

VILLAGE OF BARTLETT ZONING BOARD OF APPEALS AGENDA

BARTLETT MUNICIPAL CENTER 228 MAIN STREET September 7, 2017

7:00 P.M.

- I. Roll Call
- II. Approval of the August 3, 2017 meeting minutes
- III. (#17-05) Balance Chiropractic

Variations:

- a) a 30 foot reduction from the required 50 foot front yard building setback,
- b) an 18 foot reduction from the required 50 foot front yard parking setback,
- c) a 10 foot reduction from the required 20 foot side yard (southern property line) building and parking setback,
- d) a 10 foot reduction from the required 20 foot side yard (northern property line) parking setback, and
- e) a 25 foot reduction from the required 30 foot rear yard parking setback

PUBLIC HEARING

IV. (#17-21) 1180 Lexington Drive

Variation:

To allow a six (6) foot high fence where a four (4) foot high fence is permitted in the corner side yard

PUBLIC HEARING

V. (#17-11) Rana Meal Solutions Plant 2

Variations:

- a) To allow an eight (8) foot high fence where a four (4) foot high fence is permitted in the front and corner side yards; and
- b) To reduce the number of required parking spaces (from 403 to 393)

PUBLIC HEARING

VI. (#17-17) 802 E. Devon Avenue Addition

Variation:

To reduce the number of required parking spaces (from 140 to 95)

PUBLIC HEARING

VII. (#17-16) Home Depot Outlot 2

Variations:

- a) To reduce the required parking spaces for Lot 1 of the Home Depot Resubdivision from 450 to 399 spaces,
- b) A 14'-6" reduction in the required 30 foot side yard building setback along the southern property line,
- c) A 30 foot reduction from the required 30 foot side yard parking setback along the southeastern property line, and
- d) A 9'-4" reduction in the required 40 foot rear yard building setback along the western property line.

PUBLIC HEARING

VIII. (#17-20) Zoning Ordinance Updates

Chapter 5 - OR Office/Research District and

Chapter 3 - Accessory Uses, Building and Structures

PUBLIC HEARING

IX. (#17-10) Zoning Ordinance Updates

Chapter 13 – Administration & Enforcement (Partial)

Chapter 9 - Planned Unit Development (Partial), and

Chapter 2 – Rules & Definitions (Partial)

Text Amendment

PUBLIC HEARING

- X. Old Business/New Business
- XI. Adjournment

Village of Bartlett Zoning Board of Appeals Minutes

August 3, 2017

M. Werden called the meeting to order at 7:02 pm.

Roll Call

Present: M. Werden, G. Koziol, B. Bucaro, L. Hanson, J. Rasmussen

Absent: J. Banno

Also Present: J. Plonczynski, CD Director, R. Grill, Assistant CD Director

Approval of Minutes

A motion was made to approve the minutes of the July 6, 2017 meeting.

Motioned by: G. Koziol Seconded by: B. Bucaro

Roll Call

Ayes: M. Werden, G. Koziol, B. Bucaro, L. Hanson and J. Rasmussen

Nays: None

The motion carried.

Case # 17-19 Bartlett High School Stadium Improvements 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 - Forest Preserve District Letter

William Templin was sworn in by M. Werden.

Petitioner **W. Templin** stated the School District as well as Bartlett High School has been working on this project off and on for the past 10 years. The project is broken into four phases.

Phase One - Is the home bleachers, detention basin, press box and stadium lighting.

Phase Two A - Concession building with surrounding hard surfaces.

Phase Two B - Pathway to the visitor's bleachers.

Phase Three - Addition to an existing metal building for teams to meet during half time.

Phase Four - Artificial turf on the football field.

W. Templin stated this is in order of preference. Phase One will be going to bid in the next month or two. A rendering of the concession building and the gateway into the stadium area were shown on the overhead projector. W. Templin stated initially the plans were to move the entire football field back 30 feet to allow for the visitors bleachers. Moving the football field and track would cost \$1,000,000 to \$1,500,000. By getting a variance for the side yard setback they can get the bleachers in without moving the field and track. M. Werden asked if there were many calls or comments regarding this project. R. Grill answered none. M. Werden stated in the letter from the Forest Preserve District that they were concerned with the impermeable surfaces and possibly water runoff. R. Grill stated later in the letter it states this would have very little impact on their property. M. Werden asked if there was any other discussion on this proposal. **B. Bucaro** questioned if water run off at the detention basin was for all phases. **W. Templin** stated yes this was for all phases including the artificial turf. M. Werden stated the drawings looked very impressive and asked how long the improvements would last, such as future expansion of the school, such as, would things need to be redone in the next 10 years. W. Templin stated no. G. Koziol stated he thinks this an exciting project for Bartlett High School and the whole community, it's been a long time coming. The students deserve their own stadium. G. **Koziol** questioned the press box and the lights being labeled as optional, if funds are available. W. Templin stated the lights will be added in the first phase, which are a priority over the press box, if the funds are available. G. Koziol asked if both items could be added at a later date if necessary. W. Templin stated yes, the foundation will be put in for the press box and all they would have to add would be the columns and platform. All of the underground work will be done. G. Koziol stated he would like to see the lights up in the first phase. M. Werden stated it was a very impressive design. R. Grill pointed out the area on the east property line for the variance that is to be voted on. The Petitioner is requesting a reduction in the 25 foot side yard setback to 10 feet. M. Werden asked if

there were any other questions from the Board. **L. Hanson** asked since the stadium is so close to the forest preserve, who would be responsible for the trash if it were to spill onto the forest preserve property. **W. Templin** stated after each game it would the responsibility of the district to clean up the area including the other side of the 6 foot fence. **M. Werden** asked if there were any other questions from the Board. There was no response.

PUBLIC HEARING

Valerie Salmons who resides at 1179 Litchfield Lane stated she was delighted to see this project going forward. There has been extensive site analysis and they also met with South Elgin, being they just did a similar project. V. Salmons stated they had great insight and ideas. This stadium will generate a sense of community. This facility will not just be for football but for soccer and Lacrosse. There has been tremendous positive response from the community. Fundraisers have raised almost a million dollars, which is not enough to finish the project but a great start. M. Werden asked if there were any other members of the audience that would like to speak. No one came forward.

- M. Werden also asked if there were any other questions from the board, or any motions.
- G. Koziol made a motion to pass along a positive recommendation to the Village Board.
- **M. Werden** stated there is a motion by **G. Koziol** to pass a positive recommendation for the reduction from 25 feet to 10 feet on the side yard.

Motioned: G. Koziol Seconded: L. Hanson

M. Werden closed the Public Hearing portion of the meeting.

Roll Call

Ayes: M. Werden, G. Koziol, B. Bucaro, J. Rasmussen, L. Hanson

Nays: None

The motion carried.

Old Business/ New Business

- **R. Grill** welcomed the newest member of the Zoning Board of Appeals, Jennifer Rasmussen.
- R. Grill stated there will be a very large agenda next month.
- M. Werden asked if there was a motion to adjourn.

Motioned by: G. Koziol Seconded by: B. Bucaro

Motion Carried

The meeting was adjourned at 7:17 P.M.

COMMUNITY DEVELOPMENT MEMORANDUM 17-172

DATE:

August 30, 2017

TO:

The Chairman and Members of the Zoning Board of Appeals

FROM:

Angela L Zubko, Community Development Planner

RE:

(#17-05) Balance Family Chiropractic

PETITIONER

Julie Salyers, J & B Builders, Inc. on behalf of Balance Family Chiropractic

SUBJECT SITE

366-368 S. Main Street, about 0.1 mile north of Devon Avenue on the west side of Main Street

REQUESTS

Variations:

- a) a 30 foot reduction from the required 50 foot front yard building setback,
- b) an 18 foot reduction from the required 50 foot front yard parking setback,
- c) a 10 foot reduction from the required 20 foot side yard (southern property line) building and parking setback,
- d) a 10 foot reduction from the required 20 foot side yard (northern property line) parking setback, and
- e) a 25 foot reduction from the required 30 foot rear yard parking setback

EXISTING AND PROPOSED CONDITIONS

| | <u>Land Use</u> | Comprehensive Plan | <u>Zoning</u> |
|--------------|-----------------|----------------------------|---------------|
| Subject Site | Commercial | Commercial | B-3 |
| North | Commercial | Commercial | B-3 |
| South | Commercial | Commercial | B-3 |
| East | Commercial | Commercial | B-3 |
| West | Residential | Village Center Residential | SR-3 |

ZONING HISTORY

1. The existing building was built around 1987, (sometimes referred to as the Bormann building) and has had many uses over the years, including an animal hospital, advertising agency and tutoring center.

DISCUSSION

- 1. The Petitioner is requesting a Site Plan Review to demolish the existing two-story building located at 366-368 S. Main Street to construct a new 6,152 square foot building consisting of a chiropractic office (4,285 sq. feet) on the first floor and two residential apartments (1,867 sq. feet) on both the first and second floors toward the back of the building. (The Site Plan Review will be discussed by the Plan Commission at their meeting on September 14, 2017)
- 2. The proposed building will have a prairie style look and be constructed of materials similar to neighboring residential properties with HardiPlank siding and a stone veneer along the bottom of the building. The height of the building would be 26'-2" at the corners of the building with a median height of 23'-5", meeting the Zoning Code.
- 3. The Petitioner is also requesting the following **Variations**:
 - a) a 30 foot reduction from the required 50 foot front yard building setback.
 - b) an 18 foot reduction from the required 50 foot front yard parking setback,
 - c) a 10 foot reduction from the required 20 foot side yard (southern property line) building and parking setback,
 - d) a 10 foot reduction from the required 20 foot side yard (northern property line) parking setback, and
 - e) a 25 foot reduction from the required 30 foot rear yard parking setback

(Staff was unable to locate any previous variation requests for the existing site.)

- 4. Currently the property has a curb cut in the middle of the site along Main Street and one shared access drive along the north property line. There is a recorded cross-access easement agreement shared between this property and the property to the north. The petitioner proposes to eliminate the curb cut in the middle of the site along Main Street and utilize the curb cut to the north for all traffic. Eliminating curb cuts along Main Street is also a recommendation from the Downtown Transit Oriented Development (TOD) Plan.
- 5. The Petitioner has shown a cross-access easement on the west side (rear) of

the lot to connect the parking lot to the property to the south when/if it develops.

- 6. The Petitioner proposes to have 25 parking stalls including 1 handicapped parking stall. This exceeds the parking requirement of 23 parking stalls.
- 7. The Petitioner also proposed to install a bike rack which is a recommendation from the Downtown TOD Plan.
- 8. The Petitioner proposes to add a trash enclosure west of the building in the existing parking lot. The previous owners/tenants shared the trash enclosure located on the Main Street Plaza shopping center lot directly to the north of the proposed trash enclosure.
- 9. The Downtown TOD Plan included planning strategies for the revitalization of older properties in the Downtown that would enhance the visual appeal along the Main Street Corridor. This project accomplishes that objective not only with the updated architecture of the building but also by bringing the building closer to the street frontage, locating a majority of the parking to the rear of the building, adding a bike rack and eliminating a curb cub.
- 10. The Petitioner has been operating out of a tenant space at Westgate Commons since 2006. If approved, the petitioner will be relocating to this new building.
- 11. Engineering and Landscape plans are currently being reviewed by the Staff.

RECOMMENDATION

According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals 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 variations are 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 variations are 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

CD Memo 17-172 August 30, 2017 Page 4

has not been created by any person presently having an interest in the property.

- E. That the granting of the variations 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 variations 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 variances 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.

Variations shall be recommended only if the evidence, in the judgment of the Board of Appeals, sustains all the conditions enumerated above.

Background information is attached for your review and consideration.

alz/attachments

X:\Comdev\mem2017\172_Balance Family Chiropractic_zba.doc



2000 W. Main Street, Unit H St. Charles, IL 60174 630.587.9900 630.587.8566 fax www. jbbuilders.com

March 27, 2017

TO: Mr. Kevin Wallace, Village of Bartlett President

Ms. T.L. Arends, Village of Bartlett Trustee

Mr. Michael E. Camerer, Village of Bartlett Trustee Mr. Vince Carbonaro, Village of Bartlett Trustee Mr. Raymond H. Deyne, Village of Bartlett Trustee

Mr. Adam J. Hopkins, Village of Bartlett Trustee

Mr. Aaron H. Reinke, Village of Bartlett Trustee

RE: 366 – 368 S. Main Street

Bartlett, IL

Dear Mr. Wallace and Village Trustees:

This letter is in reference to the proposed redevelopment of the property located at 366 - 368 S. Main Street.

The existing property is located on S. Main Street approximately 0.1 miles north of Devon Avenue. The current property is zoned B-3, Neighborhood Shopping District. An existing two story commercial brick building currently is located on the property.

We are proposing to redevelop the property including the demolition of the existing building and the construction of a new building for Balance Family Chiropractic. The new building would contain office space as well as two residential, one bedroom apartments. Balance Family Chiropractic has been in Bartlett since 2006 and will relocate to the new space.

Sincerely,

J&B BUILDERS, INC.

Julie R. Salyers, P.E.

President



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

Revised (p. 1)

PROJECT NAME Balance Family Chiropractic

For Office Use Only 17-05 Case #

RECEIVED COMMUNITY DEVELOPMENT

FEB 1 6 2017

| PETITIONER INFORMATION (PRIMARY CONTACT | D BARTLETT |
|---|--|
| Name: Julie Salyers, J&B Builders, Inc. | ti di |
| Street Address: 2000 West Main Street, Unit H | |
| City, State: St. Charles, IL | Zip Code: _60174 |
| Email Address: julie@jbbuilders.com | Phone Number: _630-587-9900 |
| Preferred Method to be contacted: Email | |
| PROPERTY OWNER INFORMATION | |
| Name: Dr. Robin Ackerman | |
| Street Address: 776 W. Bartlett Road | |
| City, State: Bartlett, IL | Zip Code: 60103 |
| Phone Number: 630-837-3707 | |
| OWNER'S SIGNATURE: (OWNER'S SIGNATURE IS REQUIRED or A LETT SUBMITTAL.) | Date: TER AUTHORIZING THE PETITION |
| ACTION REQUESTED (Please check all that apply) | |
| | ropdown to See Dropdown ding & Parking Set Backs I, square footage): |
| Unified Business Center Sign Plan Other (please describe) | |

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 | s/General Location of | Property: 366-368 Main | Street / S. Main St | & E. Devon Ave |
|---------------------------------|---------------------------------------|-------------------------------|---------------------|----------------|
| Property Index N | umber ("Tax PIN"/"P | Parcel ID"): 06-34-414-0 | 70-0000 | |
| Zoning: Existing | g: B-3 (Refer to Official Zoning I | | ing: _ Commercial | = |
| Propose | ed: B-3 | Prop | osed: Commercial | |
| | | is Property: Commercia | uture Land Use Map) | |
| Acreage: 0.47 | acres | | | |
| For PUD's and Su No. of Lots | abdivisions: // Units: | | | |
| Minimum l | Lot: Area | Width | Depth | |
| Average Lo | ot: Area | Width | Depth | |
| Attorney | <u>EXPERTS</u> (If applicable, | including name, address, phor | ne and email) | |
| Engineer | Silver Edge Consu | | | |
| | Geneva, IL 60134 | | | |
| Other | 222 Architects | | | |
| | 222 South Morgan | Street, Suite 4B | | |
| | Chicago, IL 606 | 07 | | |

FINDINGS OF FACT (Standards)

The Village of Bartlett Zoning Ordinance requires that certain findings of fact, or standards, must be met before a special use permit, variation, site plan or planned unit development may be granted. Each application for a hearing before the Plan Commission or Zoning Board of Appeals for a special use, variation, site plan or planned unit development must address the required findings of fact for each particular request. The petitioner should be aware that he or she must present specific testimony at the hearing with regards to the findings. (On the following pages are the findings of fact, or standards, to be met. Please respond to each standard, in writing, as it relates to the case.)

PLEASE FILL OUT THE FOLLOWING FINDINGS OF FACT AS THEY RELATE TO YOUR PETITION

Findings of Fact for **Site Plans**: Pages 4-5

Findings of Fact for Planned Unit Developments: Pages 6-9

Findings of Fact for **Special Uses:** Page 10 Findings of Fact for **Variations:** Pages 11-12

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 commercial office space and two residential apartments are a permitted use in a Commercial district.

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

The proposed building arrangement, off-street parking, access and drainage is compatible with other commercial buildings in particular the CVS Pharmacy. Lighting and landscaping will be compatible with the CVS Pharmacy.

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.

The proposed access location was located based on the current Easement Agreement (Doc 061315132) with the adjacent property Owner. The location will provide efficient and convenient movement of traffic for the site.

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

The site plan includes sidewalks to provide safe movement of pedestrians from the parking lot areas to the building.

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 proposed landscaping will provide a mixture of grass and various shrub varieties as well as a magnitude of perennial plants to provide an overall pleasing landscape with various colors and textures that is in compliance with the Landscape Requirements.

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

The proposed site includes a dumpster location that will be designed in accordance with the standards specified in the ordinance and will be screened with walls and enclosure gates that will utilize similar materials and colors as the proposed building.

FINDINGS OF FACT FOR VARIATIONS

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 existing building layout is not cohesive to the intended use of the Owner. The overall shape and limited size of the building envelope with the properties current setbacks, do not allow for an adequate footprint (for building and parking) that is needed to make redevelopment feasible.

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 variations requested for this vacant downtown property would be necessary to make it feasible to develop the property. The redevelopment would be in accordance with the development strategies outlined in the recently adopted "Downtown TOD Plan":

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

Without the variation, redevelopment of the property is not possible for the Owners intended use. The redeveloped site and building would be more in line with the "Downtown TOD Plan":

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 Owner has not created the difficulties associated with this property. The difficulties and hardships are similar to many of the other properties in the downtown area.

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.

Variations will allow redevelopment, which will enhance public welfare, adjacent property Owners and the neighborhood.

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.

Adjacent properties will not be negatively affected and should be allowed similar setbacks to enhance their redevelopment potential. Congestions and/or public safety will not be negatively affected.

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.

The requested variances will not provide any special privileges. Adjacent properties should enjoy similar setbacks, which will encourage redevelopment and is in line with the "Downtown TOD Plan".

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.

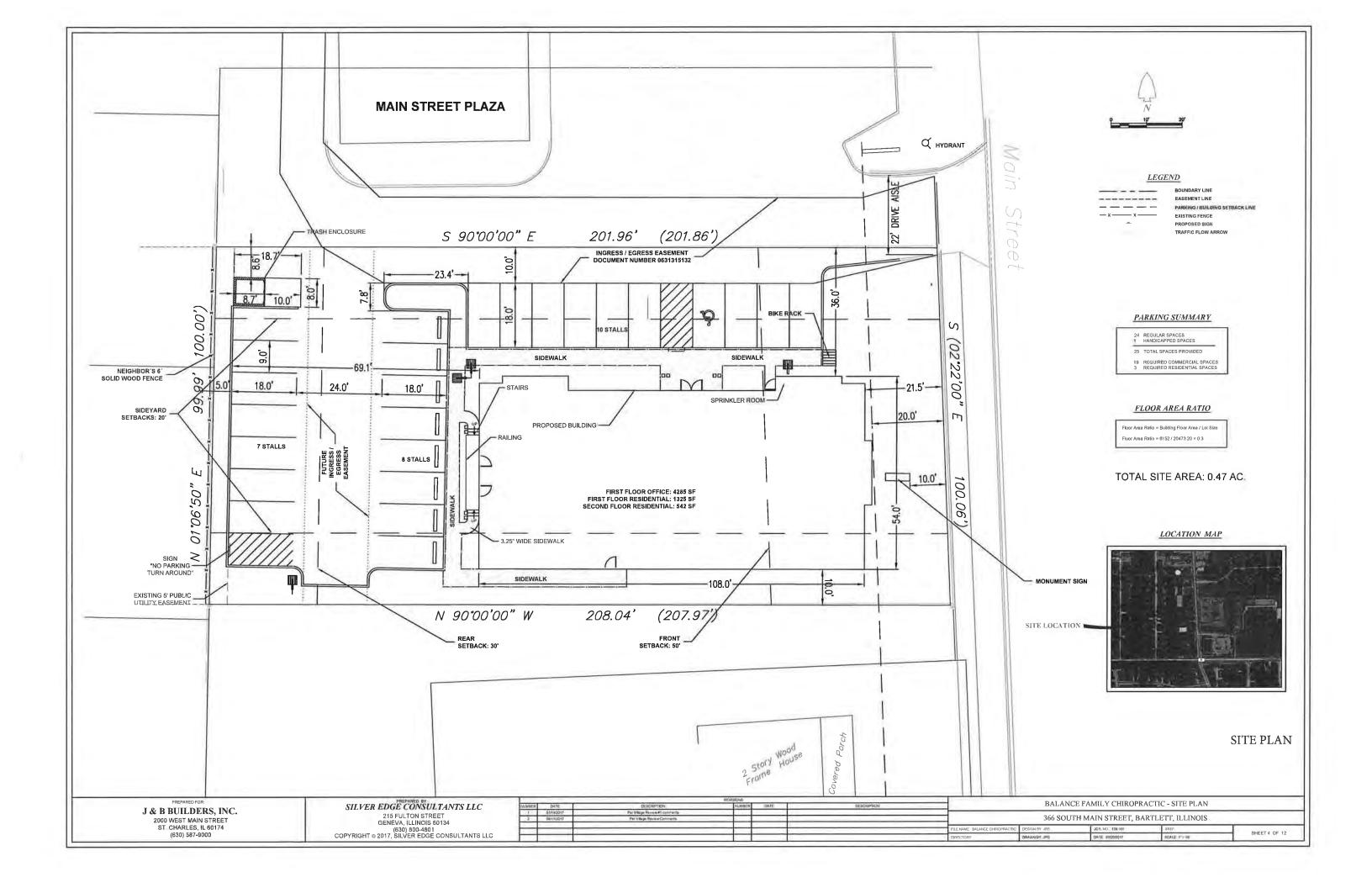
| Any late, incomplete or non-conforming application submittal will not be processed until Al |
|--|
| materials and fees have been submitted. |
| SIGNATURE OF PETITIONER: Alt your |
| PRINT NAME: Julio Salyers |
| DATE:2/15/17 |
| REIMBURSEMENT OF CONSULTANT FEES AGREEMENT |
| The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett fall necessary and reasonable expenses incurred by the Village for review and processing of tapplication. Further, the undersigned acknowledges that he/she understands that these expense will be billed on an ongoing basis as they are incurred and will be due within thirty days. A 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 advertisities, and recording fees. Please complete the information below and sign. |
| NAME OF PERSON TO BE BILLED:J&B Builders, Inc |
| ADDRESS: 2000 W. Main Street, Unit H |
| St. Charles, IL 60174 |
| PHONE NUMBER:630-587-9900 |
| EMAIL: julie@jbbuilders.com |
| SIGNATURE: |
| DATE: 2/5/17 |

ZONING/LOCATION MAP

Balance Family Chiropractic Case #17-05

Site Plan Review & Variations











366 MAIN STREET BARTLETT, IL 60103

2017-03-23 DATE:

DRAWN BY: MW CHECKED BY: TJS DATE: 2017-02-07 PROJ NO: 16041





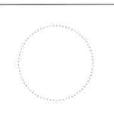






Balance Family Chiropractic

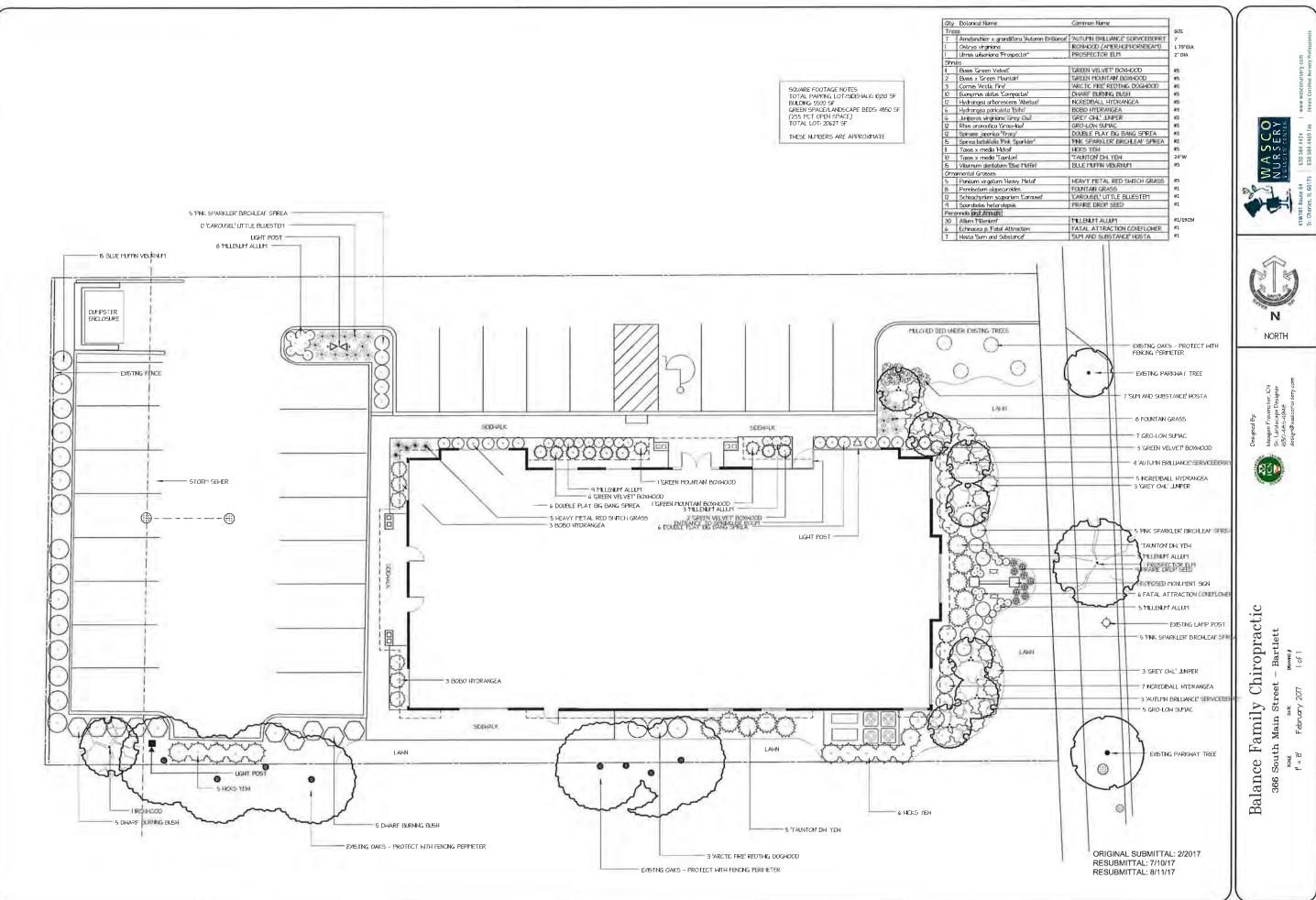
366 MAIN STREET BARTLETT, IL 60103



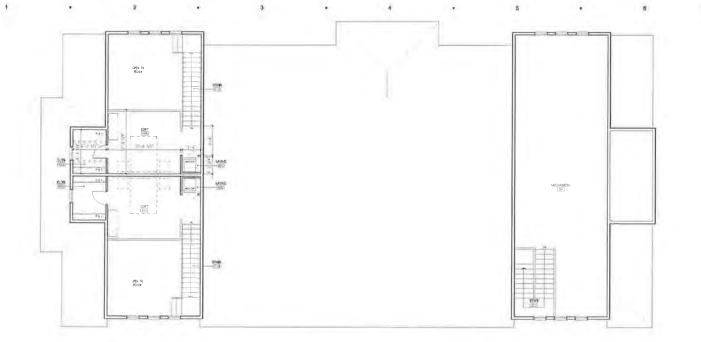
3D MODEL VIEWS

DRAWN BY: MW CHECKED BY: TJS
DATE: 2017-02-07 PROJ. NO: 16041

A-3



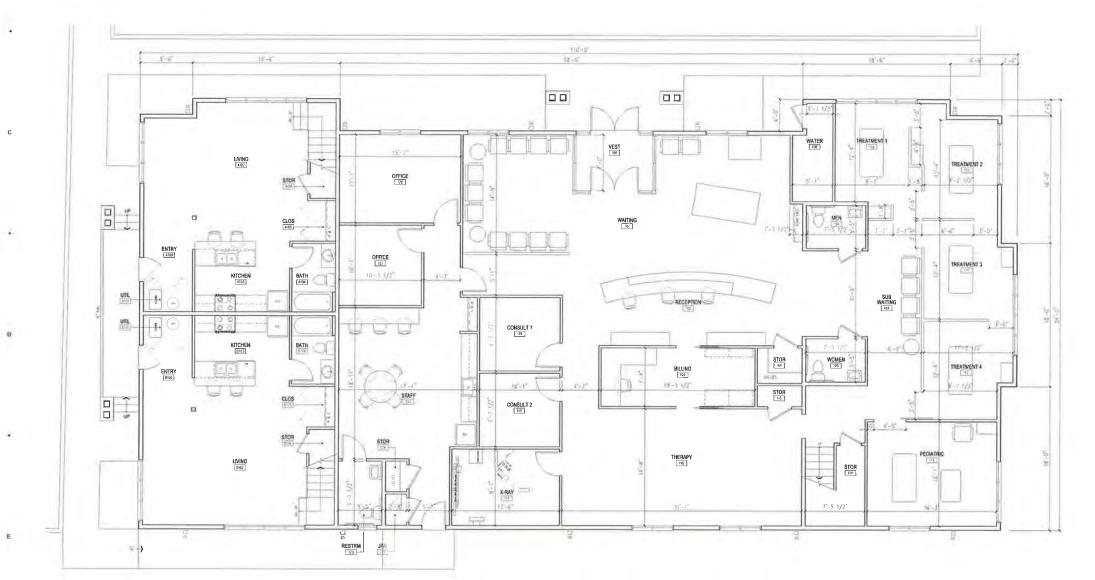
LANDSCAPE PLAN



BUILDING AREA
FIRST FLOOR OFFICE: 4285 sf
FIRST FLOOR RESIDENTIAL: 1325 sf

LOFT LEVEL RESIDENTIAL: 542 sf

TOTAL AREA: 6152 sf







366 MAIN STREET BARTLETT, IL 60103

Balance Family Chiropractic

| REV2 | 201 |
|-------------|-----|
| REV 1 | 201 |
| ISSUED FOR: | DA |

FLOOR PLANS

DRAWN BY: MW CHECKED BY: TJS
DATE: 2017-02-07 PROJ. NO: 16041

A-1

COMMUNITY DEVELOPMENT MEMORANDUM 17-167

DATE: August 30, 2017

TO: The Chairman and Members of the Zoning Board of Appeals

FROM: Angela L Zubko, Community Development Planner

RE: **(#17-21) 1180 Lexington Drive**

PETITIONER

Shahbaz Hashmi

SUBJECT SITE

1180 Lexington Drive, Kenroy's Apple Orchard Subdivision No. 6, Unit 1

REQUEST

Variation – 6 foot high fence where a 4 foot high fence is permitted.

DISCUSSION

- 1. The subject property is zoned SR-4 (Suburban Residence- Single Family). This property is considered a triple frontage lot with three property lines abutting a right-of-way: Lexington Drive to the east, Struckman Boulevard to the north and IL Route 59 to the west. Route 59 and Lexington Drive are considered front yards.
- 2. The Petitioner is requesting a 2' variation to allow a 6 foot high solid vinyl fence in a corner side yard (north property line- Struckman Blvd.) and rear/front yard (west property line- Route 59).
- 3. The fence would be located 15'-9" south of the north property line along Struckman Blvd. to avoid a 15 foot wide storm sewer easement as requested by Staff and to avoid a large tree located within the corner side yard (see attached photos).
- 4. The Petitioner has stated the landscaping along Struckman will remain in place.
- 5. Currently an IDOT sound wall is located along a majority of the right-of-way adjacent to the rear property line and the Petitioner would like to fence in the remaining portion of open area along Route 59 to block noise (see attached photos).

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- 6. If the variation were approved, a building permit could be issued for the proposed fence.
- 7. Attached for reference is a map showing other existing fences along Struckman Boulevard.

RECOMMENDATION

According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals 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 Board of Appeals, sustains all the conditions enumerated above.

Background information is attached for your review.

Dear President Wallace and Board of Trustees,

My name is Shahbaz Hashmi and my wife Mehreen Hashmi are the owners of 1180 Lexington Drive. My family and I are requesting a variation from the Village of Bartlett in regards to **9-16-2: HEIGHT LIMITATIONS**. We are asking to be able to extend the distance off the house by 9ft to put up a 6ft privacy fence. The current regulation for corner houses would allow us to do 6ft from the end of the home straight back or 4ft all the way around the property line. We are requesting the variation because our backyard faces Route 59, and the sound wall doesn't go passed our home. We are also seeking the ability to with such a busy street behind 6ft would better secure our yard, damper street noise, and give or home privacy.

Regards,

Shahbaz Hashmi



VILLAGE OF BARTLETT **VARIATION APPLICATION**

PETITIONER INFORMATION (PRIMARY CONTACT)

For Office Use Only Case # 17-21

RECEIVED COMMUNITY DEVELOPMENT

AUG 08 2017

VILLAGE OF

| Name: Shahbaz Hashmi | BARTLETT |
|---|--|
| Street Address:1180 Lexington Drive | |
| City, State: Bartlett, IL | Zip Code: 60103 |
| Email Address: hashmi16@gmail.com | Phone Number: 847-630-3804 |
| Preferred Method to be contacted See Dropdown | |
| PROPERTY OWNER INFORMATION | |
| Name: Shahbaz & Mehreen Hashmi | |
| Street Address: 1180 Lexington Drive | |
| City, State: Bartlett, IL | Zip Code: 60103 |
| Phone Number:847-630-3804 | |
| OWNER'S SIGNATURE: | Date: 08/07/2017 |
| (OWNER'S SIGNATURE IS REQUIRED OF A LETTER A | UTHORIZING THE PETITION SUBMITTAL.) |
| DESCRIPTION OF VARIATION REQUEST (i.e. setba | ack, fence height) including SIZE OF REQUEST |
| (i.e. 5ft., 10 ft.) | |
| Requesting to get a variance for a 6ft fence extend | ed 9ft from our home to the sewer easment |
| PROPERTY INFORMATION Common Address/General Location of Property: 1180 | |
| Property Index Number ("Tax PIN"/"Parcel ID"): 016 Acreage: 0.26 | 0940701 |
| Zoning: See Dropdown (Refer to Official Zon | ning Map) |
| APPLICANT'S EXPERTS (If applicable, including nam | ne, address, phone and email) |
| Attorney | / |
| Surveyor | |
| Other | |

FINDINGS OF FACT FOR VARIATIONS

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.

Our house sits at the corner of route 59 and Struckman Blvd with our back yard currently exposed. There is a sound wall, but it doesn't extend to the end of the property line. The current regulation 9-16-2 allows for us as the owners to put a 4ft fence to the edge of the property line, but being on such a busy corner it will not provide any privacy or damper sound. We are requesting to have a 6ft privacy extended 9ft off the end of the home to the sewer easement line. This will still leave about 15.5ft of side yard, but allow us to keep our privacy and keep part our yard size.

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 variation we are requesting is unique to our home |
|---|
| |
| |
| |
| |

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

This variation is to help provide us with a secure and private backyard, without losing close to 25ft of yard, and also allows us to keep as much yard fenced in as possible. Also the fence will provide the ability to help damper street noise from route 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.

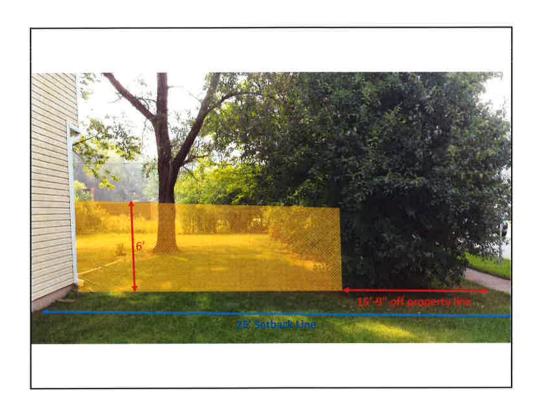
| SIGNATURE OF PETITIONER: |
|---|
| IGNATURE OF PETITIONER: |
| PRINT NAME: Shahbaz Hashmi |
| DATE: 08/07/2017 |
| REIMBURSEMENT OF CONSULTANT FEES AGREEMENT |
| The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred 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 eviews 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: |
| ADDRESS: |
| PHONE NUMBER: |
| EMAIL: |
| SIGNATURE: |

Variation Application Page 4

ZONING/LOCATION MAP

1180 Lexington Dr. Case #17-21 Variation for Fence

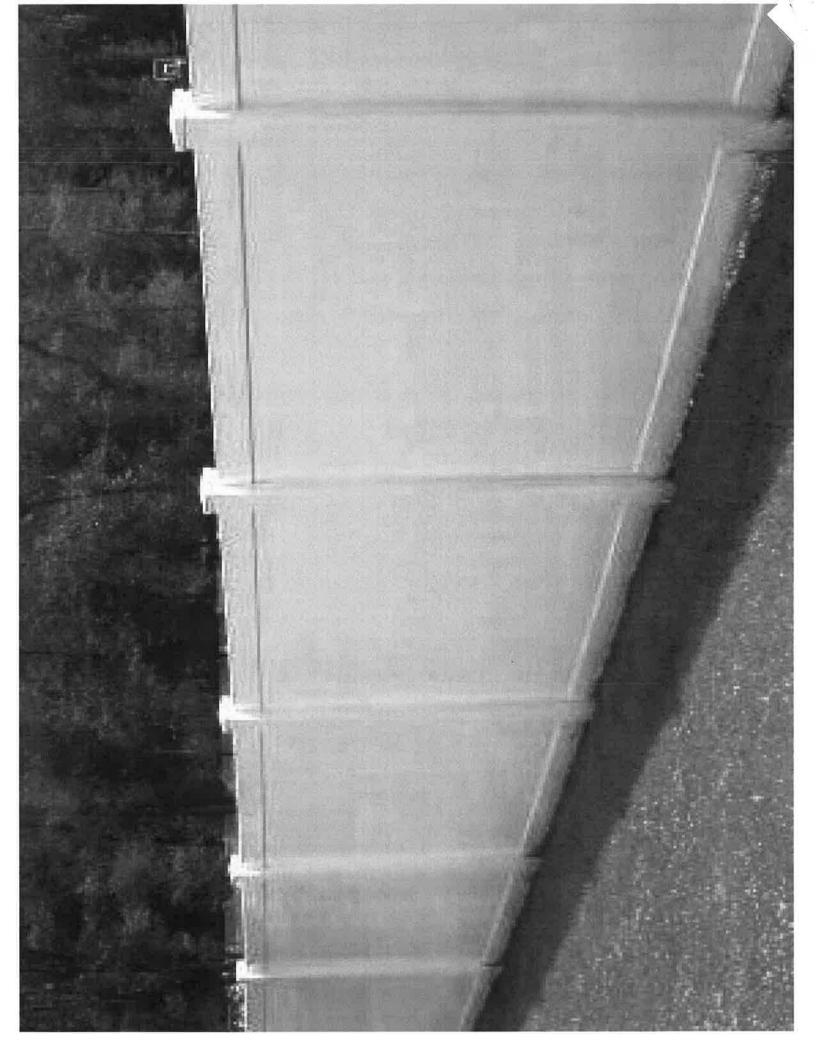














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PROPERTY ADDRESS: 1180 LEXINGTON DRIVE BARTLETT, ILLINOIS 60103

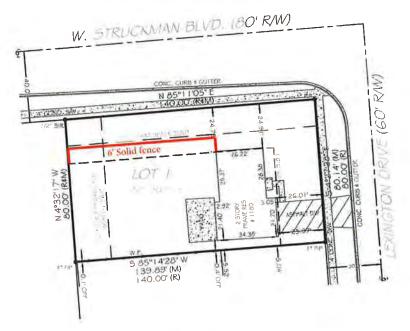
SURVEY NUMBER: 1706.2082

FIELD WORK DATE: 7/8/2017

REVISION DATE(S): (REV 0 7/11/2017)

17062082 BOUNDARY SURVEY DUPAGE COUNTY

LOT I IN XENROYS APPLE ORCHARD SUBDIVISION NO. 6, UNIT 1, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 9 AND PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 19, 1977, AS DOCUMENT R77-72782, IN DUPAGE COUNTY, ILLINOIS



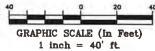
STATE OF ILLINOIS COUNTY OF DLPAGE } 55

LOUS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY GIVEN UNIDER MY IAND AND SELL THIS 10TH DAY OF JULY, 2017 AT 312 S. HALL STREET IN WHEA ON, IL 60187

ILLINOIS PROFESSIONAL LAND SURVEYOR No 2971
LICENSE EXPIRES 1 1 130/2018
EXACTA LAND SURVEYORS 18/1/5763







THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE NUMBER IN THE BOTTOM RIGHT CORNER.

CLIENT NUMBER:

DATE: 7/11/2017

BUYER:

SELLER:

CERTIFIED TO:

This is page 1 of 2 and Is not valid without all pages.

POINTS OF INTEREST NONE VISIBLE

Eracia Proudly Supports

THE CAT APROGRAM

transforming lives

www.thoesruprogram.org

modificated adults (also more than 0,600 goaling (does, callenging to stop the receiver of porenty from does generating to the cast.

EXACTA

LB4 184005763

www.exactachicago.com P: (773) 305-4010 • F: (773) 305-4011 316 Eart Jackson Street, Morris, IL 60450



COMMUNITY DEVELOPMENT MEMORANDUM 17-173

DATE: August 31, 2017

TO: The Chairman and Members of the Zoning Board of Appeals

FROM: Roberta B. Grill, Assistant Community Development Director

RE: (#17-11) Rana Meal Solutions Plant 2

PETITIONER

Salvatore Trupiano on behalf of Rana Meal Solutions

SUBJECT SITE

Part of Lots 4, 6 & 7 in the Brewster Creek Business Park (directly west of the existing Rana building located at 550 Spitzer Road)

REQUESTS

Variations: (a) To allow an eight (8) foot high fence where a four (4) foot high fence is permitted in the front and corner side yards; and

(b) To reduce the number of required parking spaces (from 403 to 393)

SURROUNDING LAND USES

| | <u>Land Use</u> | Comprehensive Plan | <u>Zoning</u> |
|--------------------------------|---|--|--|
| Subject Site | Vacant/Food Manufacturing | Mixed Use Business Park | I-2 EDA |
| North South East West | Industrial/Vacant Industrial Industrial Industrial | Mixed Use Business Park Mixed Use Business Park Mixed Use Business Park Mixed Use Business Park | I-2 EDA I-2 EDA I-2 EDA I-2 EDA |

ZONING HISTORY

The Site Plan for the original 100,000 sq. foot spec building was approved by Ordinance #2006-99 An Ordinance Approving the Site Plan for Lots 7 D/G and Parts of Lots 7E/F in the Brewster Creek Business Park.

In 2011, two Site Plan Amendments were approved for additions to the west side of the building. The first addition consisted of 5,768 sq. feet (Ordinance #2011-37) and the second addition was for 5,485 sq. feet (Ordinance #2011-65).

In 2013 the Petitioner was granted approval for a Third Site Plan Amendment (Ordinance #2013-54) along the east side of the building consisting of 3,723 sq. feet; however, the petitioner only built approximately 2,457 sq. feet. This east side addition was primarily to house mechanicals and provide additional storage space which then freed up space

within the production area for additional food processing.

In 2015 the Petitioner was granted approval for a Fourth Site Plan Amendment (Ordinance #2015-102) for a 17,352 square foot, 2-story addition also located along the east side of the building, but this addition encompassed the entire east elevation.

DISCUSSION

- 1. The Petitioner is requesting a Preliminary/Final PUD Plan to construct a second building directly west of the current Rana facility along Brewster Creek Boulevard. The new building and associated parking area would be located on the west 11.7 acres of the 18.25 acre subject property and would be built to accommodate Rana's new lasagna line. (This item will be discussed by the Plan Commission at their meeting on September 14, 2017.)
- 2. As outlined in the Zoning Ordinance, two principal buildings located on one zoning lot requires a PUD application and therefore the Petitioner is also requesting a Special Use Permit for the PUD (Planned Unit Development) overlay on the subject property. (This item will be discussed by the Plan Commission at their meeting on September 14, 2017.)
- 3. No changes are proposed to the existing building, consisting of approximately 133,879 square feet and located on the east 6.5 acres of the site.
- 4. The new 326,652 square foot building would consist of three (3) stories and be approximately 44'10" in height. It would be constructed with precast concrete panels painted white with a grey accent band and aluminum frames placed around the windows to match the windows on the existing building. A future painted mural is also proposed along the south elevation as depicted on the attached color rendering.
- 5. Three (3) new curb cuts proposed along the western half of the property would provide access to the new facility and employee parking lot. Two curb cuts would be located along Hecht Drive (north and west property lines) and one along Brewster Creek Boulevard (south property line). An internal access drive north of the new facility would link both buildings for vehicular and emergency access.
- 6. Pedestrian linkages have also been provided on the subject property. Employees would be able to utilize a five (5) foot wide sidewalk beginning within the parking lot leading to the west, north and south sides of the new building; as well as providing access to the existing building, if needed. In addition, a missing segment of the eight (8) foot wide bike path will be installed along the north side of Brewster Creek Boulevard providing a walking path from Stearns Road to east of Spitzer Road as part of the overall Brewster Creek Business Park bike path network.
- 7. Six (6) new loading docks, as well as seven (7) drive-in doors would be located along the east elevation and will be covered with canopies to protect the food products being loaded onto the trucks. These loading areas would coordinate with the loading areas of the existing building which are oriented westward, creating one internal

loading area on the subject property. Access to the loading areas would be via a direct route from either the north, Hecht Drive, or from the south, Brewster Creek Boulevard, with a security gate and/or guard house provided at each curb cut location.

- 8. The new building will primarily consist of the production lines on the ground floor with several office areas proposed. The 2nd and 3rd floors will also include some offices, but will primarily house mechanical equipment (i.e. silos, cooling towers, etc.)
- 9. An eight (8) foot high, black chainlink fence is proposed around the perimeter of the west half of the 18 acre site, including the front and corner side yards which will require a **Variation** request. This fence is needed for security purposes and matches the fence currently located on the eastern half of the subject property for the existing building. Each of the curb cuts associated with the new parking lot will be gated and employees would need key cards to access this site. Visitors to the property would still enter at the existing guard house which will now be moved slightly southward from its present location to allow for improved maneuverability in the loading area and added security into the adjacent passenger vehicle parking lot.
- 10. A second **Variation** is being requested for a reduction in the number of required parking spaces from 403 to 393 (including eight accessible spaces). The Petitioner has stated that the new building will have approximately 90 employees on one shift, with a maximum of 180 employees at a shift change. Staff believes the parking spaces identified on the plan will meet the demand for this new facility. The existing building currently has approximately 120 employees and 114 parking spaces provided on site (the approved 108 temporary parking spaces will be eliminated with the construction of the new building) for a total of 507 spaces to be shared by both facilities.
- 11. Landscaping and Engineering plans are currently being reviewed by the Staff. A Site Development Permit has been issued by the Building Department for mass grading on the site to prepare the property for any future development.

RECOMMENDATION

- 1. According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals 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 the variations are based are unique to the property for which the variations are sought and are not applicable, generally, to other property within the same zoning classifications.
 - C. That the purpose of the variations are 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 variations 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 variations 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 variances 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.

The variations shall be recommended only if the evidence, in the judgment of the Board of Appeals, sustains all the conditions enumerated above.

2. Background information is attached for your review and consideration.

rbg/attachments

x:\comdev\mem2017\173_rana2_zba.docx



Salvatore Trupiano

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Street Address: 1400 16th St Suite 275

City, State: Oak Brook IL

Phone Number: <u>630-233-2313</u>

OWNER'S SIGNATURE:

SUBMITTAL.)

| For Office Use Only Case # 7 - |
|-----------------------------------|
| RECEIVED |
| COMMUNITY DEVELOPMENT |
| (Village Stamp) |

| PROJECT NAME | Rana |
|--------------|------|
|--------------|------|

Street Address: 550 Spitzer Rd

City, State: Bartlett, IL

Name:

Name:

Rana Meal Solutions Plant 2

PETITIONER INFORMATION (PRIMARY CONTACT)

Email Address: strupiano@ranausa.us

Angelo lantosca (Owner Rep)

| IION | (Village Stephe) APR 1 1 2017 |
|----------------|-------------------------------|
| | VILLAGE OF BARTLETT |
| | |
| <i>7</i> . 0.1 | 60103 |
| Zip Code | imber: 630-277-0415 |
| | |
| | |
| | |
| | 00500 |
| Zip Code | 00023 |
| | |

ACTION REQUESTED (Please check all that apply)

(OWNER'S SIGNATURE IS REQUIRED OF A LETTER AUTHORIZING THE PETITION

| SIGN PLAN | REQUIRED? | Yes |
|-----------|-----------|-----|
|-----------|-----------|-----|

For PUD's and Subdivisions:



(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: Brewster creek pkwy |
| 04 05 202 005 0000 |

| Common | Address/General Location of Property. | |
|----------|---|--|
| Property | Index Number ("Tax PIN"/"Parcel ID"): 01-05 | -202-005-0000 |
| Zoning: | Enisting: See Dropdown T-7.FAT and Use | Existing: See Dropdown Proposed: See Dropdown Proposed: See Dropdown |
| Compreh | lensive Plan Designation for this Property:(R | strial efer to Future Land Use Map) |

| No. of Lots/Unit | ts: | | |
|------------------|------|-------|-------|
| Minimum Lot: | Area | Width | Depth |
| Average Lot: | Area | Width | Depth |

| APPLICANT'S EX | PERTS (If applicable, including name, address, phone and email) |
|----------------|---|
| Attorney | |

| | The state of the s |
|----------|--|
| gineer | Manhard consulting 700 Springer Dr, Lombard 630-891-8500 |
| J | |
| | Joe Iovenelli |

Other

FINDINGS OF FACT FOR VARIATIONS

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 physical surroundings and shape to the specific propert involved will not result to hardship to the owner. |
| | |
| 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 conditions upon which the petition is not based opun a unique use for the property. |
| 3. | That the purpose of the variation is not based exclusively upon a desire to make more money out of the property. |
| | The PUD is not to make more money out of the property but to help speed up the contruction process. |
| | |

| 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. | | | |
|----|--|--|--|--|
| | No hard ship has been caused to the person with intrest to this 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 PUD use will not be detrimental to the public. | | | |
| 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 PUD will not impair to the light and air quality to the property or increase congestion to the public streets. | | | |
| 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. | | | |
| | The PUD will not confer to any special privilege in the same distric. | | | |

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.

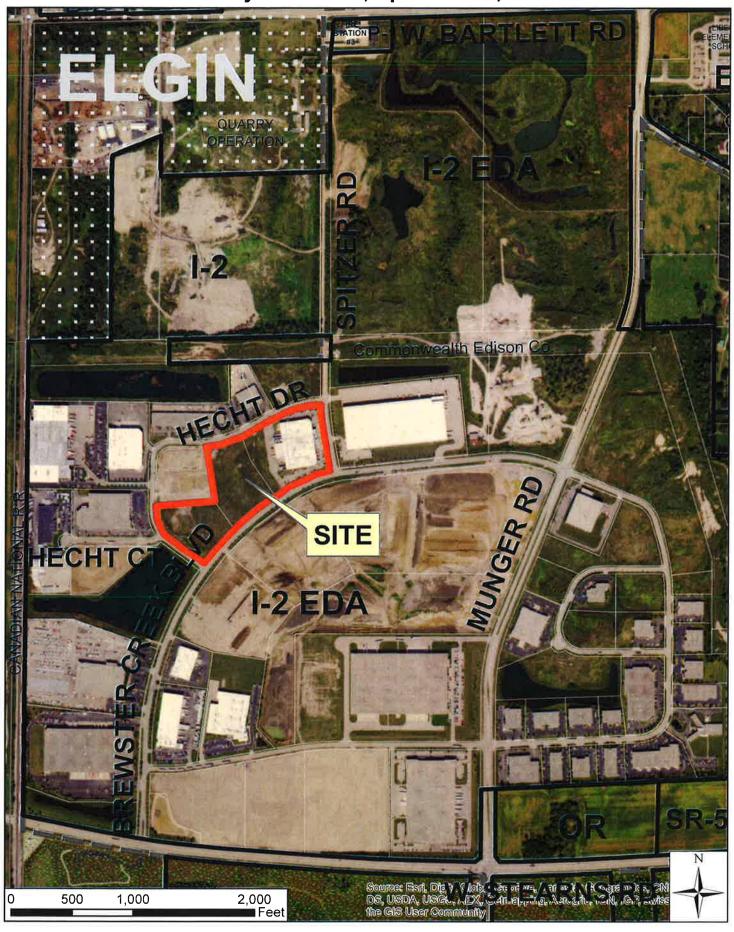
I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

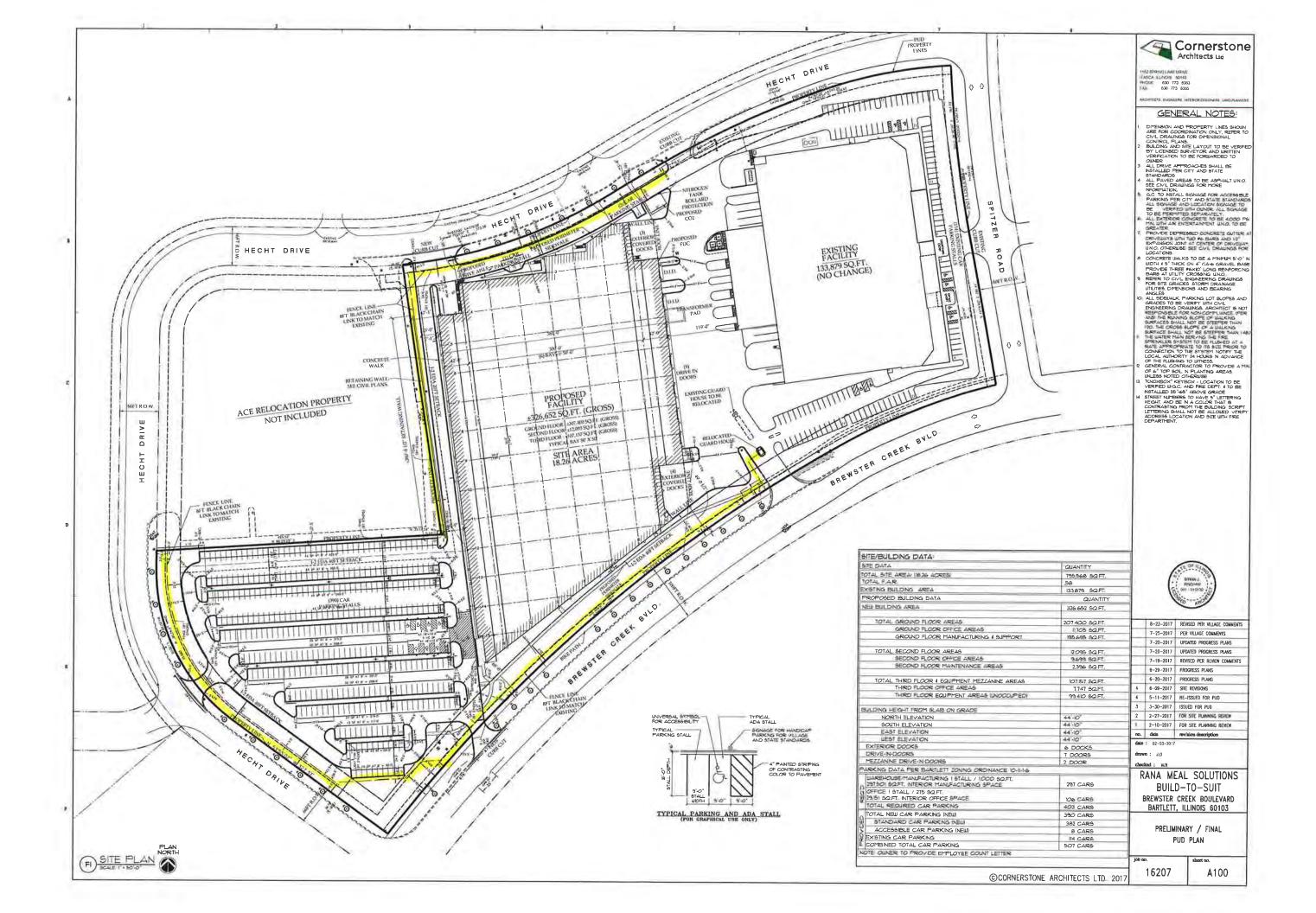
Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

| SIGNATURE OF FEITHONER: |
|---|
| PRINT NAME: Salvatore Trupiano |
| DATE: 04/10/17 |
| 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: Salvatore Trupiano |
| ADDRESS: 550Spitzer Rd Bartlett, IL 60103 |
| PHONE NUMBER: 630-277-0415 EMAIL: strupiano@ranausa.us |
| |
| SIGNATURE: |
| DATE: |

SIGNATURE OF DETITIONED.

Case #17-11 Rana Plant 2 Preliminary/Final PUD, Special Use, Variations

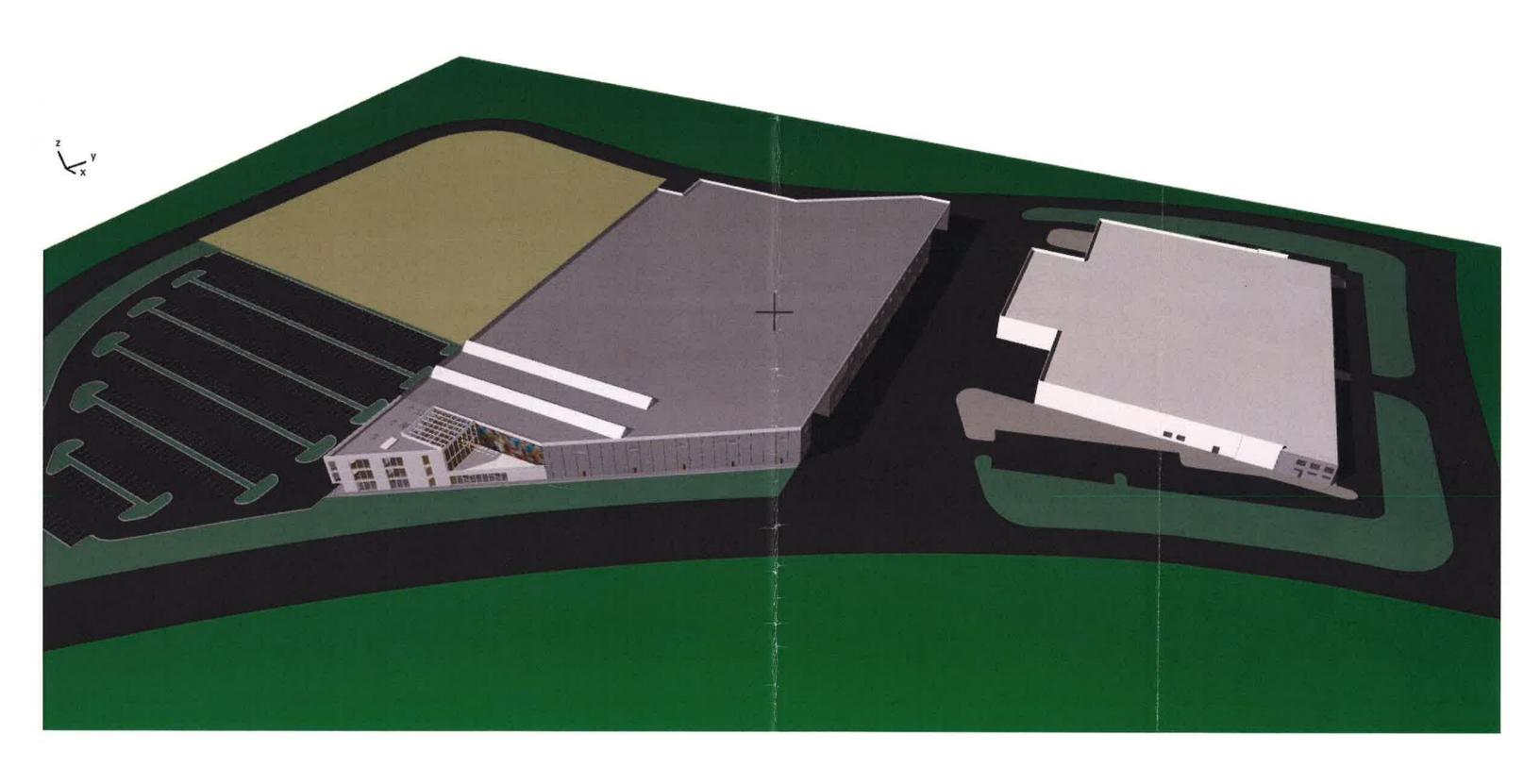


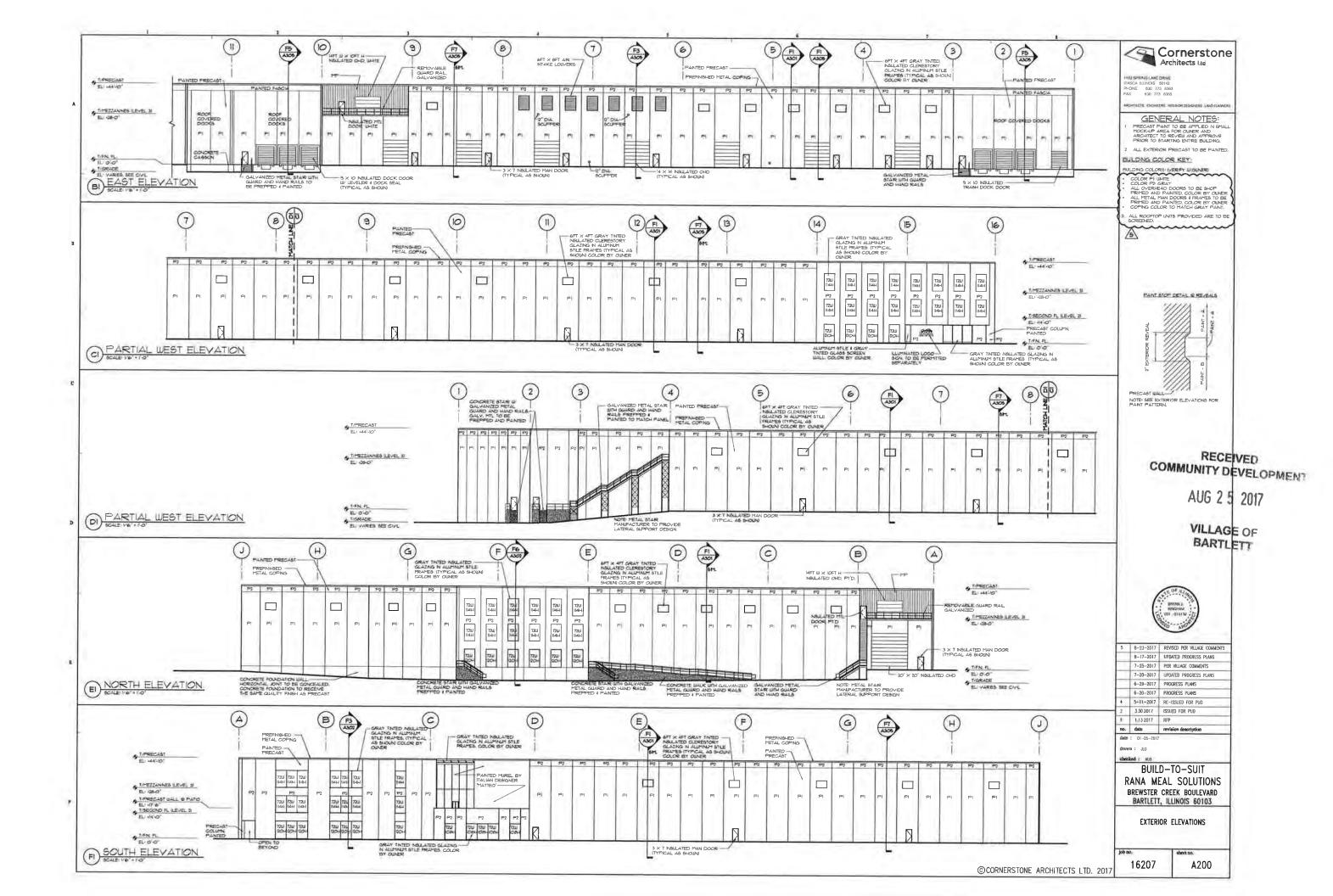


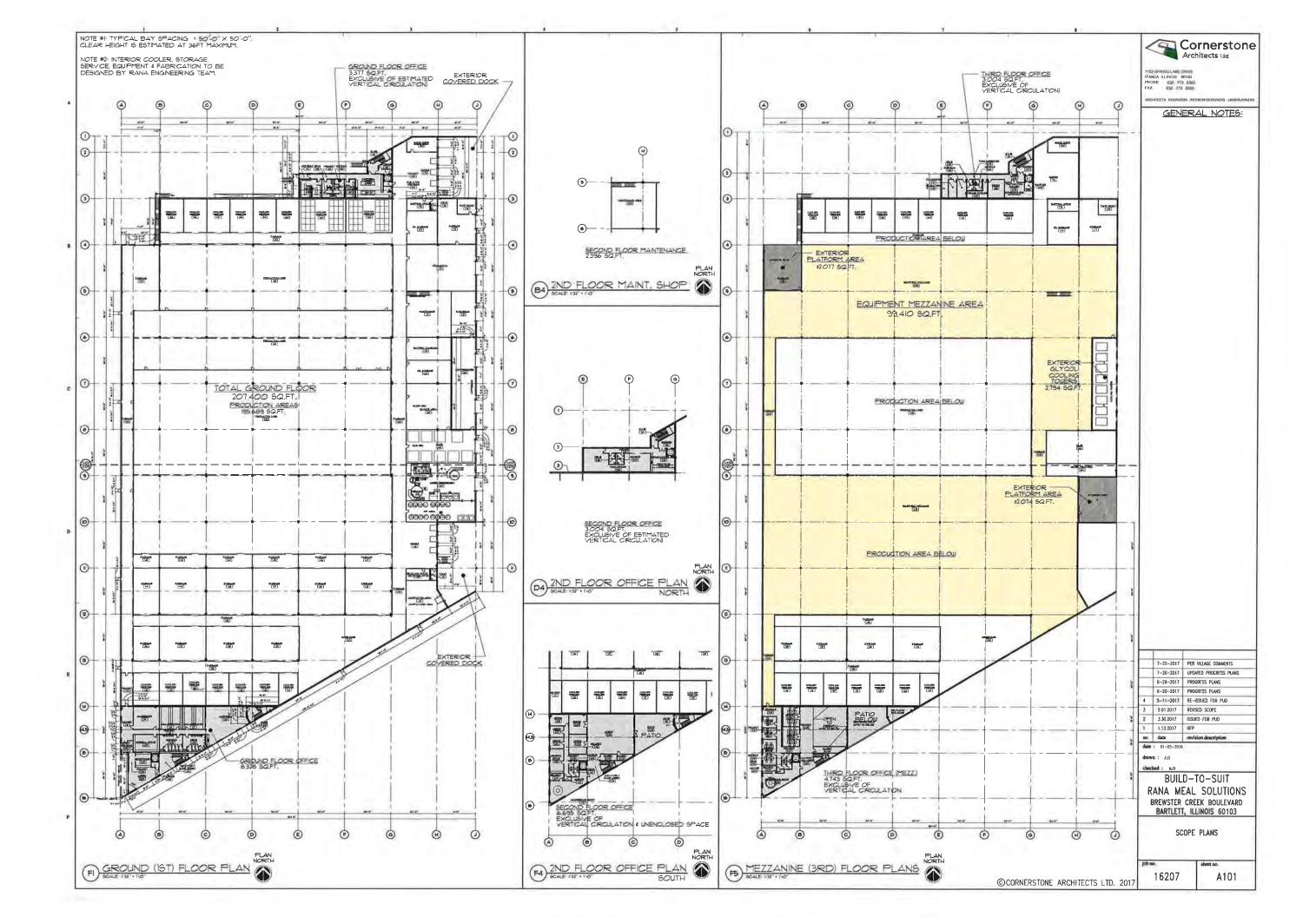


12/5/2016 murales.jpg









Village of Bartlett Required Landscaping

INTERIOR PARKWAY LANDSCAPING (.ip)

Requirement: Adjacent to parking- One Tree per 30' of street frontage. 75% coverage of parking lot frontage with min 3' ht shrubs (100% coverage if hedge row). Min 50% large deciduous or evergreen trees.

Not Adjacent to Parking- One Tree per 40', Min. 50% large deciduous or

Frontage Adjacent to Parking - 931 lineal feet

910 lineal feet

30 feet = (30 3) 30 trees required plus shrub screening of 75%

Brewster Creek Frontage Without Parking - 630 lineal feet

630 lineal feet

40 feet = (15.8) 16 trees required

Hecht Frontage Without Parking - 484 lineal feet

484 lineal feet

40 feet = (12 1) 12 trees required

On Plan - 30 Adjacent to Parking, 16 at Brewster Creek, 9 at Hecht (7 existing)

PERIMETER LANDSCAPE AREA (pa)

Requirement: Type 2 Screening- When a parking lot will be placed along the perimeter, trees and shrubs shall be required. Shrubs shall be provided along at least 50% of the length of the parking area. One tree shall be provided for every 60' of parking lot length. Up to 25% of the required trees may be small deciduous trees.

Calculations:

Adjacent to Parking - 406 lineal feet + 390 lineal feet (drive)

60 feet = (13.2) 13 trees required plus shrub screening of 50%

On Plan - 14 trees and 420 if shrub planting

FOUNDATION AREA LANDSCAPING (fa)

Requirement: Min, 4' wide area is recommended adjacent to all building walls. Plantings should emphasis softening large expanses of building

On Plan - West Portion of Building Only has 3' of Landscaping All Other Areas Comply

PARKING LOT LANDSCAPING (pl)

Requirement: Minimum 7' wide curbed planting island at the end of every parking row at the same depth of the parking stalls. Two Irees per double end island shall be provided with an appropriate planting of shrubs, ground covers, lawn and mulch.

One tree per island (1 tree per 20 spaces) shall be provided and appropriate shrub, groundcover or lawn planting shall be provided within all islands. Planting area shall be mounded.

All islands shall be overexcavated to a 2' depth for their entire width and length and backfilled with an appropriate mix of topsoil, peat moss and nutrients to replace the excavated material and shall be compacted, leaving a crowned or mounded top.

Calculations.

Total Parking Spaces =382

382 Spaces

20 feet = (19 1) 19 trees required

Total Double End Islands = 12 12 x 2 = 24 trees required

Total Trees Required: 19 + 24 = 43

On Plan - 43 Parking Area Trees Provided

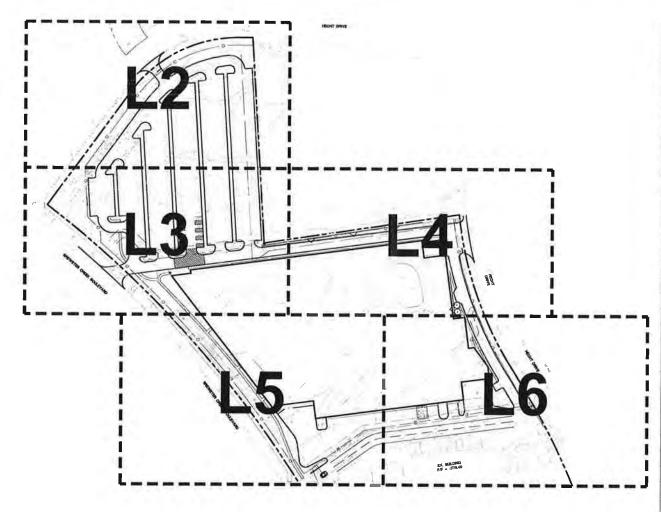
SERVICE AREA SCREENING

Requirement: All service areas shall be screened from view through use of evergreen plant materials or masonry screen walls

On Plan - Complies

TREE PRESERVATION

Requirement: Since no trees are on the property that are over 4" Cal. Bartlett does not require a full tree survey and preservation plan
However, they require all existing parkway trees of any caliper to be
surveyed, measured and identified on plans. Plans shall note if the Irees are to be preserved or removed.



Legend - Planting Categories

- (ip) Interior Parkway Landscapin
- (Da) Perimeter Landscape Area (fa) Foundation Area Landscaping
- (pl) Parking Lot Landscaping

| LANDSCAPE AREA | CALCULATIONS | | |
|--------------------|--------------|-------|--|
| | AREA | % | |
| Impervious Surface | 9.58 AC | 80.0% | |
| Landscape Area | 2.44 AC | 20.0% | |
| Total | 12,02 AC | 100 % | |





| 6 |
|-----------------|
| Water |
| ORI-CALL SYSTEM |
| Simply Call 811 |

RECEIVED COMMUNITY DEVELOPM

> **VILLAGE OF** BARTLETT

AUG 2 5 2017



| Key | Quantity | Common Name | Bolanical Name | Size | Comments |
|----------|------------|--|--|---------|----------------------|
| Canopy | Trees | | | - | |
| ACFR | 21 | AUTUMN BLAZE MAPLE | Acer freemani | 2 5" BB | |
| GIBI | 23 | GINKGO (MALE) | Ginkgo biloba 'Autumn Gold' | 2.5" BB | |
| GLTI | 34 | SKYLINE HONEYLOCUST | Gleditsia tricanthos inermis | 2.5" BB | |
| QUMC | 6 | BUR OAK | Quercus macrocarpa | 2.5" BB | |
| QURU | 10 | RED OAK | | - | - |
| QUWL | 5 | | Quercus rubra | 2,5" BB | |
| | ntal Trees | REGAL PRINCE OAK | Quercus x warei 'Long' | 2,5" 88 | |
| CARC | 3 | MUSCLEWOOD | Carpinus caroliniana | 6' BB | Multi-stem |
| Evergree | | MOGELTIOOD | Carpinas coronilaria | 0 88 | Minin-Preili |
| JUFV | 6 | UPRIGHT JUNIPER | Juniperus 'Fairview' | 6' 88 | |
| PCAB | 6 | NORWAY SPRUCE | Picea abies | 6' BB | |
| PCPU | 14 | COLORADO BLUE SPRUCE | Picea pungens | - | |
| PIST | 1 | | | 6' BB | |
| | s Shrubs | WHITE PINE | Pinus strobus | 6' BB | |
| BDBC | 19 | BLUE CHIP BUTTERFLY BUSH | Buddleia davidii 'Blue Chip' | 24" Ht. | |
| EUCO | 3 | DWARF BURNING BUSH | Euonymus a 'Compacta' | _ | |
| | _ | | | 30" Ht | |
| HYAA | 22 | ANNABELLE HYDRANGEA BLOOMSTRUCK ENDLESS | Hydrangea arbor, 'Annabelle' | 30" Ht_ | |
| HYE8 | 11 | SUMMER HYDRANGEA | Hydrangea macrophylla 'Bloometruck' | 30" HL | |
| HYLL | 34 | LITTLE LIME HYDRANGEA | Hydrangea 'Little Lime' | 30" Ht | |
| HYPL | 19 | LIMELIGHT HYDRANGEA | Hydrangea paniculata 'Limelight' | 30" Ht | |
| HYQM | 12 | MUNCHKIN OAKLEAF HYDRANGEA | Hydrangea quercifolia 'Munchkin' | 24" Ht | |
| PHOD | 3 | EASTERN NINEBARK | Physocarpus opul, 'Diablo' | 30" Ht. | |
| RHAG | 183 | GRO-LOW SUMAC | Rhus aromatica 'Gro-low' | 24" Ht | |
| ROSK | 16 | KNOCKOUT SHRUB ROSE | Rosa 'Knockout' | 30" Ht | |
| ROSP | 11 | PURPLE PAVEMENT ROSE | Rosa rugosa 'Purple Pavement' | 30" Ht | |
| SORB | 27 | FALSE SPIREA | Sorbaria sorbifolia 'Sem' | 30" Ht | |
| SYMP | 6 | DWARF KOREAN LILAC | Syringia mayeri 'Palibin' | 30" Ht | |
| VIDE | 97 | ARROWWOOD VIBURNUM | Viburnum dentatum | 48" Ht | |
| vergree | | THE THOUSE THE STATE OF THE STA | Vibolium dentatom | 40 HL | |
| | _ | | | 1 | |
| JUCK | 88 | KALLAY COMPACT JUNIPER | Juniperus chinensis 'Kallay' | 30" HL | |
| TAXC | 4 | CAPITATA UPRIGHT YEW | Taxus cuspidata 'Capitata' | 48" Ht | |
| TAXD | 11 | DENSE INTERMEDIATE YEW | Taxus x media 'Densiformis' | 30" Ht. | |
| Ornamen | al Grasse | es | | | |
| CALB | 72 | KOREAN FEATHER REED GRASS | Calamagrostis brachytricha | #1 | |
| CALK | 314 | FEATHER REED GRASS | Calamagrostis acubflora 'Karl Forerster' | #1 | |
| CHLA | 89 | NORTHERN SEA OATS | Chasmanthium latifolium | #1 | |
| MISP | 156 | PURPLE MAIDEN GRASS | Miscanthus sinsensis 'Purpurascens' | #1 | |
| PEAH | 63 | DWARF FOUNTAIN GRASS | Pennisetum alopecuroides 'Hameln' | #1 | |
| scsc | 117 | LITTLE BLUE STEM | Schizachyrium scoparium | #1 | |
| erennial | s | | | - | |
| CORZ | 72 | ZAGREB COREOPSIS | Coreopsis verticillata 'Zagreb' | Plug | Planted 18"-24" D C |
| GERR | | ROZANNE GERANIUM | Geranium 'Rozanne' | #1 | Planted 24"-36" O C |
| HESO | | | | 1 | |
| | | | Hemerocallis 'Stella de Oro' | Plug | Planted 12"-18" O C |
| HOSH | _ | | Hosta 'Halcyon' | #1 | Planted 24"-36" O C |
| NEWL . | - | WALKER'S LOW CATMINT | Nepeta racemosa 'Walker's Low' | #1 | Planted 24"-36" O.C. |
| roundco | vers | | | | |
| PACH | 143 | JAPANESE SPURGE | Pachysandra terminalis 'Green carpet' | Plug | Planted 12" O.C. |

8/05/17 AS NOTED

RAWN BY: MN

RANA MEAL SOLUTIONS BUILD-TO-SUIT

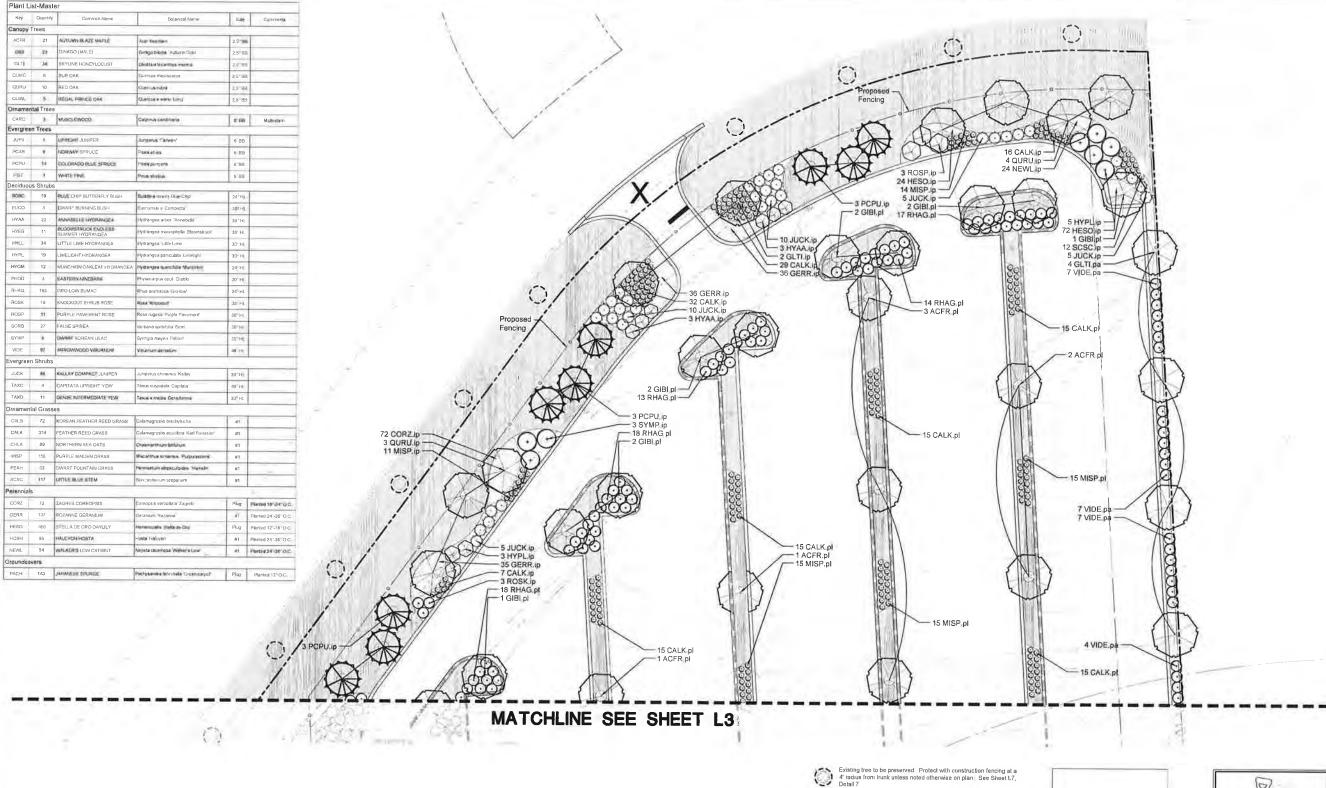
VILLAGE OF BARTLETT, ILLINOIS

LANDSCAPE SUMMARY

O

O

O



Existing tree to be preserved. Protect with construction fencing at a 4' radius from trunk unless noted otherwise on plan. See Sheet L7, Detail 7.

Exating tree to be removed for construction.

Note: 33 Existing trees to be preserved: 2 Existing trees to be removed.



JULIE

MALCALL STOTES

Simply Call 811

GRAPHIC SCALE

(IN FEET)

1 inch = 20 rt

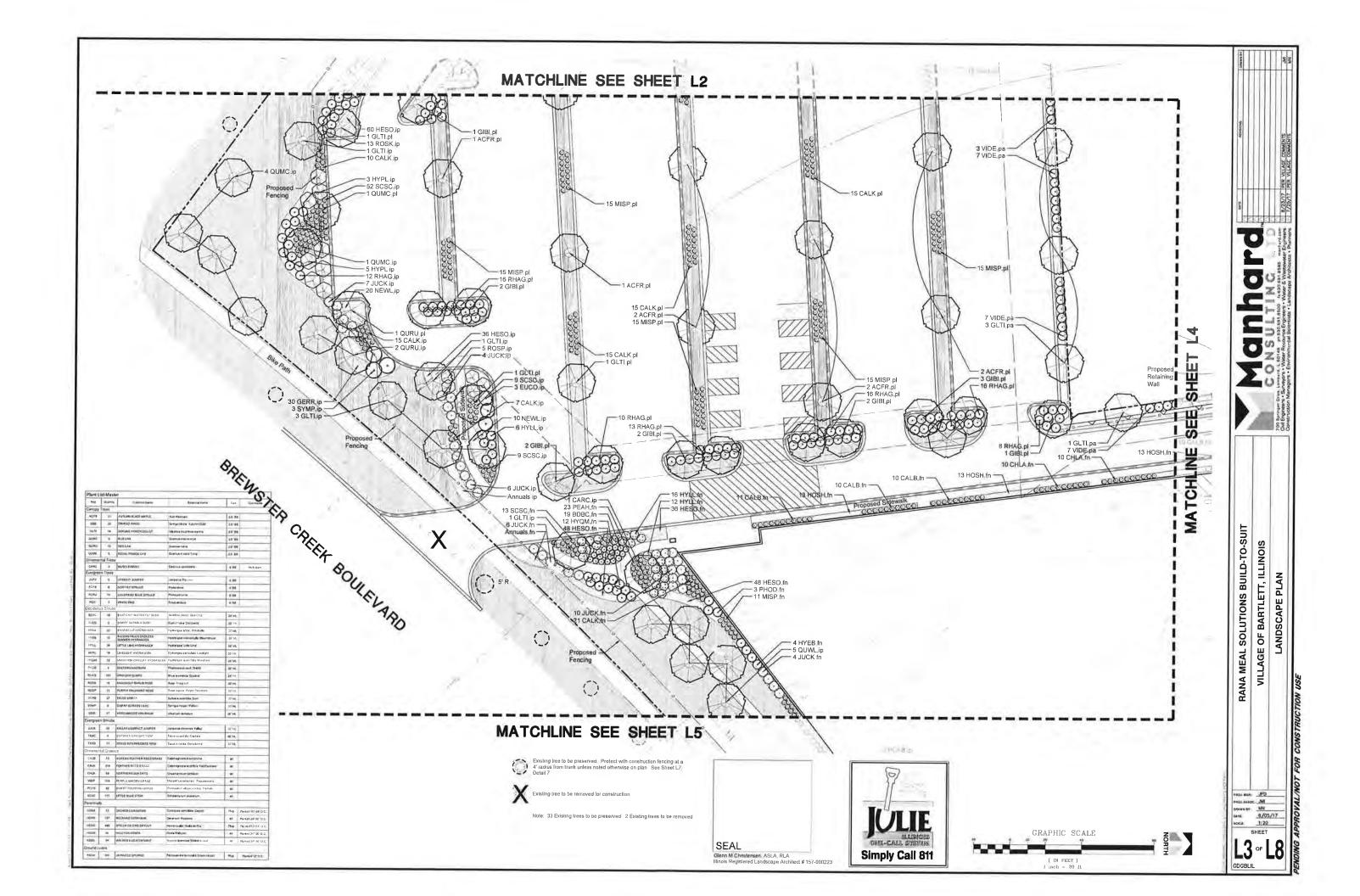
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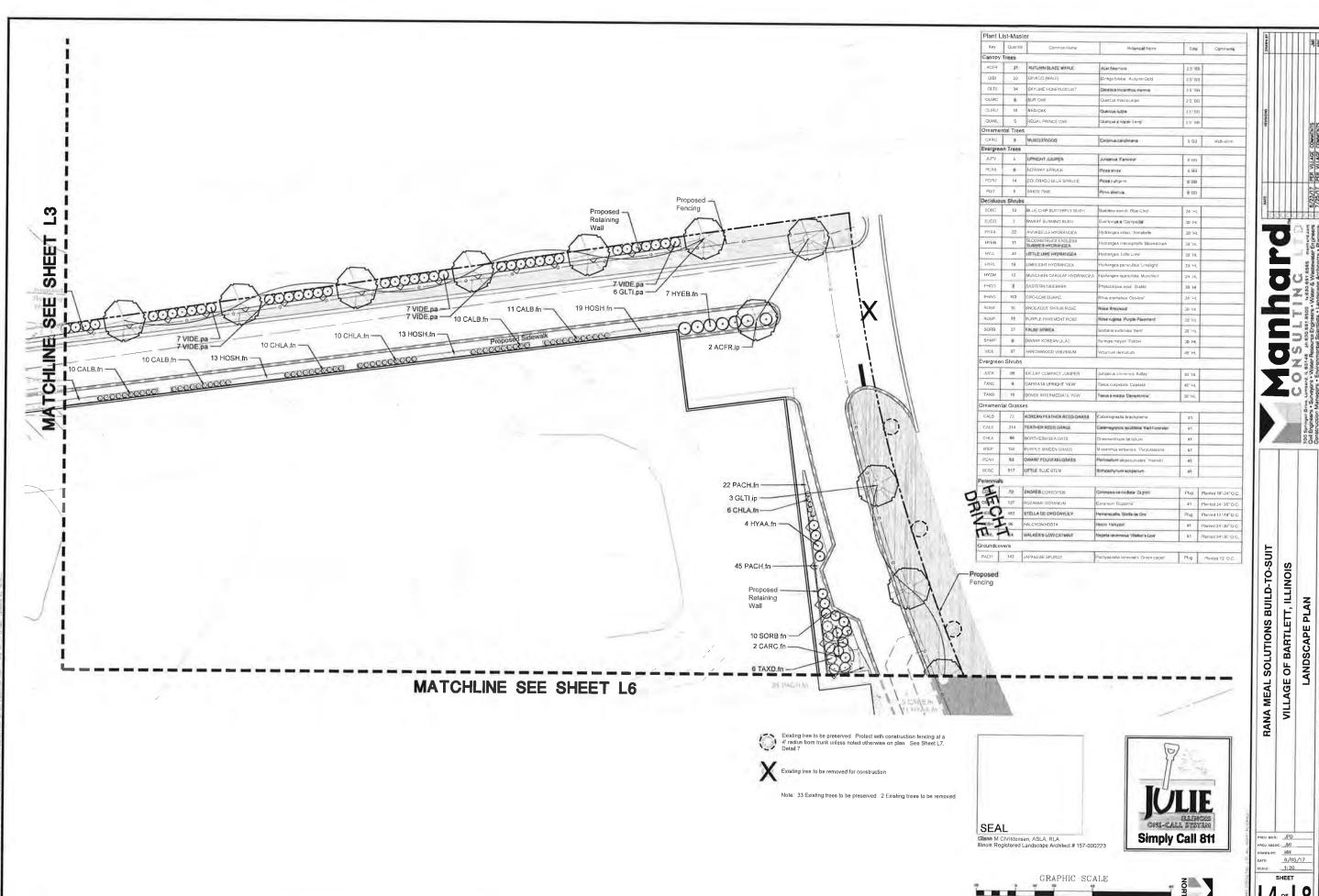
L2 OF L8
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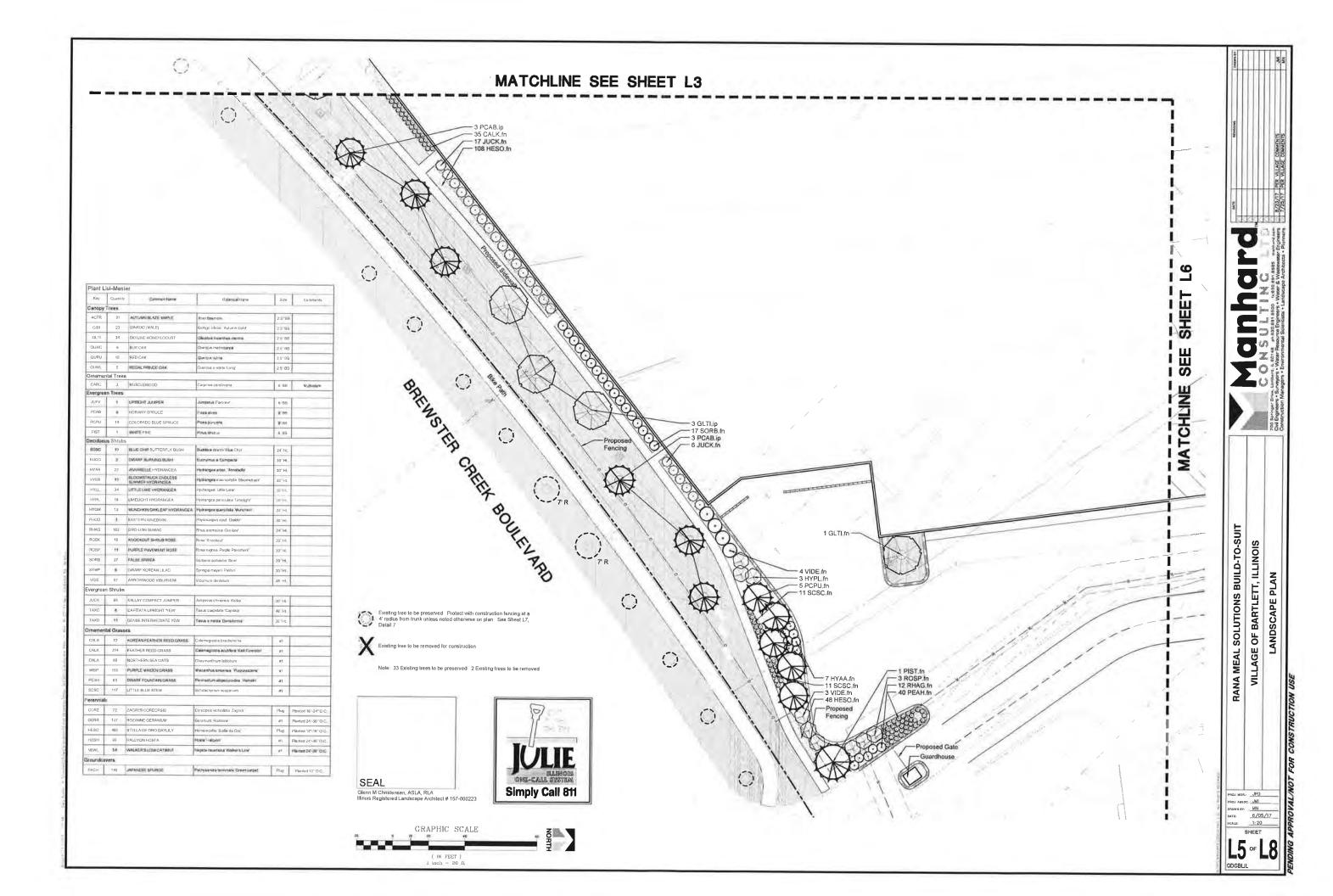
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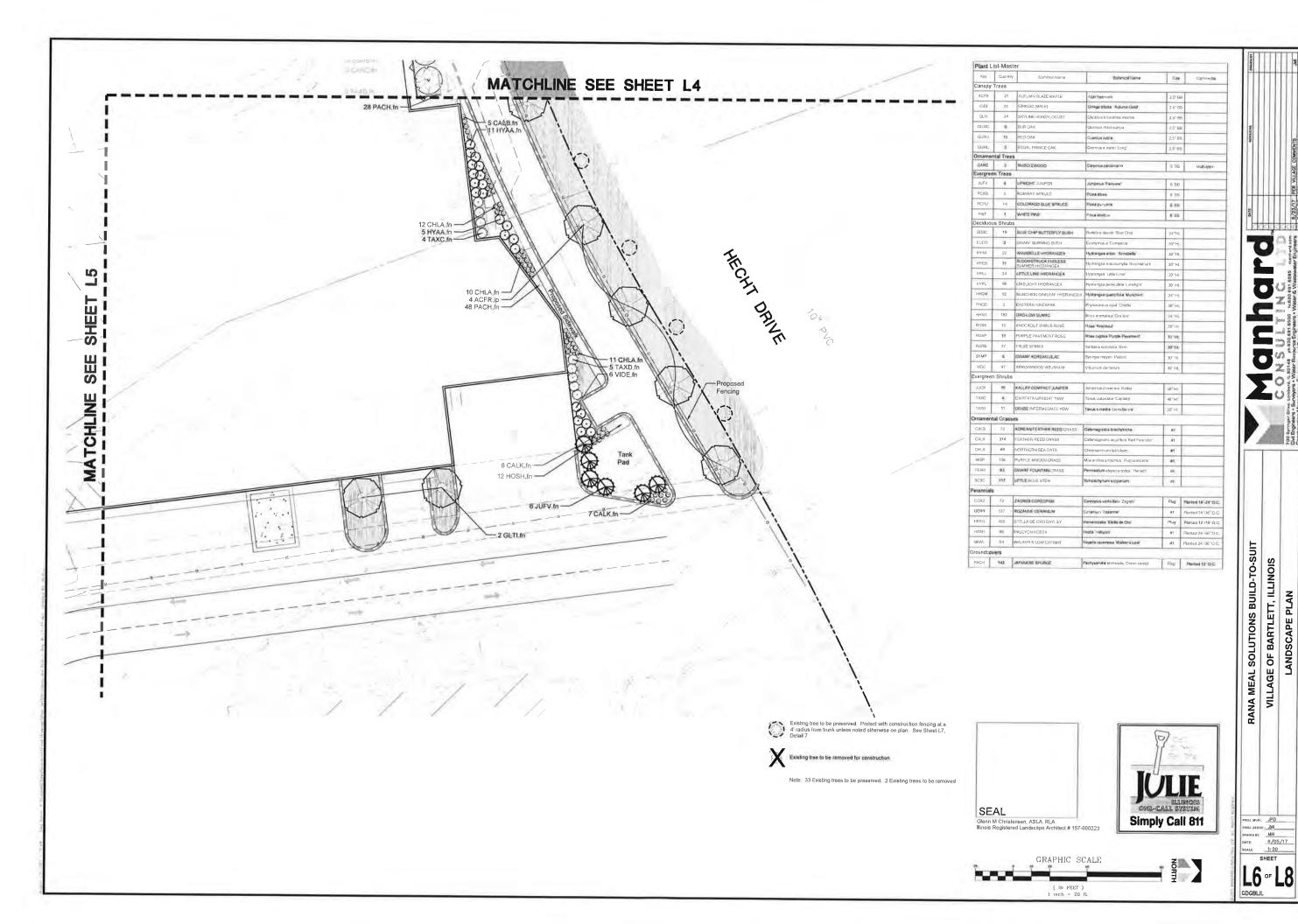
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(IN FEET) 1 inch = 20 IL





COMMUNITY DEVELOPMENT MEMORANDUM 17-174

DATE: August 30, 2017

TO: The Chairman and Members of the Zoning Board of Appeals

FROM: Angela L Zubko, Community Development Planner

RE: (#17-17) 802 E. Devon Avenue Addition

PETITIONER

Dimitri Poulokefalos

SUBJECT SITE

802 E. Devon Avenue, about 0.8 miles east of Newport Boulevard (formerly the Main Steel building)

REQUESTS

Variation:

To reduce the number of required parking spaces from 140 to 95

SURROUNDING LAND USES

| | <u>Land Use</u> | Comprehensive Plan | Zoning |
|----------------|--|--|------------------|
| Subject Site | Industrial | Industrial | I-1 |
| North South | Industrial Single Family Residential | Streamwood- Industrial Suburban Residential | I-2 PUD* SR-4 |
| East West | Industrial Multi-Family Residential | Industrial Attached Residential | SR-6 PUD I-1 |

^{*} Village of Streamwood- General Industrial District

ZONING HISTORY

The subject property was annexed to the Village in 1963 and was zoned R-1 (Single Family Residence District) by Ordinance #1963-17. The Bartlett Industrial Park Subdivision was approved on February 27, 1969 by Ordinance #1969-06 creating 5 industrial lots zoned Mg (Manufacturing District).

The current building was built in 1969 with additions added in 1986 and 1988 (see attached site plans).

In 1987 a variation was granted per Ordinance #1987-73 for a 25 foot variation from the 50 foot required transitional side yard adjoining a residence. When the building was built in 1969 the side yard requirement was 10 feet. In 1978, through a text amendment, the property to the west was re-classified as SR-6 Multi-Family District. The 1978 re-classification created a new side yard setback of 50 feet pursuant to the Village Code. Therefore, through no fault of the petitioner, the building was considered legal non-conforming and a variation was granted to allow a 25 foot variation from the 50 foot requirement.

The Village Board was made aware of the future additions to this site when it came to the Village Board on July 19, 2016 requesting support from the Village of Bartlett for the Class 6B Reclassification incentive from Cook County.

This building has been vacant since Main Steel vacated the building in 2011.

CURRENT DISCUSSION

- 1. The Petitioner is requesting a Third Site Plan Amendment for the existing 52,182 square foot industrial building to add an additional 67,735 square feet on a 6.78 acre lot in the Bartlett Industrial Park. This building would be constructed for four future tenants. (The Third Site Plan Amendment will be discussed by the Plan Commission at their meeting on September 14, 2017.)
- 2. The proposed building additions will be constructed of red masonry walls with darker red accents. The four proposed office areas will be located on the east side of the building. The building has three heights, 25'-3", 32'-0" and 37'2", all below the 45' height maximum per the Zoning Ordinance.
- A building permit has been issued for a partial exterior remodel, roof repair and partial demolition. Work has already commenced and new brick has been added to the south and west elevations and two portions of the warehouse have been removed.
- 4. The petitioner is requesting a Special Use Permit to disturb the wetland located in the northeast corner of the site. An application to the Army Corps of Engineers has been submitted, and Staff is waiting for the report. (The Special Use will be discussed by the Plan Commission at their meeting on September 14, 2017.)
- 5. The Site Plan shows 13 exterior docks on the east side of the building and 1 drivein door on the north side of the building to be utilized for building maintenance, not day-to-day operations. All the docks are facing away from the residential zoning districts.
- 6. The existing curb cut off E. Devon Avenue will be widened and utilized for all site traffic, passenger cars and trucks.

- 7. The petitioner is requesting a Variation to allow a reduction in the number of required parking spaces from 140 to 95 parking spaces. The Site Plan identifies 95 parking spaces, including four (4) handicapped accessible spaces. The Zoning Ordinance requires 112 spaces for the warehouse and 28 parking spaces for the office space totaling 140 parking spaces for this use. The plan however shows 51 future parking spaces, which would increase the total parking provided on the site to 146 spaces and if constructed would meet the Zoning Ordinance requirements. There are also 6 truck future parking spaces available on the north side of the building if a future tenant would need truck parking rather than automobile parking.
- 8. A Landbank/Future Parking Agreement is currently being drafted by the owner which will include the following language to require the Petitioner to install the landbanked/future parking spaces:
 - a) Upon the Staff's inspection of the site, it is clear that tenants and/or visitors are not parking in a designated parking space.

The petitioner will be required to post a bond, letter of credit or cash as a surety with the Village as a Performance Guarantee that the landbanked parking area with islands and striping will be installed.

9. The Engineering and Landscape Plan are currently under Staff Review.

RECOMMENDATION

According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals 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 variations are 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 variations are 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 variations 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 variations 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 variances 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.

Variations shall be recommended only if the evidence, in the judgment of the Board of Appeals, sustains all the conditions enumerated above.

Background information is attached for your review and consideration.

alz/attachments

x:\comdev\mem2017\174 Dimitri 802 E. Devon Avenue_zba.docx



APCHITECTURE

1645 W OGDEN AVE SUITE 523 CHICAGO, IL 60612 C.S. 312.953.5142 cesarch_220@hotmail.com bkkqlata@corncast.net

March 23, 2017

Village President Kevin Wallace and Village Board of Trustees Village of Bartlett, Illinois 228 S. Main Street Bartlett, IL 60103

Re: Proposed Redevelopment of Existing Office/Warehouse Complex 802 E. Devon Ave.
Bartlett, IL 60103

Dear President Wallace and Members of the Board,

Please find attached our team's submittal for the proposed development project of the existing property at 802 W. Devon Avenue. The project consists of an expansion of an existing office/warehouse facility and related site improvements. We have been working with members of your Community Development Department and Planning and Zoning Department, as well as the Village Engineer to complete this project submittal for your review.

Our request includes a review of the development project and related Zoning Variations. Since the project is the renovation and expansion of an existing, vacated facility, we are seeking Zoning Variations to bring into conformance two existing, non-conforming conditions of encroachment of the existing building, parking and driveway areas into required front and side yard setbacks.

We welcome your input and look forward to working with you and your staff to complete a successful project.

Sincerely,

Charles Schwartz Architect of Record

On behalf of the Development Team

RECEIVED COMMUNITY DEVELOPMENT

JUN 0 1-2017

VILLAGE OF BARTLETT



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

| Fo | r Office Us | e Only |
|--------|-------------|--------|
| Case # | 17-1 | 7 |
| | | |

RECEIVED COMMUNITY DEVELOPMENT

JUN 0 1 2017

| PROJECT NAME BULLE. DENON ADDITION |
|--|
| VILLAGE OF |
| PETITIONER INFORMATION (PRIMARY CONTACT) BARTLETT |
| Name: DIMITEL POULOKE FALOS |
| |
| Street Address: 27 CUTTER RUN |
| City, State: _ & S. BARLINGTON L Zip Code: _ 60010 |
| Email Address: DPOULOS & ACTTAPES. Com Phone Number: 630.327. 6312 |
| Preferred Method to be contacted: See Dropdown |
| |
| PROPERTY OWNER INFORMATION |
| Name: DIMITRI POULOKEFALOS |
| |
| Street Address: 27 CUTTED RUN |
| City, State: SOUTH BARRINGTON. Zip Code: 60010 |
| Phone Number: 630.327.6312 |
| |
| OWNER'S SIGNATURE IS REQUIRED OF A LETTER AUTHORIZING THE PETITION |
| SUBMITTAL.) |
| |
| ACTION REQUESTED (Please check all that apply) |
| Annexation Text Amendment |
| PUD (preliminary) Rezoning See Dropdown to See Dropdown |
| PUD (final) Special Use for: |
| Subdivision (preliminary) Variation: Submitted PARKING. Subdivision (final) |
| Site Plan (please describe use: commercial, industrial, square footage): |
| AND ADDITION (68,012 S.F.) |
| Unified Business Center Sign Plan |
| Other (please describe) |

SIGN PLAN REQUIRED? See Dropdown

(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 INFORMA | UIL | N |
|------------------|-----|---|
|------------------|-----|---|

| Common A | Address/General | Location of Proper | rty: <u>802</u> | F. DEY | NA AY | £ |
|------------|---------------------------------|---|------------------|--------------------------------|---------|------------|
| Property L | ndex Number ("7 | ax PIN"/"Parcel I | D"):06 | - 35-400- | 009-000 | 0 |
| | Existing: See Dr (Refer to C | Official Zoning Map) | | Existing: See I | | In dustril |
| | ensive Plan Desig | nation for this Prop | erty: See D | ropdown er to Future Land U | se Map) | - |
| No. Mir | nimum Lot: A | rearea | Width | | Depth | |
| APPLICA | NT'S EXPERTS | (If applicable, includi | ng name, address | s, phone and email) | | |
| Attorney | | | | | | |
| Engineer | 1018 | BUSSE HIG | HOURY | PANK LIDGE | IL 600 | 0.68 |
| Other | S. | 1 823.3300 L.I ARCHITE S W. OGDEN | ETURE - | | SCHW | |
| | CHI | CAGO 11 60 | 607 | - 312.91 | 3.5142 | 3 |

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.)

| | at you write legibly or type your responses as this application will be included with the staff port 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 of this project is a new warehouse/manufacturing facility, which is permitted in the I-1 Zoning 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 the building, parking, access, drainage, etc. for this project is based on the previously existing layout, and should have minimal disturbance to the surrounding parcels. |
| | |
| 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. |
| | The vehicular ingress and egress to and from the site remains from the previously existing location. It provides for the most safe, efficient, and convenient movement of traffic feasible for this site. |
| | |

| 4. | The site plan provides for the safe movement of pedestrians within the site. The site plan layout we have developed will provide for safe movement of pedestrians | | | | |
|----|--|--|--|--|--|
| | within the site. Pedestrian movement will be limited to mainly access to and from parking, which we attempted to isolate from the traffic route of trucks 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) | | | | |
| | We have attempted to keep most of the existing sodded retention area on the south end of the site, and enhance the drainage culvert at the east end of the site to maintain and improve the landscaping conditions. In addition, we will add grass areas between the building and the parking area, and clear and improve the northeast corner of the site. Landscape improvements will conform to Chapter 10-11A of the Landscape Requirements. | | | | |
| 6. | All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance. | | | | |
| | There are no outdoor storage areas proposed on this site. | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

FINDINGS OF FACT FOR SPECIAL USES

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 proposed use of this project will develop, enhance, and expand the previously existing use of this site. The new warehouse/manufacturing facility will encourage economic growth, provide tax income, and bring business to the community. It will also provide much needed improvement to the subject site.

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 proposed use will not be detrimental to the health, safety, morals, or general welfare of the community or neighboring properties. The improvements will be aesthetically pleasing and create improved and efficient site and building conditions, which will have a positive effect on the neighboring area and community.

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 proposed use shall conform to the regulations and conditions specified for this use, and specifically for its stipulations and conditions, as authorized

FINDINGS OF FACT FOR VARIATIONS

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 physical surroundings and shape of the property would result in a hardship for the owner in the fact that as the property exists today, it does not conform to the Zoning Ordinance. This existing, non-conforming condition consists of parking and access to the site that exist in the required front and rear yard setbacks, and their removal would not be feasible to this project.

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 conditions for the petition for variation are unique to this property only. The property and existing conditions being non-conforming, and the property being an individual, developed lot within the Village.

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 to make more money, but to legalize an existing, non-conforming condition. In addition, it will help the development toward attaining the required number of parking spaces for this use, and allow a large portion of the existing property and facility to be salvaged and re-used.

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.

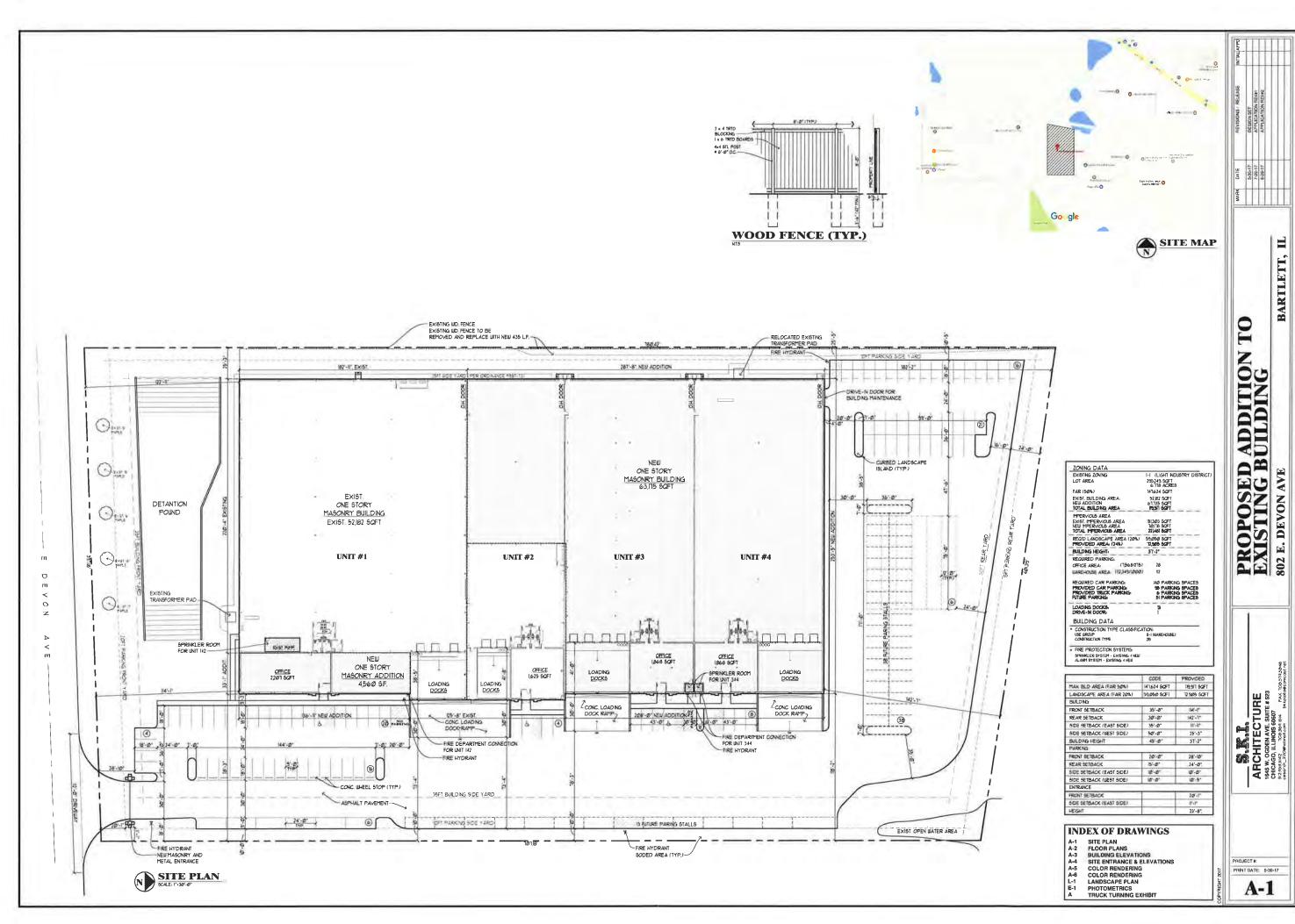
| Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted. |
|---|
| |
| SIGNATURE OF PETITIONER: |
| PRINT NAME: Dimitri PoulokeFalos |
| DATE: 3/17/17 |
| REIMBURSEMENT OF CONSULTANT FEES AGREEMENT |
| The undersigned hereby 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. |
| ADDRESS: 27 cutter RUN S. Barrington, 60010 |
| |
| PHONE NUMBER: 630-327-6312 |
| EMAIL: DPOULOS @ MACTTAPES COM |
| SIGNATURE: STOCKS |
| DATE: 3/17/17 |

ZONING/LOCATION MAP

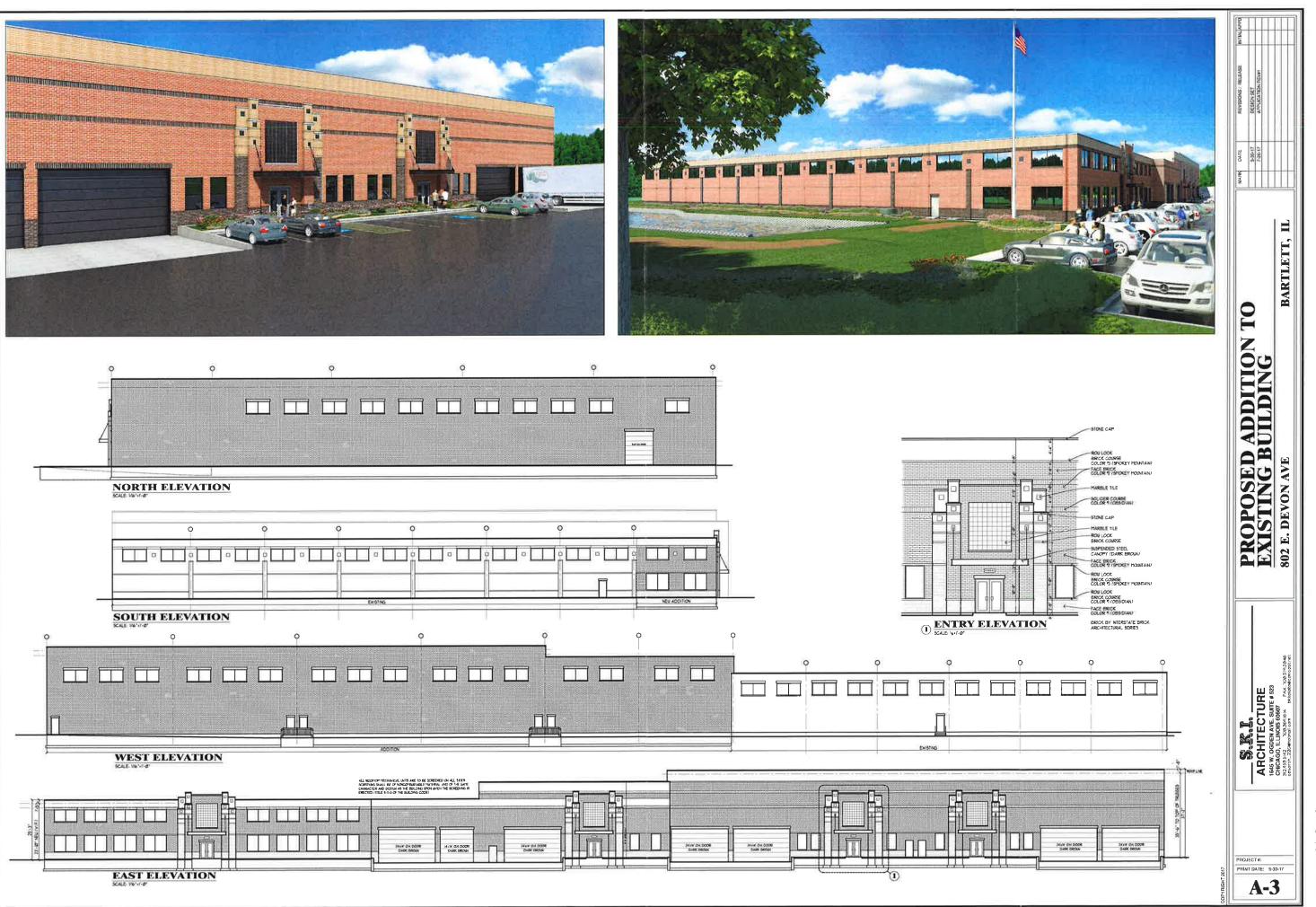
802 E. Devon Addition

Case #17-17 - Site Plan Review, Special Use and Variation PIN: 06-35-400-009

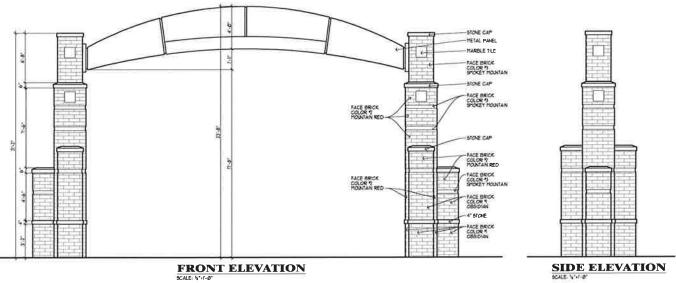


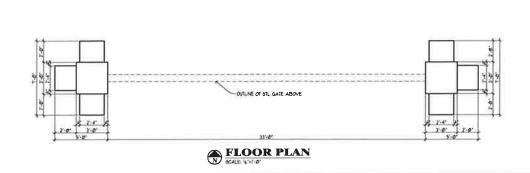


THIRD SITE PLAN AMENDMENT









ARCHITECTURE
1988 w. OGBEN AVE. SUITE # 523
CHICAGO, ILLINOS 60607
SERGIFFA STANDON OF THE STAND **A-4**

BARTLETT, IL

RENDERINGS (1 OF 3)







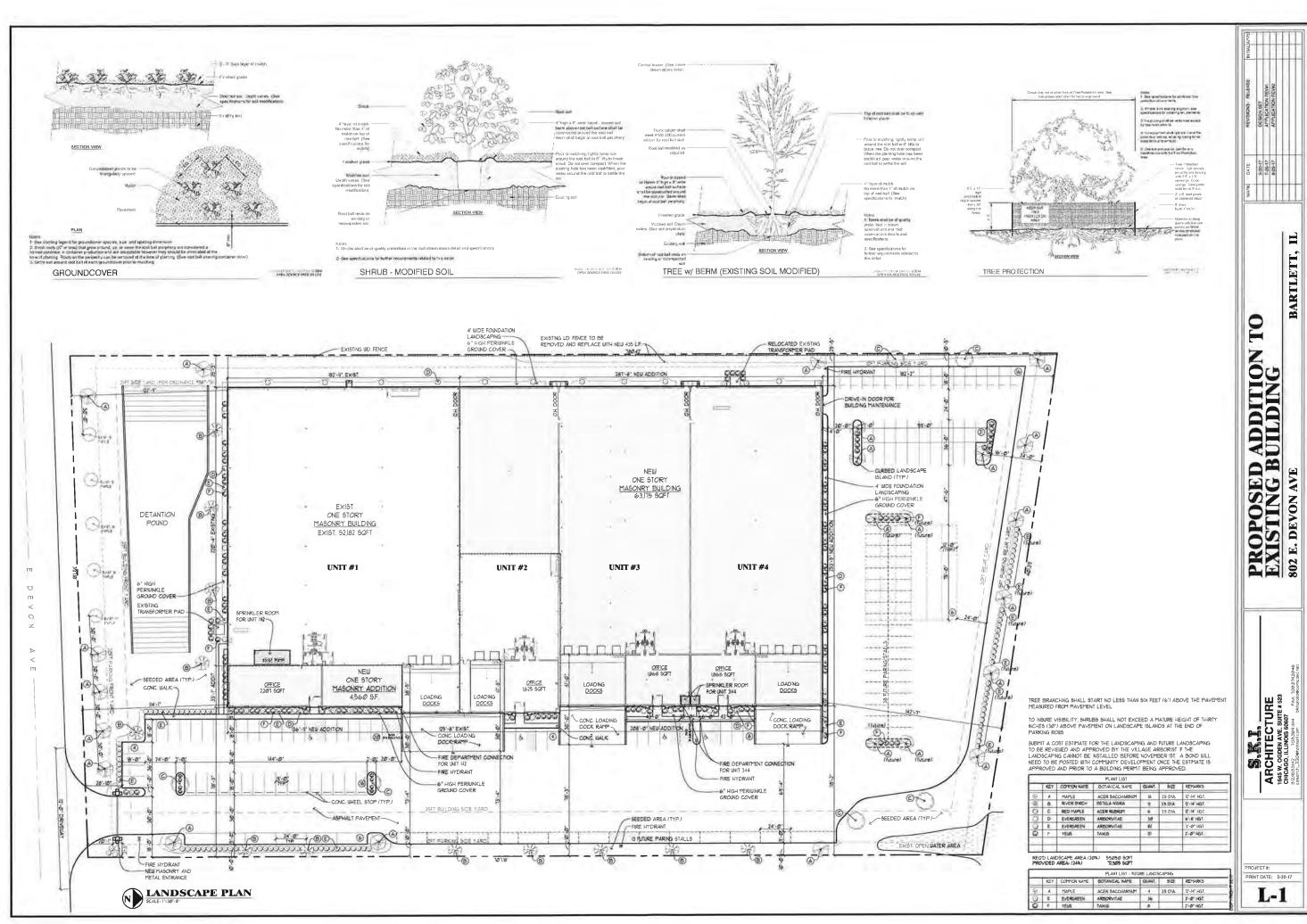
A-6

ARCHITECTURE
1645 W. OGDEN AVE. SUITE # 523
CHICKOO, ILLINOIS 50607

PROPOSED ADDITION TO EXISTING BUILDING
802 E. DEVON AVE B

BARTLETT, IL

DATE \$-30-17 7-46-17



LANDSCAPE PLAN

COMMUNITY DEVELOPMENT MEMORANDUM 17-171

DATE:

August 30, 2017

TO:

The Chairman and Members of the Zoning Board of Appeals

FROM:

Angela L Zubko, Community Development Planner

RE:

(#17-16) Home Depot Resubdivision of Lot 1

PETITIONER

Andrea Ragona on behalf of Cypress Property Group, LLC

SUBJECT SITE

Lot 1 of the Home Depot Subdivision-Southwest corner of Route 59 and Stearns Road (West side of Route 59, south of the Mobil gas station)

REQUESTS

Variations:

- a) To reduce the required parking spaces for Lot 1 of the Home Depot Resubdivision from 450 to 399 spaces,
- b) A 14'-6" reduction in the required 30 foot side yard building setback along the southern property line,
- c) A 30 foot reduction from the required 30 foot side yard parking setback along the southeastern property line, and
- d) A 9'-4" reduction in the required 40 foot rear yard building setback along the western property line.

SURROUNDING LAND USES

| | <u>Land Use</u> | Comprehensive Plan | Zoning |
|--------------------------------|--|--|--------------------------|
| Subject Site | Vacant | Commercial | B-4 |
| North South East West | Commercial Commercial Commercial Commercial | Commercial Commercial Commercial Commercial | B-4 B-4 B-3 B-4 |

ZONING HISTORY

The subject property was annexed to the Village in 1963 and was zoned C (Commercial District). The Home Depot Subdivision was approved on August 15, 2000 by Ordinance #2000-85 (An Ordinance Approving a Preliminary/Final Plat of Subdivision, Special Uses for Outdoor Storage, Outdoor Sales, Truck Rental, and

CD Memo 17-171 August 30, 2017 Page 2

Building Height (45'), Variances for a Reduction in the Number of Parking Spaces, Parking in the Front, Corner Side and Side Yards, a Variance to Reduce Interior Parkway Landscaping and Perimeter Landscaping, a Reduction in the Size of Parking Spaces and Fence Height and Site Plan Approval for the Home Depot Shopping Center). The following building and parking setback variations were granted that pertain to the current petition:

- Front Parking Setback: from 60' to 10' (along Route 59)
- Side Parking Setback: from 30' to 5' (north property line)
- A parking variance was granted for Home Depot to reduce the number of required parking spaces from 551 to 450 based upon 110,082 customer floor area.

In 2001, Ordinance #2001-03 amended the Site Plan for Lot 1 of the Home Depot Subdivision eliminating a right-in right-out on Route 59, which was never constructed, and added an additional 68 parking spaces increasing the total number of parking spaces from 450 to 518. Also in 2001, Lot 2 of the Home Depot Subdivision was resubdivided for the KFC/Taco Bell and First American Bank lots.

In 2003, Lot 5 was approved for the Fifth Third Bank by Ordinance #2003-152.

In 2004, Lot 3 was approved for Mr. Carwash by Ordinance #2004-54.

In 2008, Lot 4 was approved for Sonic by Ordinance #2008-86.

In 2010, seasonal/temporary outdoor storage and sales was approved for Lot 1 of the Home Depot Subdivision by Ordinance #2010-29 to temporarily use approximately 92 parking spaces.

In 2011, a Chase Bank was approved by Ordinance #2011-69, An Ordinance Approving a Preliminary/Final Plat of Resubdivision for the Home Depot Subdivision Lot 1; Granting a Special Use Permit for a Drive Through; Variations to Reduce the Stacking Required for the Drive Through, to Allow a Canopy to Encroach on the Side Yard and Reduction In the Required Parking For Home Depot; and Site Plan Approval for a Bank. However, the Preliminary/Final Plat of Resubdivision for Lot 1 of the Home Depot Subdivision was never recorded and Chase Bank was never built.

CURRENT DISCUSSION

1. The petitioner is requesting a Preliminary/Final Resubdivision of Lot 1 of the Home Depot Subdivision to create an outlot for a commercial retail building and a Second Site Plan Amendment for Lot 1 of the Home Depot Subdivision to create a new Lot 2. Home Depot proposes to add 11 parking spaces west of the building and 7 parking spaces in the northwest corner of the parking lot totaling 18 additional parking spaces. Lot 1 of the Home Depot Subdivision was required to have 450 parking spaces per Ordinance #2000-85, when a variation was granted. An additional **Variation** is requested to reduce the required parking spaces for **Lot 1** of the Home Depot Resubdivision from 450 to 399 spaces.

(The Preliminary/Final Resubdivision of Lot 1 of the Home Depot Subdivision & and Second Site Plan Amendment for Lot 1 of the Home Depot Subdivision will be discussed by the Plan Commission at their meeting on September 14, 2017.)

Below is a summary of the parking spaces provided on the site and those required in strict accordance with the Zoning Ordinance.

Parking Summary

| | Parking Required | Parking Provided |
|--|---------------------|-----------------------------|
| Original Application with variation request approved | 551 | 450 spaces |
| First Site Plan Amendment for Lot 1 | | Added 68 spaces |
| | | Total = 518 spaces |
| Current Parking on Lot 1 of the Home Depot Subdivision | | 512 spaces (actually built) |
| Proposed Second Site Plan Amendment for Lot 1 | | Adding 18 spaces |
| Proposed Lot 2 of the Home Depot Resubdivision | | Eliminating 131 spaces |
| | | Total = 399 |
| | | spaces (Lot 1) |
| Seasonal/ Temporary Outdoor Storage | | Eliminating 96 spaces |
| | | Total = 303 |
| | | spaces during |
| | | the Summer |
| | | (Lot 1) |

- 2. The Petitioner is requesting a Site Plan for Lot 2 of the Home Depot Resubdivision for a 39,747 square foot (0.91 acre) lot to be located along Route 59 directly south of the Mobil Gas Station. A proposed 8,200 square foot commercial building is proposed and would be constructed for four future tenants. (The Site Plan for Lot 2 of the Home Depot Resubdivision will be discussed by the Plan Commission at their meeting on September 14, 2017.)
- 3. The proposed 8,200 square foot commercial retail building would be oriented towards Rt. 59 with a drive-thru lane located on the west and south sides of the building. The commercial retail outlot is physically separated from the Home Depot parking lot by two curbed medians along the west and south property lines. The western median creates a stacking lane and a bypass lane for the drive-thru located on the south side of the building, separating the drive-thru stacking from the Home Depot parking.

- 4. The proposed building will be constructed of white brick with beige and dark grey accents and would have a mean height of 25 feet.
- 5. Access to the site would be through two existing access points to the Home Depot's parking lot, which has an internal drive that connects to Stearns Rd. and Rt. 59, approved as part of the Original Home Depot Bartlett Subdivision. An additional access point will be via a new cross access easement with the Mobil gas station to the north which was recorded in 2010 but has not yet been constructed. (A portion of the existing fence on the Mobil property will be removed once the connection between the properties is made.) There will be no direct access to Rt. 59 from Lot 2.
- 6. Three Variations are being requested on Lot 2:
 - a) A 14'-6" reduction in the required 30 foot side yard building setback along the southern property line,
 - b) A 30 foot reduction from the required 30 foot side yard parking setback along the southeastern property line, and
 - c) A 9'-4" reduction in the required 40 foot rear yard building setback along the western property line.
- 7. The petitioner is requesting a Special Use Permit to allow outdoor seating with about 12 seats. The outdoor seating area will also have a bike rack and a 36" fence to separate the outdoor seating from the parking lot and drive-thru. (The Special Use will be discussed by the Plan Commission at their meeting on September 14, 2017.)
- 8. The petitioner is also requesting a Special Use Permit to allow a drive-thru establishment. The drive through pick-up window will be located on the south side of the building. The menu/order board will be located on the west side of the building and provide stacking for five (5) vehicles. (This item will be discussed by the Plan Commission at their meeting on September 14, 2017)
- 9. The Site Plan for Lot 2 identifies a total of 55 parking spaces, including three (3) handicapped accessible spaces which exceeds the Zoning Ordinance requirement of 48 parking spaces.
- 10. The <u>Traffic Impact Analysis</u> estimates that the proposed outlot will still leave a <u>surplus of parking for Home Depot</u>. It also noted that there is a total of 10 stacking spaces provided from the pick-up window that will be located outside adjacent parking aisles. The report also notes that perhaps one or two additional stacked vehicles could be accommodated. The drive-thru area also has a desirable by-pass lane in advance of the menu/order board. <u>The Traffic Impact Analysis states that the proposed retail outlot use will not adversely impact existing off-site access level of service.</u>
- 11. The Landscape and Engineering Plans are currently under Staff Review.

RECOMMENDATION

According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals 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 variations are 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 variations are 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 variations 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 variations 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 variances 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.

Variations shall be recommended only if the evidence, in the judgment of the Board of Appeals, sustains all the conditions enumerated above.

Background information is attached for your review and consideration.

alz/attachments

x:\comdev\mem2017\171_HomeDepotOutlot2_zba.docx

Cypress Property Group, L.L.C. 200 West Madison Street, Suite 4200 Chicago, Illinois 60606

May 22, 2017

President Kevin Wallace & Members of the Board of Trustees Village of Bartlett 228 S. Main Street Bartlett, Illinois 60103 RECEIVED COMMUNITY DEVELOPMENT

> VILLAGE OF BARTLETT

Re:

Portion of Home Depot Property

950 S. Illinois Route 59

Dear President Wallace and Members of the Board of Trustees:

Cypress Property Group L.L.C is the contract purchaser and proposed developer of a portion of the Home Depot parking lot owned by HD Development of Maryland, Inc. We propose to acquire an underdeveloped portion of the existing Home Depot parking lot comprising approximately 0.88 acres and subdivide it as a separate lot of record to be developed as a multi-tenant commercial building of approximately 8,200 square feet, approximately 2,020 square feet of which will be leased to a coffee shop with a drive-thru and outdoor seating. The balance of the building will be leased to other commercial tenants.

In conjunction therewith, we will be requesting preliminary and final subdivision approval, site plan approval for the modified Home Depot property and the proposed new outlot, special use approval for both the drive-thru and approximately 450 square feet of outdoor seating in conjunction with the proposed coffee shop, and variations in both building and parking setbacks for the rear yard and south side yard, the required a number of parking spaces, and foundation landscaping.

We respectfully request that this matter be referred to the Plan Commission and the Zoning Board of Appeals for further hearings. If you have any questions, please contact the undersigned. Thank you.

Very truly yours,

CYPRESS PROPERTY GROUP L.L.C.

RV.



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

For Office Use Only
Case # 17-16

RECEIVED
COMMUNITY DEVELOPMENT

| PROJECT NAME BATTLETT Plaza Home Depot Outlit | ¥ 2 VILLAGE OF | |
|--|--|--|
| PETITIONER INFORMATION (PRIMARY CONTACT) Name: Cypress Property Group, L.L.C. | BARTLETT | |
| Street Address: 200 West Madison Street, Suite 4200 | | |
| City, State: Chicago, Illinois | Zip Code: 60606 | |
| Email Address: andrea@nationalplazas.com | Phone Number: 312,332,4172 | |
| Preferred Method to be contacted: Email | | |
| PROPERTY OWNER INFORMATION Name: HD Development of Maryland, Inc. | | |
| Street Address: 2455 Paces Ferry Road, N.W. C-19 | | |
| City, State: Atlanta, GA | Zip Code: 30339 | |
| Phone Number: (770) 384-2413 OWNER'S SIGNATURE: (OWNER'S SIGNATURE ISSUE SUBMITTAL.) Senior Corporate Counsel | Date: 5-22-17 AUTHORIZING THE PETITION | |
| ACTION REQUESTED (Please check all that apply) | | |
| Annexation PUD (preliminary) PUD (final) Subdivision (preliminary) Subdivision (final) Subdivision (final) Subdivision (final) Site Plan (please describe use: commercial, industrial, samendment for Home Depot property, respectively. | e attached ached quare footsgc): | |
| Unified Business Center Sign Plan | | |
| Other (please describe) | The second section is a second section of the second section of the second section is a second section of the second section of the second section sec | |

SIGN PLAN REQUIRED? Yes

(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.)

| PROPER | TY INFOR | MATION | | | | |
|------------------|-------------------------|---------------------------|--|------------------------------|--|------|
| Common | Address/G | General Location of | Property: Outlot of | 950 S. IL Ro | ute 59 | |
| Property: | Index Num | ber ("Tax PIN"/"F | arcel ID"): 01-04-4 | 103-032 | ************************************** | *** |
| Zoning: | Existing: (R | efer to Official Zoning I | | Existing: Co | | |
| | 0.88 acres | Designation for th | is Property: Comm | nercial er to Future Land | d Use Map) | |
| For PUD | 's and Subdo. of Lots/U | livisions: Inits:2 | | | | |
| M | inimum Lot | :: Area | Width | | Depth | |
| Av | verage Lot: | Area | Width | | Depth | |
| APPLIC. Attorney | | 77 West Washing | including name, address f Ash, Anos, Freedrest ton Street, Chicago | nan and Loga , Illinois | - | |
| Engineer | | Tracy Richard of N | Manhard Consulting | Della | 5. | |
| Other | | David Mangurten | chard@manhard.co of KMA Associates Road, Deerfield, IL 6 | | | |
| | | 847.945.6869 d | mangurten@kmaar | ch.com | -1001 | 1000 |

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.

Applicant proposes to construct a new multi-tenant commercial building of approximately 8,200 square feet, approximately 2,020 square feet of which will be leased to a coffee shop with a drive-thru and outdoor seating, and the balance of which will be leased to other commercial tenants. The coffee shop and other proposed commercial uses are all permitted in the existing B-4 zoning classification.

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

The proposed new building currently comprises an underused portion of the existing Home Depot facility, and, once approved as a separate lot and developed with the proposed new building, will continue to share access with the existing Home Depot facility. It has been designed so that parking, lighting, landscaping, and drainage will be compatible with the Home Depot facility as well as other adjacent commercial facilities.

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.

As supported by the traffic and parking study submitted by Applicant's consultant, the vehicular ingress and egress and on-site circulation have been designed to be compatible with that of the existing Home Depot facility and other adjacent commercial uses, and will provide safe, efficient, and convenient access to and from adjacent roadways.

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

The proposed building and parking locations have designed to safely provide for pedestrian access to and from the parking area and the proposed commercial facilities as indicated on the Site Plan.

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)

Applicant proposes to provide numerous planters which will provide sufficient plan material in lieu of foundation planting which will be in harmony with adjacent land uses and which will provide a pleasing appearance to the public.

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

There are no outside storage areas. The trash area is screened as shown on the Site Plan

FINDINGS OF FACT FOR SPECIAL USES

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.

Approximately 2,020 square feet of the proposed approximately 8,200 square foot building to be constructed, is intended to be used as a coffee shop with a drive-thru and with approximately 450 square feet of outdoor seating. The property is located at the intersection of major arterials, Route 59 and Sterns Road, which generate a considerable number of potential customers for the proposed facility during the morning commute which is the peak period of use for the proposed coffee shop, and as such will provide a desirable facility which will contribute to the general welfare of the neighborhood and the 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 proposed drive-thru facility and outdoor seating in conjunction with the proposed coffee shop will be compatible with all of the uses surrounding the subject property which are commercial in nature and which include the Home Depot, a fast food restaurant, and a gasoline service, and as such will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property value or improvements 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 requested special uses may be granted for the subject property within the B-4 zoning district, and will be operated in conformance with any conditions which are imposed by the Village as part of such approval.

FINDINGS OF FACT FOR VARIATIONS

(rear yard and south side yard building and parking setbacks)

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 subject property currently constitutes an underused portion of the existing Home Depot parking lot, and once subdivided will be developed with a new mixed use commercial building, which will be located adjacent to the Home Depot parking facility, and will also be surrounded by other commercial uses, such as a service station and a fast food restaurant. The subject property, comprising a portion of the Home Depot parking lot, has a unique location and physical surroundings, and as such the strict application of the rear yard and side yard setbacks would result in a particular hardship for Applicant, in that the proposed building and parking setbacks are fully compatible with the adjacent Home Depot parking and other adjacent commercial uses.

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 development of the subject property, which currently constitutes an underused portion of the Home Depot parking lot, and the creation of a new lot to be developed with a commercial building, is a unique circumstance which is not applicable generally to other property within the B-4 zoning classification.

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 to maximize development of the underused portion of the existing Home Depot parking lot for which continued use as a parking facility serves no purpose, and as such the purpose of the requested variation is not based exclusively on a desire to make more money from the property, but rather to maximize its development potential.

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 from which relief is sought results from a proposed development on what is currently an under used portion of the Home Depot parking lot, a hardship which is an existing condition which has not been created by Applicant.

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.

Inasmuch as the property, constituting a portion of the Home Depot parking lot, abuts other portions of the parking lot, the granting of the requested setback variations will not be detrimental to public welfare or injurious to other property improvements in the neighborhood 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 location of the new commercial facilities to be constructed in an area which is presently a portion of the Home Depot parking lot is of sufficient distance from neighboring uses such that there will be no impairment of light or air to adjacent properties and as supported by Applicant's traffic and parking study, the proposed modification will not increase congestion of the public streets or endanger public safety. As indicated by the Site Plan, the proposed new facilities as designed will not substantially diminish or impair property values within the adjacent neighborhood.

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.

The proposed new facilities as designed will be surrounded by other commercial uses, such as a service station and fast food restaurant, and will be fully compatible with surrounding uses, and as such will not confer upon Applicant any special privilege which is not available for other land, structures, or buildings in the same district.

FINDINGS OF FACT FOR VARIATIONS

(Foundation Landscaping)

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.

Foundation landscaping is required to provide visual relief from building foundations. Applicant proposes to provide numerous planters rather than foundation landscaping to achieve the described result. The proposed multi-tenant building will have multiple entrance lends itself to providing planters which will be better suited to achieve the desired result.

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 proposed building is a multi-tenant building with multiple entrances which constitutes a condition which would support planters in lieu of foundation landscaping. This condition is not generally applicable to other property in the B-4 district.

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 specifically the desire to make more money on the property, in that to substitution of planters for foundation planting will not result in an economic benefit to Applicant, but will rather achieve the desired result by more appropriate needs.

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 proposed building will have multiple entrances which lends itself to providing planters in order to provide landscaping relief rather than foundation planting, which hardship has not been created by Applicant.

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.

By providing appropriate plant material located in planters in various locations in order to screen the building foundation, the granting of the variation will not be detrimental to public welfare, or injurious to other property or improvements in the neighborhood 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 addition of the proposed planters will not impair light or air to adjacent property, and, as located, will not cause any increase in congestion or increase the danger of fire, endanger public safety, or substantially diminish or impair property values within the adjacent neighborhood.

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.

The allowance of planters in lieu of foundation plants will have the same screening impact as will foundation planting, such that there is no special privilege being granted to Applicant.

FINDINGS OF FACT FOR VARIATIONS

(Required number of parking stalls)

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.

As supported by Applicant's traffic and parking study, the existing Home Depot parking lot provides for a greater amount of parking than needed to service the Home Depot facility, such that the granting of the proposed variation would allow the redevelopment of the underused portion of the Home Depot parking lot with additional commercial facilities while continuing to provide sufficient parking to service both the Home Depot as well as the new commercial facilities. To require Home Depot to continue to provide parking which is not necessary for its use would impose a particular hardship on the property owner.

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 conditions upon which the petition are based are unique to this property and are based upon the need and demand for parking for the Home Depot facility, and as such are not generally applicable to other properties within the same zoning classification.

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 to maximize development of the underused portion of the existing Home Depot parking lot for which continued use as a parking facility serves no purpose, and as such the purpose of the requested variation is not base exclusively on a desire to make more money from the property, but rather to maximize its development potential.

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 provisions of the Village Code which mandate the amount of required parking has resulted in an excess of parking and an underused portion of the Home Depot parking lot, as demostrated by Applicant's traffic and parking study. The requested variation will allow the underused portion of the parking lot to be developed with additional commercial facilities while continuing to provide sufficient parking to service both the Home Depot as well as the new commercial facilities.

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.

Inasmuch as the granting of the variation will merely eliminate an underused portion of the Home Depot parking lot while still providing sufficient parking for both the Home Depot facility and the additional commercial facilities, there will be no detrimental effect on the public welfare; nor will it be injurious to other property or improvements in the neighborhood 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.

As indicated on the Site Plan, the proposed variation will not impair light or air to adjacent properties, inasmuch as the area to be developed currently is located within a portion of the Home Depot parking lot and is located at a sufficient distance from surrounding uses. As supported by Applicant's traffic and parking study, there will be no increase in congestion of public streets, and as such there will be no increase in the danger of fire, or endangerment of public safety, nor impairment of property values within the adjacent neighborhood.

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.

The granting of the variation would allow the maximum development of commercial uses on the property without reducing the amount of necessary parking to service both Home Depot and such new commercial development, and as such will not confer any special privilege by the granting of the variation.

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, incomp materials and fee | plete or non-conforming application submittal will not be processed until ALI s have been submitted. |
|---------------------------------------|--|
| SIGNATURE O | F PETITIONER: |
| PRINT NAME: | George Hanus, Vice-President of Cypress Property Group, L.L.C. |
| DATE: <u>5/18/17</u> | |

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 P | ERSON TO BE BILLED: Andrea Ragona/Cypress Property Group, L.L.C. |
|------------|--|
| ADDRESS: | 200 West Madison Street, Suite 4200 |
| | Chicago, IL 60606 |
| PHONE NU | MBER: 312.332.4172 |
| EMAIL: and | rea@nationalplazas.com |
| SIGNATURI | E: |
| DATE: 5/18 | /17 |

ZONING/LOCATION MAP

Home Depot Outlot 2

Case #17-16 - Preliminary/Final Resubdivision of Lot 1
Site Plan Review, Special Uses and Variations

PIN: Part of 01-04-403-033



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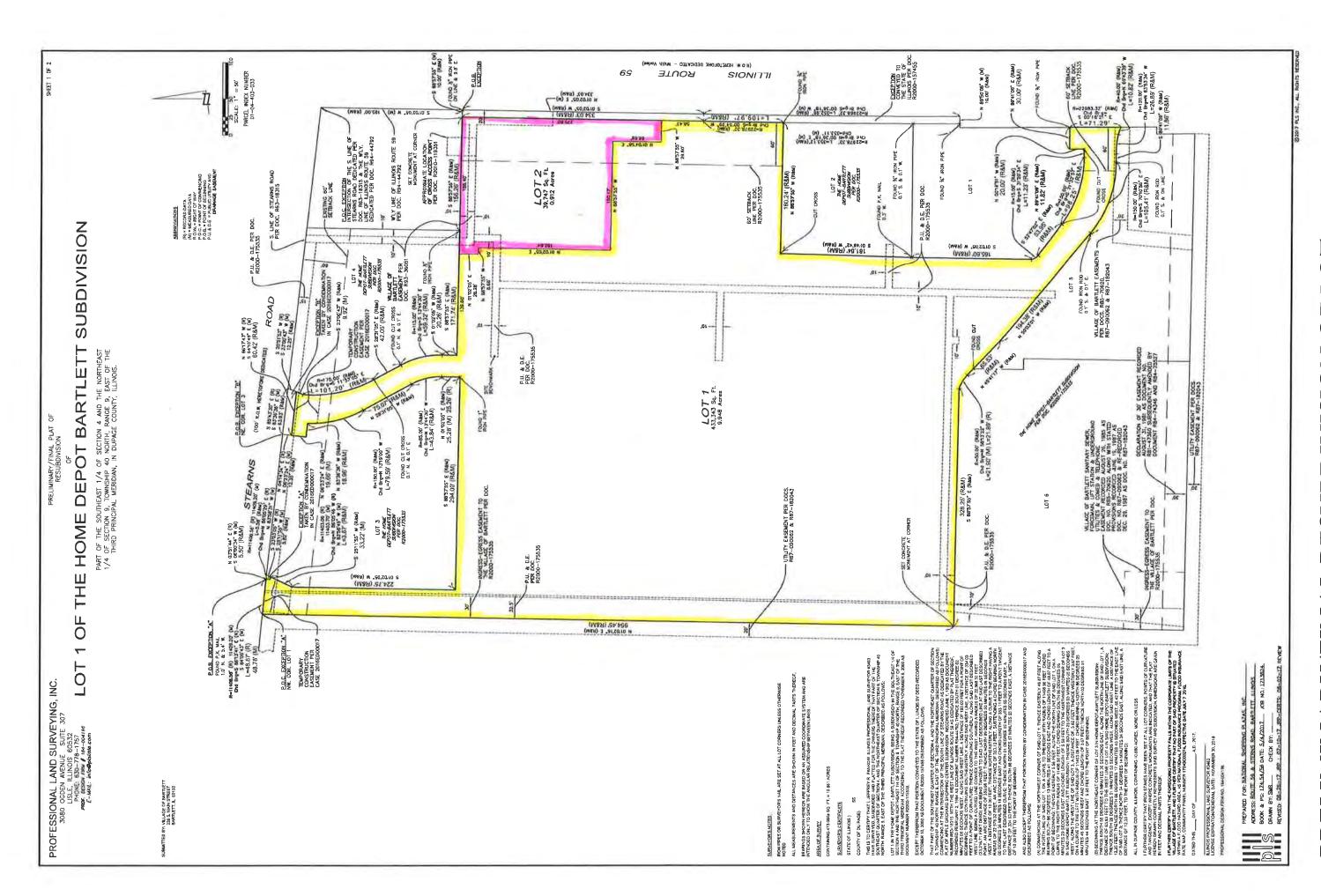
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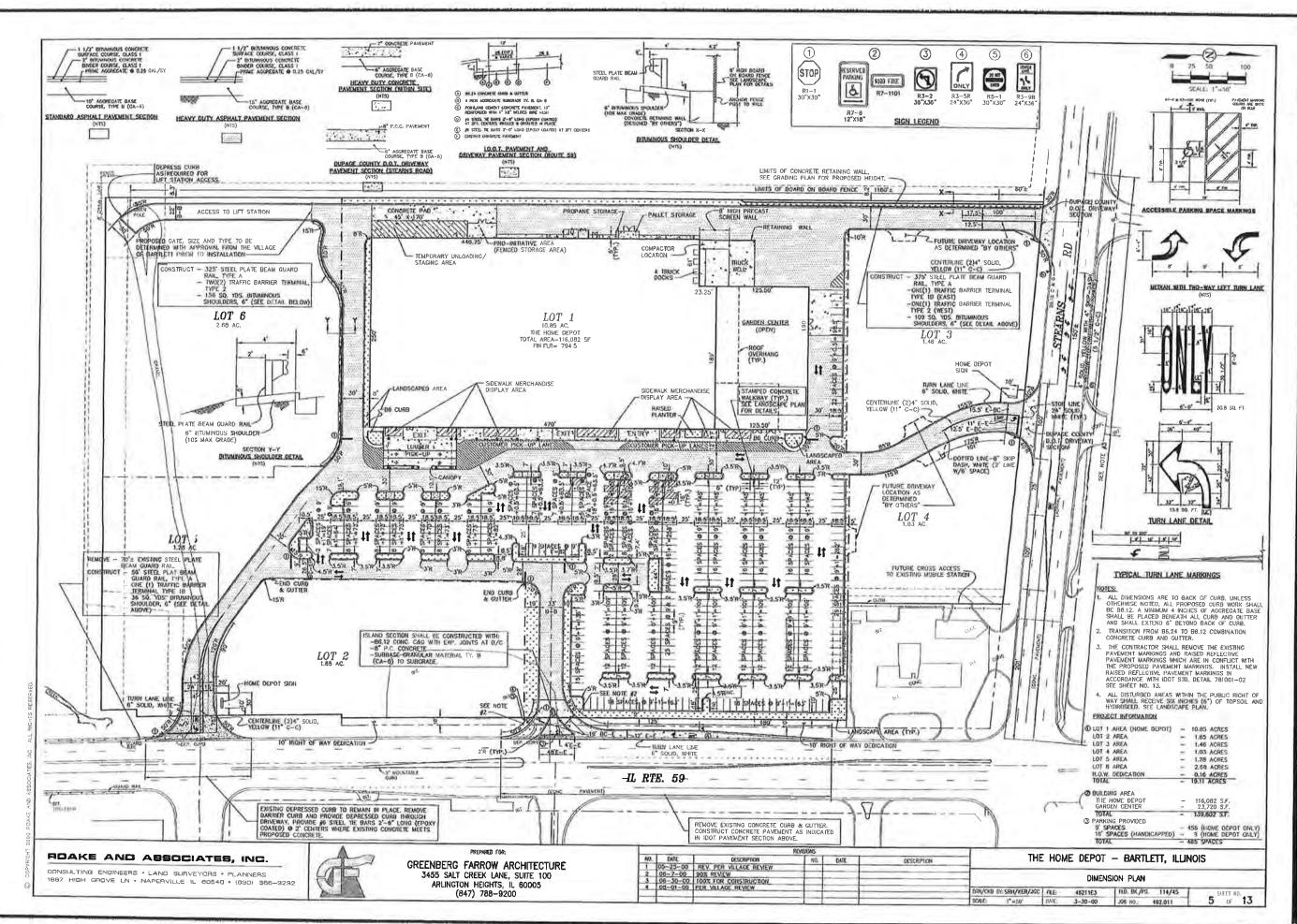
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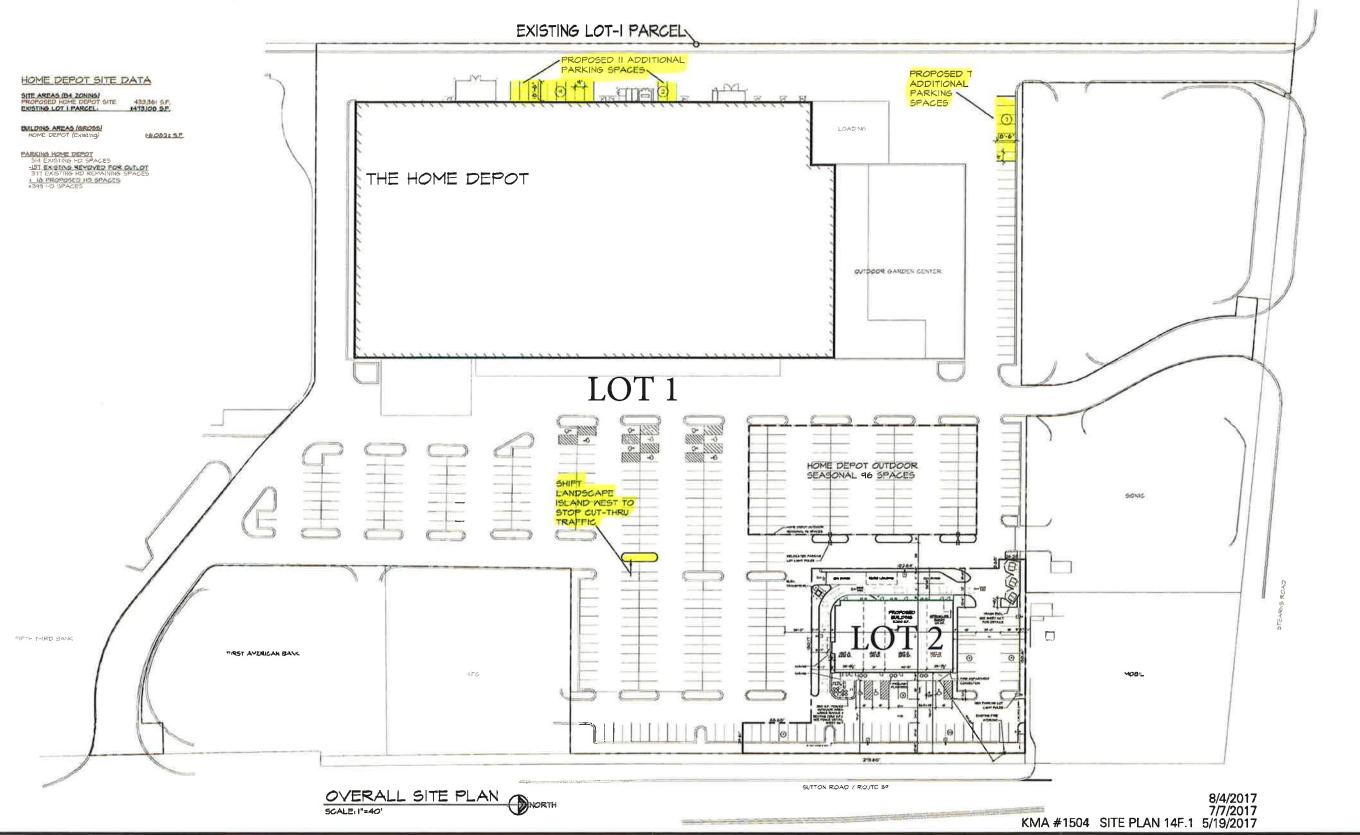
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PROPOSED COMMERCIAL BLDG.



SCALE: NTS

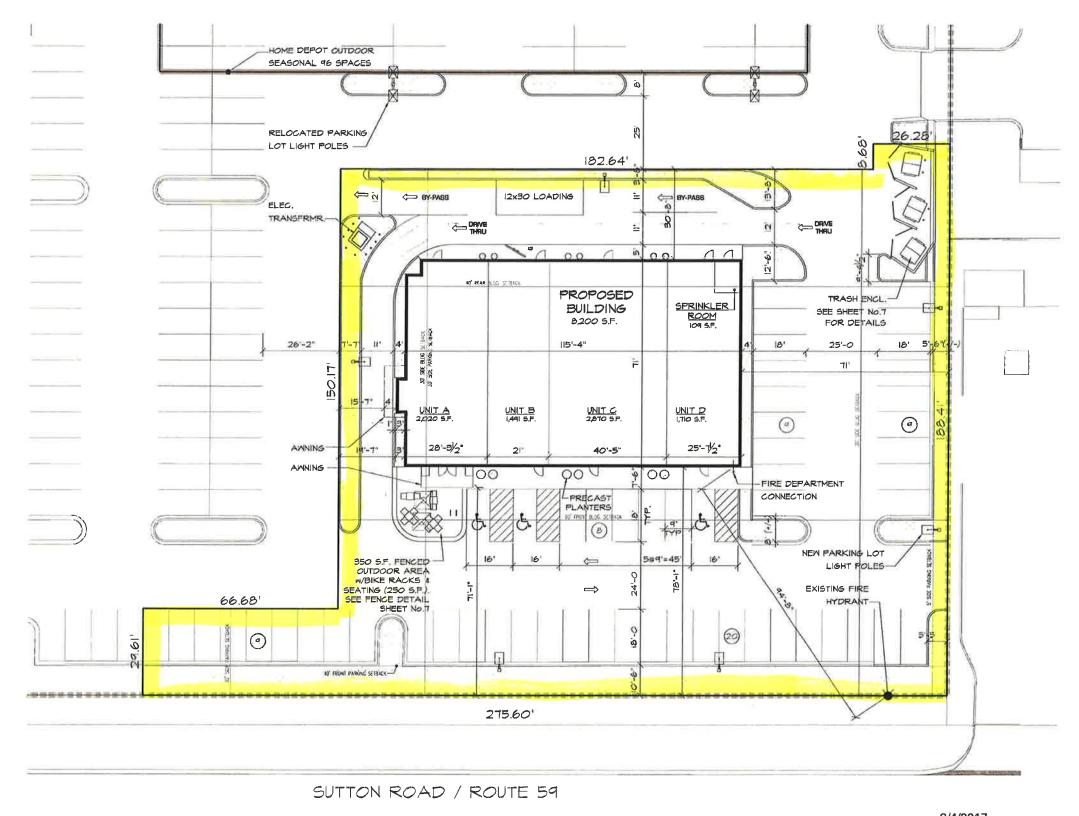
OUTLOT SITE DATA

| 39,747 S.F. |
|-------------------|
| 0.2 |
| 6,066 S.F. (15.5% |
| |

| SET BACKS | REQU | PROPOSED |
|-----------------------|------|-------------|
| RONT BUILDING | 60' | 71'-1" |
| FRONT PARKINS | 10' | IO' (EXIST) |
| REAR BUILDING | 40' | 30'-8" |
| SIDE BUILDING (NORTH) | 50' | 711 |
| SIDE BUILDING (SOUTH) | 80' | (B'-T' |
| BIDE PARKING (NORTH) | 5' | 5' (EXIST) |
| SIDE PARKING (SOUTH) | 301 | O' (EXIST) |

PROPOSED BULDING AREAS (GROSS)
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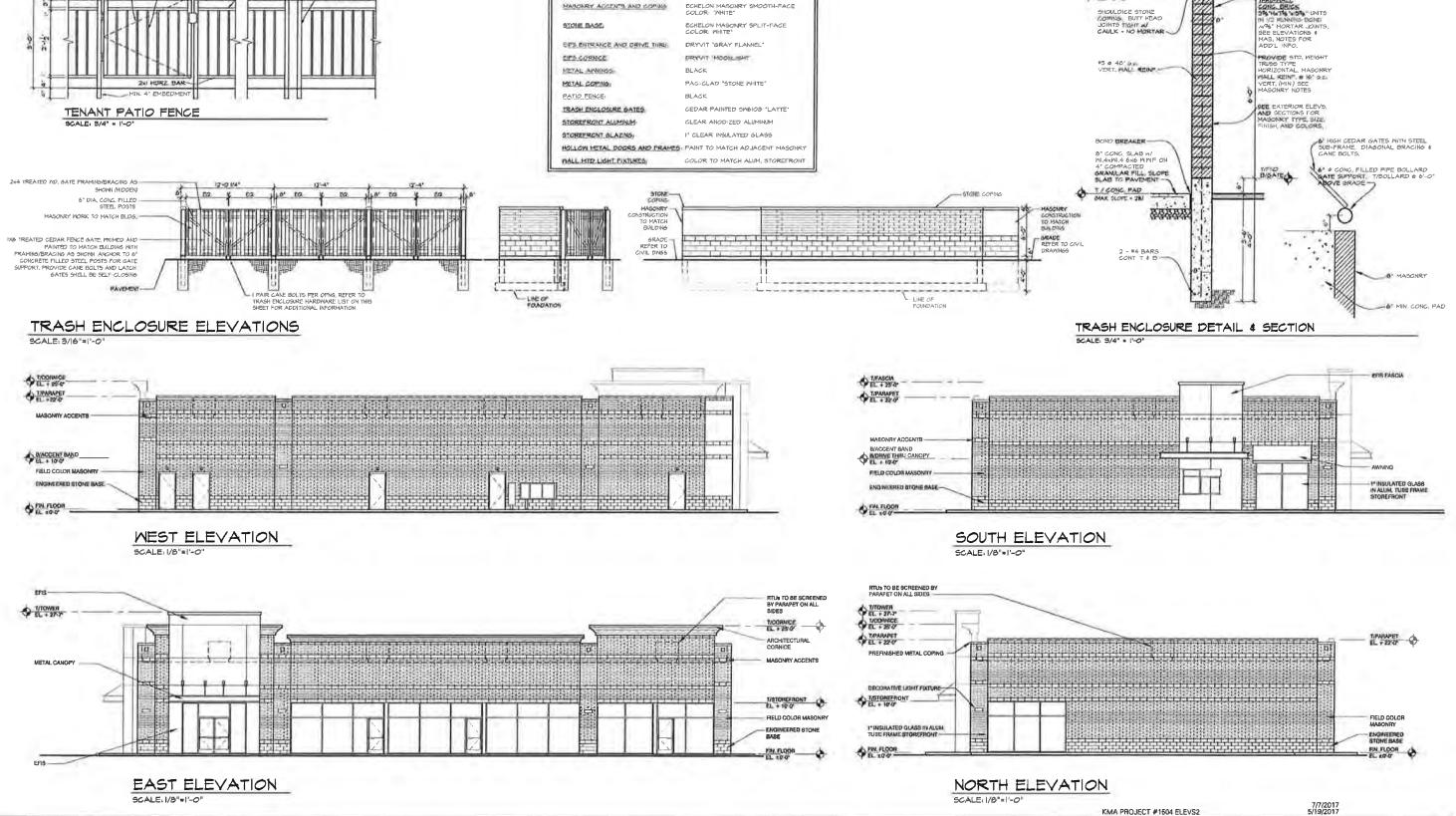
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8/4/2017 7/7/2017 KMA #1504 SITE PLAN 14F.1 5/19/2017

PROPOSED COMMERCIAL BLDG.



EXTERIOR FINISH LIST

HABONSY FIELD COLOR

HORZ, BAR

HOME DEPOT OUTLOT / IL RT. 59 BARTLETT, IL

1161 LAKE COOK ROAD DEERFIELD, ILLINOIS

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T/PARAPET
EL + 22:0"

MASONRY ACCENTS
T/STOREFRONT
EL + 10:0"
FIELD COLOR MASONRY
ENGINEERED STONE BASE

FIN, FLOOR
EL ± 20:0"

SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

*BUILDING SIGNAGE WILL BE PURSUANT TO VILLAGE CODE

ELEVATIONS

5/19/2017

PROPOSED COMMERCIAL BLDG.

HOME DEPOT OUTLOT / IL RT. 59
BARTLETT, IL

AETNA DEVELOPMENT CORPORATION

200 W. MADISON STREET CHICAGO, ILLINOIS KMA & ASSOCIATES, INC. ARCHITECTS

1161 LAKE COOK ROAD DEERFIELD, ILLINOIS





SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

*BUILDING SIGNAGE WILL BE PURSUANT TO VILLAGE CODE

ELEVATIONS

5/19/2017

PROPOSED COMMERCIAL BLDG.

HOME DEPOT OUTLOT / IL RT. 59 BARTLETT, IL AETNA DEVELOPMENT CORPORATION

200 W. MADISON STREET CHICAGO, ILLINOIS KMA & ASSOCIATES, INC. ARCHITECTS

1161 LAKE COOK ROAD

DEERFIELD, ILLINOIS

Aetna Retail

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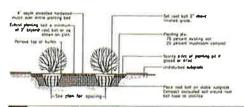
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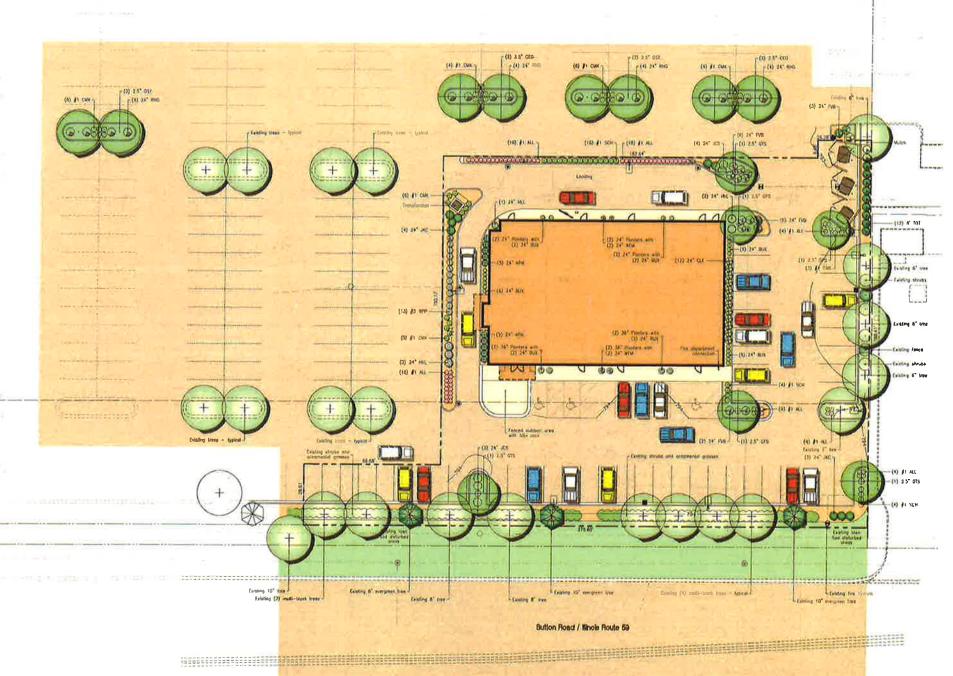
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PROPOSED OUTLOT SITE FAR. (05 MAX) OPEN SPACE (15% MIN)

34,147 9.F. 0 2 6,068 9F (18.3%)



COMMUNITY DEVELOPMENT MEMORANDUM 17-176

DATE: August 31, 2017

TO: The Chairman and Members of the Zoning Board of Appeals

FROM: Angela Zubko, Village Planner

RE: Zoning Ordinance Updates – Chapter 5 – OR Office/Research District

Chapter 3 – Accessory Uses, Buildings

and Structures (Housekeeping)

CHAPTER 5 - OR OFFICE/RESEARCH DISTRICT

Attached for your review is the updated Chapter 5 of the Zoning Ordinance. **The previous chapter was 6 pages in length; the revised Chapter 5 has been condensed to just 3 pages.** Charts are now being utilized to be more user friendly and categories are being condensed, thereby simplifying the Ordinance.

POLICY ISSUES

Staff updated this Section to match the regulations regarding Places of Assembly, Religious Institutions and Lodges (fraternal and civic) within the Residential Zoning Districts previously approved by the Zoning Board of Appeals and Village Board.

In this revised ordinance, Places of Assembly, Religious Institutions, Lodges (fraternal and civic), equal or less than 10,000 sq. ft. would be permitted by right in the OR Office/Research Zoning District, and as a Special Use if greater than 10,000 sq. feet,

Staff believes this revised ordinance more closely meets the Religious Land Use and Institutionalized Persons Act requirements.

CHAPTER 3- ACCESSORY USES, BUILDINGS AND STRUCTURES HOUSKEEPING ISSUES- Section 10-3-5 (REGULATIONS FOR SPECIFIC STRUCTURES AND USES)

Chapter 4A (Residential Zoning Districts) was approved by Ordinance #2017-24 (An Ordinance Amending the Bartlett Zoning Ordinance Chapter 4A: Residential Districts and Chapter 2: Rules and Definitions) on March 21, 2017, however two sections in Chapter 3 regarding Commercial Vehicles need to be officially modified and repealed by an Ordinance for codification purposes.

The following is to be **modified** from Section 10-3-5.E.14:

14. Any commercial vehicle in connection with the home occupation which is stored or parked on the lot must be in accordance with subsection L of this section, the regulations in Chapter 4A of this title.

The following is to **be deleted f**rom Section 10-3-5.L of the Zoning Ordinance:

- L. Vehicles, Commercial: Commercial vehicles, including those that contain equipment racks to carry commercial equipment and those that have signage and lettering on any side, front or rear of the vehicle, may be parked or stored on a residential zoning lot if located within a fully enclosed garage; or if visible from adjacent rights of way or properties, shall meet all of the following requirements:
 - 1. The commercial vehicle must display an A, B or D license plate; provided, however, a commercial vehicle with a D license plate shall not exceed a height of eight feet six inches (8'6") tall measured from the existing grade to the top of the vehicle roof;
 - 2. The commercial vehicle must be parked on a paved surface at least ten feet (10') from the side or rear property line of the zoning lot;
 - 3. The equipment and materials stored in the bed of a pickup or flatbed truck must be covered by a commercially manufactured bed cap, cover (e.g., tonneau cover) or tarp; and
 - 4. The commercial vehicle must be owned or legally controlled by one of the owners or occupants of the principal use.

RECOMMENDATION

- 1. The proposed Text Amendment is attached for your review.
- 2. Staff recommends <u>approval</u> of the proposed Text Amendments to Chapters 5 and 3 of the Zoning Ordinance.

ALZ/attachments x:\comdev\mem2017\176_zoningupdate_ch5and3_zba.docx

CHAPTER 5 Article A ARTICLE A.: O-R OR OFFICE/RESEARCH DISTRICT

Organization:

| 10-5-1: | Uses in the OR Office/Research District |
|---------|---|
| 10-5-2: | Additional Development Standards for Specific Uses |
| 10-5-3: | Special Requirements in the OR Office/Research District |
| 10-5-4: | Area, Bulk, Density and Setback Requirements |

10-5-1: USES IN THE OR OFFICE/RESEARCH DISTRICT:

A. Permitted Uses:

Uses identified with a "P" in Table 5-1 are permitted as of right in the OR Office/Research District, provided that uses comply with all other applicable standards of this Ordinance. No building or premises improved or unimproved shall be used, and no building shall be hereafter erected, converted, enlarged, reconstructed, or structurally altered, except for a purpose permitted in the district in which the building or land use is located as shown in Table 5-1, except for: Uses lawfully established prior to the effective date of this Ordinance or in accordance with Chapter 10, Nonconforming Lots, Buildings and Uses, of this Ordinance.

- B. Special Uses: Uses identified with an "S" in Table 5-1 are considered special uses and may be permitted in the subject district only after review and approval in accordance with Chapter 13 (Administration and Enforcement) of this Ordinance.
- C. Prohibited Uses: Uses listed in Table 5-1 and not identified with a "P" or "S" are expressly prohibited in the subject district. Uses not listed in Table 5-1 are also prohibited; however, the Village Board, upon recommendation from the Plan Commission, may permit a use that is not listed in accordance with Section 10-1-3.F of this Ordinance.
- **D.** Accessory Uses: Accessory Uses are permitted in the OR Office/Research District as regulated in Chapter 3 (Accessory Uses, Buildings and Structures) of this Ordinance.

TABLE 5-1
USES IN THE OR OFFICE/RESEARCH DISTRICT

| USE | OR | Additional Standards |
|--|----|----------------------|
| RESIDENTIAL USES | | |
| Community Residence | S | 10-5-2 |
| Residential Rehab/ Personal Care Facility | S | |
| Residential uses on the second floor & above | P | |
| Senior Housing | S | |
| NONRESIDENTIAL USES | | |
| Day Care, Center (Adult or Child) | S | |
| Financial institutions | P | |
| Fitness/Recreation facilities | S | |
| Hospitals | S | |
| Medical and dental clinics | Р | |
| Motor Vehicle service stations | S | 10-5-2 |

| USE | | Additional Standards |
|---|---|----------------------|
| Offices, business and professional, including research facilities and tech centers or laboratories | Р | |
| Places of Assembly, Religious Institutions, Lodge (fraternal and civic) equal or less than 10,000 sq. ft. | Р | |
| Places of Assembly, Religious Institutions, Lodge (fraternal and civic) greater than 10,000 sq.ft. | S | 10-5-2 |
| Public/Government Facility | Р | |
| Restaurants (including outdoor seating) | Р | |
| Restaurants with Liquor | S | |
| Schools (Professional, colleges or universities) Private or Public (Nonboarding) | Р | |
| Urgent Care Facilities | Р | |
| MISCELLANEOUS USES | | |
| Accessory Uses/Structures | | 10-5-2 |
| Planned Unit Development (Plan) | | 10-9 |
| Utilities (Private), Cellular Tower | S | |

10-5-2: ADDITIONAL DEVELOPMENT STANDARDS FOR SPECIFIC USES IN THE OR OFFICE/RESEARCH DISTRICT:

A. Community Residence:

- 1. A Community Residence shall have a maximum of eight (8) unrelated persons residing in it, with a minimum of one but not more than three (3) paid professional support staff provided by the sponsoring agency, either living with the residents on a twenty four (24) hour basis, or present whenever residents are present at the dwelling to provide supervision and support.
- 2. The Community Residence is located at least (1,200') feet, measured in all directions, from any other building used as a Community Residence pursuant to this Title, or a "Community Residence" as defined pursuant to any adjacent jurisdiction's Zoning Ordinance.
- 3. Services, including, but not limited to, counseling and other treatment shall be provided for only persons residing at the Community Residence.

B. Gasoline Motor Vehicle Service Stations:

- 1. No major repair, body and fender work.
- 2. No painting of vehicles.
- 3. No storage of vehicles.
- 4. No rental of cars, trucks or trailers.
- 5. All work shall be conducted within a completely enclosed building.
- C. Places of Assembly, Religious Institutions and Lodges (Fraternal and Civic): A Traffic Impact Study shall be required for all places of assembly, religious institutions, lodges (fraternal and civic) greater than 10,000 square feet.

10-5-3: SPECIAL REQUIREMENTS IN THE OR OFFICE/RESEARCH DISTRICT:

A. Enclosure of Operations: Office/Research Uses: All business, servicing and uses, including storage, shall be conducted within completely enclosed buildings, unless otherwise stated in this Title.

- B. Underground Utilites Utility Facilities: All utilities utility lines, including electric power and telephone lines, shall be located underground.
- C. Traffic/Access Systems Traffic Analysis: The number and location of access points to be provided for any O R development If required, the traffic analysis shall be determined by a traffic study prepared by a qualified traffic engineer and subject to review and approval by the Village Board.
- D. **Site Plan Review:** A Site Plan approved according to Review or Administrative Site Plan Review and approval in accordance with the regulations in Chapter 13 of this Title shall be required prior to the approval of a building permit for any property in the O-R OR District, or prior to the rezoning of property to an O-R OR District. (Ord. 78-40, 5-16-1978)
- E. All uses shall conform to the applicable requirements set forth in this Title.

10-5-4: AREA, BULK, DENSITY AND SETBACK REQUIREMENTS:

Scope and Applicability of Requirements: Except as may be provided elsewhere in this Ordinance, the provisions of this Chapter shall establish the minimum and maximum requirements of area, bulk, density, and setbacks for the OR Office/Research District. No building or structures shall be erected, converted, enlarged, reconstructed, or structurally altered in violation of the requirements of this Chapter.

TABLE 5-2
OR OFFICE/RESEARCH DISTRICT BULK REGULATIONS

| Minimum Contiguous Area | | 2 Acres |
|--|--|---|
| Minimum Lot Area | | Sufficient Area to Accommodate the Use |
| Minimum Lot Width | | 60' |
| Maximum Building Height | | 50' (1) |
| Maximum Lot Coverage (including accessory buildings) | | 30% |
| Maximum Floor Area Ratio | | 0.5 |
| v) | Front Yard | 30' |
| P. | Side Yard | 15' |
| × – | Corner Side Yard | 30' |
| Required Yards | Side Yard adjacent to a Residential District | 30' |
| Rec | Rear Yard | 30' |
| 10 | Front Yard | 20' |
| | Side Yard | 10' |
| Parking Setbacks | Corner Side Yard | 20' |
| Se | Rear Yard | 15' |
| Open S | Space Requirement | 20% |
| (1) Any stru | cture exceeding the height shall re | quire a Special Use Permit. |

Organization:

| 10-5A-1: | RESERVED: |
|----------|--------------------------------|
| 10-5A-2: | USE, LOT AND BULK REGULATIONS: |
| 10-5A-3: | PERMITTED USES: |
| 10-5A-4: | SPECIAL USES: |
| 10-5A-5: | ACCESSORY USES: |
| 10-5A-6: | PROHIBITED USES: |
| 10-5A-7: | SITE AND STRUCTURE PROVISIONS: |

10-5A-1: RESERVED:

(Ord. 2013-45, 6-4-2013)

10-5A-2: USE, LOT AND BULK REGULATIONS:

Use, lot and bulk regulations applying specifically to the O-R office/research district are set forth in the sections which follow. Also applying to the O-R district are regulations set forth in other chapters of this title as follows:

Chapter 1- General Zoning Provisions

Chapter 2-Rules and definitions

Chapter 9- Planned Unit Developments

Chapter 10- Nonconforming lots, buildings and uses

Chapter 11 Off street parking and loading

Chapter 11A Landscaping, screening and tree preservation

Chapter 12 Signs

Chapter 13-Administration and enforcement

(Ord. 78-40, 5-16-1978; amd. Ord. 91-26, 4-16-1991)

10-5A-3: PERMITTED USES:

Uses of land or buildings, as hereinafter listed, shall be permitted in accord with the conditions specified. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those itemized uses listed under the said category. No building or zoning lot in the O-R district shall be devoted to any use other than a use permitted in the O-R district and no building or structure in an O-R district shall be erected, altered, enlarged or occupied except for a permitted use in the O-R district unless otherwise specifically allowed by this title.

Uses lawfully established on the effective date of this Title and rendered nonconforming by the provisions thereof shall be subject to the regulations of Chapter 10 of this Title.

The following uses are permitted in the O-R District.

A. Offices, business and professional, including research facilities.

- B. Medical and dental clinics.
- C. Professional schools, including:
 - Commercial art
 - 2. Cosmetology
 - 3. Barber
 - 4. Correspondence and stenographic
 - 5. Business
 - Data processing
 - 7. Electronics and electricity
 - 8. Machine tabulation
 - 9. Trade schools
- D. Laboratories, including:
 - 1. Analytical and chemical
 - 2. Commercial analytical
 - 3. Scientific, experimental and research
 - 4. Medical and dental
 - 5. Optical
- E. Radio and television broadcasting studios.
- F. Financial institutions and offices.
- G. Public land and buildings exclusive of maintenance shops. (Ord. 78-40, 5-16-1978)
- H. Residential uses on the second floor in zoning lots fifteen thousand (15,000) square feet or less in existence prior to 1978. (Ord. 86-18, 3-18-1986)

10-5A-4: SPECIAL USES:

Special uses, as hereinafter listed, may be allowed subject to the issuance of special use permits in accordance with the provisions of Chapter 13 of this Title. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include all and only those itemized uses listed under the said major category.

The following uses are special uses in the O-R District.

Buildings in excess of fifty feet (50') in height used for a permitted or special use as set forth above.

Convention and/or exhibition halls and centers.

Gasoline service stations, but not including major repair, body and fender work and/or painting, the storage and/or rental of cars, trucks or trailers.

Health clubs and recreational facilities, such as swim and racquet clubs, stadia, etc. Heliports.

Hospitals, nursing homes, sheltered care homes, intermediate care facilities, homes for the aged.

Planned unit developments.

Public utility and service uses.

Restaurants with accessory cocktail lounges incidental to and designed primarily for the use by tenants of an office complex. (Ord. 78-40, 5-16-1978)

10-5A-5: ACCESSORY USES:

Accessory uses, buildings or other structures customarily incidental to and commonly associated with a permitted or special use may be permitted provided they are operated and maintained under the same ownership and on the same lot as the permitted use, do not include structures or structural features inconsistent with the permitted use.

Accessory uses may include the following:

Cafeterias, candy shops and health facilities for employees of the company or companies on the premises provided no exterior advertising of such facilities is provided.

Garages, carports, and parking spaces for lawful occupants or users of permitted or special uses on the same premises.

Signs, as regulated in Chapter 12 of this Title.

Tool houses, sheds, etc. for storage of supplies. (Ord. 78-40, 5-16-1978)

10-5A-6: PROHIBITED USES:

All uses not expressly authorized under "Permitted, Special or Accessory Uses" are expressly prohibited.

The following, and uses similar to the following, illustrate prohibited uses: (Ord. 78-40, 5-16-1978)

Adult bookstores.

Adult cabarets

Adult entertainment establishments.

Adult mini motion picture theaters.

Adult motion picture theaters. (Ord. 96-4, 2-6-1996)

Commercial and business uses except as permitted above.

Industrial and manufacturing uses. (Ord. 78-40, 5-16-1978)

Monoash landfills, transfer stations, balefills, hazardous waste landfills, incinerators, garbage dumps, sanitary and solid waste landfills, and uses accessory to or related to said uses. (Ord. 88-67, 7-19-1988)

Residential uses including single-family or multi-family, except as permitted in subsection 10-5A-3H of this Article. (Ord. 86-18, 3-18-1986)

Other uses, including such other uses as deemed by the Village Board to be incompatible with the intended character of the O-R Office/Research District. (Ord. 78-40, 5-16-1978)

10-5A-7: SITE AND STRUCTURE PROVISIONS:

- F. Minimum Contiguous Area: The minimum contiguous area for any land zoned in accordance with the O-R District shall be ten (10) acres.
- G. Minimum Lot Area: A ground area of not less than two (2) acres shall be designated, provided and continuously maintained for each principal structure, except as allowed in planned unit developments.
- H. Minimum Lot Width: A minimum lot width of not less than two hundred feet (200') shall be provided for each lot used for a permitted use.
- I. Required Yards: Required yards shall be provided and maintained in the Office/Research District as described below:
 - 1. Required Front Yard: A required front yard of fifty feet (50') or one and one half (1⁴/₂) times the height of the principal structure, whichever is greater, shall be provided and maintained.
 - 2. Required Side Yards: Required side yards of thirty feet (30') shall be provided and maintained.

On a corner side yard, a required side yard shall be provided and maintained at a depth equal to the required front yard.

Structures in excess of three (3) stories in height shall require interior side yards equal to the height of the structure.

Property adjoining a residential district shall require a side yard adjacent to the residential district equal in depth to the required front yard.

- 3. Required Rear Yard: A required rear yard shall be provided and maintained equal in depth to the required front yard.
- J. Building Height: No structure or portion thereof excluding a mechanical penthouse shall exceed a height of fifty feet (50'). However, taller buildings may be permitted as special uses.
- K. Maximum Building Coverage: No principal building or structure with its accessory buildings shall occupy in excess of thirty percent (30%) of the area of the lot.
- Eloor Area Ratio: The maximum floor area ratio (FAR) for all structures shall be 0.5 except for special uses where the FAR may be increased to a maximum of 0.8.
- M. Special Requirements: Uses in the O-R Office/Research District shall conform to the following requirements:

1. Parking and Loading Requirements: All uses shall conform to the applicable requirements set forth in Chapter 11 of this Title.

Parking or loading spaces shall not be located nearer than twenty feet (20') from a front or corner side lot line, ten feet (10') from an interior side lot line or fifteen feet (15') from a rear lot line. (Ord. 78-40, 5-16-1978)

All garage doors and loading areas shall be fully screened in accordance with the provisions in subsection 10-11A-4E1c of this Title. (Ord. 91-26, 4-16-1991)

- Sign Requirements: All uses shall conform to the applicable requirements set forth in Chapter 12 of this Title.
- 3. Trucks: The parking of trucks as an accessory use, when used in the conduct of a permitted business listed in the B-2 District, shall be limited to vehicles of not over one and one-half (1¹/₂) tons' capacity when located within one hundred fifty feet (150') of a residence district boundary line. (Ord. 78-40, 5-16-1978)
- Refuse Areas: All refuse areas shall be screened in accordance with provisions in subsection 10-11A-4E1a of this Title. (Ord. 91-26, 4-16-1991)
- Required Screening and Landscaped Open Space: The minimum area to be devoted to landscaped open space shall be equal to twenty percent (20%) of the gross area of the site. (Ord. 78-40, 5-16-1978)

All office/research developments shall provide screening and landscaping in accordance with provisions in Chapter 10-11A of this Title. (Ord. 91-26, 4-16-1991)

- 6. Office/Research Use Requirements:
 - Enclosure of Operations: All business, servicing and storage shall be conducted within completely enclosed buildings.
 - b. Underground Utility Facilities: All utility lines, including electric power and telephone lines, shall be located underground.
 - c. Lighting: All exterior lighting, including lighting of buildings, interior street lighting and landscape lighting, shall be directed away from adjacent highways, streets and properties.
 - d. Performance Standards: All uses shall comply with the performance standards for noise, odor, dust, smoke and vibration established in the I-1 Limited Industrial District.
 - e. Traffic/Access Systems: The number and location of access points to be provided for any O-R development shall be

determined by a traffic study prepared by a qualified traffic engineer and subject to review and approval by the Village Board.

N. Site Plan Review: A site plan approved according to the regulations in Chapter 13 of this Title shall be required prior to the approval of a building permit for any property in the O-R District, or prior to the rezoning of property to an O-R District. (Ord. 78-40, 5-16-1978)

COMMUNITY DEVELOPMENT MEMORANDUM 17-166

DATE: August 25, 2017

TO: The Chairman and Members of the Zoning Board of Appeals

FROM: Angela Zubko, Village Planner

RE: (#17-10) Administrative Site Plan Review Text Amendment-

Chapter 13 Administration and Enforcement (Partial), Chapter 9 Planned Unit Developments (Partial), and

Chapter 2 Rules and Definitions (Partial)

Current Procedure

The Village Board has asked the Staff to suggest amendments to the Municipal Code to streamline the development process and improve the overall service delivery. This Text Amendment to the Zoning Ordinance would allow Site Plans, Site Plan Amendments and Minor Amendments to approved Final PUD Plans to be reviewed and approved administratively as part of the Building Permit Application. The Administrative Review would still include the typical departmental reviews from Building, Community Development, Engineering/Public Works, Police, Fire and IDOT/County Highway Departments (if needed) but could save approximately three (3) months of review time from the current process which requires:

- 1. The initial Site Plan Application,
- 2. Staff Routing/Distribution,
- 3. Staff Review,
- 4. Staff Review Letter,
- 5. Applicant's Response to the Staff's review letter,
- 6. Village Board Committee review,
- 7. Plan Commission review and recommendation,
- 8. Second Village Board Committee review, and
- 9. Village Board approval and Ordinance adoption.

Proposed Procedure

When a proposed development application is a permitted use within in a particular zoning district, meets the bulk requirements and does not require a Rezoning, Special Use(s) and/or Variation(s), the property owner/applicant would submit a Building Permit Application rather than submitting an application with Community Development and following the steps outlines above. The Building

CD Memo #17-166 August 28, 2017 Page 2

Permit Application would include the required Site Plan, Site Plan Amendment, or Minor Amendment to an approved Final PUD Plan, landscaping, building elevations, floor plans, color renderings and photometric plans as well as any engineering plans in tandem with the submittal of the Building Permit Application. The Site Plan Checklist requirements currently outlined on the Community Development Site Plan Application would not change. Staff would encourage property owners/applicants to meet with the Technical Staff prior to submission to go over the Site Plan Checklist, so that all parties would have prior knowledge of the items required for a completed application and to expedite the review process.

If the site requires Rezoning, any Special Use Permit(s) and/or a Variation(s), the Petitioner would need to go through the current development review process.

Numerous municipalities, including Hanover Park, Streamwood, Carol Stream, Naperville, Addison, Carpentersville and Schaumburg, administratively review Site Plans in conjunction with a building permit application submittal.

The following is a list of petitions from the last 3 years that could have benefited from this Text Amendment:

- 2017-15: Acton Mobile Bluff City Industrial Park (Amendment to an Approved Final PUD Plan)
- 2017-09: Brewster Creek Business Park- Lot 9B2 Ridge BC2 (Site Plan)
- 2017-04: Brewster Creek Business Park- Lot 9M Muirfield West (Site Plan)
- 2016-15: Bartlett Little League Storage Shed (Amendment to an Approved Final PUD Plan)
- 2016-04: Blue Heron Business Park- Elgin Beverage (Site Plan)
- 2016-03: Brewster Creek Business Park- Lot 9B1 Greco Warehouse (Site Plan)
- 2015-23: Hanover Township parking lot (Site Plan Amendment)
- 2015-22: Brewster Creek Business Park- Lot 7D Rana (4th Site Plan Amendment)
- 2015-19: Brewster Creek Business Park- Lot 9L Ridge BC (Site Plan)
- 2015-18: Spring Lakes Mobile Home Park Playground (Site Plan)
- 2015-17: Mr. Car Wash vacuums (Site Plan Amendment)
- 2015-13: BAPS Phase 4 (PUD Plan Amendment)
- 2015-12: Brewster Creek Business Park- Lot 4F (Site Plan)

Total: 13 Petitions

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Chapter 13 (Administration and Enforcement) is only being modified at this time for Site Plan Reviews and to allow <u>Administrative Site Plan Reviews</u>. The entire Chapter will be reviewed and modified at a future date.

Chapter 9 (Planned Unit Developments) is only being modified at this time to allow Minor Amendments to PUD Plans. The entire Chapter will be reviewed and modified at a future date.

Chapter 2 (Rules & Definitions) is only being modified at this time to include Kane County in the definition of Planned Unit Development Plat.

PLANNED UNIT DEVELOPMENT PLAT: A drawing or map made to measurable scale upon which is presented a description and definition of the way in which the design requirements of the planned unit development are to be met and intended for recording with the recorder of deeds of DuPage, Kane or Cook County or the registrar of titles of Cook County.

RECOMMENDATION

- 1. The proposed Text Amendment is attached for your review. If the Zoning Ordinance Text Amendment is approved, the Building Code regarding Building Permit Application requirements would also need to be updated.
- 2. Staff recommends <u>approval</u> of the proposed Text Amendments to Chapters 13, 9 and 2 of the Zoning Ordinance.

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Chapter 13 ADMINISTRATION AND ENFORCEMENT

10-13-1: ZONING ADMINISTRATOR, DUTIES:

10-13-2: OCCUPANCY CERTIFICATES:

10-13-3: ZONING BOARD OF APPEALS:

10-13-4: APPEALS:

10-13-5: VARIATIONS:

10-13-6: PLAN COMMISSION:

10-13-7: AMENDMENTS:

10-13-8: SPECIAL USES:

10-13-9: SITE PLAN REVIEW:

10-13-9A: ADMINISTRATIVE SITE PLAN REVIEW:

10-13-10: NOTICES OF PUBLIC HEARING:

10-13-11: FEES:

10-13-9: SITE PLAN REVIEW:

Prior to obtaining a building permit a An approved Site Plan Review shall be required prior to as part of a the approval of a building permit Development Application for a Rezoning, Special Use(s) and/or Variation(s) on any property located within an SR-5, SR-6, MH-1, P-1, Commercial, Office/Research or Industrial Zoning District, or prior to the granting of a rezoning of property to an SR-5, SR-6, MH-1, commercial, office or industrial category or the granting of a special use permit in any of these districts

Site Plan requirements for Planned Unit Developments within the SR-5, SR-6, MH-1, Commercial, Office or Industrial Districts are included in Chapter 9 of this title, Planned Unit Developments.

- A. Purpose And Intent: The purpose and intent of requiring a Site Plan Review approval—is to ensure that Site Plans associated with a Rezoning, Special Use(s) and/or Variation(s) that is/are otherwise in conformance with this title. The Site Plan should also include the compatible arrangement of buildings, off-street parking, lighting, landscaping, ingress and egress, and drainage stormwater control of the site, any or all of these, and shall be designed in a manner that will promote safety and convenience for the public and will preserve property values of surrounding properties.
- B. Procedure: A written application for site plan review shall be submitted to the village clerk, who will schedule the item for review by the plan commission. Ten (10) copies of the site plan shall be submitted by the property owner or his certified agent to the zoning administrator at least ten (10) days prior to the plan commission meeting at which the site plan will be reviewed. The zoning administrator shall review the site plan for

conformance with the zoning ordinance of the village, and shall make a report to the plan commission. After reviewing the report of the zoning administrator, the plan commission shall recommend approval or denial of the site plan, with or without conditions, or may defer the item for further study. Once a recommendation is made, the site plan shall be forwarded to the village board for consideration. Consultation with the appropriate village staff and consultants is encouraged throughout this process to ensure a minimum of delay.

The applicant shall file the required items as outlined in the Development Application Packet provided by the Village, as well as all supporting documents and fees. Once the Zoning Administrator has determined that the Development Application Packet is complete, the review process outlined in the Packet shall be followed.

Contents Of A Site Plan: A Site Plan shall follow and include the following information:

- 1. A base map, drawn to scale, showing all lot boundaries and dimensions and a written description of the property; (Ord. 78-40, 5-16-1978)
- Present and proposed topography of the site, including significant tree groupings and other important natural features, such as streams, bogs, etc., proposed flow of storm drainage and the locations and plantings schedule, for all landscaping, including grass, trees and shrubs as required in subsection 10-11A-3B of this title; (Ord. 78-40, 5-16-1978; amd. Ord. 91-26, 4-16-1991)
- Locations and dimensions of all existing and proposed structures, building heights, number of stories, gross floor greas, and entrances;
- 4. Locations and dimensions of all existing and proposed streets, curb cuts, aisles and walkways and the number and location of all parking and loading areas. If the exact use of the site is not known at the time of a Site Plan submittal, parking and loading requirements shall be calculated for the general use having the greatest parking and loading requirements;
- Location, height and material for all screening walls and fences, location and direction of proposed lighting facilities and the location and dimensions of each outdoor trash storage area; and
- Timetable for construction of proposed improvements. (Ord. 78-40, 5-16-1978)
- 7. The Plan Commission, Zoning Board of Appeals and/or the corporate authorities may request other information necessary to reasonably clarify the proposed Site Plan and its impact on surrounding properties. Such information may include, but is not limited to, a noise study from a qualified sound engineer indication the level of sounds that will be emitted from the property will comply with section 4-3-4 of the Bartlett Municipal Code. (Ord. 2001-129, 10-2-2001)

- C. Findings and Conditions of Approval: The Plan Commission Prior to shall review and make recommendations recommending approval of on a Site Plan, the plan commission shall first find that subject to the following findings of fact and any other conditions have been met included in their recommendation:
 - 1. That the proposed use is a permitted or special use in the district in which the property is located;
 - 2. That the proposed arrangement of buildings, off-street parking, access lighting, landscaping and drainage stormwater control is compatible with adjacent land uses;
 - 3. 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;
 - 4. That the Site Plan provides for the safe movement of pedestrians with the site;
 - 5. That there is a sufficient mixture of grass trees and shrubs within the interior and perimeter (including the 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 Ssite Plan area not used for buildings, structures, parking or access ways shall be landscaped with a mixture of grass, trees and shrubs; (Ord. 78-40, 5-16-1978)
 - All landscape improvements shall be in compliance with Chapter 11, Article A of this title, Landscape Requirements.
 - 6. That all trash enclosures and outdoor storage areas are screened and are in accordance with standards specified by this Ordinance. (Ord. 78-40, 5-16-1978)
- D. Assurance of Performance: As a condition of approval, the Plan Commission the Village Engineer and/or Building Director may recommend that the applicant be required to file with the Village Treasurer a Letter of Credit or a Performance Guarantee approved by the Village Attorney to ensure completion of approved landscaping, fencing, utilities, parking and loading, storm water control, drainage and all other specific items specified by the Village Engineer of the Site Plan. The amount of the Performance Guarantee and the required completion date shall be recommended by the Village Engineer Zoning administrator based on current the Village Engineer's estimate of costs and set by the Village Board.

If upon inspection of the completed project by the Village Engineer Zoning Administrator, it is found that the conditions of the Site Plan have been met, the Village Engineer shall write a letter to the applicant and the Performance Bond Guarantee shall be released to the applicant.

If the applicant does not complete the development of the items specified on the Site Plan within the time specified in its bond or other security Guarantee, the Village Engineer Zoning Administrator shall give written notice of the incomplete items to the applicant and the surety or other gGuarantor. If the site is not development in conformanceity with the conditions of the Site Plan the Village will not accept the public improvement(s) and will not release the Performance Guarantee. have not been completed thirty (30) days prior to the expiration of the performance guarantee, the Village will take such action as is necessary to ensure completion in conformity with the Site Plan conditions. However if the applicant can show that he has tried to the utmost of his ability to complete development in conformity with the conditions of the Site Plan within the time period specified, but that adversities not of his making have prevented such completion, the Village Board may permit him to extend the performance guarantee for an additional specified period of time.

- E. Building Permits: A Building p—Permits for earthmoving, construction, alteration, or any other purpose shall not be issued for a Site until a Site Plan is approved by the Village Board. and such approved Site Plan is delivered to the Zoning Administrator. Any earthmoving, construction or alteration determined not to be in substantial compliance with the approved Site Plan, in the opinion of the Zoning Administrator Building Director shall be a violation of this Title. (Ord. 83-20, 4-26-1983; amd. Ord. 91-48, 7-2-1991)
- F. Amendments To An Approved Site Plan: The required Site Plan and timetable may be amended by the Village Board after review and recommendation by the Plan Commission. Amendments to an approved Site Plan may be submitted to the Building Department as part of a Building Permit Application and reviewed in accordance with Section 10-13-9A (Administrative Site Plan Review). If a Rezoning, Special Use(s) and/or Variation(s) is/are requested as part of the amendment request, the Site Plan will be reviewed in accordance with Section 10-13-9 (Site Plan Review).

10-13-9A: ADMINISTRATIVE SITE PLAN REVIEW: An Administrative Site Plan Review may be submitted to the Building Department as part of a Building Permit Application if no Rezoning, Special Use(s) and/or Variation(s) is/are requested.

A. Purpose and Intent: The purpose and intent of requiring an Administrative Site Plan Review is to ensure that Site Plans are otherwise in conformance with this title, include the compatible arrangement of buildings, off-street parking, lighting, landscaping, ingress and egress and stormwater control of the site, and shall be designed in a manner that will promote safety and convenience for the public and will preserve property values of surrounding properties.

- **B. Procedure:** The applicant shall file a Site Plan as part of the required Building Permit Application with all supporting documents and fees. Once the Building Director has determined that the Building Permit Application is complete, the review process outlined in Title 9-2-12 in the Building Code shall be followed.
- C. Assurance of Performance: As a condition of approval, the Village Engineer and/or Building Director may recommend that the applicant be required to file with the Village a Performance Guarantee approved by the Village Attorney to ensure completion of approved landscaping, fencing, utilities, parking and loading, storm water control and other items specified by the Village Engineer. The amount of the Performance Guarantee and the required completion date shall be recommended by the Village Engineer based on the Village Engineer's estimate of costs.

If upon inspection of the completed project by the Village Engineer it is found that the conditions of the Site Plan have been met, the Village Engineer shall write a letter to the applicant and the Performance Guarantee shall be released.

If the applicant does not complete the development of the items specified on the Site Plan within the time specified in its Guarantee, the Village Engineer shall give written notice of the incomplete items to the applicant and the surety or other Guarantor. If the site is not in conformance with the conditions of the Site Plan the Village will not accept the public improvement(s) and will not release the Performance Guarantee.

- **D. Building Permits:** A Building Permit for earthmoving, construction, alteration, or any other purpose shall not be issued for a Site until a Site Plan is approved by the Zoning Administrator and Village Engineer and a Performance Guarantee approved by the Village Attorney posted. Any earthmoving, construction or alteration determined not to be in substantial compliance with the approved Site Plan, in the opinion of the Building Director, shall be a violation of this Title.
- **E.** Amendments To An Approved Administrative Site Plan: Amendments to an Approved Administrative Site Plan may be submitted as part of a Building Permit Application and reviewed in accordance with this section (Administrative Site Plan Review). If a Rezoning, Special Use(s) and/or Variation(s) is/are requested, then the plans will be reviewed in accordance with Section 10-13-9 (Site Plan Review).

Chapter 9 PLANNED UNIT DEVELOPMENTS

10-9-10: FINAL DEVELOPMENT PUD PLAN:

10-9-10A: MINOR AMENDMENTS TO APPROVED FINAL PUD PLANS:

10-9-10A: MINOR AMENDMENTS TO APPROVED FINAL PUD PLANS: A Minor Amendment (as determined by the Zoning Administrator) to an Approved Final PUD Plan may be submitted to the Building Department as part of a Building Permit Application if no Rezoning, Special Use(s) and/or Variation(s) is/are requested.

Chapter 2 RULES AND DEFINITIONS:

10-2-2: DEFINITIONS:

PLANNED UNIT DEVELOPMENT PLAT: A drawing or map made to measurable scale upon which is presented a description and definition of the way in which the design requirements of the planned unit development are to be met and intended for recording with the recorder of deeds of DuPage, Kane or Cook County or the registrar of titles of Cook County.