive, personal notice of the public hearing. The right to cross examination is well established under Illinois law (See E & E Hauling, Inc. v. County of DuPage, 77 Ill.App.3d 1017 (2<sup>nd</sup> Dist. 1979)) and Klaeren, supra.)



- iii. **General Public Qualified Right.** Any other party who does not otherwise have an automatic right to cross-examination under these rules must file a formal registration and request to do so at least 7 days in advance of the scheduled public hearing date or continuation thereof.<sup>8</sup> The request must be made on forms approved by the P & Z Commission and submitted to the Director of the Planning & Development Services Department. Requesters will be informed as to whether their right to cross-examine witnesses has been granted or denied within 2 days of the public hearing by the Chairman, or his or her designee, and no such request will be unreasonably denied.
  
- B. **Expert Witnesses.** An individual presenting information to the P & Z Commission as an expert witness shall provide by P & Z Commission with his or her name, the city, county and state (if other than Illinois) where he or she resides, the address of the business which he or she represents, and a description of the area of knowledge or purported expertise of such witness. It is preferred that such witness register with the Recording Secretary with a business card and/or curriculum vitae. Such witness shall be allowed to testify subject to cross-examination and the conditions set forth herein or as may be reasonably imposed by the Chairman.
  
- C. All members of the public and their attorneys conducting cross-examination are subject to, and must tailor their cross-examination in accordance with the following:
  - i. The matters that are subject to cross-examination are factual and not merely matters of taste or personal opinion;
  - ii. The cross-examination will help simplify otherwise complex issues before the P & Z Commission; and
  - iii. The cross-examination relates to the factors to be considered by the P & Z Commission in making its recommendation.<sup>9</sup>
  
- D. In all instances, the Chairman may specify which issues are considered relevant to the factors the P & Z Commission must use to make its recommendation and limit cross-examination accordingly. People wishing to cross-examine witnesses

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<sup>8</sup> The qualified right to cross-examine witnesses requires a registration in advance of the public hearing. The purpose of requiring registration is to, among other things, understand the extent of potential community concern or opposition to a project, ensure that those who want to cross-examine witnesses understand the rules governing the cross-examination process and to facilitate an orderly and efficient public hearing process.

<sup>9</sup> These rules require people wanting to cross-examine witnesses to tailor their cross examination to a reasonable scope of questioning. Cross-examination should be straight-forward and assist the public body in reaching its decision. Without appropriate tailoring, cross-examination can become tedious and irrelevant, confusing the applicant, the public, and the P & Z Commission. A useful requirement is to require that those conducting cross-examination limit their questions to the factors required to be demonstrated to support the zoning relief. These factors, or standards, are listed in the zoning code sections set forth in Title 10, Chapter 13 of the Bartlett Municipal Code dealing with the zoning relief in question (i.e., comprehensive plan amendments, variations, major design exceptions, text amendments, map amendments/rezoning, special use permits, site plan review, planned developments, planned unit developments, and subdivision approval (Title 11).

must be aware of the factors that guide the P & Z Commission in its considerations of a given petition and must tailor their cross-examination to these factors. Failure to do so may result in disqualification from cross-examination.

- E. The Chairman will determine whether a party conducting cross-examination is eliciting relevant information and may direct a cross-examiner to adjust his or her questioning accordingly. In addition, the Chairman may restrict the scope of cross-examination to the testimony offered. Cross-examination designed to elicit extraneous, irrelevant, or repetitive testimony will be ruled out of order by the Chairman and may result in disqualification of the person from further cross-examination of the witness.
- F. The P & Z Commission acknowledges the rights of parties to cross-examine witnesses, but parties wishing to do so must accept that the P & Z Commission is not a court of law and the normal rules of evidence that would otherwise exist in those settings are not applicable in the P & Z Commission's proceedings. In order for the P & Z Commission to most effectively carry out its responsibilities, parties wishing to cross-examine witnesses must respect this fact and conduct themselves accordingly.
- G. Finally, parties wishing to cross-examine witnesses offered by a petitioner are expected to respect the right of the petitioner to a prompt and efficient process. The use of cross-examination that deviates from these rules will be viewed as an abuse of process and infringement on the right of a petitioner to a prompt and efficient process and result in immediate disqualification from further cross-examination or testimony.

#### Section 7. Subpoena of Witnesses.

- A. There is no automatic right to request the issuance of a subpoena for any witness.<sup>10</sup> However, upon:
  - i. a proper showing that the testimony to be elicited is relevant to the factors under consideration by the P & Z Commission;
  - ii. an allegation of some special interest beyond that of the general public;
  - iii. that the evidence to be elicited from the subpoenaed witness cannot be obtained through some other document or testimony; and

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<sup>10</sup> Some attorneys have argued that the right to subpoena witnesses, currently limited under the zoning statutes (compare 65 ILCS 5/11-13-3(e) "the chairman... may... compel the attendance of witnesses" to 65 ILCS 5/11-13-7(a) "Zoning variation and special use applicants and property owners, as set forth in Section 11-13-7 of this Act [in municipalities of 500,000 or more population], shall have the following rights... to have subpoenas issued for persons to appear at board of appeals' hearings and for examination of documents"), extends to all municipalities based on the Appellate Court decision in Klaeren [citation omitted]. The Supreme Court declined to adopt the Appellate Court's decision in this regard, criticizing the Appellate Court, "the appellate majority too strictly relied on the Municipal Code for its resolution of this cause." Klaeren, 202 Ill.2d at 181. These rules follow the Supreme Court's decision, creating a qualified right for subpoena of witnesses only, and also incorporates the discretionary language of 65 ILCS 5/11-13-3(e) where the chairperson "may" compel the attendance of witnesses and that failure of a subpoenaed witness to appear will not delay the proceedings before the public body.

- iv. that the request is reasonable and does not appear to be made solely to cause delay and/or to continue the public hearing.

The Chairman may, in accordance with state law, compel the attendance of witnesses. Any person who satisfies the requirements for issuance of a subpoena will be completely responsible for presenting the witness before the P & Z Commission, including, without limitation all costs, attorneys' fees, and enforcement of the subpoena. In no event will subpoenas be issued to obtain documents or other non-testimonial evidence.

- B. Failure of a subpoenaed witness to appear will not result in a delay of the proceedings before the P & Z Commission.

#### Section 8. Time for Non-Petitioner Presentation(s).

As a general rule, all other parties desiring to make a presentation will be collectively allowed an equal amount of time as was provided the petitioner for its full presentation. Multiple parties desiring to make presentations are expected to coordinate their efforts to maintain efficiency and the promptness of the proceedings and to stay within the general time parameters set forth herein.

#### Section 9. Response by the Petitioner.

The Chairman will allow the petitioner a reasonable time to respond to the public testimony and comments presented, but no more than half the time as was used by all other non-petitioners.

#### Section 10. Questions by the P & Z Commission.

The P & Z Commission members may ask questions of any individual that may be necessary to clarify material presented or the relief requested. At the conclusion of the questions, the public hearing will be closed.

#### Section 11. P & Z Commission Discussion and Deliberation.

During the P & Z Commission's discussion, members of the P & Z Commission may direct additional questions to the petitioner, witnesses for the petitioner, or members of the public who testified. The petitioner, witnesses for the petitioner, or members of the public or their attorneys may not address the P & Z Commission during this portion of the meeting without the consent of the Chairman.

#### Section 12. P & Z Commission Action.

Based on the discussions, the P & Z Commission may: (a) request the petitioner, a member of the public, Village staff, and/or the Village Attorney to provide new or additional information and continue the hearing to a date certain; or (b) take action (vote) on the petition and make its recommendation to the Board of Trustees. A vote by

the P & Z Commission will close the public hearing unless the hearing was closed by the P & Z Commission following the conclusion of all testimony.<sup>11</sup>

## **Article 6 – Conflicts of Interest**

Any member of the Planning & Zoning Commission who has a conflict of interest in a matter before the P & Z Commission shall not participate in the discussion, deliberation or vote thereon. Conflicts of interest may arise from various scenarios including but not limited to, financial, ownership or property interests, conflicts with employment or appointments, or conflicts with a publicly-stated opinion on a pending application.

If a Commissioner determines that he or she has a conflict of interest, that commissioner shall state the nature of the conflict, recuse himself or herself from that matter, including removing himself or herself from the meeting until the discussion, deliberation and vote is resolved. The P & Z Commission member's recusal will be considered an abstention and shall not be counted as either an aye or a nay vote. Further, the recusing member shall not be counted in determining the total number of votes required to recommend approval of a matter before the P & Z Commission, any statute, ordinance or rule of parliamentary procedure to the contrary notwithstanding.

## **Article 7 – Miscellaneous**

### Section 1. Suspension of the Rules

The P & Z Commission may suspend any of these rules, with the exception of the vote requirements, for a single meeting, or for a single item on its agenda at such meeting, by a vote of two-thirds Commission members present, provided said rule suspension does not violate the Illinois Open Meetings Act.

### Section 2. Amendments

These rules may be amended at any regular or special meeting by a two-thirds vote of total membership of the P & Z Commission if amendment of the rules is included on the P & Z Commission Agenda. Any proposed amendment must be presented in writing before the vote on the amendment is taken.

### Section 3. Attendance

A member of the P & Z Commission shall notify the Chairman and Secretary of their absence as soon as possible, but not less than twenty-four (24) hours before the meeting unless advance notice is impractical.

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<sup>11</sup> The closing of the public hearing upon a vote of the P & Z Commission on the application provides flexibility to take additional testimony, in the discretion of the P & Z Commission, up to the point of a vote on an application. An earlier vote to close the public hearing could result in the P & Z Commission being required to reopen the public hearing, including requirements to publish and deliver new notice. Failure to follow these procedural requirements on the reopening of a public hearing could result in technical challenges to the public hearing process.



A P & Z Commission member shall not miss two (2) consecutive meetings without first discussing the absences with the Chairman or PDS Director.

Any P & Z Commission member absent from three (3) of more meetings in any twelve (12) month period may be recommended for dismissal. This shall be at the discretion of the Village President and may include consideration of factors such as extenuating circumstances associated with the absences.