

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE MEETING OF THE
PLAN COMMISSION
OCTOBER 13, 2011**

Approved

1. CALL TO ORDER AND ROLL CALL

A Meeting of the Plan Commission of the Village of Lake Barrington was held on Thursday, October 13, 2011, at the Village Municipal Center, 23860 Old Barrington Road, and was called to order by Chair Daulton Lange at 7:00 p.m. There were four people in the audience. On roll call, the following were:

Present:	Commissioners: Delisle, MacKenzie, Menconi, Puleo, Wrzeszcz, and Chair Daulton Lange
Absent:	Commissioner Wood
Also Present:	Village Administrator Chris Martin, and Village Attorney Jim Bateman

2. APPROVAL OF THE MINUTES:

A motion was made by Commissioner Delisle and seconded by Commissioner Puleo to approve the minutes of July, 9, 2011. The voice vote was unanimous.

A motion was made by Commissioner Menconi and seconded by Commissioner Puleo to approve the minutes of July, 23, 2011. The voice vote was unanimous.

3. CONSIDERATION OF A PETITION FOR SPECIAL USE PERMIT TO OPERATE A VEHICLE REPAIR SERVICE AND GARAGE – MW AUTOWERKS D/B/A DEVO 2NING – 28147 COMMERCIAL AVENUE, UNIT 8, UNIT C

Mr. Martin noted that Messrs Michael Witt and Christopher Vance are requesting a special use permit to allow for the operation of Devo2Ning an automotive repair business. The subject address is 28147 W. Commercial Avenue, a multi-tenant building. The proposed business will occupy unit 8. The petitioner is requesting the following:

- A vehicle repair service and garage requires a special use permit in the M zoning district pursuant to section 8-4-6(C).

The entire site is 80,000 square feet in lot area with a single multi-tenant building of 25,095 square feet with a shared parking lot. The proposed use occupies Unit 8 with a shop and/or storage areas of approximately 3,000 square feet and an adjoining fenced in exterior storage lot which is under the control of this tenant. There is no engineering pertinent to this petition. Parking areas are not clearly defined. There is shared access drive onto Commercial. The building is not sprinklered. The petitioner will install a fire alarm and CO detectors as a condition of this SUP. They petitioner plans to install a ventilation system but has not provided specifics as of yet.

The petitioner will install a triple basin system as a condition of this SUP and as required by the Illinois Plumbing Code, one is not installed currently.

Landscaping on this property is substandard. The rear of the building which is adjacent to the medical office building on Route 14 requires attention.

Staff Recommendation

Staff believes that this is an appropriate location for an automobile repair facility and garage and that the building is suited for the proposed use. Staff recommends approval of the special use permit conditioned upon a Fire Department review of proposed alarm and CO2 detectors and installation of a triple basin as well as parking lot and landscape improvements.

Commissioner Questions and Public Comment

Chair Daulton Lange requested public comment (none) and Commissioners' questions. Public comment and Commissioners' comments and discussion are detailed within the attached transcripts.

At the conclusion of Commission discussion Chair Daulton Lange requested a motion as follows:

- I. MOTION WAS MADE BY COMMISSIONER PULEO, AND SECONDED BY COMMISSIONER WRZESZCZ, THAT THE PLAN COMMISSION RECOMMEND TO THE BOARD OF TRUSTEES the approval of the request of the Petitioner, MW Autowerks, Inc., d/b/a Devo 2ning as the proposed tenant and the operator of a proposed vehicle repair service, for a special use to permit the establishment and operation of a vehicle repair service on the property at 28147 W. Commercial Avenue, Lake Barrington, IL (the "Subject Property"), pursuant to Section 8-4-6(C) of the Village of Lake Barrington Village Code and the Village of Lake Barrington Zoning Regulations, which are part thereof (the "proposed special use permit"), in substantial compliance with the plans submitted to the Plan Commission.
- II. THIS MOTION IS BASED UPON THE FOLLOWING FINDINGS OF FACT WHICH ARE HEREBY ADOPTED:
 - A. The owner of record of the Subject Property is reported to be Sheridan-Kenosha, LLC, which has consented to this Petition, and the Petitioner for the proposed special use permit, MW Autowerks, Inc. d/b/a Devo 2ning, is the proposed lessee of Unit 8 of the multi-tenant building on the Subject Property at 28147 W. Commercial Avenue, to be occupied by the proposed special use.
 - B. The proposed special use permit for the Petitioners pursuant to Section 8-4-6 of the Village of Lake Barrington Zoning Regulations, As Amended, to permit the establishment, operation and maintenance by the Petitioner of a vehicle repair service in Unit 8 of the multi-tenant building now located on the property at 28147 W. Commercial Avenue is consistent with the Village of Lake Barrington Zoning Ordinance and the Official Comprehensive Plan, as amended.
 - C. Any potentially negative impacts of the proposed special use would be adequately mitigated;
 - D. The proposed special use, if granted, will not alter the essential nature of the Village.
 - E. The proposed special use permit will conserve property values and will protect the character and stability of other properties in the vicinity and in the Village in general;
 - F. The proposed special use, subject to the conditions recommended, is a reasonable and proper use of the Subject Property which would be in the best interest of the Village and its residents and in accordance with the intent and objectives of the Village of Lake Barrington Zoning Ordinance, as amended; and

- G. The proposed special use permit will promote the general health, safety and welfare of the Village.

III. THIS RECOMMENDATION OF APPROVAL IS SUBJECT TO THE FOLLOWING TERMS, CONDITIONS, AND LIMITATIONS:

- A. Building and fire code inspections and review of exterior lighting shall be conducted and complied with prior to the establishment of this use and occupancy of the premises.
- B. All vehicle servicing may be conducted on the premises, but only indoors.
- C. A triple-catch basin shall be installed and maintained within the building in proper operating condition, if not already present.
- D. Carbon monoxide (CO) detection devices that comply with the Village Code and a sprinkler system for fire suppression shall also be installed, if required by the Fire Code, within the building on the Subject Property.
- E. No outdoor public address or other outdoor audio system(s) shall be operated on the Subject Property.
- F. Signage may be provided on the Subject Property, which shall fully comply with the applicable provisions of the Village Code, and any such signage shall be approved in advance in writing by the Village and pursuant to a sign permit prior to installation thereof.
- G. A landscaping plan shall be submitted to the Village Administrator for approval and implemented on or before June 1, 2012, which plan shall include evergreen screening along the South property line and Southwest corner of the Subject Property.
- H. An adequate ventilation system shall be installed in accordance with the applicable provisions of the Lake Barrington Village Code prior to occupancy of the Subject Property by the Petitioner.
- I. On or before June 1, 2012, the parking lot on the Subject Property shall be striped in accordance with the provisions of the Lake Barrington Village Code.
- J. Nothing contained in the proposed special use permit shall imply or be construed as approving or granting any variation or waiver from any of the provisions of the Village of Lake Barrington Zoning Ordinance, of the Village of Lake Barrington Village Code, or any other ordinance of this Village.

On roll call vote, the vote on the matter was as follows:

YEAS: Commissioners Delisle, MacKenzie, Menconi, Puleo, Wrzeszcz, Chair Daulton Lange
NAYS: None
ABSENT: Wood
ABSTAIN: None

Chair Karen Daulton Lange declared that the motion carried.

4. CONSIDERATION OF A PETITION FOR SPECIAL USE PERMIT BY UNDERGROUND PERFORMANCE, LLC D/B/A CROSSFIT BARRINGTON – 28066 AKA 28064 COMMERCIAL AVENUE, UNITS 8 & 9 SPECIAL USE PERMIT – TO OPERATE A FITNESS SCHOOL

Mr. Martin noted Messrs Brian Nevin and Christopher Bluse are requesting a remedial¹ special use permit (SUP) to allow for the continued operation of a exercise and training facility at 28066 Commercial – Units 8, 9 – multi-tenant building. The Village’s zoning code requires a special use permit for all schools and training facilities. The Village is also co-petitioning the Plan Commission for a text amendment to clarify the special use section of the zoning code relative to exercise and sports uses. The current and proposed sections are described below.

• Special Use Permit- Current Section

The training facility requires a special use permit in the M zoning district pursuant to section 8-4-6(C) (11).

The entire site is 80,000 square feet in lot area with a two multi-tenant buildings of 10,500 square feet each with a shared parking lot and dual access. The proposed use occupies Units 8 and 9 with total square footage of approximately 2,500 square feet. There is no engineering pertinent to this petition. The parking lot was recently striped. There are dual shared access drives onto Commercial. The building is not sprinklered. The petitioner reports burglar and fire alarms have been installed.

Staff Recommendation

Staff recommends approval of the special use permit.

Commissioner Questions and Public Comment

Chair Daulton Lange requested public comment (none) and Commissioners’ questions. Public comment and Commissioners’ comments and discussion are detailed within the attached transcripts.

At the conclusion of Commission discussion Chair Daulton Lange requested a motion as follows:

- I. MOTION WAS MADE BY COMMISSIONER MENCONI, AND SECONDED BY COMMISSIONER WRZESZCZ, THAT THE PLAN COMMISSION RECOMMEND TO THE BOARD OF TRUSTEES the approval of the request of the Petitioner, Underground Performance, LLC, d/b/a Crossfit Barrington (“the Petitioner”), for a Special Use Permit to permit the establishment, operation and maintenance by said Petitioner of a fitness school in Units 8 and 9 of the multi-tenant building now located on the property at 28066 a/k/a 28064 W. Commercial Avenue, pursuant to Section 8-4-6(C) of the Village of Lake Barrington Village Code and the Village of Lake Barrington Zoning Regulations, which are part thereof (the “proposed special use permit”), in substantial compliance with the plans submitted to the Plan Commission.
- II. THIS MOTION IS BASED UPON THE FOLLOWING FINDINGS OF FACT WHICH ARE HEREBY ADOPTED:
 - A. The Petitioner for the proposed special use permit, Underground Performance, LLC, d/b/a Crossfit Barrington, is the proposed lessee of Units 8 and 9 of the multi-tenant building on the Subject Property at 28066 a/k/a 28064 W. Commercial Avenue, to be occupied by the proposed special use, and the owners of record of the Subject Property

¹ The use is already operating at this location; a retroactive/remedial special use permit is required to allow for continued operation.

are reported to be Sam Loiacono, as Trustee of the Sam V. Loiacono Trust dated April 23, 1993, and Ruth Loiacono, as Trustee of the Ruth K. Loiacono Trust dated April 23, 1993, who have consented to this Petition.

- B. The proposed special use permit for the Petitioner pursuant to Section 8-4-6 of the Village of Lake Barrington Zoning Regulations, As Amended, to permit the establishment, operation and maintenance by said Petitioner of a fitness school in Units 8 and 9 of the multi-tenant building now located on the property at 28066 a/k/a 28064 W. Commercial Avenue, is consistent with the Village of Lake Barrington Comprehensive Plan, as amended.
- C. Any potentially negative impacts of the proposed special use would be adequately mitigated;
- D. The proposed special use, if granted, will not alter the essential nature of the Village.
- E. The proposed special use permit will conserve property values and will protect the character and stability of other properties in the vicinity and in the Village in general;
- F. The proposed special use, subject to the conditions recommended, is a reasonable and proper use of the Subject Property which would be in the best interest of the Village and its residents and in accordance with the intent and objectives of the Village of Lake Barrington Zoning Ordinance, as amended; and
- G. The proposed special use permit will promote the general health, safety and welfare of the Village.

III. THIS RECOMMENDATION OF APPROVAL IS SUBJECT TO THE FOLLOWING TERMS, CONDITIONS, AND LIMITATIONS:

- A. The proposed special use permit shall be specific to and applicable only to the fitness school operated by Underground Performance, LLC, d/b/a Crossfit Barrington.
- B. A life/safety and Fire Prevention Code inspection shall be conducted by the Barrington-Countryside Fire Protection District and the Village of Lake Barrington Building Commissioner, and the Petitioner shall comply with all requirements and recommendations of such inspections and with the requirements of the Americans with Disabilities Act and the Illinois Accessibility Code prior to the occupancy of the Subject Property by the school.
- C. The Underground Performance, LLC, d/b/a Crossfit Barrington school premises shall not be occupied at the same time by more than the maximum number of persons indicated by the Fire District inspector.
- D. Nothing contained in the proposed special use permit shall imply or be construed as approving or granting any variation or waiver from any of the provisions of the Village of Lake Barrington Zoning Ordinance, of the Village of Lake Barrington Village Code, or any other ordinance of this Village.

On roll call vote, the vote on the matter was as follows:

YEAS: Commissioners Delisle, MacKenzie, Menconi, Puleo, Wrzeszcz, Chair Daulton
Lange
NAYS: None
ABSENT: Wood
ABSTAIN: None

Chair Karen Daulton Lange declared that the motion carried.

5. CONSIDERATION OF AMENDMENTS TO THE TITLE 8, “ZONING REGULATIONS”, OF THE VILLAGE OF LAKE BARRINGTON VILLAGE CODE (RE: SECTION 8-2-2, “DEFINITIONS”, SECTION 8-4-4, “B BUSINESS DISTRICT”, SECTION 8-4-5, “O OFFICE AND RESEARCH DISTRICT”, SECTION 8-4-6, “M MANUFACTURING AND INDUSTRIAL DISTRICT”/INDOOR RECREATION; SECTION 8-7-2, “INTENT”)

The proposed text amendment adds a definition for *Indoor Recreation* use, and then adds Indoor Recreation to the Special Use section in the M District, therefore providing clarity not present in the current code section. The Village Attorney is also recommending additional amendments including removing “moving and storage” from the B District permitted uses as incompatible and other minor adjustments which will be discussed at the hearing. Amendments were proposed as follows:

- (1) Section 8-2-2, “Definitions”: To add two (2) new definitions, one for “Health and Fitness”, and one for “Recreation, Indoor”.
- (2) Section 8-4-4, “B Business District”: To delete “moving and storage” facilities as a permitted use, to put in alphabetical order the descriptions of permitted uses, and to add “indoor recreation uses” as a permitted use.
- (3) Section 8-4-5, “O Office and Research District”: To exclude indoor recreation uses as a permitted use and to put in alphabetical order the description of special uses.
- (4) Section 8-4-6, “M Manufacturing and Industrial District”: To add “indoor recreation uses” as a special use.
- (5) Section 8-7-2, “Intent”, relative to Planned Unit Developments (“PUD”): To expand the PUD requirements to be met to include the requirements of Title 8 and other requirements of the Village Code and to delete the 200,000 minimum square foot site requirement for a PUD.

Commissioner Questions and Public Comment

Chair Daulton Lange requested public comment (none) and Commissioners’ questions. Public comment and Commissioners’ comments and discussion are detailed within the attached transcripts.

At the conclusion of Commission discussion Chair Daulton Lange requested a motion as follows:

MOTION WAS MADE BY COMMISSIONER MacKENZIE, AND SECONDED BY COMMISSIONER DeLISLE, THAT THE PLAN COMMISSION RECOMMEND TO THE BOARD OF TRUSTEES the approval of the following proposed amendments to Title 8 of the Village of Lake Barrington Village Code and to the Village of Lake Barrington Zoning Ordinance, which is part thereof, and this recommendation of approval is based upon the fact that the Plan Commission has determined that the implementation of the proposed amendments to the Lake Barrington Village Code and Lake Barrington Zoning Ordinance is in the best interests of the health, safety, and welfare of the Village:

- (1) Section 8-2-2, “Definitions”: To add two (2) new definitions, one for “Health and Fitness”, and one for “Recreation, Indoor”.
- (2) Section 8-4-4, “B Business District”: To delete “moving and storage” facilities as a permitted use, to put in alphabetical order the descriptions of permitted uses, and to add “indoor recreation uses” as a permitted use.
- (3) Section 8-4-5, “O Office and Research District”: To exclude indoor recreation uses as a permitted use and to put in alphabetical order the description of special uses.
- (4) Section 8-4-6, “M Manufacturing and Industrial District”: To add “indoor recreation uses” as a special use.
- (5) Section 8-7-2, “Intent”, relative to Planned Unit Developments (“PUD”): To expand the PUD requirements to be met to include the requirements of Title 8 and other requirements of the Village Code and to delete the 200,000 minimum square foot site requirement for a PUD.

On roll call vote, the vote on the matter was as follows:

YEAS: Commissioners Delisle, MacKenzie, Menconi, Puleo, Wrzeszcz, Chair Daulton Lange
NAYS: None
ABSENT: Wood
ABSTAIN: None

Chair Karen Daulton Lange declared that the motion carried.

5. ADJOURNMENT

A motion was made by Commissioner Delisle and seconded by Commissioner MacKenzie to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:30 pm.

THE VILLAGE OF LAKE BARRINGTON’S PLAN COMMISSION MINUTES FOR THE MEETING OF OCTOBER 13, 2011 HAVE BEEN REVIEWED AND APPROVED

Village Administrator: _____

ORIGINAL

PLAN COMMISSION REGULAR MEETING
VILLAGE OF LAKE BARRINGTON

PUBLIC HEARING:

MW Autowerks d/b/a Devo 2ning
28147 Commercial Avenue, Unit 8
Special Use Permit - Vehicle Repair Service

23860 Old Barrington Road
Lake Barrington, Illinois

* * * * *

Thursday, October 13, 2011
7:00 p.m.

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1 PUBLIC HEARING
 2 Thursday, October 13, 2011
 3 7:00 p.m.

4 RE: MW Autowerks d/b/a Devo 2ning
 5 28147 Commercial Avenue, Unit 8
 6 Special Use Permit - Vehicle Repair Service

7 PLAN COMMISSION
 8 VILLAGE OF LAKE BARRINGTON

9 * * * * *

10 Held on Thursday, October 13, 2011,
 11 commencing at the hour of approximately 7:05 p.m. at
 12 23860 North Barrington Road, Lake Barrington,
 13 Illinois.

14 PLAN COMMISSION PRESENT
 15 Honorable Karen Daulton Lange, Chair
 16 Richard Delisle, Commissioner
 17 Alan MacKenzie, Commissioner
 18 Frank Menconi, Commissioner
 19 Christina Puleo, Commissioner
 20 Mark Wrzeszcz, Commissioner

21 ALSO PRESENT
 22 James Bateman, Village Attorney
 23 Christopher Martin, Village Administrator
 Michael Moran, Michael J. Moran & Associates

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1 (No response.)
 2 CHAIR DAULTON LANGE: Hearing none, motion to
 3 accept?
 4 COMMISSIONER DELISLE: So moved.
 5 CHAIR DAULTON LANGE: Second?
 6 COMMISSIONER PULEO: Second.
 7 CHAIR DAULTON LANGE: All those in favor?
 8 (Chorus of ayes.)
 9 CHAIR DAULTON LANGE: Great.
 10 Also in front of us are minutes from
 11 the June 23rd meeting. Any changes, additions,
 12 deletions to that?
 13 (No response.)
 14 CHAIR DAULTON LANGE: Hearing none, may I
 15 have a motion to approve?
 16 COMMISSIONER MENCONI: So moved.
 17 CHAIR DAULTON LANGE: Second?
 18 COMMISSIONER MACKENZIE: Second.
 19 CHAIR DAULTON LANGE: All those in favor?
 20 (Chorus of ayes.)
 21 CHAIR DAULTON LANGE: Great.
 22 Tonight we have two public hearings,
 23 actually three.

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1 CHAIR DAULTON LANGE: Good evening. I'd Like
 2 to call this meeting of the Village of Lake
 3 Barrington Plan Commission to order.
 4 Roll call, please.
 5 MR. MARTIN: Commissioner Delisle?
 6 COMMISSIONER DELISLE: Here.
 7 MR. MARTIN: Commissioner MacKenzie?
 8 COMMISSIONER MACKENZIE: Present.
 9 MR. MARTIN: Commissioner Menconi?
 10 COMMISSIONER MENCONI: Present.
 11 MR. MARTIN: Commissioner Puleo?
 12 COMMISSIONER PULEO: Here.
 13 MR. MARTIN: Commissioner Wood is absent.
 14 Commissioner Wrzeszcz?
 15 COMMISSIONER WRZESZCZ: Here.
 16 MR. MARTIN: Chair Daulton Lange?
 17 CHAIR DAULTON LANGE: Here.
 18 MR. MARTIN: We have a quorum.
 19 CHAIR DAULTON LANGE: Great.
 20 In front of us we have consideration
 21 of minutes. The first set of minutes is from June 9,
 22 2011. Does anybody have any changes, additions,
 23 deletions to the minutes?

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1 MR. MARTIN: It's two and a half.
 2 CHAIR DAULTON LANGE: The first public
 3 hearing is MW Autowerks doing business at Devo 2ning
 4 at 28147 Commercial Avenue.
 5 Mr. Martin, would you like to give
 6 us a little summary on that?
 7 MR. MARTIN: Certainly. The petition before
 8 you is a special use permit relative to an automotive
 9 use at 28147 West Commercial Avenue, Unit 8. It's a
 10 multi-tenant building. The proposed business intends
 11 to occupy Unit 8 of the building.
 12 The entire site is 8,000 square
 13 feet. The multi-tenant building, itself, is 25,095
 14 square feet with a shared parking lot. The proposed
 15 use to occupy Unit 8 of the shop and storage area is
 16 approximately 3,000 square feet. There is an
 17 adjoining fence and exterior storage lot which is
 18 under the control of the tenant as part of the lease.
 19 There is no engineering pertinent to the petition.
 20 Parking areas are not clearly
 21 defined and could use some attention. The building
 22 is not sprinklered; however, the Petitioner informed
 23 staff that they will install fire alarm, CO detectors

1 as a condition of the special use permit and have
2 done so already. They were looking at ventilation
3 systems but did not define specifics as of yet.

4 Petitioner will also install a
5 triple basin system as a condition of the special use
6 permit and is required by the Illinois plumbing code.

7 There are some issues relative to
8 the landscaping on the southern portion of the
9 property. This is a building that backs up to the
10 ProMed medical office building, which is directly
11 adjacent to it. It would be appropriate, at least I
12 think, for the Commission to press the property
13 owner, not necessarily the tenant, to consider making
14 some adjustments to the landscaping including some
15 screening relative to the office building
16 particularly if there is going to be open storage of
17 vehicles in and around the property.

18 They have provided responses to the
19 petition for special conditions for special use, and
20 staff has made some comments relative to those; but
21 other than that, it is -- Staff agrees that it is an
22 appropriate location for an automobile repair.

23 CHAIR DAULTON LANGE: Thank you. Before we

1 The use that is intended here in the
2 best case scenario will be something along the lines
3 of a boutique auto repair service. That is to say
4 they're not looking at encouraging 15 oil changes and
5 transmission service a day, a high volume sort of
6 maintenance shop, if you will; but they instead are
7 pointing themselves in the direction of becoming
8 somewhat of a boutique in terms of performance
9 automobiles and use their skills in order to provide
10 that service where virtually none exists in the
11 village at this point, to the best of our knowledge.

12 In regards to the use of the
13 property, right now the closed property under lease
14 is 3,000 square feet. 500 hundred square feet of
15 that is office space and 2500 square feet of that is
16 shop use. Another 3,000 square feet is outdoor space
17 which is fenced in by a brown, wooden eight foot
18 fence, and that is under security and is locked.
19 Storage of any overflow vehicles that might occur
20 from time to time and any items that are anticipated
21 at this point is intended for that area.

22 We don't intend and it's not likely
23 that there will be much, if any storage of overflow

1 hear testimony tonight, we're going to swear
2 everybody in who thinks they may speak tonight for
3 all public hearings.

4 So at this time will everybody stand
5 up who might be talking tonight?

6 MR. MARTIN: Please raise your right hand.
7 (Audience members sworn.)

8 CHAIR DAULTON LANGE: Thank you. If you
9 could please state your name and address for the
10 record.

11 MR. MORAN: Sure. I'm Michael J. Moran. I'm
12 an attorney, and my address is 121 South Wilke Road
13 in Arlington Heights, Illinois.

14 CHAIR DAULTON LANGE: Okay. Thank you.

15 MR. MORAN: The Petitioners tonight are the
16 newly signed tenants of the property that has been
17 recited. They signed a three-year lease with a
18 three-year option. They intend, with the Board's
19 assistance and permission of course to occupy the
20 property and already do occupy the property, but
21 would like to have a use approved allowing vehicle
22 repair service among other things including also part
23 sales.

1 units; and there certainly won't be any storage of
2 overflow automobiles on the general premises exposed
3 to public view. There is plenty -- There is 3,000
4 square feet space in addition to 2500 square foot
5 space in the actual unit, itself. It provides plenty
6 of space to service and to store any vehicles that
7 are currently being serviced at that point in time
8 even it they can't be completed within a space of a
9 day or week or month.

10 As I understand it, you like us to
11 typically address the five conditions or elements for
12 a special use, the first being the essential
13 character of the Village, itself, not being changed
14 by this intended use.

15 It is our understanding, and I think
16 this can be proffered by the staff is that this same
17 property, this same Unit 8 that is being rented right
18 now by Petitioners, has already been rented out in
19 the past as an auto repair facility at a time I
20 believe though when Lake Barrington did not have a
21 special use ordinance governing this use. So this
22 particular property, itself, was already used for
23 this purpose in the past.

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1 We don't know of any and believe
2 there were no incidents or problems in regard to the
3 operation of that use. So I think that basic area
4 would not be changed in any essential way nor would
5 the Village, itself, be changed in the essential way
6 in terms of its character by affording the property
7 to this use which has happened in the past.
8 In respect to the unique conditions
9 that apply to this property, that makes it suitable
10 for the use that Petitioner is asking for, one of
11 those things is that the -- by requiring the special
12 use, the Village keeps a strict control over any
13 repair type of facility of this nature; and as such,
14 it's only allowed in the M and I believe it is the O
15 zone areas of the Village. And so therefore, this
16 being an M zone property, being a previously use auto
17 repair facility, I think it seems particularly well-
18 suited to this particular use because it fits the
19 characterization and the requirements the Village,
20 itself, has set out in terms of where would such a
21 property as this be maintained, exactly at the kind
22 of location where we are currently leasing would be
23 answer to that question.

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1 Thirdly, I think we're asked to
2 address if the purpose of this special use is
3 strictly for the purpose of making money from the
4 property, well, capital is being what it is of
5 course, but not strictly. We think that this --
6 especially the intended boutique usage of this
7 facility for the construction and repair of high-
8 performance vehicles provides a service to the
9 Village that we don't believe is yet in existence in
10 terms of high-performance end of the market. That's
11 what makes its intended use less intense then perhaps
12 just a general auto repair facility. And that is
13 what also makes it that much more unique, and we
14 believe valuable to the Village, itself, in terms of
15 supplying a need that currently does not exist.
16 As far as the impact on the adjacent
17 property, we don't foresee anything that would be
18 detrimental. First and foremost, auto repairs that
19 are going to be made, all repairs and so forth are
20 going to be done indoors. 2500 square feet is a
21 large amount of space and will facilitate the
22 utilization of two lifts and many more spaces where
23 lifts aren't necessarily required for the work to be

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1 done on the automobiles. And so therefore, even
2 though repair and the construction of automobiles can
3 be a noisy thing, we don't believe any of that noise
4 is going to escape the building, itself, because the
5 nature of the building is quite sturdy, and there are
6 no windows except for the office area.
7 As far as any concerns, as we said,
8 there won't be any automobile parking outside of the
9 units that are under repair or construction. So
10 there would be none of the potential eyesore that one
11 might associate with an auto repair facility. There
12 would be no cars out on the rocks. There will be no
13 car jacked up and people scurrying about under them
14 and spilling oil on the pavement and making noise and
15 creating all kinds of obnoxious fumes. There would
16 be none of that.
17 And so we feel as if in addition the
18 uses that we have here, again was mentioned by the
19 Village, itself, the staff, that the current facility
20 that to the south of it is well in a distance; and in
21 addition to that, it's totally empty at this point in
22 time.
23 As far as the use to the east, that

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1 is a 24/7 printing operation which itself has a space
2 immediately adjoining this particular Unit 8 in Unit
3 7 of this particular building, and they run a
4 forklift back and forth at all hours offloading and
5 uploading various supplies to and from their larger
6 facility which is directly in back of this -- to I
7 believe it's to the east. To the north, further --
8 after the printing company comes several uses, the
9 first of which is a marble fabricating company, and
10 they would submit probably that that would be the
11 most intense use within that commercial shopping
12 center, commercial center, because the storing and
13 grinding and the noise would come from them. It
14 would probably be a little more than what we have
15 here in terms of our use. Further down from there is
16 a Judo facility, a school, which I'm told gets almost
17 no daylight-hour usage. The primary usage occurring
18 there happens after six o'clock at night when
19 everybody is able to get from their school and
20 various activities that they are conducting during
21 the day and it becomes nighttime activity at which
22 time we don't anticipate at this point. Certainly,
23 things could change; but we don't anticipate at this

1 point any shop activities taking place during the
 2 evening hours for this particular use.
 3 Further to the north from that is a
 4 tree surgeon, tree trimming outfit, and we believe
 5 the other uses still have been defined as far as we
 6 know at this point. To the west is the parking lot,
 7 and that is a large parking lot. There are no
 8 specifically designated spaces, but we believe there
 9 to be 10 spaces that are easily usable for this
 10 particular use which doesn't conflict with any other
 11 tenant usage down the way. So therefore, we wouldn't
 12 affect the adjacent property and also provide a large
 13 buffer area to the property to the west, which is set
 14 off quite a distance from this property. It's mostly
 15 a commercial use.
 16 So as far as the impact on the
 17 adjacent properties, we don't believe there really
 18 would be a significant impact.
 19 And lastly, with respect to public
 20 health and safety, one of the items that you heard
 21 addressed earlier would be the triple drainage,
 22 gasoline and water separator that we understand the
 23 Village plumbing code requires. And they are

1 prepared to install such a device for the health and
 2 safety of the community so that these pollutants
 3 aren't allowed into the public domain. So until
 4 we're certain this use could be granted and would be
 5 granted, these gentlemen were not able to advance
 6 those kinds of funds until their use was certain and
 7 would be granted by this Board, we hope.
 8 As far as fumes are concerned, it
 9 does not currently have a ventilation system except
 10 for the typical heating ventilating, air conditioning
 11 that you find in the building of this type; but there
 12 is a plan for there to be a ventilation system
 13 specifically designed to create a vacuum system to
 14 essentially suck out the carbon monoxide and other
 15 exhaust gases as the vehicles are being worked on
 16 within the facility, and especially of course in the
 17 wintertime when cracking the door and window would
 18 never be something to be tolerated in 20 degree below
 19 zero weather. So there will be a ventilation system
 20 which we'll address that for the health and safety of
 21 the workers.
 22 There of course is a restroom
 23 facility. There is an office. There is adequate

1 lighting. There will be installed, if we're allowed
 2 to have this use, an alarm system for fire purposes
 3 and also a carbon monoxide detector so at no time
 4 will there be a point where should any fire break out
 5 an alarm will answer that call or a carbon monoxide.
 6 These gentlemen feel that it's important not just for
 7 themselves but any workers, carbon monoxide is
 8 certainly dangerous; therefore, the alarm system
 9 would certainly be installed.
 10 As far as fire suppression is
 11 concerned, they would have on hand as many fire
 12 extinguishers would be necessary to handle any
 13 particular problem, and so that is their intended
 14 plan as far as those things are concerned.
 15 I don't know if there is anything
 16 that we've haven't addressed. I think I pointed out
 17 the major points. I would certainly be happy to
 18 answer any questions or anything else that might be
 19 desired.
 20 CHAIR DAULTON LANGE: Thank you, Mr. Moran.
 21 Do any commissioners have any
 22 questions for this Petitioner?
 23 COMMISSIONER MENCONI: I have a question.

1 You say it's high-performance
 2 repair. Are you going to be building race cars or
 3 repairing Porches? High performance, I wouldn't
 4 really think Mercedes, unless you're talking like the
 5 SL class. Could you elaborate a little bit more
 6 about that? And also, how many people are actually
 7 going to be working at the facility?
 8 MR. MORAN: It might be a question best
 9 answered by Mike Witt.
 10 COMMISSIONER MENCONI: Okay.
 11 CHAIR DAULTON LANGE: Mr. Witt, would you
 12 officially state your name and address for the
 13 record, please?
 14 MR. WITT: Michael Witt. My address is 107
 15 West Berkley Drive in Arlington Heights 60004.
 16 CHAIR DAULTON LANGE: Thank you.
 17 MR. WITT: Currently we only have two
 18 employees since we're just beginning.
 19 As for the high performance,
 20 currently in the past we've done anything from
 21 antique muscle cars to Porches. More stuff that is
 22 not street drivable stuff that -- Cars that aren't,
 23 you know, they are more made to be on a racetrack or

1 going down the drag strip or something. So it's not
2 going to affect the Village in any way having trouble
3 with people driving, you know, uncontrollably or
4 however.

5 CHAIR DAULTON LANGE: How do those cars get
6 there then?

7 MR. WITT: Trailer.

8 COMMISSIONER MENCONI: So you're really
9 talking -- you're talking super high performance,
10 okay.

11 CHAIR DAULTON LANGE: Where will your
12 customers come from, how do they know about you or
13 how do you get customers?

14 MR. WITT: Well, I've been in the field for
15 over 10 years; and basically, I have a very good
16 customer base that has followed me from different
17 shops that I've worked at. I kind of cater to their
18 needs, so they follow me where I decide to go.

19 Previously, of starting this
20 company, I was in the process of purchasing a
21 business in Roselle that was high performance and
22 general repair. Things didn't go as planned with the
23 sale of the business or purchase of the business, I

1 we're not, you know, doing business yet. We were
2 looking somewhere around 10:30 to 6:30.

3 Obviously, we would be there
4 earlier; but you know, for customers to come to the
5 location, that would be our business hours for our
6 walkup customers.

7 COMMISSIONER WRZESZCZ: I was going to ask
8 when your customers trailer their vehicles in, are
9 they planning on storing it then in that wooden
10 fenced in area, the trailer, itself?

11 MR. WITT: No, the trailer they usually take
12 with them. So it's basically a pick up or drop off
13 and pick up.

14 COMMISSIONER MACKENZIE: I have a couple of
15 questions.

16 CHAIR DAULTON LANGE: Go ahead.

17 COMMISSIONER MACKENZIE: The -- I don't know
18 if the Village Administrator is going to request any
19 sort of landscaping or anything. I think it would be
20 helpful for us if we could -- you know, before we
21 impose any sort of costs on you or anything like that
22 to be sure that, you know, we have a chance to look
23 at that. I don't know if there's a photo or anything

1 should say, so we had to make an alternate choice to
2 start our own business. So a lot of it is done on
3 the internet and just word of mouth and then
4 networking is huge.

5 COMMISSIONER MENCONI: So your clients
6 trailer the product or the car to your shop; and
7 typically, it stays there for what, a week, two
8 weeks, three weeks depending on the extent of the
9 work?

10 MR. WITT: Right.

11 COMMISSIONER MENCONI: So very little traffic
12 going to the facility.

13 MR. MORAN: We don't mean to mislead. There
14 would be some general maintenance just because of the
15 nature of the business it's going to attract that,
16 but that is not their main focus. Hopefully, it
17 won't be that big -- apart of the focus, but there
18 will be some traffic.

19 COMMISSIONER MENCONI: Okay. Thank you.

20 CHAIR DAULTON LANGE: Do you have your
21 general business hours set yet or are you going to
22 wait and see or?

23 MR. WITT: Currently, we haven't just because

1 that sort of -- so we can picture where it might be
2 just to be sure.

3 CHAIR DAULTON LANGE: I think in the past
4 it's imposed it on the landlord; haven't we?

5 MR. MARTIN: Typically. There is an aerial
6 photo.

7 Commissioner MacKenzie, I think what
8 staff is suggesting is crudely run there. So some
9 sort of screening on the south end of the property
10 from that office building. I just drew in six trees,
11 and those would probably be some sort of Spruce. We
12 do have two new tenants in the ProMed Building. One
13 has just pulled their permit, the second is a
14 dialysis operation. Both will be in there soon. And
15 this might be an opportunity at least to try to
16 buffer that a little bit.

17 You could see on the lot it's
18 otherwise developed from lot line to lot line.

19 COMMISSIONER MACKENZIE: Right.

20 MR. MARTIN: A little bit of landscaping
21 there.

22 COMMISSIONER MACKENZIE: This would be more
23 landlord.

1 MR. MARTIN: I would think.
 2 MR. MORAN: The tenants have no control over
 3 the area that you're talking about. This does not
 4 extend as far as that lot line is concerned.
 5 CHAIR DAULTON LANGE: When I did my site
 6 visit, there were semitrailers parked out on the
 7 south end of the lot line, semi trucks and trailers,
 8 and there was a lot of plastic bins being stored in
 9 the parking lot. It's probably not Kosher. But I
 10 would agree that the same thing with the striping.
 11 You know, we have a couple of businesses there now
 12 where people come not so much with your business when
 13 they come and drop off the car and leave, but the
 14 Judo school there and the marble place which
 15 advertises for customers to come in, when I was out
 16 there, there were some trucks that were parked kind
 17 of helter-skelter, and there was mish mash. It
 18 wasn't striped or anything. So I think parking could
 19 become an issue with people not realizing where they
 20 are supposed to park and then taking up more space
 21 then they would need and not being able to use the
 22 parking lot efficiently.
 23 I think that is a landlord issue

1 that we should bring up, and I'm not quite sure how
 2 we impose that, Jim.
 3 MR. BATEMAN: I think we impose it here; and
 4 if the landlord wants the tenant, he will do the
 5 landscaping.
 6 CHAIR DAULTON LANGE: Is that similar to what
 7 we did with the last?
 8 MR. MARTIN: On multiple cases we had them
 9 come in.
 10 MR. MORAN: I do need to point out one thing
 11 is that the tenant is under lease obligation already
 12 with the landlord, and there really is no escape
 13 hatch, if you will, in case this use isn't granted.
 14 So we're not really in a position to leave the
 15 landlord tenantless if he doesn't comply.
 16 MR. BATEMAN: I think that's something for
 17 you to work out with your landlord.
 18 COMMISSIONER MACKENZIE: I have another
 19 question. I noticed on pictures, I saw your truck,
 20 and you have the name painted on it. Did you have a
 21 business before or this is -- You bought and painted
 22 the truck specifically for this operation?
 23 MR. WITT: I purchased a truck prior to

1 starting the business, but just to gain a little bit
 2 more advertisement and knowledge of the business --
 3 COMMISSIONER MACKENZIE: So it's
 4 anticipation?
 5 MR. WITT: Yes. Definitely.
 6 COMMISSIONER MACKENZIE: That's a very nice
 7 vehicle.
 8 MR. WITT: Thank you.
 9 COMMISSIONER MACKENZIE: I have no further
 10 questions. Thank you.
 11 CHAIR DAULTON LANGE: Is there anybody from
 12 the audience that has any questions or comments
 13 regarding this proposal?
 14 (No response.)
 15 CHAIR DAULTON LANGE: Hearing none.
 16 Commissioners, let's talk about
 17 requirements, what we would like to impose on --
 18 we'll be saying landlord. It's something that the
 19 landlord is going to work out with whomever because
 20 the burden on the last tenants in that needed special
 21 use. Personally, I would like to see the maintenance
 22 of the lot with the outdoor storage that they are
 23 doing right now, which I think is already against

1 codes, regardless of any petitioner in front of us.
 2 And I'm not sure about the parking of the
 3 semitrailers. I'm assuming that's allowed in an
 4 industrial area, but.
 5 MR. BATEMAN: It would be.
 6 CHAIR DAULTON LANGE: But I think we do have
 7 a concern about the medical building that we approved
 8 a couple of years ago that's now getting tenants. We
 9 worked with them a lot to provide nice landscaping,
 10 and this was right adjacent to that. And it's not a
 11 pretty site back there.
 12 Jim, do you have a proposed --
 13 MR. BATEMAN: I do. Let me draft a motion
 14 for your consideration. We just have to fill in some
 15 things on it.
 16 Counsel, would you like a copy of
 17 this staff motion?
 18 MR. MORAN: Sure. That would be great.
 19 MR. BATEMAN: This would approve the
 20 requested special use based upon fairly standard
 21 findings of fact, but the conditions would be
 22 building fire code inspections and review of exterior
 23 lighting shall be conducted and comply with prior to

1 establishment of the use and occupancy of the
 2 premises.
 3 All vehicles serviced shall be
 4 conducted on the premises but only indoors. The
 5 triple catch basin to be installed, if not already
 6 present. CO detection devices shall comply with the
 7 Village code, and a sprinkler system for fire
 8 suppression shall also be installed, if required
 9 by -- if required by fire code. So that makes it --
 10 You know, typically, it won't -- I mean, I would say
 11 my experience is that it won't be required from the
 12 change of the use, change it to a higher use, but
 13 that is something that -- I think we should just
 14 leave that up to the fire code enforcement official
 15 from the fire protection district.
 16 No outdoor public address or other
 17 outdoor audio system shall be operated on the
 18 property.
 19 Signage shall be provided in
 20 accordance with the Village --
 21 CHAIR DAULTON LANGE: May be provided.
 22 MR. BATEMAN: May be provided in accordance
 23 with the applicable provisions of the Village code.

1 Six -- I don't know if you want to
 2 specify the type of -- You mentioned -- The staff
 3 report recommended Spruce trees. Colorado Spruce are
 4 dying off. You might want to use Black Hills.
 5 MR. MARTIN: Black Hills is fine.
 6 CHAIR DAULTON LANGE: An Evergreen that grows
 7 fast.
 8 MR. BATEMAN: Not Austrian Pine. The Blue
 9 Spruce are dying too.
 10 So six Evergreen trees shall be
 11 planted along the rear lot line to screen the storage
 12 area from the adjacent offices. And here, because I
 13 think we're coming up on the weather, I think I would
 14 say within six months of the date of occupancy or
 15 something like that.
 16 MR. MARTIN: Can we state it in a way that
 17 perhaps a landscape plan that includes screen
 18 planting?
 19 CHAIR DAULTON LANGE: That leaves it a little
 20 more open for their discretion when Mr. Martin talks
 21 with the landlord.
 22 COMMISSIONER WRZESZCZ: Can we specify a date
 23 that one-year review given this site location?

1 If they plant them and walk away and
 2 they end up dying, it will look even worse.
 3 CHAIR DAULTON LANGE: You didn't like
 4 cinnamon pine?
 5 And that's a good point.
 6 MR. BATEMAN: A landscaping plan shall be
 7 submitted to and approved by the Village
 8 Administrator by the property owner which shall
 9 include screening of -- is it screening of the
 10 storage area or just general screening?
 11 MR. MARTIN: Adjoining lots.
 12 CHAIR DAULTON LANGE: Along the south
 13 property line.
 14 MR. MARTIN: South and a portion of the
 15 southwest.
 16 MR. BATEMAN: Screening along the south and
 17 southwest property line.
 18 MR. MORAN: May I just ask a question?
 19 CHAIR DAULTON LANGE: Sure.
 20 MR. MORAN: The south property line is very
 21 long, like 400 feet. The storage that we're talking
 22 about is maybe 50 feet.
 23 COMMISSIONER MENCONI: Didn't you quantify it

1 originally saying six?
 2 MR. BATEMAN: But I think that has been
 3 replaced by the landscaping plan shall be submitted
 4 and approved -- submitted to and approved by the
 5 Village Administrator.
 6 COMMISSIONER MENCONI: Well, I think we
 7 should quantify it.
 8 CHAIR DAULTON LANGE: We're talking about the
 9 south lot line. That is the shorter lot line.
 10 MR. MORAN: Yes, but that includes not only
 11 the storage area that you're seeking to buffer from
 12 view from the medical building, but also the actual
 13 parking lot, itself.
 14 MR. MARTIN: It's 200 feet of lot line.
 15 I think what the commissioner is
 16 looking for is the appearance of this property isn't
 17 too great, and it doesn't appear that the owner have
 18 made a great deal of effort in terms of doing a lot
 19 to add to the business park in terms of its exterior
 20 appearance. The adjoining property, I estimate the
 21 landscape that was installed there probably is close
 22 to \$250,000 to \$300,000. So I think it's appropriate
 23 to ask the adjoining property to share in a communal

1 aspect to try to make aesthetic repairs to the
 2 property.
 3 MR. MORAN: And we certainly agree with that
 4 notion; however, I know you already know this. I
 5 need to point it out because my client is not of
 6 great means. The people who bought and developed
 7 that large facility over there obviously are much
 8 more well-off. It's a matter of economics. It's a
 9 nice new building, as far as I could see; and we're
 10 at your mercy here. I'm just wondering if it's
 11 really fair to ask this tenant to bear the landlord's
 12 responsibility that he's neglected and through no
 13 fault of these gentlemen.
 14 Again, we're with you in the spirit
 15 of the thing, but it might be a substantial financial
 16 burden that you're laying on these people. Because
 17 the landlord, of course, is not under the
 18 jurisdiction of this body at this hearing. He could
 19 thumb his nose --
 20 MR. BATEMAN: Well, if he does thumb his
 21 nose, Counsel, he won't -- the Village won't pass the
 22 ordinance. In other words, he's going to have to
 23 sign and accept the condition of the ordinance before

1 it's passed by the Village Board. So he is under the
 2 jurisdiction. Because it's his property and
 3 approving a tenant to go in there is a benefit to
 4 him. If he doesn't think so, then you know, then the
 5 marketplace will dictate where he gets his tenants
 6 from and what quality they are. If he wants a
 7 quality tenant, like your client, he has to do
 8 some -- meet some conditions.
 9 MR. MORAN: And I hear you. I'm concerned
 10 about the harsh result for these two gentlemen if
 11 this landlord doesn't step up as we would like him
 12 to.
 13 CHAIR DAULTON LANGE: So your concern is the
 14 landlord says I don't care. I've already got your
 15 lease. Pay me anyway. And we're not going to
 16 approve you.
 17 MR. MORAN: We have no control exactly. That
 18 is the position we're in. We can't pay rent, well, I
 19 guess we could sue you for that too. Not that he
 20 will and not that he's like that. I don't know. I'm
 21 just saying that he will have a lot of the leverage.
 22 MR. MARTIN: One of the options the
 23 Commission could entertain, is to request that the

1 owner of the property be present at the hearing, and
 2 we could hold this over to another hearing. I
 3 understand there's some difficulty here dealing with
 4 some of the property owners out there relative to
 5 their interest in being apart of the property
 6 maintenance, et cetera. It's not the only one we
 7 have issues with out there.
 8 MR. MORAN: He would need to be at the
 9 Village Board meeting?
 10 MR. MARTIN: The Plan Commission could
 11 continue this hearing, and we can certainly discuss
 12 it with the owner.
 13 COMMISSIONER PULEO: I think that's a great
 14 idea.
 15 CHAIR DAULTON LANGE: Where is the owner --
 16 MR. MORAN: His office is downtown.
 17 CHAIR DAULTON LANGE: Illinois.
 18 MR. MORAN: He has a tenant leasing agent
 19 that we've been in contact with. So it's something
 20 we can communicate with him.
 21 COMMISSIONER DELISLE: Is there any way we
 22 could just advance this and the landlord could meet
 23 with the Village prior to the City Council reviewing

1 this? Maybe by that time he'll make a commitment on
 2 the landscaping. If not, it would be sent back to
 3 us.
 4 CHAIR DAULTON LANGE: That would be my
 5 preference so we don't have to continue the public
 6 hearing. We can make these conditions, and if
 7 something doesn't happen between now and the Village
 8 Board meeting, you don't go to the Village Board
 9 meeting in November.
 10 MR. MORAN: I think we would like to advance
 11 as well.
 12 MR. BATEMAN: I think that's -- I understand
 13 the motivation behind wanting to get them done; but
 14 frankly, it's -- you know, the Village Administrator
 15 won't have the ability to send them back. It will
 16 have to go the Village Board. The Village Board will
 17 have to reject it and say no, the conditions haven't
 18 been met; and we're denying. I mean, that is --
 19 You're, you know, kind of pushing --
 20 MR. MORAN: Or we can withdraw it at that
 21 point.
 22 MR. BATEMAN: But that's the problem. I
 23 mean, you're really kind of putting -- We're not

1 really working out the conditions if we don't have a
 2 landlord at the table.
 3 MR. MARTIN: Perhaps the owner should attend
 4 the Board meeting.
 5 MR. BATEMAN: And frankly, you know, it
 6 sounds like a good business and good fit; but you
 7 know, I go back to the landlord and say hey, the
 8 lease was written to allow a use that is not allowed
 9 in the industrial park, and there is -- The lease
 10 isn't enforceable. I think there are cases to
 11 support that position.
 12 CHAIR DAULTON LANGE: So we could go forward
 13 and make our recommendation.
 14 MR. MORAN: We definitely intend to get with
 15 the landlord as soon as we see the recommendation in
 16 writing and say look.
 17 MR. MARTIN: We have no problem being -- the
 18 Commission being the bad cop in these kind of
 19 scenarios. I'll be more than happy to sit down with
 20 the owner and discuss the condition of the property
 21 and maintenance issues and landscape. It's something
 22 that this Commission has set a precedent in doing
 23 over the last three, four years whenever a new

1 petitioner comes before it. They take a look at the
 2 property from a holistic standpoint and try to make
 3 improvements.
 4 CHAIR DAULTON LANGE: And these
 5 recommendations are almost identical to all the other
 6 auto uses we've had.
 7 We're not done. We just did
 8 landscaping. We need to look at the parking lot
 9 because the parking lot has no striping. It doesn't
 10 meet ADA codes with the handicap accessible parking.
 11 It doesn't have parking spaces. So that is -- that
 12 could be addressed with the landlord whether you're
 13 there or not, quite frankly. But as apart of this,
 14 it's a reminder that that needs to be done.
 15 MR. BATEMAN: Well, my recommendation would
 16 be relative to the landscaping that it be -- There be
 17 something like a June 1st or July 1st date for the
 18 implementation of the landscaping plan.
 19 And in terms of the parking lot, I
 20 think they are not going to be able to do that until
 21 about the same time as well.
 22 CHAIR DAULTON LANGE: I would say June 1st
 23 because planting should be done before then. It's

1 easy to get the parking lot striped before then.
 2 And then as far as what Commissioner
 3 Wrzeszcz brought up about some sort of -- a landscape
 4 plan, and it has to be maintained so that in case
 5 everything does die off over the summer, that they
 6 are compelled to replace it.
 7 MR. BATEMAN: Right. It would stay
 8 maintained.
 9 So the parking lot shall be
 10 restriped and provide handicap accessible parking.
 11 CHAIR DAULTON LANGE: Yes or to Village code.
 12 Because our code requires accessible parking spaces.
 13 COMMISSIONER WRZESZCZ: Restriped or striped?
 14 COMMISSIONER PULEO: I was going to say the
 15 same thing.
 16 CHAIR DAULTON LANGE: There was striping and
 17 it's all gone now.
 18 Would you like to summarize?
 19 MR. BATEMAN: Sure. So we have a preprinted
 20 list, and then the additional conditions would be
 21 that a landscaping plan shall be submitted to and
 22 approved by the Village Administrator and implemented
 23 by the property owner, which plan shall include

1 screening along the south and southwest property
 2 lines of the subject property; and that would be on
 3 or about June 1, 2012. And the parking lot shall be
 4 striped -- really, it's going to have to be sealed
 5 properly too. Shall be striped in accordance with
 6 the Lake Barrington Village Code.
 7 CHAIR DAULTON LANGE: Yeah, can they decide
 8 to seal it before they stripe it, I don't know.
 9 MR. BATEMAN: And then one other thing based
 10 on the comments was that adequate ventilation system
 11 shall be installed in accordance with the applicable
 12 provisions of the Lake Barrington Village Code.
 13 So those would be the motion. I
 14 don't think we have to read it all again.
 15 COMMISSIONER DELISLE: It did include the
 16 installation of carbon monoxide system. Could
 17 that --
 18 MR. BATEMAN: That is all detection devices
 19 is already in there.
 20 MR. MORAN: Before this is final, I think I
 21 misspoke earlier when I said the area on the south
 22 where the storage was the southwest. It's actually
 23 the southeast, so.

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1 CHAIR DAULTON LANGE: We knew that.
 2 MR. MORAN: Okay.
 3 MR. BATEMAN: So that the motion is right it
 4 would say south and southwest property lines.
 5 MR. MARTIN: Southwest corner to be more
 6 accurate. It's really just a small portion of the
 7 corner.
 8 COMMISSIONER MENCONI: And it's probably
 9 nitpicking, Mr. Bateman, but maybe before screening
 10 say Evergreen screening because we really don't want
 11 like bushes that lose the leaves come October and
 12 then it's like there is no screening.
 13 MR. BATEMAN: Shall include Evergreen
 14 screening, okay.
 15 CHAIR DAULTON LANGE: With that do I have a
 16 motion?
 17 COMMISSIONER PULEO: So moved.
 18 CHAIR DAULTON LANGE: Do I have a second?
 19 COMMISSIONER WRZESZCZ: Second.
 20 CHAIR DAULTON LANGE: Roll call vote.
 21 MR. MARTIN: Commissioner Puleo?
 22 COMMISSIONER PULEO: Yes.
 23

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1 MR. MARTIN: Commission Wrzeszcz?
 2 COMMISSIONER WRZESZCZ: Yes.
 3 MR. MARTIN: Commissioner Delisle?
 4 COMMISSIONER DELISLE: Yes.
 5 MR. MARTIN: Commissioner MacKenzie?
 6 COMMISSIONER MACKENZIE: Yes.
 7 MR. MARTIN: Commissioner Menconi?
 8 COMMISSIONER MENCONI: Yes.
 9 MR. MARTIN: Chair Daulton Lange?
 10 CHAIR DAULTON LANGE: Yes.
 11 MR. MARTIN: Motion carries.
 12 Mr. Moran, this will appear on the
 13 Village Board agenda the first meeting in November, I
 14 believe it's the first Tuesday, the 1st at 7:00 p.m.
 15 Prior to that -- much prior to that,
 16 within probably about Monday or Tuesday at the
 17 latest, you will have a copy of the ordinance -- the
 18 motion.
 19 MR. BATEMAN: The motion, when I send it to
 20 the court reporter and to you and Loretta and Karen,
 21 I will send it to Mr. Moran too.
 22 MR. MORAN: Thank you.
 23 MR. BATEMAN: I have your e-mail.

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1 CHAIR DAULTON LANGE: And you'll be
 2 contacting the landlord to set up a meeting with
 3 Administrator Martin?
 4 MR. MORAN: Absolutely.
 5 CHAIR DAULTON LANGE: Thank you.
 6 Good luck, and welcome to Lake
 7 Barrington. Good Luck with your business.
 8 COMMISSIONER MACKENZIE: It's a wonderful
 9 business.
 10 CHAIR DAULTON LANGE: Do I have a motion to
 11 close the Devo 2ning hearing?
 12 COMMISSIONER WRZESZCZ: So moved.
 13 COMMISSIONER MACKENZIE: Second.
 14 CHAIR DAULTON LANGE: All in favor?
 15 (Chorus of ayes.)
 16 (The hearing concluded
 17 at 7:45 p.m.)
 18 * * * *
 19
 20
 21
 22
 23

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1 STATE OF ILLINOIS)
)
 2 COUNTY OF COOK)
 3
 4 I, DEBORAH R. SANTI, Certified Shorthand
 5 Reporter, of the State of Illinois, do hereby certify
 6 that I reported in shorthand the proceedings had in
 7 the aforesaid matter, and that the foregoing is a
 8 true, complete and correct transcript of the
 9 proceedings had as appears from the stenographic
 10 notes so taken to the best of my ability.
 11
 12
 13 *Deborah R. Santi*
 14 DEBORAH R. SANTI, CSR
 15 CSR # 084-004107
 16
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 18
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 22
 23

PLAN COMMISSION REGULAR MEETING

VILLAGE OF LAKE BARRINGTON

ORIGINAL

PUBLIC HEARING:

Underground Performance, LLC
d/b/a Crossfit Barrington
28066 aka 28064 Commercial Avenue, Units 8 and 9
Special Use Permit - Fitness School

23860 Old Barrington Road
Lake Barrington, Illinois

* * * * *

Thursday, October 13, 2011
7:47 p.m.

1 PUBLIC HEARING
 2 Thursday, October 13, 2011
 3 7:47 p.m.

4 RE: Underground Performance, LLC
 5 d/b/a Crossfit Barrington
 6 28066 aka 28604 Commercial Avenue Units 8 and 9
 7 Special Use Permit - Fitness School

8 PLAN COMMISSION
 9 VILLAGE OF LAKE BARRINGTON

10 * * * * *

11 Held on Thursday, October 13, 2011,
 12 commencing at the hour of approximately 7:47 p.m. at
 13 23860 North Barrington Road, Lake Barrington,
 14 Illinois.

15 PLAN COMMISSION PRESENT
 16 Honorable Karen Daulton Lange, Chair
 17 Richard Delisle, Commissioner
 18 Alan MacKenzie, Commissioner
 19 Frank Menconi, Commissioner
 20 Christina Puleo, Commissioner
 21 Mark Wrzeszcz, Commissioner

22 ALSO PRESENT
 23 James Bateman, Village Attorney
 Christopher Martin, Village Administrator

1 exercise and fitness use to be located at 28066
 2 Commercial, Units 8 and 9, which is a multi-tenant
 3 building in the manufacturing district on Commercial
 4 Avenue.

5 The business is proposed -- Let me
 6 start over here. It's already located at the site,
 7 and this is what we refer to is remedial or
 8 retroactive special use permit. I believe they've
 9 been occupied for 30 or so days, maybe a little
 10 longer. So they're looking for special use to allow
 11 them to continue to operate at that location.

12 The Petitioner provided responses to
 13 all of the conditions for special use. Staff has
 14 commented on those. This is becoming fairly typical
 15 in this business park, and this is the reason for the
 16 proposed text amendment which we'll discuss following
 17 this petition. We're continuing to see non-
 18 manufacturing uses in the park such as fitness, Judo,
 19 Karate and others. So I think you'll continue to see
 20 those uses as the business park grows into it's
 21 twilight years.

22 CHAIR DAULTON LANGE: Its maturity.
 23 MR. MARTIN: The entire site is 80,000 square

1 CHAIR DAULTON LANGE: Now, a motion to open
 2 our next public hearing under zoning text amendments.

3 MR. MARTIN: Chair -- Jim, would it be
 4 appropriate to take the Underground Performance first
 5 as it relates to the text amendments?

6 MR. BATEMAN: Sure.

7 MR. MARTIN: 95 percent of the text
 8 amendments relate to the petition before the
 9 Commission relative to exercise use with a couple of
 10 exceptions. I think I can explain it in the context
 11 of this, and then these gentlemen can get out of here
 12 a little earlier.

13 CHAIR DAULTON LANGE: Motion to open the
 14 public hearing for Underground Performance, LLC?

15 COMMISSIONER MENCONI: So moved.

16 CHAIR DAULTON LANGE: Second?

17 COMMISSIONER PULEO: Second.

18 CHAIR DAULTON LANGE: All those in favor?
 19 (Chorus of ayes.)

20 CHAIR DAULTON LANGE: Okay. Mr. Martin,
 21 would you like to give us an overview?

22 MR. MARTIN: Sure. The petition before the
 23 Commission is for a special use permit for an

1 feet with two multi-tenant buildings of 10,500 square
 2 feet each. The proposed use is to occupy Units 8 and
 3 9 and is approximately 2,500 square feet. It is what
 4 I refer to more of an industrial fitness concept,
 5 which I think is perfectly appropriate for the
 6 business park; and conference of plan talks about
 7 alternative uses and not peak hour visitors to the
 8 park. This is again another one of those uses that
 9 seems to fit that mold.

10 The Petitioner is here.

11 CHAIR DAULTON LANGE: Great. You've been
 12 sworn in. Would you like to state your name and
 13 address for the record and then go over briefly your
 14 petition?

15 MR. BLUSE: Absolutely. Thank you for having
 16 us tonight. My name is Chris Bluse. I live at 211
 17 East Hillside Avenue in Barrington, Illinois 60010.
 18 Thank you for time tonight. I appreciate you guys
 19 allowing us to present our case for a special use.

20 Effectively, this is just a reuse of
 21 this building for fitness purposes. The reason that
 22 we chose this facility is for the fit and feel of our
 23 specific type of training. We are not a, shall we

1 say, amenity heavy use. The special use here is
2 people they are the equipment, and we are there to
3 guide them on fitness. Ou know, there are some other
4 fitness facilities around the area, obviously Lake
5 Barrington Field House is one, as well as the Judo
6 facility that is right down the street.

7 So going over the standards for the
8 special use, we will not alter the essential
9 character of the Village. In fact, we've gone out of
10 our way to try and fit in as close as possible to the
11 other tenants in the building insofar as the same
12 sign manufacturer, not having banners or signs out on
13 the street basically taking away from what's already
14 been existing and approved by you, the Village Board.

15 Once again, we decided to use this
16 industrial park area because it matches our fit and
17 finish of our training principles. Once again it's
18 more of a rugged training style. We are not amenity
19 heavy. There is no steam room, saunas, lockers,
20 whirlpools. This is one hour you're in, you're out,
21 effective fitness; and that is really what we're all
22 about.

23 Unique conditions, there are really

1 the facility or the surrounding businesses aside from
2 maybe Penny Road Pub or the Onion Pub. Those people
3 cycle through, so. We really have no effect on the
4 other businesses in the area.

5 Lastly, public health and safety, we
6 are a fitness facility, so we're trying to improve
7 the public health and also safety. We preach
8 fundamentals and mechanics, so hopefully our injury
9 rate is zero.

10 So if you have any questions, I
11 would be happy to field them.

12 CHAIR DAULTON LANGE: It sounds like you guys
13 are really serious about training.

14 MR. BLUSE: Yeah, it's definitely in our
15 blood. We have been in the Barrington area for many
16 years. My partner, Brian Niven, and I grew up
17 together in Lake Barrington. We played baseball here
18 for many years. And actually, reconvened when we
19 began coaching the Barrington High School lacrosse
20 program. We have been coaches for about the last
21 five years -- actually, this is our sixth season.
22 So, we have a long history here.

23 CHAIR DAULTON LANGE: And are most of your

1 no unique conditions other than the fact that we
2 require a special use to have this fitness facility
3 in the building in question.

4 Going back to the unique feel, once
5 again we like that industrial use so people are in
6 there to get work done. Having an
7 industrial/commercial feel, people come in and are
8 not there to socialize and really, you know, lose out
9 on the fitness aspect of their workout.

10 The purpose, we're just reusing the
11 building that has already been occupied by many other
12 businesses. They actually moved three doors down,
13 and you've been in contact with them. Once again,
14 the field house is right down the street, and there
15 is the Judo facility. So there are other special
16 uses nearby in the area.

17 Adjacent property, we are back -- We
18 are set back off the street. We're in the last
19 Units, 8 and 9, so we have zero street frontage. All
20 of our business is conducted after hours or in the
21 early part of the morning. We run classes from 6:00
22 to 8:00 a.m. and from 6:00 p.m. to 9:00 p.m., so we
23 really don't affect any of the other tenants within

1 clients people who have followed you all these years
2 or do you advertise on the internet or how do people
3 hear about you?

4 MR. BLUSE: Most if it is from word of mouth.
5 People desiring these type of workouts actually seek
6 us out. Everything is done through networking,
7 social media. We actually put up zero signage other
8 than what is on the front of the building, which you
9 guys have seen the plan. Usually, it's Facebook,
10 Twitter or website, things of that nature that get us
11 our exposure.

12 CHAIR DAULTON LANGE: Do any of the
13 Commissioners have any questions?

14 COMMISSIONER MENCONI: I was wondering these
15 flags, is the common theme here hockey, Rangers;
16 Wolves; decorating the interior?

17 MR. BLUSE: These are all military flags.

18 COMMISSIONER MENCONI: It is military. So
19 that's the military Rangers you're talking about?

20 MR. BLUSE: My partner is an ex-Ranger or ex-
21 Army Ranger.

22 MR. MARTIN: If I gave you one, would you put
23 up a Lake Barrington flag in there?

1 MR. BLUSE: If you had one, we would fly it.
 2 Of course we welcome all of you to
 3 come out and view the facility and get a taste of
 4 Crossfit.
 5 CHAIR DAULTON LANGE: I would be afraid.
 6 COMMISSIONER MENCONI: I was looking for the
 7 roped bag filled with boulders like in the one Rocky
 8 movie where he's hoisting a bag of boulders when he's
 9 training to fight the Russian, remember that?
 10 MR. BLUSE: If you look around some of the
 11 pictures, we are big into the medicine balls.
 12 CHAIR DAULTON LANGE: My sense is this
 13 property I found unlike the last building that we
 14 were discussing, the parking lot is very nicely
 15 striped. There weren't cars parked hodgepodge
 16 everywhere. It was a nice orderly section of the
 17 business park.
 18 So do you have proposed motions?
 19 MR. BATEMAN: I do.
 20 MR. MARTIN: Before we get to that, one quick
 21 question. If there was retail frontage in the
 22 Village, say approximately 2500, 3,000 square feet,
 23 do you prefer this type of location or if you had a

1 building that was on say Pepper Road -- fronting
 2 Pepper Road, that had a glass front or is this more
 3 what you're looking for?
 4 MR. BLUSE: That's difficult to say. We
 5 actually prefer this location just because we want
 6 people to come find us. We want that level of
 7 dedication.
 8 Obviously, from a marketing
 9 perspective, it's much easier to get people off the
 10 street that drive by and see you. There are many
 11 instances of that down in the City of Chicago. They
 12 have first level all glass floor to ceiling and
 13 frontage, which is great for them because people can
 14 actually see things going on.
 15 For our purposes, as we kind of
 16 sought out different places to hold our facility,
 17 this actually fit, and we actually desired more.
 18 COMMISSIONER MACKENZIE: I have a question
 19 for maybe Administrator Martin. The last petitioner
 20 sort of brought this to mind. I think it applies
 21 here too.
 22 The Petitioner is already committed
 23 to a lease and whatever expenses they put into it.

1 Is there any way that, you know, up front the
 2 landlords could somehow be alerted to this so you
 3 don't -- We don't put the petitioner at risk for
 4 their own investments?
 5 MR. MARTIN: Well, absolutely. The first
 6 step is the landlord should be familiar with the
 7 zoning code, and there are landlords out there that
 8 have said to me I've never read the zoning code and I
 9 will never read the zoning code.
 10 COMMISSIONER MENCONI: Then there should be
 11 consequences then.
 12 MR. MARTIN: The last two petitioners you had
 13 before you for the automotive use, Randy's Automotive
 14 as you recall, is one of those cases, where they
 15 just -- They take a minimal interest, and I -- Maybe
 16 I'm being a little harsh here. A lot of the owners
 17 out there are operating not as one from the sixties
 18 and seventies when they first occupied these
 19 buildings, and they just cycle tenants through for 40
 20 and 50 years and never really paid attention to the
 21 zoning per se.
 22 COMMISSIONER DELISLE: Right. From a
 23 practical standpoint, I think most landlords put that

1 burden on the tenants. They advertise their space.
 2 The tenants come in. They say isn't it lovely. Here
 3 is the lease. Sign the lease. The Village is real
 4 good to work with typically. Because I mean, that
 5 business and the tenant then, if he is wise, will
 6 sign a lease that has a contingency upon successful
 7 zoning, at least as effective like Attorney Bateman
 8 mentioned earlier. If the tenant is not that
 9 sophisticated, they will actually open up sometimes
 10 without a business license and be at the mercy of the
 11 Village finding them out and saying hey, you're going
 12 to need a special use. And that is little dicy.
 13 I think what Attorney Bateman said
 14 is the lease may not be valid if the use is not
 15 permitted there. So a landlord should get involved
 16 long term. Typically, they don't. They put that
 17 burden on the tenant.
 18 COMMISSIONER MACKENZIE: It just seems like
 19 it might be difficult for a tenant to know that and
 20 understand that especially if you look at the last
 21 petitioner. It was a vehicle repair shop there
 22 before, and they come in and they have a vehicle
 23 repair shop. It doesn't occur -- It might not occur

1 to them. And those guys went to the trouble of
 2 getting an attorney and bearing that expense as well.
 3 But still it just seems like before tenants go at
 4 risk it would be nice --
 5 COMMISSIONER DELISLE: Wasn't it odd that
 6 they had an attorney represent them with us, but
 7 where was that attorney when they signed a lease?
 8 CHAIR DAULTON LANGE: I think it goes both
 9 ways. The landlords are brushing it off on the
 10 tenants, that the business people have the
 11 responsibility to check it out.
 12 MR. MARTIN: Because in that case, the
 13 previous case, they did contact the Village prior to
 14 opening. So they knew that the special use was
 15 required. I don't know how the lease got signed
 16 without that. They were aware of that, and they took
 17 the time to hire an attorney, et cetera.
 18 It's interesting to me because it's
 19 a lot easier than it used to be to look up the zoning
 20 code. You could go on the website. We send
 21 newsletters out. It's not like even 10 years ago
 22 where you had to come down to the village hall, get a
 23 paper copy and buy it literally.

1 Now, you can go in Sterling
 2 Codifiers, and type in Lake Barrington. It's
 3 really -- The excuses are getting smaller and
 4 smaller.
 5 COMMISSIONER DELISLE: It's common in all of
 6 the villages. It's not only us. The landlords don't
 7 even want that burden. They figure, you know, you
 8 want a lease, here. It's a nice place. This is what
 9 I provide, you know.
 10 CHAIR DAULTON LANGE: So the good real estate
 11 brokers will direct the tenants to go to the village.
 12 COMMISSIONER DELISLE: Or a good landlord
 13 will actually assist the tenant in obtaining the
 14 zoning.
 15 MR. MARTIN: That's very true. If the owner
 16 had been here this evening, he or she could have
 17 answered those questions immediately and been more --
 18 you know, participate in the process. And we've had
 19 that on other occasions.
 20 CHAIR DAULTON LANGE: We have before us a
 21 motion to recommend approval, findings of fact and
 22 conditions of approval. I already pointed out that
 23 on page two we don't really need that.

1 Would you like to --
 2 MR. BATEMAN: Sure. This will be
 3 recommending the approval.
 4 CHAIR DAULTON LANGE: Do you have a copy?
 5 MR. BLUSE: No, I don't.
 6 COMMISSIONER PULEO: Could I just ask a
 7 question. How many people do you -- Will you be
 8 training at one given time?
 9 MR. BLUSE: That's a good question.
 10 Typically, our classes are every
 11 hour on the hour; and we can train effectively 10, 12
 12 people at maximum. This is a high-touch type of
 13 training, and anything more than that is really
 14 putting a client at risk. So no more than 12 an
 15 hour.
 16 COMMISSIONER PULEO: If I'm reading this
 17 correctly it says you have five parking spots.
 18 MR. BLUSE: That's what's allocated for Units
 19 8 and 9; however, I think there is a total of 64
 20 lined spaces, 30 on each side. And once again, we
 21 conduct most of our business either prior to or
 22 after, you know, the rest of the businesses in the
 23 office park. If you notice on some of the pictures,

1 we kind of time stamped when they were -- you can see
 2 really there is not many people there at all.
 3 COMMISSIONER PULEO: Okay. Thank you.
 4 MR. BLUSE: You're welcome.
 5 MR. BATEMAN: The motion -- draft motion you
 6 have before you would recommend approval of the
 7 requested special use permit that would be subject to
 8 the -- based on standard findings of fact. It
 9 would say the special use would be specific to and
 10 application to this petitioner only.
 11 It would require a life safety and
 12 fire prevention code inspection be conducted by the
 13 fire district; and the Petitioner would be required
 14 to comply with all of the recommendations and
 15 requirements of that ordinance, as well as the
 16 requirements of the ADA and Illinois Accessibility
 17 Code relative to the occupancy of the property. You
 18 know, conditions say the washrooms would be in ADA
 19 compliance. That would be something that would be
 20 required.
 21 Underground Performance, the
 22 premises would not be occupied by more than the
 23 maximum number of persons indicated by the fire

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1 district inspector, and fire department will
 2 determine the maximum occupancy. It doesn't sound
 3 like that will be an issue.
 4 Nothing would imply -- we would be
 5 deleting condition D relative to the parking lot.
 6 And we would also be having a
 7 statement that there are no other variations or
 8 waivers implied from the Village code or zoning
 9 ordinance. That would be the recommended motion.
 10 MR. BLUSE: If I may, you guys said you would
 11 delete D?
 12 MR. BATEMAN: About the striping. It's not
 13 applicable.
 14 MR. BLUSE: Thank you.
 15 CHAIR DAULTON LANGE: Is there anybody in the
 16 audience that has any questions or comments?
 17 (No response.)
 18 Do I have a motion?
 19 COMMISSIONER MENCONI: So moved.
 20 CHAIR DAULTON LANGE: Second?
 21 COMMISSIONER WRZESZCZ: Second.
 22 CHAIR DAULTON LANGE: Administrator Martin,
 23 would you like to do the roll call, please?

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1 (Chorus of ayes.)
 2 (The hearing concluded
 3 at 8:05 p.m.)
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Page 19

1 MR. MARTIN: Commissioner Menconi?
 2 COMMISSIONER MENCONI: Yes.
 3 MR. MARTIN: Commissioner Wrzeszcz?
 4 COMMISSIONER WRZESZCZ: Yes.
 5 MR. MARTIN: Commissioner Delisle?
 6 COMMISSIONER DELISLE: Yes.
 7 MR. MARTIN: Commissioner MacKenzie?
 8 COMMISSIONER MACKENZIE: Yes.
 9 MR. MARTIN: Commissioner Puleo?
 10 COMMISSIONER PULEO: Yes.
 11 MR. MARTIN: Chair Daulton Lange?
 12 CHAIR DAULTON LANGE: Yes.
 13 MR. MARTIN: Motion approved.
 14 This will be on the Village Board
 15 agenda November 1st.
 16 MR. BLUSE: Thank you very much.
 17 CHAIR DAULTON LANGE: Thank you, and welcome
 18 to Lake Barrington.
 19 Okay. Motion to close that public
 20 hearing on Underground Performance?
 21 COMMISSIONER DELISLE: So moved.
 22 COMMISSIONER MACKENZIE: Second.
 23 CHAIR DAULTON LANGE: All those in favor?

Page 21

1 STATE OF ILLINOIS)
 2)
 3 COUNTY OF COOK)
 4
 5 I, DEBORAH R. SANTI, Certified Shorthand
 6 Reporter, of the State of Illinois, do hereby certify
 7 that I reported in shorthand the proceedings had in
 8 the aforesaid matter, and that the foregoing is a
 9 true, complete and correct transcript of the
 10 proceedings had as appears from the stenographic
 11 notes so taken to the best of my ability.
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Deborah R. Santi
 DEBORAH R. SANTI, CSR
 CSR # 084-004107

ORIGINAL

PLAN COMMISSION REGULAR MEETING

VILLAGE OF LAKE BARRINGTON

PUBLIC HEARING:

Zoning Text Amendments:
Section 8-2-2 Definitions
Section 8-4-4 B Business District
Section 8-4-5 O Office and Research District
Section 8-4-6 M Manufacturing and Industrial District
Section 8-7-2 Intent relative to PUD

23860 Old Barrington Road
Lake Barrington, Illinois

* * * * *

Thursday, October 13, 2011
8:08 p.m.

Page 2

1 PUBLIC HEARING
 2
 3 Thursday, October 13, 2011
 4 8:08 p.m.
 5 Zoning Text Amendments:
 6 Section 8-2-2 Definitions
 7 Section 8-4-4 B Business District
 8 Section 8-4-5 O Office and Research District
 9 Section 8-4-6 M Manufacturing and Industrial District
 10 Section 8-7-2 Intent relative to PUD

11
 12 PLAN COMMISSION
 13 VILLAGE OF LAKE BARRINGTON

14 * * * * *

15
 16 Held on Thursday, October 13, 2011,
 17 commencing at the hour of approximately 8:08 p.m. at
 18 23860 North Barrington Road, Lake Barrington,
 19 Illinois.

20 PLAN COMMISSION PRESENT
 21 Honorable Karen Daulton Lange, Chair
 22 Richard Delisle, Commissioner
 23 Alan MacKenzie, Commissioner
 Frank Menconi, Commissioner
 Christina Puleo, Commissioner
 Mark Wrzeszcz, Commissioner

ALSO PRESENT
 James Bateman, Village Attorney

Page 3

1 CHAIR DAULTON LANGE: Motion to open the
 2 public hearing for zoning text amendments.
 3 COMMISSIONER PULEO: So moved.
 4 CHAIR DAULTON LANGE: Do I hear a second?
 5 COMMISSIONER MENCONI: Second.
 6 CHAIR DAULTON LANGE: All those in favor?
 7 (Chorus of ayes.)
 8 CHAIR DAULTON LANGE: Okay. We have before
 9 us tonight a special use permit, text amendment.
 10 MR. MARTIN: These are provided for you in
 11 the packet for the fitness use. If you go kind of
 12 right off the staff memo, you'll see the ordinance
 13 there. The vast majority of these amendments, with
 14 the exception of on the agenda the moving storage
 15 facility amendment, have to do with the type of use
 16 that we just heard.
 17 Previously, the Village had relied
 18 on Section 8-4-6-C11 requiring special use permits
 19 for sports uses based on the definition, which was
 20 fairly vague and included things like what was it,
 21 anything involving schools.
 22 MR. BATEMAN: Right.
 23 MR. MARTIN: And we had --

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1 CHAIR DAULTON LANGE: What's a school?
 2 MR. MARTIN: -- taken a broad interpretation
 3 that that gentleman teaching you how to lift up a
 4 tire was a school. So it became -- It had become a
 5 little awkward.
 6 The amendment before you provides
 7 for a new definition for indoor recreation facilities
 8 which includes things like tennis, racquet courts,
 9 indoor golf, driving ranges, swimming pools, bowling
 10 alleys, bocce. I won't read them all. We tried to
 11 cover basically any type of -- any type of use that
 12 might come before the Commission and take it -- and
 13 put it in the special use section, so it's clear and
 14 provides landlords and tenants with clear direction,
 15 provides staff with clear direction and the
 16 Commission.
 17 The only other option you might wish
 18 to consider is making those permitted uses. That is
 19 a bigger step. We've gotten a lot. We've done two
 20 Karate and now this gentleman.
 21 CHAIR DAULTON LANGE: I like that it's
 22 special use because it seems to be the time we catch
 23 landlords, and that is what has been bringing up the

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1 quality of our -- baby steps of our office park.
 2 I did have a question regarding the
 3 definition of recreation indoor. I notice baseball
 4 was out of there, and there is a lot of indoor
 5 baseball facilities now. I think you meant to
 6 include it, but I thought it might be helpful if it
 7 was included because we just have one in Northfield.
 8 It seems to be a new business now, batting cages.
 9 MR. MARTIN: And we do have one in the
 10 Village currently.
 11 CHAIR DAULTON LANGE: So just so it's clear.
 12 MR. BATEMAN: Indoor baseball facilities is
 13 something that we should add?
 14 CHAIR DAULTON LANGE: Yes.
 15 And then I notice we're removing
 16 moving and storage.
 17 MR. MARTIN: Yeah. The only other amendment,
 18 Mr. Bateman, I think you can comment. I think it's
 19 really -- It doesn't really work in that.
 20 MR. BATEMAN: Right. You know, it's in the B
 21 district. And you know what, the history of the
 22 Village is somewhat -- you know in about 1987 or '86
 23 there was this Adco proposal by which Adco was going

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1 to move here from the Village of Barrington and
2 establish a moving and storage facility. It was very
3 controversial and people were very upset about it.
4 There was a text amendment approved to add this
5 property -- to add that as a permitted use in the B
6 district, and it was -- It was before I arrived. It
7 was in some sense why I arrived and -- or how I
8 arrived.
9 CHAIR DAULTON LANGE: This was off of Kelsey;
10 wasn't it?
11 MR. BATEMAN: It was the Knights of Columbus
12 property or immediately adjacent to the Knights of
13 Columbus property. And the -- It just -- If you look
14 at it, it doesn't fit within a retail -- evidence to
15 the fact that the Village of Barrington tore down the
16 Adco building recently, it doesn't fit within a
17 village center retail district. It just seemed as
18 long as we were dealing with other uses within the B
19 district, it ought to be fixed. I mean, we did some
20 other things like alphabetize the list of uses.
21 CHAIR DAULTON LANGE: I noticed that.
22 MR. BATEMAN: Just for the sake of a little
23 more clarity and usability. But that was my only

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1 contribution to the effort. Just because I thought
2 it never did really make a lot of sense. But when it
3 was done, the Village had a contractual commitment in
4 terms of an annexation agreement.
5 MR. MARTIN: Is that the only B parcel?
6 MR. BATEMAN: No, I think there are some
7 other B parcels, but.
8 CHAIR DAULTON LANGE: And the other item was
9 to delete the 200,000 minimum square feet of PUD,
10 which I thought was a great idea.
11 MR. BATEMAN: I think we kind of -- That's
12 been ignored. It's really more of a statement of
13 policy, but I do think we need more flexibility than
14 that.
15 CHAIR DALTON LANGE: That is the whole idea
16 of PUD is to have flexibility and that helps that
17 along.
18 MR. BATEMAN: I think if you look, Chris, at
19 the west half of Doering is B and the east half is M.
20 MR. MARTIN: Interesting. That is
21 interesting. That will be a problem at some point.
22 MR. BATEMAN: Right.
23 CHAIR DAULTON LANGE: Does anybody have any

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1 comments about these proposed changes?
2 Do you think they're good ideas; bad
3 ideas?
4 COMMISSIONER PULEO: I think it's a good idea
5 seeing the way we're growing and the way we really
6 like to design our village, that area of our village.
7 I think it's a good idea.
8 CHAIR DALTON LANGE: It's nice to tidy
9 everything up.
10 MR. MARTIN: I was leaning towards permitted
11 uses, but after dealing with several of these uses on
12 some of these, I really enjoy bringing them in.
13 Particularly, the first petition. I'm very curious
14 to see how that owner is going to react. Mostly
15 all -- Previously, all of them have been great. I'm
16 very curious to see how he'll react, and I'd love if
17 they came before the Village Board.
18 Some of the frustrations that you
19 deal with with landlords that --
20 MR. BATEMAN: I mean it's difficult.
21 MR. MARTIN: They got their investment out a
22 long time ago.
23 MR. BATEMAN: But you know they might as well

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1 go back with the idea that hey, if you -- They should
2 have had a contingency in their lease. There is no
3 doubt about it.
4 COMMISSIONER MENCONI: We're just talking
5 now, right?
6 CHAIR DAULTON LANGE: Let's get this done.
7 So does anybody have any changes to
8 the text amendments? Do you like them as they are?
9 COMMISSIONER WRZESZCZ: I think they're
10 great.
11 CHAIR DALTON LANGE: Good job, Chris.
12 COMMISSIONER DELISLE: First class.
13 CHAIR DALTON LANGE: Motion to recommend
14 approval of the text amendments --
15 MR. MARTIN: Can you ask if there is any
16 public comment?
17 CHAIR DALTON LANGE: Is there any public
18 comment?
19 (No response.)
20 CHAIR DAULTON LANGE: Hearing none, motion to
21 approve?
22 COMMISSIONER MACKENZIE: So moved.
23 CHAIR DAULTON LANGE: Do I hear a second?

1 COMMISSIONER DELISLE: Second.
 2 CHAIR DAULTON LANGE: Roll call.
 3 MR. MARTIN: Commissioner MacKenzie?
 4 COMMISSIONER MACKENZIE: Yes.
 5 MR. MARTIN: Commissioner Delisle?
 6 COMMISSIONER DELISLE: Yes.
 7 MR. MARTIN: Commissioner Menconi?
 8 COMMISSIONER MENCONI: Yes.
 9 MR. MARTIN: Commissioner Puleo?
 10 COMMISSIONER PULEO: Yes.
 11 MR. MARTIN: Commissioner Wrzeszcz?
 12 COMMISSIONER WRZESZCZ: Yes.
 13 MR. MARTIN: Chair Daulton Lange?
 14 CHAIR DALTON LANGE: Yes.
 15 Okay. Motion to close that
 16 portion -- that public hearing of the text amendment?
 17 COMMISSIONER DELISLE: So moved.
 18 COMMISSIONER MACKENZIE: Second.
 19 CHAIR DAULTON LANGE: All in favor?
 20 (Chorus of ayes.)
 21 (The hearing concluded
 22 at 8:16 p.m.)
 23

1 STATE OF ILLINOIS)
)
 2 COUNTY OF COOK)
 3
 4 I, DEBORAH R. SANTI, Certified Shorthand
 5 Reporter, of the State of Illinois, do hereby certify
 6 that I reported in shorthand the proceedings had in
 7 the aforesaid matter, and that the foregoing is a
 8 true, complete and correct transcript of the
 9 proceedings had as appears from the stenographic
 10 notes so taken to the best of my ability.
 11
 12
 13 *Deborah R. Santi*
 14 DEBORAH R. SANTI, CSR
 15 CSR # 084-004107
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