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BEFORE THE VILLAGE OF BARTLETT
PLAN COMMISSION

IN RE THE MATTER OF:)
)
Approval of June 9, 2016)
minutes; (#16-06) D'Licious)
Crepes & Roti; and (#15-21))
RLE-Bartlett.)

REPORT OF PROCEEDINGS

July 14, 2016
7:00 P.M.

PROCEEDINGS had and testimony taken
before the Bartlett Plan Commission of the
above-entitled cause taken at the Village Hall,
228 South Main Street, Bartlett, Illinois, before
LYNN M. EVANS, C.S.R., License #084-003473, a
Notary Public qualified and commissioned for the
State of Illinois.

PRESENT:

- MR. JIM LEMBERG
- MR. MARK HOPKINS
- MR. JOHN MIASO
- MR. JACK ALLEN
- MR. TIM RIDENOUR
- MS. DIANE NEGELE
- MR. TOM CONNOR

1 ALSO PRESENT:

2 MR. JIM PLONCZYNSKI, Community Development
3 Director.

4 MS. ROBERTA GRILL, Assistant Community
5 Development Director.

6 MR. TONY FRADIN, Economic Development
7 Coordinator.

8 MS. ANGELA ZUBKO, Village Planner.

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1 COMMISSIONER LEMBERG I would like to call to
2 order the Bartlett Plan Commission for July 14,
3 2016. Time is 7:02.

4 Will the secretary call the roll.

5 MS. GRILL: Jim Lemberg.

6 COMMISSIONER LEMBERG: Here.

7 MS. GRILL: Mark Hopkins.

8 MR. M. HOPKINS: Here.

9 MS. GRILL: Tim Ridenour.

10 MR. RIDENOUR: Here.

11 MS. GRILL: John Miaso.

12 MR. MIASO: Here.

13 MS. GRILL: Diane Negele.

14 MS. NEGELE: Here.

15 MS. GRILL: Austin Hopkins.

16 Jack Allen.

17 MR. ALLEN: Here.

18 MS. GRILL: Jerry Kallas.

19 Shane Cook.

20 Tom Connor.

21 MR. CONNOR: Here.

22 COMMISSIONER LEMBERG: Next item on the agenda
23 is approval of the June 9th, 2016 minutes. We're
24 going to hold that off until the next meeting.

1 Item 3 on the agenda is No. 16-06,
2 D'Licious Crepes & Roti, special use permit for
3 serving beer and wine. It's going to be a public
4 hearing.

5 Do we have the documents for notification
6 from the public?

7 MS. ZUBKO: Yes, we do.

8 COMMISSIONER LEMBERG: Okay. Do we have any
9 cards that came in the mail?

10 MS. ZUBKO: They signed the affidavit.

11 MR. PLONCZYNSKI: We have the affidavit.

12 COMMISSIONER LEMBERG: Okay. Very good.
13 That's going to be Angela. Can you give us a
14 little background?

15 MS. ZUBKO: Sure. The petitioner is
16 requesting a special use permit to serve beer and
17 wine at their current location for their patrons
18 inside and outside.

19 D'Licious Crepes is located in the town
20 center. Before D'Licious moved into this
21 location, the Italian deli was granted a special
22 use for outdoor seating in 2008 and the special
23 use is associated with the address. A 36-inch
24 fence around the existing outdoor seating area is

1 required for the outdoor consumption of alcohol,
2 and they must maintain an accessible pedestrian
3 walkway between the enclosure and the street.
4 The fence location will be located on private
5 property and not in the public right-of-way.

6 Currently, D'Licious is open seven days a
7 week, Monday through Saturday from 9:00 a.m. to
8 9:00 p.m. and Sunday from 9:00 a.m. to 4:00 p.m.
9 These proposed hours meet the restrictions for
10 the Class B liquor license, and D'Licious is
11 aware that they can only serve beer or wine
12 during the hours specified in the Class B liquor
13 license.

14 Staff recommends approval of the special
15 use with the findings of fact and conditions
16 outlined in your report, and the petitioner is
17 present.

18 COMMISSION LEMBERG: The members have any
19 questions of staff at this time?

20 MR. RIDENOUR: Does the pizza -- the pizza
21 restaurant, they have an outdoor area there,
22 don't they?

23 MS. ZUBKO: Yes, Marco's does.

24 MR. RIDENOUR: So it would extend basically

1 the same then?

2 MS. ZUBKO: Correct.

3 COMMISSION LEMBERG: Any other questions?

4 Is petitioner here this evening?

5 MR. CHOPRA: Yes.

6 COMMISSIONER LEMBERG: Could you raise your
7 right hand and be sworn in, please.

8 (Witness sworn.)

9 COMMISSIONER LEMBERG: Could you state your
10 name and address, please.

11 MR. CHOPRA: Rakesh Chopra.

12 COMMISSIONER LEMBERG: Is there anything you
13 would like to add to the staff's report?

14 MR. CHOPRA: No. Whatever they said is okay.
15 This is fine.

16 COMMISSION LEMBERG: Everything is fine with
17 that. Okay.

18 At this time I would like to open it up to
19 the public. Is there anyone here that would like
20 to have a comment, question, statement, anything?
21 Anyone in the public at all?

22 Okay. Close this portion of the public
23 hearing.

24 Staff have any further questions?

1 Questions. Comments.

2 MS. NEGELE: No.

3 COMMISSION LEMBERG: We will be looking for a
4 motion for a recommendation for special use for
5 serving beer and wine as requested and the
6 following conditions and findings of fact.

7 MS. NEGELE: So moved.

8 MR. MIASO: Second.

9 COMMISSION LEMBERG: Any further discussion?

10 Secretary call the roll.

11 MS. GRILL: Mark Hopkins.

12 MR. M. HOPKINS: Yes.

13 MS. GRILL: Tim Ridenour.

14 MR. RIDENOUR: Yes.

15 MS. GRILL: John Miaso.

16 MR. MIASO: Yes.

17 MS. GRILL: Diane Negele.

18 MS. NEGELE: Yes.

19 MS. GRILL: Jack Allen.

20 MR. ALLEN: Yes.

21 MS. GRILL: Tom Connor.

22 MR. CONNOR: Yes.

23 COMMISSION LEMBERG: Good luck.

24 MR. CHOPRA: Thank you.

1 COMMISSION LEMBERG: The next item on the
2 agenda is another public hearing, the RLE
3 Bartlett rezoning upon annexation from ER-1
4 zoning district to B-3 zoning district, site plan
5 review special uses for motor home sales, major
6 repair, including automobiles and trucks, detail
7 shop, and storage of vehicles associated with the
8 use of the property. That's going to be No.
9 15-21.

10 At this time, I am going to recuse myself
11 and Mr. Hopkins will take over the meeting.

12 MR. M. HOPKINS: So this will be a public
13 hearing, and is there evidence of the postings?

14 MS. ZUBKO: Yes, sir.

15 MR. M. HOPKINS: Good. So -- and, Angela,
16 would you give the staff report.

17 MS. ZUBKO: Sure. Behind me is the location
18 map. The site is comprised of three lots, the
19 north lot, the south lot, and the cell tower lot.

20 This site was previously the Abel RV
21 Center, also referred to as the Motor Homes
22 Unlimited and the Blizzard parcel.

23 In 1989, the Village of Bartlett and
24 Village of Streamwood entered into a

1 jurisdictional boundary agreement. This gave the
2 Village of Bartlett authorization to annex the
3 south lot, including the cell tower lot, but not
4 the north lot.

5 In 1995, the Village of Bartlett annexed
6 the south lot, which is 4.42 acres. It excluded
7 the cell tower lot at that time, and they
8 chose -- or they chose not to annex that at that
9 time. Sorry. Later in March, the Village of
10 Bartlett approved the rezoning of the south lot,
11 excluding the cell tower lot, from ER-1 to the
12 B-3 shopping district with three special use
13 permits, that was motor home sales, sales of
14 related items, and motor home repairs; and also
15 five separate variances to allow accessory
16 structures closer to five feet from the rear
17 zoning lot line, to allow an accessory structure
18 to exceed the 15 feet in height, a reduction in
19 parking spaces, a sign variance, and landscape
20 variations.

21 And in 1998, the Village of Bartlett and
22 Streamwood entered into the first amendment to
23 the jurisdictional boundary line agreement, and
24 this gave the Village of Bartlett authorization

1 to annex the north lot because we could not annex
2 it before.

3 In 2009, the Village of Bartlett and
4 Streamwood entered into the second amendment to
5 the jurisdictional boundary line agreement, and
6 this discusses the 6.17-acre lot directly west,
7 known as the west lot of this property, and
8 authorizes the Village of Streamwood to annex
9 this lot, which they will be seeking later.

10 The petitioner is requesting to annex the
11 north lot, which is 2.02 acres, and the cell
12 tower lot, which is .035 acres. The south lot
13 was previously annexed and zoned in 1995.

14 They're also requesting upon annexation to
15 rezone the north lot and the cell tower lot from
16 ER-1 to the B-3 shopping district; and then just
17 for clarification, they're requesting special
18 uses for the entire parcel for motor home sales
19 and major repair, including automobiles and
20 trucks, a detail shop and body repair, storage of
21 vehicles associated with the use of the property.

22 Like I mentioned, some of the special uses
23 were granted before to the south lot, but for
24 transparency, we're just going to request all the

1 special uses on the entire lot so that there is
2 one ordinance for the entire lot.

3 The entire lot has already recently been
4 cleaned up with brush and debris removed, power
5 lines removed, and one building demolished. Two
6 buildings and four cell towers remain on the
7 property. The two remaining buildings are the
8 proposed location of the detail and the
9 maintenance shop.

10 The petitioner is also requesting a site
11 plan review, which includes the storage of
12 vehicles, a large stockpile, and a large wetland
13 or detention basin in the front of the lot. The
14 storage of vehicles will be located on the north
15 side of the property where the stockpile is going
16 to be located and the wetland detention basin
17 will be located on the south side of the
18 property. The wetland detention basin will not
19 only serve the Village of Bartlett lots, but also
20 serve as the detention for the lot directly west
21 of the subject site that will be in the village
22 of Streamwood.

23 The Village of Bartlett has been working
24 with the Village of Streamwood with regard to the

1 water and sanitary hook up and the site plan.
2 Like I had discussed, the Village of Streamwood
3 will be annexing the west lot after the retention
4 facility is built, and the Village of Bartlett
5 and Streamwood have preliminarily approved the
6 cost sharing of oversizing the water line that
7 will be bored and dug under Route 59 to connect
8 this site and create an emergency interconnection
9 with our water system to the Village of
10 Streamwood. This water connection is imperative
11 to the Village of Bartlett and the Village of
12 Streamwood in case of an emergency.

13 The petitioner has agreed to make this water
14 connection as long as the stockpile can remain
15 indefinitely. The Village of Streamwood and
16 Bartlett have agreed to allow the stockpile as
17 long as it is heavily landscaped, which they have
18 shown on their plan.

19 There are two curb cuts existing on the
20 property off of Lake Street. The eastern curb
21 cut will remain while the western curb cut will
22 be eliminated. The petitioner is also proposing
23 cross access between the subject property and the
24 6.17-acre lot to the west. Both of the parcels

1 are owned by the petitioner.

2 The two buildings remaining are 23-feet
3 tall, which do meet our requirements in the B-3
4 zoning district, and will be used for the repair
5 and detail shop.

6 The site plan shows a proposed sidewalk
7 along the southern property line that will
8 connect to the proposed sidewalk to the west and
9 currently will dead end to the east, which will
10 be the townhomes in Streamwood.

11 And the Village of Streamwood is asking
12 that the northern and eastern perimeter of the
13 subject site provide for landscaping buffering of
14 the development to help minimize the impact from
15 the existing residential development to the north
16 and east. Currently, a 10-foot tall
17 board-on-board fence exists on the north property
18 line and a 6-foot tall board-on-board fence and
19 4-foot tall chain-link fence cover a majority of
20 the east line. The petitioner is proposing to
21 install a 6-foot high board-on-board fence with
22 landscaping in the northeast corner of the
23 property to screen this area from the existing
24 residents, so the north and east will be

1 completely fenced in.

2 Staff does recommend approval of the
3 petitioner's request subject to the findings of
4 fact and conditions outlined in your report and
5 the petitioner is here if you have any questions.

6 MR. M. HOPKINS: Okay. Thank you very much.

7 Any of the commissioners have questions
8 for the staff?

9 MR. CONNOR: What would the access of the curb
10 cut be, both directions onto Lake Street?

11 MS. ZUBKO: They're going to be using that
12 eastern curb cut off of Lake Street, but then
13 they also have the cross access that will be to
14 that lot to the west as well.

15 MR. CONNOR: Okay. And you can exit that
16 property onto Lake Street either direction or
17 just west?

18 MS. ZUBKO: Yes, either direction. You can
19 drive over that curbed median or the short curbed
20 median.

21 MR. M. HOPKINS: Are there any other questions
22 for staff?

23 Okay. Does petitioner care to make a
24 presentation?

1 Anybody that's making a presentation, if
2 you would please stand and raise your right hand
3 then.

4 (Witness sworn.)

5 MR. BAZOS: Thank you, Plan Commissioners. My
6 name is Peter Bazos, B-a-z-o-s. I'm an attorney
7 in Elgin. I represent the petitioner. Here with
8 me is the petitioner's project manager, Michael
9 Anderson, and our engineer from Jacob & Hefner,
10 Mr. Matt Krammer.

11 I want to thank Angela and the staff in
12 general for all the help they've given us. We've
13 been working on this petition since last October
14 and Angela's description was very accurate. I
15 just want to make one clarification, if I may.

16 On the north side of the property, the
17 stockpile, if you could show that, Roberta, we
18 did request that that be allowed to remain
19 indefinitely and we have agreed to landscape it,
20 but also part of the petition is that at such
21 point as we can figure out a way to get rid of
22 that stockpile economically because there is a
23 lot of dirt, we have provided that there would be
24 a parking area underneath that for automobiles,

1 so it's a stockpile until it's not anymore and
2 then it would be a parking area.

3 The site -- we got a demolition permit
4 from the Village last year, and there used to be
5 four buildings on the site. Two southerly ones,
6 which were very unsightly, have been removed.
7 The property has been generally cleaned up.

8 If the Village will approve this petition,
9 I think what has been a bit of an eyesore in the
10 Village is going to become much more pleasing to
11 look at, and we certainly hope that the petition
12 is approved.

13 Angela did mention, by the way, part of
14 our discussions in the annexation agreement,
15 which is not I know before you, is that we will
16 be facilitating the extension of water from the
17 south side of Lake Street into the site, which is
18 otherwise surrounded by Streamwood. It's a very
19 expensive undertaking, but our client agreed to
20 do it; and then the Village of Bartlett and
21 Village of Streamwood are going to cause that
22 water line, that we would need which would be
23 only 8 inches, to be increased in size so there
24 is, I guess, an emergency interconnect of the

1 water system between the two villages. So our
2 bringing the 8 inch will allow them to increase
3 to 12 inch and both villages get something that
4 way too.

5 Beyond that I don't have anything else to
6 add. We're certainly willing to answer any
7 questions that you might have.

8 MR. ANDERSON: I just want to reiterate, we
9 have been working with public works in both
10 Streamwood and in Bartlett. We have gone out to
11 bid to three general contractors. The bids will
12 be coming in next -- by this time next week. You
13 heard there was a cost sharing on the
14 interconnect, so we will be able to have hard
15 bids, again, by this time next week that we can
16 present to both Bartlett and Streamwood, so
17 that's kind of the final link of what the cost
18 will be.

19 After that, upon approvals, we would like
20 to do this as quickly as possible. If possible,
21 to get it done this year. That's -- you know,
22 before the asphalt plants close in November.

23 MR. M. HOPKINS: Okay. Any questions for the
24 petitioners?

1 MR. RIDENOUR: I do. What exactly is a
2 stockpile?

3 MR. KRAMMER: As a result of the large
4 detention basin that we're required to construct,
5 we're going to have a lot of excess soil. So
6 soil is very expensive to haul off, so we're
7 going to pile it up in a manicured three-to-one
8 side slope, which is a mobile side slope. We're
9 going to heavily landscape it with the trees
10 shown up there and have a low maintenance, low
11 mow prairie grass growing on top of that
12 stockpile, so it's going to look very similar to
13 the plants that are adjacent -- along the top of
14 the banks of the adjacent detention pond to the
15 west -- to the -- the existing one up north.
16 Right there. So you're going to see some high
17 grasses on that stockpile until such time the
18 owner can eliminate the stockpile. (Indicating.)

19 MR. RIDENOUR: How tall is it now?

20 MR. KRAMMER: It's proposed to be about 20
21 feet above the existing grade. At its highest
22 point it will be about 20 feet above the existing
23 grade. In fact, it will provide a little bit
24 more screening from the residents in the interim.

1 MR. RIDENOUR: So that's your only use for
2 that northern lot at this point in time is just
3 the stockpile?

4 MR. KRAMMER: Yes, sir.

5 MR. RIDENOUR: The detention is on the southern
6 part of the southern lot?

7 MR. KRAMMER: Correct.

8 MR. RIDENOUR: Okay.

9 MR. M. HOPKINS: Any other questions?

10 I have two. One of them is for the civil
11 engineer, please.

12 How does this site work for emergency
13 access if the single entrance is blocked?

14 MR. KRAMMER: If the single entrance is
15 blocked, they can access the site via the
16 Streamwood parcel, which is shown immediately to
17 the west. Right now it's a gravel lot, but as
18 part of this project, there will be a sister
19 project that will actually be constructed at
20 once, but there will be another access off of
21 Lake Street on that access. If that entrance is
22 blocked, there is always the entrance off of
23 Elizabeth Street that the current paved Elgin
24 Toyota lot has and all three of those lots will

1 interconnect.

2 MR. M. HOPKINS: Thank you. And then the
3 second question is this, could you go around the
4 site plan and indicate where one kind of fence
5 starts and the next one stops, and could you
6 mention what condition the fences are in, the
7 existing ones that are to remain?

8 MR. KRAMMER: So from the southern limits, up
9 to about this location, you can see it outlined
10 in this angled fashion. That is a 6-foot high
11 board-on-board fence. That portion of the fence
12 is in pretty poor condition. It's the property
13 of the Streamwood townhomes here. About half a
14 dozen or so panels have fallen. (Indicating.)

15 From this point to this point is the
16 Streamwood water tower site. This property is
17 owned by the Village of Streamwood. This is a
18 4-foot high chain-link fence. This chain-link
19 fence is in pristine condition. (Indicating.)

20 From here to the north, you can see the
21 terminis of this fence here. From here to here
22 there is no fence currently existing. Proposed
23 is a 6-foot high board-on-board fence from here
24 to here, and then from this point all the way to

1 the west is a 10-foot high board-on-board fence
2 that appears to be in good condition.

3 (Indicating.)

4 MR. M. HOPKINS: Thank you very much. So the
5 fences that that are in bad condition belong to
6 the other properties; is that right?

7 MR. KRAMMER: Correct.

8 MR. M. HOPKINS: All right. Are there any
9 other questions for the petitioner?

10 MS. ZUBKO: I was going to state I did notify
11 the Village of Streamwood of the poor condition
12 of the fence and they are aware of it.

13 MR. M. HOPKINS: All right. Are there any
14 people in the public that are in the audience
15 that are here to comment on this issue?

16 All right. Have you filled in the form?
17 Okay. There is a form in the back. I'm going to
18 ask you to fill that out, but go ahead and ask
19 the question, but before you leave, please turn
20 that in.

21 MR. MARCUS: I would like to ask the engineer.

22 MR. M. HOPKINS: State your name and address,
23 please.

24 MR. MARCUS: My name is Dave Marcus, and I

1 would like to ask the engineer is there any
2 chance of flooding with the construction work to
3 the townhomes to the north? What is your
4 estimation of the risk of flooding?

5 MR. KRAMMER: The elevation of the townhomes
6 to the north is quite a bit higher than the south
7 side of the property, so there is virtually no
8 chance of flooding as a result of this
9 development to the properties to the north.

10 MR. MARCUS: All right. Thank you.

11 MR. M. HOPKINS: Are there any more? None?
12 Then we'll close the public hearing.

13 Are there any comments or questions from
14 the petitioner?

15 MR. RIDENOUR: I just have one other question.
16 The western lot, which is in Streamwood, is this
17 part of your project also?

18 MR. BAZOS: It is the same owner,
19 Mr. Commissioner, and so he does own -- the entity
20 owns the Bartlett piece and the two pieces to the
21 west leading up to Elizabeth Street. It will be
22 developed at the same time as the parcel
23 immediately west will be finished. We've been
24 waiting to get this piece done with you because

1 of the common detention pond, so I guess it is
2 part of the same project. It is, I guess,
3 generally part of the same project. It doesn't
4 mean, though, that the two lots will always be
5 used the same way concurrently. We have to meet
6 your zoning ordinance. The Streamwood piece has
7 to meet its. Currently, the intended uses are
8 consistent.

9 MR. RIDENOUR: The use is not motor home sales
10 and repair?

11 MR. BAZOS: It's not motor home sales, right.

12 MR. M. HOPKINS: Okay. No more. I'm going to
13 ask the commissioners since there is three
14 requests here if it will be sufficient for us to
15 do that under one motion or do we need to break
16 that up?

17 MR. RIDENOUR: One is okay with me.

18 COMMISSIONER LEMBERG: One motion is fine, so
19 we're looking for a motion for the rezoning of
20 the north lot, the special uses for the motor
21 homes, the detail shop, storage of vehicles, and
22 the site plan review. Do I hear a motion?

23 MR. MIASO: So moved.

24 MS. NEGELE: Second.

1 MR. M. HOPKINS: Please call the roll.

2 MS. GRILL: Tim Ridenour.

3 MR. RIDENOUR: Yes.

4 MS. GRILL: John Miaso.

5 MR. MIASO: Yes.

6 MS. GRILL: Diane Negele.

7 MS. NEGELE: Yes.

8 MS. GRILL: Jack Allen.

9 MR. ALLEN: Yes.

10 MS. GRILL: Tom Connor.

11 MR. CONNOR: Yes.

12 MS. GRILL: Mark Hopkins.

13 MR. M. HOPKINS: Yes.

14 MR. BAZOS: Thank you very much.

15 MR. M. HOPKINS: We look forward to it.

16 COMMISSION LEMBERG: Next item on the agenda

17 is old business, new business.

18 MR. PLONCZYNSKI: Other than old business, you

19 all signed the card for Jerry and you know Jerry

20 is recovering and so we all wished him well and

21 thank you for signing the card.

22 We probably will have a meeting in August,

23 so that's the new business; and I think we have

24 two items on the agenda, so that's coming up

1 August 11th; and I think that's it. Yes, that's
2 it. Thank you.

3 COMMISSION LEMBERG: Anyone on the commission
4 have any questions, answers, bring up anything
5 else?

6 MR. RIDENOUR: No.

7 COMMISSIONER LEMBERG: Okay. Next will be do
8 I hear a motion to adjourn?

9 MR. CONNOR: So moved.

10 MR. MIASO: Second.

11 COMMISSION LEMBERG: All in favor.

12 (A chorus of ayes.)

13 (Proceedings concluded at
14 7:30 p.m.)

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1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF DU PAGE)
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5 I, LYNN M. EVANS, CSR, No. 084-003473, a
6 Notary Public in and for the County of DuPage,
7 State of Illinois, do hereby certify that LYNN M.
8 EVANS, C.S.R., reported in shorthand the
9 proceedings had and the testimony taken at the
10 public hearing of the above-entitled cause, and
11 that foregoing transcript is a true, correct, and
12 complete report of the entire testimony so taken
13 at the time and place hereinabove set forth.

14
15 
16 _____
17 LYNN M. EVANS
18

19 My Commission Expires:
20 May 20, 2017
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22
23
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