



Village of Bartlett
Planning and Zoning Commission
August 4, 2022

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

Roll Call

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

Also Present: Kristy Stone, Interim Planning & Development Services Director, Devin Kamperschroer, Associate Planner

Approval of Minutes

A motion was made to approve the July 7, 2022 meeting minutes.

Motioned by: G. Koziol
Seconded by: C. Deveaux

Roll Call

Ayes: B. Bucaro, C. Deveaux, M. Hopkins, J. Kapadoukakis, G. Koziol, J. Miaso, M. Werden
Nays: None
Abstain: None

The motion carried.

Public Forum

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



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Case (#22-02) Bannerman's Sportsgrill
PUBLIC HEARING

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

The petitioners, **Mac Maqsood** of Bannerman's Sportsgrill, **Tom Thunder, AuD, FAAA, INCE** and **John Eggersdorfer**, Architect, and **Oscar Garcia** came forward and were sworn in by **M. Werden**. **M. Maqsood** stated, we would like to build a new 10,000 square foot space located in the Brewster Creek Business Park. It would be an indoor/outdoor space. Our vision is to provide a year-round destination for entertainment primarily with live music, but not limited to that. We want people to have their business meetings there, children sports teams, and continue to be a destination for our sports fans. We want to give back to our community and give to nonprofit organizations with a portion of proceeds given back. Most importantly, we want to foster a safe and fun environment going forward. We envision having approximately 270 seats inside with an additional 122 seats outside. We would be open 7 days a week. We would be open Sunday, Monday and Tuesday until 11 pm and Wednesday, Thursday, until 1 am and Friday, Saturday and Sunday until 1 am. The outdoor patio would mimic the indoor hours. The music will end by 10 pm Sunday through Wednesday and at 11 pm on Thursday, Friday, and Saturday. I do not envision us having a lot of outdoor music during the week. We will have music Friday and Saturday and potentially Sunday. I hope that I can get a positive recommendation. **M. Werden** this is quite an ambitious project. I think giving back to nonprofit groups is wonderful. Is the only entrance on Hardt Circle? **M. Maqsood** there is no entrance from Munger Road. **C. Deveaux** I noticed on the sound study that you moved the position of the outdoor stage by 5 degrees toward the southwest. **M. Maqsood** yes, this brought down the dBC level from 95 to 92 so that the residential areas to the east and southeast are at the ambient level. That is why we made that change to the stage position. Based on our sound study, we could have increased the dBC level to 95, but we want to keep it to 92 whether it is during the day or at night. We do not want to be a nuisance to our neighbors. If we do receive complaints about noise, we would mitigate that. Our goal is to make this workable for all parties involved. **M. Werden** how is the parking being handled? **M. Maqsood** we have sufficient parking. We are over the requirements. I think we have 191 stalls and the requirement is 178. **D. Kamperschroer** the site plan shows 189 parking spaces and the zoning requirement is 171. **M. Hopkins** how is that calculated? **D. Kamperschroer** we look at customer floor area which includes the interior and the patio area. We also included seating for roughly 50 with the bench seating near the stage area. The calculated total was 171 required parking spaces. **M. Werden** what about the outdoor lighting? **M. Maqsood** around the stage and the grass area we would have 3 large lights and around the building we have a light in each corner and the parking lot would have sufficient lighting as well. **C. Deveaux** how many employees do you expect to have? **M. Maqsood** we currently have about 20 employees and I have forecasted adding 12 to 15 more employees. I envision adding more employees as we get busier especially in the summer months when people want to be outside



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enjoying a nice evening and on the weekends when we might have bigger parties. **C. Deveaux** have any of the surrounding business contacted you? **M. Maqsood** no, not yet. I do think we are going to be the farthest business west in Bartlett in terms of a restaurant/bar. **C. Deveaux** I am thinking about the other businesses there. **M. Maqsood** those businesses will not be open on the weekends and those buildings will be empty during on the weekends and that will be our busiest time. We did send a public hearing notice to the businesses in the area and I do not see anyone here from the business park tonight so I am hoping they are okay with it. **K. Stone** I did speak with the business owner directly east of the site, Promark. I sent them the link and went over the plans with him over the phone. He did not have any concerns particularly and did not call me after he reviewed the plans himself. **M. Werden** was that the only call you received. **K. Stone** yes, that was the only call we received. **M. Hopkins** for the parking, you figured the capacity inside the facility for customers, the deck and for the benches in the grassy area. You took that number of patrons and did the math according to the code. **D. Kamperschroer** yes, according to the code, it is whichever is greater, 1 space for every 3 seats or the total customer floor area divided by 60 and in this case, the customer floor area was greater. We also included the seating for the stage. **M. Hopkins** what happens if you have a big concert with a couple of hundred people outside and a couple of hundred people inside, can you say from your history at your current facility how these shared spaces work? What is the real maximum capacity of this facility and will it have adequate parking? **M. Maqsood** we have thought about that and if we do have a concert and we notice that we need more parking spots, we can do a couple of things. We can offer an incentive for customers to take Uber and for those customers, we would not charge a cover charge. Hopefully, that will limit the number of people driving. In addition to that, we could talk to our neighbors and come up with an agreement to use their parking spots on the weekends for customer parking if we do find that is an issue. **M. Hopkins** if you need to valet with your neighbor, but a closer property owner says no, they do not want any part of it and do not want people walking across their property off hours that puts you in a position of protecting their property as well. It is a concern and something that needs a firmer contingency plan to be controlled and safe. Is there parking allowed on Hardt Circle? **K. Stone** there is no parking allowed on any of the streets in Brewster Creek Business Park at any time. **M. Maqsood** we will come up with a better contingency plan for the parking. **M. Hopkins** how will the truck unloading and maneuvering work for deliveries? **M. Maqsood** that would be done in the employee parking area. **J. Eggersdorfer** stated that the larger vehicles would pull into the rear drive for the employees, unload and then back out for deliveries in the back of the building. **M. Maqsood** our deliveries are early in the morning when there are no employees there and the manager on site takes the deliveries. I do not anticipate that there will be cars parked in the employee parking lot when we get our deliveries. We do have the option of eliminating one of the employee parking stalls so that trucks can get in and out easier. **M. Hopkins** will the rooftop equipment be screened? **J. Eggersdorfer** yes, the rooftop equipment will be screened with vertical siding similar to the material used for the building. **M. Hopkins** is the dumpster area sized for this operation? **M. Maqsood** yes, we will have space for 3 dumpsters in the enclosure. **M. Hopkins** you thought it through and it fits. **M. Maqsood** yes. **M. Hopkins** could we get a summary of the two modified conditions that are suggested in the sound study report? **T. Thunder** stated, I have doctorate degree in audiology, which is the science of hearing. I am both an acoustical engineer and an



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audiologist. I have worked in Illinois for over 35 years on noise issues and I am very familiar with the State of Illinois noise regulations. I see that Bartlett has adopted the State of Illinois Noise Regulations. The State of Illinois limits noise at different frequencies; low, middle and high. To simplify that, it is added up and called the dBC scale, which is the overall scale. We use this because we know that live band music is heavier at the bass and bass sounds propagate at a further distance without atmospheric absorption or absorption by vegetation. We have equated those limits to a C-weighted scale. In our report, we indicated that the State has a limit to daytime noise of 73 dBC and nighttime to 64 dBC. That is specifically for noise from commercial properties to residential properties. More important than that, it has been my experience that whether or not there is an impact it has more to do with ambient noise than an absolute limit. Really what matters is the ambient noise that currently exists in an area to assess impact. You get potential impact the higher the source noise is above the ambient noise. The more audible that is, the more impact there is. Part of our study was to get a good handle on what kind of ambient noise we are talking about during the times that the bands would be there. Normally, we make measurements where the residents are, but without easy access to residential property, we put the monitoring equipment in a more conservative place. The ambient noise that we measured from 10:00 pm to 11:59 pm was 64 dBC. We did the measurement at those times because that is the most critical timeframe for residents. As you go further into the evening the sound levels go down because traffic goes down. As traffic starts to drop on Route 59 all of the noise levels in those areas go down. It is not as important to make these measurements during the day. We took the measurements during the time the venue would have performances. We developed an ambient establishment of 64 dBC, which is the State of Illinois Noise Regulations. We used a very sophisticated modeling program called Sound Plan. It is a very rigorous examination about how sound propagates from any source, in this case, a live band source. The modeling program takes into consideration how much atmospheric absorption is there, the topography, the vegetation and reflections from buildings. Some buildings will collect sound. The large buildings in this industrial area shield the sound and reflect sound. The original predication without any sound treatment showed that it was obvious that some treatments would be worthwhile. Those treatments would be to rotate the stage by 5 degrees clockwise to direct the loudspeakers in a different direction and to put in a wall on the east side to act as a barrier to keep the sound from going in the direction of the residents. We will also have administrative controls as well with a sound engineer monitoring the sound. The biggest problem I have had with live band noise is when a venue does not have a sound engineer. It is important to have an engineer in the audience to listen and monitor the sound levels and make adjustments. This is a two-pronged approach. One is a physical acoustical approach where we rotated the stage and added a sound barrier. The second approach is to have a sound monitoring engineer to implement the sound monitoring. With these treatments and the natural shielding from the large buildings, the sound will dissipate down to about ambient levels when it reaches the residents. **M. Hopkins** has the petitioner agreed to these conditions? **K. Stone** yes, the petitioner has agreed to the conditions, which are the rotation of the stage, installing the sound wall as recommended and that the 92 dBC level be the limit at the mixing station at all times. Those conditions have been reviewed by the Village's Environmental Consultant, Gary Diegan. **M. Hopkins** there is language in the staff report about a log that will be kept by the sound engineer on site. How



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exactly will that work? **K. Stone** typically, the police department receives noise complaints periodically from residents close to the bars that have live entertainment and they make a report. We would look at the amplifier permit to see which bands were playing and get copies of the logs. Staff would follow up on that. I have spoken with the soon to be Chief Pretkelis and he is on board with this as well. He was glad that we involved him to make sure that this does not become a nuisance to the residents. **M. Hopkins** is the petitioner on board with all of this? **M. Maqsood** yes, I am willing to put in further mitigations to limit the noise if we get complaints. Our intention is not to be a nuisance to our neighbors. Our intention is to provide a good environment for people to come and enjoy good music. We are committed to that and we will put in any mitigations to meet those needs. **M. Werden** I am impressed with the safeguards that you have. You have a lot of good ideas. **M. Maqsood** our intention was to be about 1,500 away from any residences and not be close to a residential community. **G. Koziol** do you expect the residential area would be able to hear the music? **T. Thunder** we would not say they are not going to hear it. They are going to hear parts of the music. The criterion for annoyance is not that it is inaudible. It can be audible. The issue is that the average level of a live band does not exceed the average level of the ambient noise. That is a valid criterion. The model we used is a called a favorable propagation conditions model. The model assumes that there is as gentle wind blowing from the sound source towards the receivers. Wind can carry sound. Temperature inversions will do that as well. In the morning, as the sun is coming up and warming the upper atmosphere it bends sound down, but when the sun comes up further and there is a more even distribution of temperature, you do not hear the sound as much. There is not going to be a temperature inversion here, but there could be a situation when people complain when the wind is blowing from the west to the east fairly strongly. On the other hand, if the wind is going the opposite direction, they may not hear it at all. This is a situation where the model is being conservative, but it cannot possibly cover every meteorological condition that exists. **G. Koziol** I am impressed with the outcome of this study. It takes a lot into consideration. **T. Thunder** a program like this allows us to plan for this to mitigate at the planning stage. **G. Koziol** is the fence surrounding the back area a solid fence? **J. Eggersdorfer** it would be an aluminum picket fence. **G. Koziol** are the lights in the parking lot going to be on all night? **M. Maqsood** those lights would be until 2 am. **K. Stone** we are required to measure the foot candles at the property line. Also, the residences to the east are about 15 feet higher than this site. Lighting now is much more focused with not as much spillage. LED lighting is more focused. **J. Eggersdorfer** the light-focused intensity is directly under the fixture and does not spread out or add light pollution. It is a full cut off fixture. **M. Hopkins** the building looks great and this is a culmination of a good process. The petitioner working in advance to preclude any problems is huge. I would like to commend the staff and the petitioner as well as their consultants. I do think you have to be careful about a plan for the parking and the truck unloading. **M. Maqsood** we will think about how to make the parking and the delivery truck unloading better. I also want to commend the staff. They have been thorough. We want to plan this the right way.

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



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C. Deveaux made a motion to pass along a **positive recommendation** to the Village Board to approve case **(#22-02) Bannerman's Sportsgrill Site Plan and Special Use Permits** subject to the conditions and findings of fact outlined in the staff report with amended conditions B and C from the Planning & Development Services Memo #22-66.

M. Werden closed the public hearing.

Motioned by: **C. Deveaux**

Seconded by: **J. Miaso**

Roll Call

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

Nays: None

The motion carried.



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Old Business/ New Business

K. Stone we are going to bring the rules and procedures back next month hopefully to be adopted.

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

Motioned by: J. Miaso

Seconded by: B. Bucaro

Motion passed by unanimous voice vote.

The meeting was adjourned at 8:05 pm.