

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE MEETING OF THE
PLAN COMMISSION
JUNE 30, 2016**

Approved

1. CALL TO ORDER AND ROLL CALL

A Meeting of the Plan Commission of the Village of Lake Barrington was held on June 30, 2016 at the Village Municipal Center, 23860 Old Barrington Road, and was called to order by Plan Commission Chair Rick DeLisle at 7:00pm.

Present:	Commissioners: Barbera, Carpenter, Nixon, Puleo, Wrzeszcz, and Chair DeLisle
Absent:	Commissioners: Menconi
Also Present:	Village Administrator Chris Martin and Village Attorney Jim Bateman, Debra Santi of Lake-Cook Reporting

2. APPROVAL OF THE MINUTES

A motion was made by Commissioner Barbera and seconded by Commissioner Puleo to approve the minutes of the October 22, 2015 meeting.

On a voice vote the motion was approved unanimously.

3. CONSIDERATION OF PETITION FOR SPECIAL USE PERMIT AND RE-SUBDIVISION – ANGEL WATER INC. 28214 W. NORTHWEST HWY AND 21875 N. PEPPER ROAD

All persons intending to speak before the Commission were sworn in by Village Administrator Martin.

Mr. Martin introduced the petition noting that Mr. Andrew Wilson owner of Angel Water Inc. (Barrington) is requesting an amendment to the existing special use permit to allow for Angel Water Inc. to purchase the property (Lot 1 vacant car dealership) and operate a home water purification and water softening business. A re-subdivision of the property is also requested to revise a property line that currently goes through the building to accommodate this sale. Mr. John Sfire (Fidelity Group LTD.) is currently owner of the the entire property, he intends to retain ownership of Lot 2 selling Lot 1 to Mr. Wilson. The following apply:

1. Special Use Ordinance: 2011-O-11
2. Title 9 Subdivisions

The entire site is two lots of record with approximately 178,596 square feet (4.1 acres) in lot area with a single automobile dealership building of 13,407 square feet. Fidelity Motors began occupying the building in 2011 following a transfer of the special use permit from Saturn, which had been previously transferred from other dealerships. Fidelity Motors discontinued use of the property in 2014

Angel Water Inc., the petitioner, (currently of Barrington IL) is under contract to purchase the building and Lot 1. Angel Water Inc. is a water softener and water treatment company. Angel Water is not proposing any exterior changes to the building or grounds aside from a revised sign package.

The current special use permit requires that only an automobile dealership occupy the property. The proposed amendment is to allow the proposed use (plumbing services and supplies). This is a permitted use in the M District.

The petitioner and owner are requesting a re-subdivision of the property to modify the northerly lot line of Lot 1 moving the line north. The lot line currently cuts through a portion of the building, thus making the sale of the building complicated, if not impossible. Also, the plat of re-subdivision seeks to clarify the various easements on the property and to provide access to an adjoining lot, see below:

- Easements
As part of the re-subdivision, the Village is requiring that all existing easements be updated and clarified. These include: access, storm water, detention, shared drives and parking. The Village will also require a separate easement document be recorded with the plat to detail the items as generally described on the plat.
- New Access
Staff is recommending, and the petitioner/owner have agreed to provide, an access easement to the adjoining property the Northwest Professional Building 28160 W Northwest Hwy (aka Davita building) from their parking lot to Pepper Road. This access improves the viability of all the properties by providing a Route 14 access for the subject property, and the long sought after Pepper Road access to the “Davita” property.

Mr. Martin then noted the following staff responses:

- Essential Character – staff notes that various auto dealerships that have occupied this site for the past 20+ years have failed and that the proposed use is a permitted in the district, and therefore, on is compatible with the character of the business park.
- Unique Conditions – staff notes that the property is uniquely situated relative to the re-subdivision and that the plat should be corrected.
- Purpose – staff agrees that the amendment special use is appropriate for the property, while perhaps not the aggressive retail development as suggested in the Comprehensive Plan, the use appears to be stable, well integrated into the community, and it will bring employees to the Park.
- Adjacent Property – staff agrees that impacts to adjacent properties will be minimal and conversely the access easement to Pepper Road is a significant enhancement.
- Public Health and Safety – staff does not foresee any adverse impacts to the public safety resulting from this petition.

Mr. Martin recommend that: 1) the use is appropriate for the location and hence the special use permit should be amended, 2) that the subdivision is necessary to provide for the proposed use and to accommodate future property transfers and otherwise clarify the shared characteristics of the property (parking, storm-water, etc.), and 3) the petition provides a unique opportunity to create an access easement for the adjoining property which is highly recommended.

Chair DeLisle then requested that the petitioner present their proposal which is detailed in the attached transcript. The Petitioner Andrew Wilson was present and also present was co-owner John Sfire.

Chair DeLisle then requested public comment. The public comment and subsequent discussion relative to the petition are detailed within the attached transcript. In summary, the Village received no objections to the subject Petition.

Chair DeLisle closed public comment, and discussion followed by the Plan Commissioners as detailed within the attached transcripts. At the conclusion of the Commission discussion, the following motion was made:

- I. MOTION WAS MADE BY COMMISSIONER PULEO, AND SECONDED BY COMMISSIONER BARBERA, THAT THE PLAN COMMISSION RECOMMEND TO THE BOARD OF TRUSTEES the approval of the request of the Petitioners, Fidelity Motor Group, LLC, as the owner of record of the property at 28214 W. Northwest Highway and 21875 N. Pepper Road (“the Subject Property”), and Angel Water, Inc. as the proposed purchaser of most of Parcel 1 of the Subject Property (which portion proposed to be purchased is also referred to herein as “proposed Lot 1”). The Subject Property is located within the Village’s M Manufacturing and Industrial Zoning District and is the subject of existing amended and restated special use(s) granted by the Village pursuant to Ordinance No. 2011-O-11 (the “Existing Amended and Restated Special Use Ordinance”). Both Petitioners are requesting approval of the resubdivision of the Subject Property into two (2) buildable lots and consideration of a petition for further amendments to the Existing Amended and Restated Special Use Ordinance to eliminate Section 5 thereof and the restriction set forth in said Section which stipulates that the only use permitted to be established on the Subject Property is a vehicle dealer and vehicle service facilities, and to permit the Subject Property to be used for any uses permitted by right within the Village’s M Zoning District. The proposed special use(s), as further amended, will continue to include a special use to authorize the continued use on proposed Lot 1 of the existing ground sign with a digital changing or moving display which may provide one or more variations from the provisions of Chapter 9 of Title 8 (“Sign Regulations”) of the Lake Barrington Village Code, including but not limited to a variation from Section 8-9-5-1 to permit the continued existence, operation, and use of the existing ground sign, but Angel Water, LLC has agreed to allow the shared use of the existing LED digital ground sign by the Village for purposes of the Village’s display of information relative to community events and for Village economic development purposes pursuant to a written agreement therefor.
- II. THIS MOTION IS BASED UPON THE FOLLOWING FINDINGS OF FACT WHICH ARE HEREBY ADOPTED:
 - A. The present owner of record of the Subject Property is Fidelity Motor Group, LLC, and the amended and restated special use , if granted, shall be subject to Angel Water, Inc. or a special purpose entity contracted by it upon closing on its purchase of proposed Lot 1;
 - B. The proposed amended and restated special use, if granted, is consistent with the Lake Barrington Official Comprehensive Plan, as amended;

- C. The proposed amended and restated special use, if granted, is consistent and compatible with surrounding land uses and other uses permitted in the M-District;
- D. Any potentially negative impacts of the proposed amended and restated special use would be adequately mitigated;
- E. The proposed amended and restated special use, if granted, will not alter the essential nature of the Village;
- F. The proposed amended and restated special use will conserve property values and will protect, and will not adversely affect the character and stability of other properties in the vicinity and in the Village in general;
- G. The proposed amended and restated 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
- H. The proposed amended and restated 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 Subject Property shall be developed and maintained in substantial compliance with the submittals to the Plan Commission and the Exhibits which shall be attached to and made a part of the respective Ordinance approving the proposed resubdivision and amended and restated special use.
- B. The Subject Property shall be resubdivided into two (2) buildable lots, i.e., proposed Lot 1 and proposed Lot 2, much of proposed Lot 1 being presently improved with a commercial structure and related improvements thereto, and proposed Lot 2 being presently vacant but being of a buildable size. The Subject Property shall be resubdivided, developed and maintained in substantial compliance with the Exhibits submitted to the Plan Commission, which Exhibits shall be attached to the related Ordinance granting the requested Amended and Restated Special Use, including but not limited to the Plat of Subdivision for the Fidelity Park Subdivision.
- C. Any construction and/or expansion of any building(s) on either proposed Lot 1 or proposed Lot 2 of the Subject Property shall require the prior written approval by the President and Board of Trustees, but no additional Plan Commission hearing, unless so directed by the Village Board. Any further improvements to either proposed Lot 1 or proposed Lot 2 shall require the development by the Petitioners of a proposed Master Site Plan for such improvements, which proposed Master Site Plan shall be submitted to and considered by the President and Board of Trustees for their prior written approval.
- D. Any modification of storm water management facilities serving the Subject Property shall only be made after final engineering plans and specifications are submitted to the Village by the Petitioners for approval in advance, in writing, by the Village Administrator, or his designee. The detention basin and storm water management

system as shown in the Plat of Subdivision submitted to the Plan Commission shall comply with all federal, state, county, and Village laws, ordinances, and regulations, and to the extent that any of those regulations are inconsistent, the more restrictive regulations shall prevail and control.

- E. The exterior lighting on proposed Lot 1 shall be maintained in its present condition, and any modification thereto shall require the prior written approval of the Village Administrator, or his designee, and shall be so designed, installed, and modified from time to time as necessary to minimize interference with residences and vehicular traffic in the vicinity. The exterior lighting on proposed Lot 2 shall be designed, installed, and modified from time to time as necessary to minimize interference with residences and vehicular traffic in the vicinity, and such exterior lighting shall require the prior written approval of the Village Administrator, or his designee. The exterior lighting as installed and as maintained on the Subject Property shall comply with Section 4-7-6 of the Village of Lake Barrington Zoning Ordinance, as amended, and such exterior lighting shall not be utilized after installation until compliance with said Section has been determined and approved by the Village Administrator, or his designee. Parking lot lighting on both proposed lots, other than the minimum necessary for security purposes, shall be turned off and kept off on each lot when the business(es) located thereon are then not open for business.
- F. The existing landscaping on proposed Lot 1 of the Subject Property shall be enhanced in accordance with a new Landscaping Plan which shall be submitted to and approved in writing by the Village Administrator, and said landscaping shall thereafter be installed in compliance with said approved Landscaping Plan prior to the issuance of a new Certificate of Occupancy for proposed Lot 1 and shall thereafter be maintained in good condition. Any changes in the landscaping shall require the prior written approval of the Village Administrator. Landscaping shall be installed on proposed Lot 2 of the Subject Property prior to the issuance of a Certificate of Occupancy for any building hereafter constructed on said proposed Lot 2 pursuant to a landscaping plan approved in writing in advance by the Village Administrator.
- G. Proposed Lot 1 of the Subject Property shall remain connected to the sanitary sewer service and water service provided by the Village, and proposed Lot 2 shall hereinafter be separately connected to the sanitary sewer service and water service provided by the Village at the sole cost and expense of the owner of proposed Lot 2 when that lot is developed (i.e., when the next building permit is issued by the Village for that lot).
- H. It shall be a condition precedent that the Petitioners, on behalf of themselves and any of their successor(s) and/or assign(s), agree to not challenge, contest, or interpose any legal or beneficial objection to the creation of, or establishment of levies for, any special service areas created by the Village and/or for any special assessments intended to provide sanitary sewer and/or water service to either proposed Lot 1 or proposed Lot 2 of the Subject Property.
- I. One or more silt basins shall be installed on each lot of the Subject Property to filter erosion and sedimentation from storm water leaving the site.
- J. It is anticipated that one or more drainage pipes or field tiles will be encountered in the development of the Subject Property and each of the Petitioners shall replace and/or

reconstruct any such pipe or tile encountered on their respective lots at the respective lot owner's sole cost and expense in accordance with specifications approved in advance in writing by the Village Administrator, or his designee.

- K. Each Petitioner shall develop, implement, and maintain adequate soil erosion control measures on their respective lot, all in compliance with all applicable Lake County and Village ordinances, which soil erosion measures shall be subject to the continuing prior written approval of the Village Administrator.
- L. There shall be no use of any outside public address or other outdoor audio system(s) anywhere on the Subject Property.
- M. Except as expressly provided by the Ordinance approving the requested amended and restated special use with respect to the sign variations approved for the ground sign, the signage on each lot shall comply with the Village of Lake Barrington Zoning Ordinance, and except as otherwise permitted by the Zoning Ordinance, the following signs or other promotion devices are prohibited: flags, tethered airborne signs, beacon lights, portable signs, posterboards, billboards, flashing signs, roof signs, moving signs, streamers, banners, pennants, valances, inflatables or balloons of any kind, signs painted directly on wall(s), car signs, marquees, and with the further permitted exceptions of an American flag, a State of Illinois flag, and Petitioners' corporate flag, which flags shall be displayed on three (3) separate poles, with each pole having a maximum height of twenty-five feet (25'). Coverage of the windows of the building on Lot 1 by signs or otherwise shall not exceed seventy percent (70%) of the surface area of the glazing of such windows.
- N. Catch basins intended for the purpose of trapping grease and oil in the surface water run-off from all paved impervious surfaces on the Subject Property shall be installed and maintained on each lot at such locations designated by the Village Engineer.
- O. Building and fire code inspections and review of exterior lighting shall be conducted and complied with prior to the establishment of any new use and occupancy on either lot of the Subject Property.
- P. Triple-catch basins within each building on the Subject Property shall be installed where required by the Lake Barrington Village Code and shall thereafter be maintained in proper operating condition.
- Q. Carbon monoxide (CO) detection devices that comply with the Village Code, if and where required by said Code, and a sprinkler system for fire suppression shall also be installed within each building on the Subject Property.
- R. The Petitioners shall each be required to execute a Cross-Access Easement agreement for the purpose of maintenance of the shared detention area located on the Subject Property and for the purpose of construction and maintenance of a private roadway within such Cross-Access Easement for access to Pepper Road, for the benefit of the Subject Property and for the benefit of the property immediately to the East, commonly known as 28160 W. Northwest Highway, pursuant to engineering plans for such a Cross-Access Easement approved in writing, in advance, by the Village Administrator and the Village Engineer, and the Cross-Access Easement agreement shall be approved and

executed by the respective owners of proposed Lot 1 and proposed Lot 2 of the Subject Property and recorded by the Village at the sole cost and expense of the respective owners of proposed Lots 1 and 2, which Cross-Access Easement agreement shall be substantially in the form submitted to the Plan Commission. The Petitioners shall install and maintain appropriate pavement marking and/or signage to delineate the Cross-Access Easement and address traffic safety, which marking and signage shall be approved in writing by the Village Administrator.

- S. Signage shall be provided on each lot of the Subject Property, which shall comply with the applicable provisions of the Village Code, and shall be approved in advance in writing by the Village and pursuant to sign permit(s) issued by the Village prior to installation thereof, provided, however, the following conditions shall be applicable to the ground sign:
- (1) The existing LED ground sign on proposed Lot 1 shall not exceed twenty feet (20') in height and its surface area shall not be increased by more than ten percent (10%).
 - (2) The existing LED ground sign on proposed Lot 1 shall be maintained at its present location, i.e., at the right-of-way line of Northwest Highway (Route 14) (i.e., such ground sign may have a zero setback).
 - (3) The existing LED ground sign on proposed Lot 1 shall be landscaped and such landscaping maintained in the general manner pursuant to a final landscaping plan for proposed Lot 1 submitted by Angel Water, Inc. and approved in advance, in writing, by the Village Administrator.
 - (4) The existing LED ground sign on proposed Lot 1 shall be internally illuminated and may be operated whenever Angel Water, Inc. is open or closed.
 - (5) Variations from the provisions of Chapter 9 of Title 8 ("Sign Regulations") of the Lake Barrington Village Code, including but not limited to a variation from Section 8-9-5-1 shall be granted to permit a ground sign with a digital reader, i.e., a changing or moving readable display.
 - (6) The illumination level of the digital reader portion of the ground sign shall be subject to the approval from time to time of the Village Administrator, and such illumination shall be reduced as and when so directed by the Village Administrator.
 - (7) Prior to issuance of the initial occupancy permit for any site improvements or building modification(s) on proposed Lot 1 undertaken by Angel Water, Inc., Angel Water, Inc. and the Village will negotiate, execute, and record a written agreement providing for the shared use of said ground sign between Angel Water, Inc., and the Village for purpose of the Village's display of information relative to community events and for economic development purposes.
- T. There shall be no outside storage on the Subject Property, other than the parking of vehicles.
- U. The amended and restated special use shall not be transferred or assigned except with the consent of the Village Board.

- V. Nothing contained in these findings or the related Special Use Ordinance shall imply or be construed as approving or granting any variation or waiver from any of the other provisions of the Village of Lake Barrington Zoning Regulations, or the Village of Lake Barrington Village Code, or from the provisions of any other ordinances of the Village, except as expressly stated herein.

Upon roll call, the vote was as follows:

YEAS: Commissioners Barbera, Carpenter, Nixon, Puleo, Wrzeszcz, and Chair DeLisle
NAYS: None
ABSENT: Menconi
ABSTAIN: None

Chair DeLisle declared that the motion passed.

4. ADJOURNMENT

A motion was made by Commissioner Puleo and seconded by Commissioner Barbera to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:15pm.

THE VILLAGE OF LAKE BARRINGTON'S PLAN COMMISSION MINUTES FOR THE MEETING OF JUNE 30, 2016 HAVE BEEN REVIEWED AND APPROVED

Village Administrator: _____



6/30/2016

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PLAN COMMISSION REGULAR MEETING

VILLAGE OF LAKE BARRINGTON

PUBLIC HEARING:

Petition for Special Use Permit Amendment and
Re-Subdivision - Angel Water, Inc.
Former Fidelity Motors Site

23860 Old Barrington Road

Lake Barrington, Illinois

* * * * *

Thursday, June 30, 2016

7:00 p.m.

LAKE-COOK REPORTING, LTD.
847-236-0773

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1 PUBLIC HEARING
 2 Thursday, June 30, 2016
 3 7:00 p.m.
 4
 5 Petition for Special Use Permit Amendment and
 6 Re-Subdivision - Angel Water, Inc.
 7 Former Fidelity Motors Site
 8
 9 PLAN COMMISSION
 10 VILLAGE OF LAKE BARRINGTON
 11 * * * * *
 12
 13 Held on Thursday, June 30, 2015,
 14 commencing at the hour of approximately 7:00 p.m. at
 15 23860 North Barrington Road, Lake Barrington,
 16 Illinois.
 17
 18 PLAN COMMISSION PRESENT:
 19
 20 Honorable Rick Delisle, Chair
 21 Tom Barbera - Commissioner
 22 Earl Carpenter - Commissioner
 23 Jay Nixon, Commissioner
 Christina Puleo, Commissioner
 Mark Wrzeszcz, Commissioner
 ALSO PRESENT
 James Bateman, Village Attorney
 Christopher Martin, Village Administrator

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1 CHAIRMAN DELISLE: I call to order the Plan
 2 Commission for the Village of Lake Barrington.
 3 Mr. Martin, will you please call the
 4 roll?
 5 ADMINISTRATOR MARTIN: Commissioner Nixon?
 6 COMMISSIONER NIXON: Present.
 7 ADMINISTRATOR MARTIN: Commissioner Barbera?
 8 COMMISSIONER BARBERA: Present.
 9 ADMINISTRATOR MARTIN: Commissioner
 10 Carpenter?
 11 COMMISSIONER CARPENTER: Yes, sir.
 12 ADMINISTRATOR MARTIN: Commissioner Menconi,
 13 absent.
 14 Commissioner Puleo?
 15 COMMISSIONER PULEO: Here.
 16 ADMINISTRATOR MARTIN: Commissioner Wrzeszcz?
 17 COMMISSIONER WRZESZCZ: Here.
 18 ADMINISTRATOR MARTIN: Chair Delisle?
 19 CHAIRMAN DELISLE: Here.
 20 I'd like to start with the Pledge of
 21 Allegiance.
 22 (Pledge of Allegiance.)
 23 CHAIRMAN DELISLE: The first order of

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1 business is consideration of the minutes from October
 2 22, 2015.
 3 Do we have a motion to accept the
 4 minutes?
 5 COMMISSIONER BARBERA: So moved.
 6 COMMISSIONER PULEO: Second.
 7 CHAIRMAN DELISLE: We have a motion by
 8 Commissioner Barbera and a second by Commissioner
 9 Puleo.
 10 All those in favor say aye.
 11 (Chorus of ayes.)
 12 CHAIRMAN DELISLE: Those opposed say nay.
 13 (No response.)
 14 CHAIRMAN DELISLE: Motion passes.
 15 The next item on the agenda is a
 16 public hearing for a petition for a special use
 17 permit amendment and re-subdivision for Angel
 18 Water -- or Angel Water, Inc. former Fidelity Motor's
 19 site.
 20 Mr. Martin, will you please
 21 introduce the petition and petitioner.
 22 ADMINISTRATOR MARTIN: Thank you, Chair
 23 Delisle.

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1 What you have before you is a
 2 petition for an amendment to the existing special use
 3 2011-011, and a re-subdivision of the property
 4 located at the northeast corner of Kelsey Road or
 5 Route 14 and Pepper Road.
 6 There's really two pieces to this
 7 petition. The first is the amendment to the special
 8 use. The current special use which regulates the
 9 former automobile dealership, Fidelity Motor
 10 property, provides for that only a car dealership can
 11 be located on that property. So it's a very specific
 12 and direct special use permit. The request from
 13 Angel Water is to locate their water softener and
 14 water purification business at the property, so an
 15 amendment to the special use is required.
 16 The proposed business Angel Water
 17 plumbing, distributing and sales business is a
 18 permitted use in the current M-1 district, which is
 19 what the property is zoned.
 20 And the second piece of the petition
 21 is a re-subdivision of the property to accommodate
 22 that first piece. As you note in the plat of survey,
 23 which has been provided, you'll see the lot line that

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1 runs through the center of the property. It actually
 2 goes through the existing building. To accommodate
 3 the sale of the property, it's very difficult to get
 4 clear title if have you a property line running
 5 through the building, and henceforth, the petitioner
 6 is requesting to re-subdivide that lot.

7 Staff is recommending that due to
 8 the fact there is really no engineering involved
 9 here, because the property is being basically
 10 occupied as is, that there is no necessary -- no
 11 necessity for a preliminary and final plat review and
 12 that we proceed directly to a final plat review which
 13 will look exactly like this drawing.

14 Staff report details the proposed
 15 lots of record, and the post-configuration of both
 16 parcel 1 and parcel 2 and also provides some
 17 discussion of the petitioner's response to the
 18 special use requirements that are provided in the
 19 application forms that you have in your packet.

20 The one key piece of this is there
 21 are numerous easements required as part of this
 22 parcel as we understand they have shared access,
 23 shared drive, shared parking and other things. So

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1 sign on the property there for some sort of shared
 2 access, which the Village could potentially
 3 advertise, other businesses in the community and
 4 community events. There has been quite a bit of
 5 clambering from the other businesses in the park to
 6 get additional signage at the corner of Pepper and
 7 Route 14, which is very difficult to do to get
 8 everybody on one type of sign. It would certainly be
 9 an exciting prospect for the Village and the entire
 10 park to get some shared access there. There would
 11 certainly be a quid pro quo there, and mostly likely
 12 it would come in the form of the Village upgrading
 13 the LED sign on the property and paying for that.

14 But that's kind of down the road, but certainly
 15 something that I hope that the Plan Commission would
 16 maybe keep in mind as we go through this evening.

17 Staff recommendation is provided.
 18 Staff does feel this is an appropriate location for
 19 the intended use, and the subdivision is necessary to
 20 accommodate not only the proposed use but any
 21 potential future uses of the property to get that lot
 22 line out of the building. As long as the easement
 23 provisions are provided and cross-access is provided,

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1 there's a rather lengthy easement document that has
 2 been provided to you which incorporates those
 3 concepts. And also, the staff requested and
 4 petitioner is agreeable to provide a cross-easement
 5 for the Boulder Rock/DaVita property, DaVita Medical,
 6 which is the building just to the east, to cross
 7 through lots 1 and 2 to get access to Pepper Road.
 8 Consequently, lots 1 and 2 would also have access to
 9 right in and right out on Route 14. This has long
 10 been sought after by the Village to encourage the
 11 occupation of that office building, which is a class
 12 A office space, and I think it will help both
 13 properties in the long run to have that access
 14 through the property and really create a development
 15 block, as it were, with both the office building,
 16 petitioner's use and possible development of lot 2 in
 17 the future for either a small retail building or
 18 multi-tenant building on lot 2. Again, so you have
 19 the staff report there.

20 Another concept that are working on,
 21 it's really not part of the approval package. Staff
 22 has been in some discussions with the potential new
 23 owner, Mr. Wilson, to get access to the existing LED

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1 staff recommends going forward with the petition.
 2 And that concludes my presentation.
 3 Mr. John Sfire is here and Andrew Wilson is here, the
 4 potential petitioner.

5 MR. SFIRE: Ladies and Gentlemen, good
 6 evening. I know it's been a while. It's always nice
 7 to be before you --

8 CHAIRMAN DELISLE: Mr. Sfire, just for the
 9 record, if you could, give us your full name,
 10 spelling and address, just for the record.

11 MR. SFIRE: John Sfire, S-f-i-r-e. I live at
 12 472 East Oxford Road in North Barrington.

13 CHAIRMAN DELISLE: And if there is anyone in
 14 the audience that is going to testify including
 15 Mr. Sfire, if you could you please stand and raise
 16 your right hand, and Mr. Martin will swear you in.
 17 (Audience members sworn.)

18 ADMINISTRATOR MARTIN: Thank you, very much.
 19 So sworn.

20 CHAIRMAN DELISLE: Thank you, and sorry for
 21 the interruption.

22 MR. SFIRE: That's okay. I understand the
 23 formalities. I've gone through this for 30 years.

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1 We're here, tonight, to bring some
 2 life back to the corner of Route 14 and Pepper Road.
 3 We have been working diligently to try to find a
 4 user. Unfortunately, as you could imagine, an
 5 automobile dealership is kind of -- I'll say a
 6 dedicated use. It's a difficult building to market.
 7 But we have been able to do it, and quite happily
 8 with Andrew Wilson, from Angel Soft. We're going to
 9 maintain, as it says, a portion of the property in
 10 ownership myself for the future of a multi-tenant
 11 building adjacent to the ice rink. I think have you
 12 a plat subdivision.

13 Mr. Martin indicated that the
 14 property line has changed a bit, but that's only
 15 because part of the building that we were selling
 16 is -- was in our -- in the other lot. So we had to
 17 move -- We just had our engineer move the property
 18 line just for purposes of proper title.

19 I don't have -- I don't have a lot
 20 more to say except that I think you saw the plat of
 21 subdivision. This is kind of a rendering we had done
 22 of what we anticipate the future of the property to
 23 look like. We're happy to give access to DaVita. As

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1 proposed building.
 2 COMMISSIONER PULEO: Can you put it on the
 3 tripod?
 4 CHAIRMAN DELISLE: Maybe you could put it on
 5 the tripod so you're not holding it.
 6 COMMISSIONER CARPENTER: Now, I'm concerned
 7 about the road and how it goes through and around the
 8 buildings and this sort of thing.
 9 MR. SFIRE: When you say the road, sir,
 10 within the property?
 11 COMMISSIONER CARPENTER: Yes. Can you -- I
 12 wish you that road indicated on there. Can you
 13 indicate better where it is?
 14 CHAIRMAN DELISLE: I think in our packets
 15 there is a title survey. It's really not delineated
 16 as a road, but perhaps --
 17 COMMISSIONER BARBERA: Well, because it's
 18 really just a driveway. You are driving through a
 19 parking lot.
 20 MR. SFIRE: Physically nothing is changing on
 21 the property from an access perspective except
 22 everything that's there is remaining there and
 23 nothing is going to be added. The only thing we're

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1 a matter of fact, you probably know that DaVita had a
 2 curb cut built there years ago, probably just
 3 awaiting for us to or whoever the owner of the
 4 property would be to give them access.
 5 I would like to ask a favor of you,
 6 if you don't mind. You might see I have cotton in my
 7 ear. I've gone deaf in one ear, and I'm under a -- I
 8 had CAT scan yesterday, and they can't figure out
 9 why, but I can't hear very well. So if you wouldn't
 10 mind, please speak up so I can hear you.
 11 I'm happy to answer any questions
 12 before I introduce Mr. Wilson. If you have any
 13 questions for me, please, I'm here, and I'm happy to
 14 answer them.
 15 CHAIRMAN DELISLE: Go ahead.
 16 COMMISSIONER CARPENTER: Would you bring that
 17 plot plan up and plat line up, so it's not on the
 18 floor.
 19 We kind of go over the highway or
 20 the access road.
 21 MR. SFIRE: This is the existing building.
 22 This a proposed building. The proposed building is
 23 over -- The ice rink is right up here. This is the

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1 doing is adding an entrance from DaVita's property
 2 with technically also existed. So they'll have the
 3 ability to drive through our property to get to
 4 Pepper Road.
 5 COMMISSIONER CARPENTER: How do I, as John Q
 6 public, know that's a road?
 7 COMMISSIONER BARBERA: Well, it's not a road.
 8 COMMISSIONER CARPENTER: It's not a road?
 9 MR. SFIRE: No, sir.
 10 COMMISSIONER CARPENTER: So why do I sitting
 11 there driving my car, think I can drive across there;
 12 and where do I go, do I go around the front?
 13 MR. SFIRE: I'm not quite understanding what
 14 you're asking, I apologize.
 15 COMMISSIONER CARPENTER: I'm sitting in my
 16 car.
 17 MR. SFIRE: Yes.
 18 COMMISSIONER CARPENTER: And I understand
 19 there's an access to Pepper Road.
 20 MR. SFIRE: When you're saying you're exiting
 21 your car where, are you talking about at DaVita?
 22 COMMISSIONER CARPENTER: At DaVita. And I
 23 look out at this big parking lot and building there,

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1 and the potential building over there. Direct me.
 2 Do I go in front of the building?
 3 MR. SFIRE: Well, no. Actually, I have a
 4 feeling we're going to have a sign probably on the
 5 DaVita property showing -- saying access to Pepper
 6 Road with an arrow on it.
 7 COMMISSIONER CARPENTER: Are you going to
 8 outline the access?
 9 MR. SFIRE: We will do that. I was
 10 anticipating -- We have some type of definition on
 11 the easement showing access, but it's not changing
 12 anything other than putting paint on the ground.
 13 COMMISSIONER CARPENTER: I understand, but
 14 I'm saying John Q public has to know where that
 15 access is. It goes up against the building, as I
 16 understand your plan.
 17 MR. SFIRE: Yes.
 18 COMMISSIONER CARPENTER: And I feel a little
 19 guilty about driving that close to the building
 20 unless there was some demarkation.
 21 CHAIRMAN DELISLE: Well, when you say close
 22 to the building, if I recall, there's a parking
 23 spaces behind. It's probably 30 or 40 feet wide

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1 lot with arrows on the ground, which are very simple
 2 to put down, we do them ourselves, indicating the
 3 directions. You can travel in either direction to or
 4 from Pepper Road or to or from DaVita.
 5 COMMISSIONER CARPENTER: I would like to see
 6 it like a painted road.
 7 MR. SFIRE: I'm sorry?
 8 COMMISSIONER CARPENTER: I would like to see
 9 it like a painted road. Somewhere where I, as the
 10 driver of not knowing where it is, could see oh,
 11 there is the path.
 12 MR. SFIRE: Well, you know, you're driving
 13 through a parking lot. I own 8,000 parking spaces in
 14 Lake Zurich, the Wal-Mart parking lot, the Target
 15 parking lot, we have a lot of parking lots; and
 16 directional markings -- People are getting away from
 17 even putting stop signs up. They're putting stop on
 18 the ground. We're painting stop with stop bars on
 19 the parking lots. So we don't try and make it -- We
 20 don't want it to look like it's a road, because
 21 technically it's not. It's a access easement. But
 22 we want it to be as simple as possible for people to
 23 understand. And believe it or not, people get

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1 behind the building.
 2 COMMISSIONER CARPENTER: 30 feet according to
 3 your plan. So I'm going to see the marking like I
 4 would expect to see on Highway 14.
 5 ADMINISTRATOR MARTIN: Well, I think it would
 6 be more like a parking lot. Basically, all you're
 7 really doing here is extending the parking lot from
 8 the DaVita building into the parking lot of the
 9 Fidelity building and vice versa.
 10 MR. SFIRE: What we've done at other
 11 properties that I own is we put arrows on the ground,
 12 and we'll be showing arrows going both ways on this
 13 easement.
 14 COMMISSIONER CARPENTER: That helps a lot.
 15 MR. SFIRE: So if you follow the arrows,
 16 you're going to up end up on Pepper Road.
 17 COMMISSIONER CARPENTER: There wasn't an
 18 indication of this sort of thing in the drawings that
 19 I'm looking at.
 20 MR. SFIRE: We want it to be as simple as
 21 possible. We're not trying to make this a challenge
 22 for anybody. Anybody that DaVita that wants to use
 23 it, like I said, we'll put a sign in their parking

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1 confused if you go to flowery with what you're trying
 2 to accomplish. So our anticipation is that whatever
 3 we feel will be necessary, certainly working with the
 4 Village is not going to be a problem to do; but I
 5 don't know to overextend the possibility of making
 6 this look like I-94.
 7 COMMISSIONER CARPENTER: No, none of us are
 8 hoping for that at all.
 9 MR. SFIRE: Pardon me?
 10 COMMISSIONER CARPENTER: None of us are
 11 hoping for that at all. You mention other parking
 12 lots. They are usually divided with some sort of a
 13 plantar up at the front and you go down either side
 14 of it. I'm not expecting all of that. But I'm
 15 saying they are well marked as where they intend
 16 people to go.
 17 MR. SFIRE: Well, we're certainty not
 18 anticipating granting this easement with the
 19 anticipation that we don't want people to understand
 20 how to use it. I will say this: Whatever is
 21 necessary for people to best understand what we're
 22 trying to accomplish, we will do.
 23 COMMISSIONER CARPENTER: Thank you. That's

1 what I'm after.

2 COMMISSIONER PULEO: Mr. Sfire, I had --

3 MR. SFIRE: Please, call me John. My

4 father's Mr. Sfire.

5 COMMISSIONER PULEO: John, just to the point

6 that Commissioner Carpenter is making, I have no

7 problem with the easement. I think it's probably

8 something needed.

9 In the other properties that you

10 have with parking lots similar to this, do you see a

11 lot of the cut through? Because just where this will

12 be located going through the easterly property, do

13 you anticipate cut through getting over to Pepper

14 Road in case there's a back up, number 1; and then

15 number 2, looking at the property, you have a large

16 access store and smaller access stores. And so will

17 that easement be where your current parking spots are

18 in the back or will that be north of those parking

19 spots?

20 MR. SFIRE: Christina, I'm sorry, which

21 parking spots are you referring to?

22 COMMISSIONER PULEO: Behind the building. So

23 north of the building.

1 wanted to get -- The only -- If anybody coming off

2 Pepper Road decides to take the easement, they're

3 going to end up in DaVita's parking lot, and the only

4 thing they're going to end up doing is turning right

5 out of there heading west on 14. That's no benefit

6 because they are better off going straight to the

7 light and turning right. People coming off of 14

8 would be coming in to get to Pepper Road, but the way

9 that intersection is designed with the traffic

10 signal, it has a very significant right-turn lane

11 there, and the right-turn lane is available whether

12 or not traffic is stopped or not. It's an individual

13 right-turn lane, which is a benefit too. So we don't

14 anticipate that there will be any, I'll call them

15 cut-through guys, that decide there's an easier way

16 by utilizing the easement. We really feel like this

17 will be strictly for the use of mostly the DaVita --

18 any DaVita patients or anybody in that office

19 building. It's certainly not all medical. We hope

20 it would be at some point in time. Sooner or later

21 it will be utilized by people that are just wanting

22 to get back to Pepper Road; but truly, if they pulled

23 out onto Northwest Highway, that's such an easy right

1 So will the access road, easement

2 road running where those parking spots are or to the

3 north of where those parking spots are?

4 MR. SFIRE: Actually, they'll probably run

5 south of where those parking spots are.

6 COMMISSIONER PULEO: Towards the back of the

7 building?

8 MR. SFIRE: Yes.

9 COMMISSIONER PULEO: How close do you think

10 that might be? I'm just concerned about not

11 everyone wants to obey the speed limit.

12 MR. SFIRE: I don't know what Lake

13 Barrington's requirements are, but I know in Lake

14 Zurich and other municipalities we can get by with a

15 24 foot road. I think what you have to look at is

16 the anticipation of how much this is going to be

17 utilized. If they use it for a cut through, we get

18 people, we call them cut throughs all of the time at

19 my properties in Lake Zurich, especially with the 12

20 and Ela Road construction today. They cut through my

21 Village Square corner and all kinds of things happen.

22 You have to remember, there is really no benefit to

23 anyone to cut through this way. Because if they

1 turn there onto Pepper Road, there isn't a whole lot

2 of benefit really to the easement. I would think the

3 easement would probably be most beneficial to people

4 getting to DaVita from Pepper Road. In other words,

5 coming off Pepper Road into the office building.

6 Leaving, I don't really see a lot of -- That's why we

7 weren't so worried about giving cross-access

8 easement. There isn't a whole lot of benefit to

9 anyone trying to leave the building coming through

10 our property.

11 COMMISSIONER PULEO: Thank you.

12 COMMISSIONER CARPENTER: There is 25 feet of

13 space between -- I guess this is the property line of

14 the stormwater area that is undetailed at this

15 moment, because my plan isn't that accurate. On the

16 land title survey, you show parking over there.

17 Will that parking continue to be

18 over there or will that be turned back into part of

19 the drainage problem -- not problem but situation?

20 MR. SFIRE: Well, we don't -- I don't

21 anticipate that the parking, whatever be designated

22 for anything other than either parking or driveway,

23 we wouldn't need if for any type of stormwater

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1 detention, if that's what you are referring to.

2 COMMISSIONER BARBERA: No, the curve is right

3 up against the stormwater. So I think, Earl, is your

4 question will those spaces be abandoned because of

5 the potential traffic flow that runs behind the

6 building, is that what you're asking?

7 COMMISSIONER CARPENTER: Right, and the plan

8 is unclear whether that's going to be returned to

9 stormwater.

10 COMMISSIONER BARBERA: It's already paved,

11 and there is a curb there, so.

12 MR. SFIRE: Here.

13 COMMISSIONER BARBERA: You're not suggesting

14 that you're going to convert that back to green area.

15 MR. SFIRE: No. No. No.

16 COMMISSIONER BARBERA: It's going to remain

17 parking as you have it laid out right now.

18 MR. SFIRE: Yes. As a matter of fact, they

19 even put -- When they did the plan, they put some

20 arrows on here indicating -- I didn't see those

21 before, indicating there will be more of them.

22 COMMISSIONER BARBERA: That's the pathway.

23 MR. SFIRE: Here and here. Here is the

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1 14.

2 MR. SFIRE: This will be his parking field.

3 This will be his retail facility.

4 COMMISSIONER BARBERA: So really, you may not

5 have any cars parked back there --

6 MR. SFIRE: Correct.

7 COMMISSIONER BARBERA: So if there was a lot

8 of action in there, I think that really the only

9 thing that could be a safety issue would be if you

10 were -- if there was a lot of traffic running back

11 and forth through there, and you pulled straight in

12 and you were parking out. But with the quantity of

13 parking on the rest of the site, if that were a

14 situation in the future, you could even abandon --

15 take those striped parking spots out.

16 MR. SFIRE: You could.

17 COMMISSIONER BARBERA: And you'd still be

18 well within the parking ordinance.

19 MR. SFIRE: Way over. We build shopping

20 centers all over. Even this one has parking in front

21 of the building. So people backing out, it's a

22 challenge. I understand that. You go to my Village

23 Square where Trader Joe's is and Office Max, they

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1 entrance, and this entrance already exits over here

2 on DaVita's property, and we know where that is. I'm

3 sure the parking lot, when it was originally with

4 DaVita, that it was designed for an anticipation of

5 this taking place.

6 COMMISSIONER BARBERA: And what do you

7 anticipate your parking requirement is going to be

8 here?

9 MR. SFIRE: The parking requirements for a

10 retail building, we are meeting all of the Village's

11 recommended parking. This is the way it sits.

12 COMMISSIONER BARBERA: With what's there.

13 MR. SFIRE: And I know Mr. Wilson, not

14 speaking for him, but I will, because I usually do,

15 for his purposes, he's way over parked.

16 COMMISSIONER BARBERA: That's what I figured.

17 So if you found there was too much

18 traffic running to the DaVita property, you could

19 abandon those parking spaces.

20 MR. SFIRE: Technically, they are not even a

21 benefit.

22 COMMISSIONER BARBERA: Nobody is going to

23 park there. The front of the location is up along

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1 have parking in front of the building. Myself, it's

2 always a challenge coming out into a traffic lane,

3 backing out into a traffic lane; and I understand

4 that, but it is what it is. And in a full retail

5 facility, we don't have much choice because we try

6 and maximize parking and getting people in front --

7 This is really going to be -- It's of no significance

8 from a parking perspective.

9 COMMISSIONER BARBERA: Yeah. That's kind of

10 what I was getting at.

11 John, the building to the north, is

12 that a spec building or are you going to build that

13 regardless or do you have a tenant in place or is

14 that just something in the future?

15 MR. SFIRE: These multi-tenant buildings,

16 these small building, this is like 8,000 feet. It

17 will probably be made up of five or six small users.

18 Having a tenant in place, no. I'm talking to some

19 people, yes. We anticipate building it. We're

20 already doing plans to build.

21 COMMISSIONER BARBERA: You are.

22 MR. SFIRE: Yeah. And the possibility exists

23 that it could even expand based on what happens with

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1 our neighbors in the future.
 2 COMMISSIONER BARBERA: With the rink you
 3 mean?
 4 MR. SFIRE: I didn't mention any names. I'll
 5 just say the neighbors to the north.
 6 COMMISSIONER BARBERA: Are you doing site
 7 plan and marketing drawings or are you doing real
 8 drawings that you think you're going to come in?
 9 MR. SFIRE: We already have building -- we
 10 already started building drawings.
 11 COMMISSIONER BARBERA: Are you coming in for
 12 a permit or are you not that far yet?
 13 MR. SFIRE: We're not that far yet.
 14 ADMINISTRATOR MARTIN: And just to clarify,
 15 for the Commission, that building is really not the
 16 subject of this hearing.
 17 COMMISSIONER BARBERA: Okay. Right.
 18 ADMINISTRATOR MARTIN: It's not to see it on
 19 there, the general site plan. Just kind of
 20 eyeballing it, it's probably going to be done by
 21 right. It doesn't look like there's going to be any
 22 issues relative to special use or anything like that.
 23 It looks like it's plopped down right in the middle

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1 CHAIRMAN DELISLE: So maybe I can just visit
 2 on that a minute, Mr. Bateman.
 3 So if we grant the approval of the
 4 modification of the special use to allow a different
 5 use other than car sales on that site, the developer
 6 then has a right to build anything that would conform
 7 to the M use on that site?
 8 ATTORNEY BATEMAN: And M use, by the way,
 9 allows all B uses as well.
 10 CHAIRMAN DELISLE: Okay.
 11 COMMISSIONER BARBERA: So that would allow
 12 for the retail building to go up, and they don't have
 13 to come in and go through this again.
 14 ATTORNEY BATEMAN: Right.
 15 CHAIRMAN DELISLE: So I would think that
 16 discussing the retail building, Mr. Martin, would be
 17 part of this hearing because we are going to be
 18 allowing that use.
 19 ADMINISTRATOR MARTIN: Potentially, but there
 20 are no -- This is a purely conceptual drawing here.
 21 The underlying use is basically reverting back to the
 22 rest of the zoning district in the park. So I don't
 23 know how lengthy of a discussion that needs to be.

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1 of the lot. It's got some nice setbacks. It's got
 2 parking. It's probably going to be okay, just
 3 peeking at it from here.
 4 CHAIRMAN DELISLE: Was that site part of the
 5 original special use or was it --
 6 MR. SFIRE: Oh, yes. The whole site is what
 7 we -- I own now and was all recommended for special
 8 use.
 9 CHAIRMAN DELISLE: And do you know,
 10 Mr. Martin or Mr. Bateman, did the original special
 11 use permit give the developer the right to build a
 12 multi-tenant building on the site, was that part of
 13 the original?
 14 ATTORNEY BATEMAN: It did not, but it also
 15 limited the use of the property to a vehicle
 16 dealership, you know, a vehicle sales and leasing.
 17 So that is one of the other things that is being
 18 removed from this property is that limitation. So
 19 the property will be able to be use for any permitted
 20 use that's allowed in the zoning district.
 21 COMMISSIONER BARBERA: In the I-1?
 22 ATTORNEY BATEMAN: This is M.
 23 COMMISSIONER BARBERA: Or M-1, okay.

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1 All you're really doing is taking off the car dealer
 2 piece and returning this back to the business park.
 3 CHAIRMAN DELISLE: And the business park
 4 would have required a special use permit to install a
 5 retail there?
 6 ADMINISTRATOR MARTIN: No. This business
 7 district would require a special use for automotive.
 8 The only reason you have to come back here for a
 9 retail building is if you put another automotive car
 10 dealership back there.
 11 CHAIRMAN DELISLE: Okay. And they are
 12 stripping or actually are we stripping that off now
 13 or can petitioner proceed -- Could this change five
 14 years from now or whenever the lease is up and become
 15 automotive again or is our action here tonight going
 16 to remove that as a potential favorable use to the
 17 Village?
 18 ADMINISTRATOR MARTIN: Your action would be
 19 to remove the restriction that this can only be
 20 developed as automotive. So taking that off and
 21 returning it back to the M district. And after five
 22 years if they wanted to put another car dealer here,
 23 they would have to come back for another special use

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1 and then go through that. If he wanted to put not
 2 just a car dealer but a transmission shop or anything
 3 related to automotive, we require a special use.
 4 So basically, you are taking the
 5 property and turning it back into any of the
 6 adjoining parcels which are zoned.
 7 CHAIRMAN DELISLE: I see. Do any of the
 8 other Commissioners have any questions for Mr. Sfire?
 9 (No response.)
 10 CHAIRMAN DELISLE: Thank you, Mr. Sfire.
 11 MR. SFIRE: Thank you. I would be happy to
 12 introduce Andrew Wilson, who is the owner of Angel
 13 Soft and is excited about moving his business from
 14 Barrington of how many years?
 15 MR. WILSON: I've been there 26 years.
 16 MR. SFIRE: 26 years. He doesn't look that
 17 old; does he?
 18 MR. WILSON: I'm Andrew Wilson, W-i-l-s-o-n.
 19 My address is 361 Oakmont Drive in Cary, Illinois,
 20 and I'm here to answer any question that you guys
 21 might have.
 22 ADMINISTRATOR MARTIN: Maybe you can just
 23 describe your business and go through what you want

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1 though. But we -- You know, so when it came up for
 2 sale, we thought about it three years ago. It was
 3 out of my league. We really didn't have the plan for
 4 it. About a year ago, it really started to come
 5 together for me for plumbing fixtures. And in
 6 addition to that my attorney over there is a
 7 developer for residential, and he's developing the
 8 northwest corridor of 14; and he completely believes,
 9 as I do, that we can get banner, per se, of the
 10 northwest suburbs.
 11 So as we have been -- As I see that
 12 vision, I see that retail space as being something
 13 that can provide us that retail drive-by traffic.
 14 That we can draw people in. We have the ability to
 15 then to go ahead and sell them.
 16 Currently, we have, I don't know,
 17 almost 50 employees who are driving everywhere from
 18 Lockport to Lake Geneva. So we have the ability to
 19 add distribution at any time to that.
 20 So that's the purpose of my interest
 21 in the building. The retail side is very, very, you
 22 know, fascinating to me; and we're going to go down
 23 that path. I can't state at what time I'm going to

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1 through at the Village Board.
 2 MR. WILSON: I forget that you all weren't at
 3 the board meeting.
 4 So Angel Water has been for the
 5 better -- since 1974 a water softening company.
 6 About eight years ago I added plumbing to the
 7 business, so we became a licensed plumbing
 8 contractor; and in that context our business has
 9 grown quite nicely, all with plumbing and plumbing
 10 fixtures.
 11 As I've driven by this building the
 12 better part of my life, I have never really
 13 visualized this car dealership as a good position for
 14 our business because it's purely not -- it wasn't
 15 retail. As we've continued to grow, it becomes much
 16 more of a fixture-type of business where customers
 17 are asking us, you know, what kind of water faucets
 18 can you do. There's all of these crazy new toilets
 19 out there, what are these unique things that you can
 20 do. So about two years ago I started visualizing
 21 that wow, a retail space would be great. I've know
 22 Mr. Sfire for a few years. I looked at it, and I
 23 almost bought a car from him. My wife didn't want it

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1 add the fixture lines, but immediately we're going to
 2 have water heaters, sump pumps, everything for people
 3 to walk in and start to purchase.
 4 MR. BARBERA: So, Andrew, it will be like
 5 cash and carry? You just come in and get a water
 6 softener or a water heater.
 7 MR. WILSON: Water softener, water filter.
 8 COMMISSIONER BARBERA: So it will be like a
 9 contractor supply, where contracts that are not in
 10 your employ, could come in and pull material or if
 11 somebody asks you to install a water softener, you
 12 could do that too because you have this plumbing
 13 company that will also be connected to this.
 14 MR. ANDREW: We already are a supplier of
 15 water softeners to plumbers throughout Chicagoland.
 16 So for us it's -- It just becomes a little easier for
 17 us to a facilitate that.
 18 Also, Kevin had said to me, I think
 19 it was Kevin at the last meeting, it's going to be
 20 great to drive through and pick up salted water. So
 21 you know, bottled water is a big business. I mean,
 22 water filters is becoming a huge business. Our
 23 growth from lead in Flint, Michigan and in Chicago

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1 water, it's in Barrington water. If you all read the
 2 Chicago Tribune article and also WGN had a news
 3 report on TV on it, there's lead in Barrington water.
 4 We literally have people say what can we do. So the
 5 whole purpose of the front of that building is to be
 6 educational, teach everybody what it is; what's wrong
 7 with the water; how to hydrate yourself; how to make
 8 your water more healthy for you and your family; and
 9 then also have all of these fixtures that can help
 10 you do that. So that is how it's going to start out
 11 as just basically all water filters and fixtures in
 12 regards to that.
 13 COMMISSIONER BARBERA: That's great. You
 14 guys will generate sales tax then.
 15 MR. WILSON: Yeah.
 16 COMMISSIONER BARBERA: That's awesome.
 17 CHAIRMAN DELISLE: Are there any other
 18 questions from any of the other --
 19 COMMISSIONER NIXON: You mentioned potential
 20 future distribution. Can you expand on that a little
 21 bit what your thoughts are with the distribution?
 22 You mentioned potentially distribution.
 23 MR. WILSON: Banner Supply, is a great

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1 material, like pipe?
 2 MR. WILSON: Plumbers pipe, elbows. You
 3 know, we buy several items from them as well. So
 4 whatever we install, we have five plumbers of course
 5 we have delivery from Ferguson every day.
 6 COMMISSIONER BARBERA: Yeah.
 7 MR. WILSON: Our goal is not to be a supply
 8 house.
 9 COMMISSIONER BARBERA: Strictly fixtures.
 10 MR. WILSON: My business, I curtailed to a
 11 little bit higher margin products. We really like
 12 the higher quality. Our market is a little bit -- It
 13 can support a higher-end client, and so the higher-
 14 end clients look for very unique tubs, you know,
 15 toilets. I think toilets are crazy. What they
 16 develop these days, you guys wouldn't even believe
 17 it, to of course sinks and all that kind of good
 18 stuff.
 19 CHAIRMAN DELISLE: Commissioner Carpenter?
 20 COMMISSIONER CARPENTER: Your pictures
 21 indicate water filtration and plumbing. To me, that
 22 says like I can buy my water purifier there, and I
 23 can get a plumber to fix my toilet. You just gave us

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1 example. They are off of Lake Cook Road in Buffalo
 2 Grove. They have a beautiful facility there. You
 3 can go in and literally see all of these fixtures:
 4 toilet, tubs, whatever.
 5 Plumbers, like my company, will
 6 drive over there and pick up whatever the client
 7 needs; and we buy it, and we walk out with the
 8 product and then go and install it for the client.
 9 So it would be exactly the same sort of concept.
 10 Someone comes in either as a consumer that saw it on
 11 display. They contracted their plumber to go ahead
 12 and do it so they buy it or the plumber comes by and
 13 picks it up.
 14 COMMISSIONER NIXON: Okay.
 15 MR. WILSON: And currently the water
 16 softeners and water filters are being done in that
 17 mechanism right now at our facility in Barrington.
 18 COMMISSIONER BARBERA: So would you guys
 19 compete with like Furgeson, at that level?
 20 MR. WILSON: Both of them do heavy plumbing
 21 materials. I don't visualize plumbing materials. I
 22 visualize like --
 23 COMMISSIONER BARBERA: What do you mean

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1 a dissertation about your anticipation in the real
 2 world. How come you are not backing it up by some
 3 sort of a sign that let's the public know that you
 4 have all of this stuff?
 5 MR. WILSON: That's a good question. We're
 6 not in that business yet. The goal is to drive to
 7 that business. Right now we are a plumbing company.
 8 We are -- We have said our clients are asking for
 9 these things. We bring the catalogs out. So this;
 10 is -- Our goal is to first start with what we have
 11 and then grow into that.
 12 COMMISSIONER CARPENTER: Then at that time
 13 you're going to have to change the sign; are you not?
 14 MR. WILSON: Of course. That's why it won't
 15 be large sign on Route 14. We have nothing on there
 16 other than Angel. Those -- That symbol that you see
 17 there, that's plastic, and they just mount to the
 18 front. They are backlit or anything. There's not a
 19 lot of cost to those.
 20 COMMISSIONER CARPENTER: And I'm being a
 21 skeptic, and I'm just wondering, do you anticipate
 22 getting into this business five years down the road,
 23 10 years down the road or you know, when can I see

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1 some results?

2 MR. WILSON: Sure. Our goal would be to

3 tackle this next year. We have to get in and

4 situated and things going and then start tackling it

5 next year.

6 COMMISSIONER CARPENTER: Okay. That's fine.

7 That's good. I hope we can hold you to that.

8 MR. WILSON: Yeah.

9 COMMISSIONER CARPENTER: My only feeling here

10 is to enhance what you've got and what you bring to

11 the Village.

12 MR. WILSON: Certainly.

13 COMMISSIONER CARPENTER: And I'm hoping being

14 in the design industry over 50 years, as I'm old, we

15 go downtown to Studio 41 or places like that for

16 supplies, and I would love to see you be the source

17 of our searching for these various things. As you

18 say, the industry has gone wild with what they offer.

19 So I encourage you to get to it.

20 MR. WILSON: Great. We've got a lot to

21 tackle.

22 COMMISSIONER CARPENTER: Yes. The other

23 thing on this sign that bothers me is plumbing.

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1 of this beautiful neighborhood. I could tell you if

2 you just look at our vehicle line, it's I think 80

3 percent new vehicles, I mean, we've purchased in the

4 past two years. We have no -- nothing that is old

5 and rust buckets, because that is just not who we

6 are. When we show up to your house, Earl, our goal

7 is demonstrate whether it's the vehicle that shows up

8 in your house to the man that is standing there, that

9 we are clean, well run organization. The only way to

10 do that is actually have invested into both the

11 shirts; the man, make sure he is clean cut. That is

12 the kind of employee we like to hire. All the way

13 down to the trucks and the attitude and the education

14 that we teach these employees to teach you. So

15 you'll only buy from us when you truly understand the

16 value, and we can't do that with rust buckets. So

17 it's not my business profile. I can only give you my

18 word on that.

19 COMMISSIONER CARPENTER: How much trucks do

20 you have?

21 MR. WILSON: I have about 25 vehicles.

22 COMMISSIONER CARPENTER: They all come home

23 every night?

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1 Excuse me, but plumbers do not have the best image as

2 far as their property is concerned. We've had

3 several in the Village, and fortunately, they have

4 been down little and over the back of the property.

5 So we didn't see all of the pipe laying out or all of

6 the trucks sitting there helter-skelter all over

7 their lot. You are moving into a prime location.

8 How can you assure me that I won't get the same thing

9 in your situation of facing the public.

10 MR. WILSON: It's a very fair question. I

11 can only tell you that I gave you my word. We're not

12 a plumbing company. We really are a water filtration

13 company. That's our mainstay. And as we are in that

14 realm, our realm is to educate people why the higher

15 quality products are worth or there's value to them.

16 Plumbing it's just putting copper pipe in; and

17 honestly, there's very little margin in that. That

18 is not really our realm.

19 All I can tell is that, you know, as

20 far as I'm concerned, I don't even have to have the

21 word plumbing on there. I can only imagine what each

22 one of you must think. The last thing you want is a

23 bunch of rusty old trucks sitting there on the corner

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1 MR. WILSON: No, most of them go home with

2 the employee. We give that is a benefit, the ability

3 to drive them home.

4 COMMISSIONER CARPENTER: Okay.

5 MR. WILSON: And you are welcome to come by

6 Barrington any day, you can see them all. They are

7 Sprinters, the new MBs. We are on Hager Avenue in

8 case you want to stop by.

9 COMMISSIONER CARPENTER: Okay. Thank you.

10 And are any of your materials stored

11 outside?

12 MR. WILSON: No. We don't do ditch digging.

13 There isn't going to be Bobcats, you know, or ditch

14 diggers out in the driveway.

15 ADMINISTRATOR MARTIN: You don't do anything

16 on the sanitary side.

17 MR. WILSON: No. Exactly. Great point. We

18 don't touch sanitary lines because our job is to

19 purify water. So you really don't want to cross-use

20 your wrench over on the drinking water side. If you

21 do, you have to sanitize it. It's a very specific

22 part of plumbing. This is why we usually hire

23 licensed plumbers because they are supposed do that.

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1 We don't even touch the sewer line stuff. We don't
 2 have a rodder on our trucks, for instance. So we
 3 don't rod toilets. We don't rod sinks.
 4 COMMISSIONER CARPENTER: So your -- If I
 5 could say so you're not a full-term plumber here.
 6 You're basically plumbing to help your Angel --
 7 MR. WILSON: We don't advertise plumbing to
 8 the general public or Angie's List, if you look on
 9 that, we don't advertise plumbing there. We are not
 10 Roto Rooter. That is not our business. We are all
 11 about -- you know, like Mr. Barbera there, he's a
 12 client of ours. If he needs something done, we say
 13 yeah, we can do it. We really don't want to do the
 14 plumbing work. There is so much work for us just on
 15 water filtration today, that is where the lion's
 16 share of our focus is.
 17 CHAIRMAN DELISLE: Commissioner Puleo?
 18 COMMISSIONER PULEO: Hi, Andrew.
 19 You said you have 25 trucks, and
 20 they go home with your employees, most of them.
 21 MR. WILSON: Most of them. There is probably
 22 four that stay back.
 23 COMMISSIONER PULEO: And this building is

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1 storage of any kind.
 2 MR. WILSON: There is no outside storage of
 3 equipment at any kind. Our vehicles may be outside,
 4 but that would be it.
 5 CHAIRMAN DELISLE: And the showroom, are you
 6 planning to use that as a showroom?
 7 MR. WILSON: It will be all showroom. There
 8 are salespeople sitting to the left-hand side and
 9 we'll have displays throughout that showroom area.
 10 CHAIRMAN DELISLE: And then the window signs
 11 that are shown on the exhibit, are you planning to
 12 stay with that style or?
 13 MR. WILSON: Well, this was a very rough
 14 draft that my employee drew up for me. The vision
 15 that I have is if you look at Apple, every one of my
 16 employees has like two Apple devices. So as you
 17 drive to Apple, they will hang these gorgeous
 18 full-banner signs that do a little bit of education
 19 of what the product is, what is their thing -- what
 20 is the product going to do for the consumer. That is
 21 what they stress in their images. So we want to do
 22 the same thing in any images that we have in that
 23 window.

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1 fitted for catch basins and servicing and maintenance
 2 of vehicles. Do you see that happening, where you'll
 3 be doing the servicing and maintenance of these
 4 vehicles?
 5 MR. WILSON: Zero. My good friend owns
 6 Brannen Chevy, so we take all of our vehicles down
 7 there. So no, we are not in the vehicle repair
 8 business. We don't want to do it. My employees
 9 said, oh, wow, look what we do. Of course we have a
 10 couple ex-mechanics that work for us. We said, we're
 11 not doing that. We need the entire space for
 12 warehouse. It's -- We have that much growth.
 13 COMMISSIONER PULEO: Thank you.
 14 CHAIRMAN DELISLE: Are you done?
 15 COMMISSIONER PULEO: For the moment, yes.
 16 CHAIRMAN DELISLE: Commissioner Wrzeszcz?
 17 COMMISSIONER WRZESZCZ: I would like to just
 18 say I think that the re-subdivision is great, and the
 19 future project would be very beneficial to the
 20 Village. I'm in support.
 21 MR. WILSON: Thank you.
 22 CHAIRMAN DELISLE: I have a couple questions
 23 here. I think you confirmed there won't be outside

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1 CHAIRMAN DELISLE: Would you be comfortable
 2 committing that 75 percent of the existing glazing
 3 system would remain uncovered with banners or signs?
 4 MR. WILSON: Whatever is required, you know.
 5 Whatever everyone feels is necessary. I really don't
 6 think that the building is close enough for people to
 7 catch it as they drive by. They're going too fast.
 8 So it's somewhat irrelevant for me. It's really for
 9 people as they walk in.
 10 CHAIRMAN DELISLE: Great. Do you plan on
 11 having any decorative banners outside the building,
 12 itself, signs along Northwest Highway, pre-standing
 13 signs, that kind of thing?
 14 MR. WILSON: I read the document that was
 15 sent to me that said it's not permitted. I would
 16 like to apply for that at some point, yes, because of
 17 course when people are driving by so fast, it's hard
 18 for them to actually read the digital sign that is
 19 there or see the signs that would be in the window.
 20 So at some point I'm sure I would like to apply for
 21 it.
 22 CHAIRMAN DELISLE: I'm not sure if we're on
 23 the same page. When you say apply for it, are you

<p style="text-align: right;">Page 46</p> <p>1 talking about the temporary signage application or 2 are you talking for a permanent signage application? 3 MR. WILSON: Just temporary signs. In fact, 4 there is one out there right now for the coffee shop. 5 You know, something like that, maybe a flag that 6 hangs from a light pole. I mean, something -- 7 whatever the Village allows, we would like to try to 8 apply. And I read the document it says I can't even 9 have a portable sign out there. So needless to say, 10 I'll be back in front of all of you or whoever to see 11 if we can put a sign out there. 12 CHAIRMAN DELISLE: Mr. Martin, could you 13 elaborate? 14 ADMINISTRATOR MARTIN: I would suggest 15 that -- I don't know if the document is that 16 prohibitive relative to temporary signage. Maybe the 17 documents should reflect that his business is treated 18 like any other business. We do have a temporary sign 19 permit that is available for anybody out there. The 20 Pepper Park Coffee sign that's out there probably on 21 Route 14 it shouldn't be there. It's an offsite 22 sign. Those aren't permitted. Generally, we're a 23 little loose on it. We don't get out there and pull</p>	<p style="text-align: right;">Page 47</p> <p>1 them up all the time. We're trying to encourage 2 people to come into the park, et cetera. That isn't 3 a special use, I suggest relaxing that. 4 ATTORNEY BATEMAN: We do have -- We have some 5 temporary signage regulations in our sign ordinance, 6 and so we can add something -- 7 ADMINISTRATOR MARTIN: The old car dealer 8 ordinance, car dealers could get a little bit crazy 9 with spinners and things super clean, the dinosaurs. 10 So I would suggest reverting it as his business is 11 reverting to the current zoning, that the signage 12 relative to temporary signage also comply with that. 13 That would be perfectly fine. I would love to see a 14 grand opening sign, that kind of stuff. 15 MR. WILSON: Yes, I would appreciate that. 16 COMMISSIONER CARPENTER: Question about 17 signing. I've heard complaints I think from my 18 friend, Mr. Martin here, and I have seen it myself. 19 That existing sign was a lot of white and relating a 20 comment to the past thing that we've worked on, it 21 probably wakes up horses in Barrington Hills it's so 22 bright. Is there going to be any -- 23 ADMINISTRATOR MARTIN: There is a provision</p>
<p style="text-align: right;">Page 48</p> <p>1 in the special use requiring that the Village 2 Administrator approve the brightness of that sign. 3 So I will be meeting with Mr. Wilson, and we will be 4 discussing. And as I mentioned before, I think there 5 is a real opportunity for a shared access to the 6 signage. The Village would pay to upgrade the sign, 7 and maybe look a little less glary. We'll certainly 8 make it look a little classier, a higher degree of 9 LED on there so it's a little bit clearer, not so, 10 you know, potentially. It's something that we'll be 11 chatting about. Yes, there is provision in there 12 relative to brightness, and it's not generally -- The 13 brightness it's how you do it black on white 14 generally is a little -- you know, at night it's a 15 little harsh. We can make some adjustments, white 16 lettering on blue background. We can work on that. 17 CHAIRMAN DELISLE: Are there any proposed 18 changes to the building, itself, either interior or 19 exterior? 20 MR. WILSON: On the interior, we have a 21 request to basically take down a couple of walls, and 22 that's about it. 23 CHAIRMAN DELISLE: And then the roof line, do</p>	<p style="text-align: right;">Page 49</p> <p>1 you have any plans of changing the roof line, adding 2 HVAC equipment or anything like that? 3 MR. WILSON: No. There's an HVAC unit that's 4 probably going to be replaced. That's about it. 5 CHAIRMAN DELISLE: And the profile of that 6 HVAC, that would conform with the existing? 7 MR. WILSON: Or make it smaller than what it 8 was, yeah. 9 CHAIRMAN DELISLE: And then I believe there 10 is parking lot lights throughout for a car 11 dealership. What is your intention -- What are your 12 operating hours, and what is your intention with the 13 parking lot lights? 14 MR. ANDREWS: Sure. We operate from 7:30 -- 15 We will be operating until 7:00 p.m. Monday through 16 Friday. Saturday will be 8:00 to noon. We don't 17 have any intention on being open Sunday. 18 The lights, the intention there is 19 to switch them immediately to LED lights and then 20 probably turn off a significant amount of them. The 21 parking to the east will not be used at all, so we 22 may disable those lights on the far -- if you are 23 looking at the building, the right-hand side. That's</p>

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1 really it. But the lighting, when we do change to
 2 LEDs, it's a gigantic drop in usage of, you know,
 3 electricity and the overall lumens does go down. We
 4 don't need it other than, you know --
 5 ADMINISTRATOR MARTIN: Security.
 6 MR. ANDREWS: Exactly.
 7 CHAIRMAN DELISLE: That's all I have.
 8 Do any of the other -- Did I miss
 9 anything?
 10 (No response.)
 11 CHAIRMAN DELISLE: Thank you very much,
 12 Mr. Wilson. We appreciate it.
 13 Is there anyone else from the
 14 petitioner that would like to say anything?
 15 (No response.)
 16 CHAIRMAN DELISLE: Okay. Well, I would like
 17 to close the public hearing portion of this meeting
 18 and discuss it among the Commissioners.
 19 So Mr. Nixon, would you like to
 20 opine on it?
 21 COMMISSIONER NIXON: Um, you know, I guess my
 22 initial thoughts are I'm in support, and it's
 23 exciting to see that kind of development come in to

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1 Commissioner Wrzeszcz?
 2 COMMISSIONER WRZESZCZ: As I had mentioned
 3 earlier, I think it's a great use for the site, and
 4 I'm anxious to have you open.
 5 CHAIRMAN DELISLE: And Commissioner Puleo?
 6 COMMISSIONER PULEO: I concur with my fellow
 7 Commissioners. Welcome aboard. Thank you.
 8 CHAIRMAN DELISLE: Do we have -- Do you have
 9 any comments, Mr. Bateman?
 10 ATTORNEY BATEMAN: You know, I drafted a
 11 motion. It was pretty easy because I basically, you
 12 know, kind of repeated most of the applicable
 13 provisions from the existing special use except, you
 14 know, it eliminates the restriction on -- it
 15 eliminates the restriction on being only a car
 16 dealership.
 17 And the other thing that I guess my
 18 recommendation would be to add -- I would want to
 19 point out a couple of things in the draft.
 20 Obviously, you are welcome to read the whole thing,
 21 but I just want a couple of unique things. On page
 22 4, paragraph F, there is a provision that says they
 23 will provide a landscaping plan to the Village

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1 that area. It's been a corner of Pepper Road that
 2 has gone through multiple car dealerships, and it's
 3 great to see an opportunity come in. So I'm
 4 supportive of it.
 5 CHAIRMAN DELISLE: Great. Thank you.
 6 Mr. Barbera?
 7 COMMISSIONER BARBERA: Yeah. I too am in
 8 support of this. I think it's a great retrofit for a
 9 former car dealership. All the car dealerships are
 10 getting much, much larger, and these smaller
 11 dealerships will most likely never be used as
 12 dealerships again. So it's a fantastic, you know,
 13 retrofit and backup use; and they could benefit from
 14 the retail exposure. The showroom, I think, it's
 15 great. I'm in full support.
 16 CHAIRMAN DELISLE: Okay. Thank you.
 17 Commissioner Earl -- Commissioner
 18 Carpenter?
 19 COMMISSIONER CARPENTER: I find it exciting.
 20 I really encourage you to bring this showroom on.
 21 It's a major need in this area, and I look forward to
 22 participating. So great.
 23 CHAIRMAN DELISLE: Thank you.

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1 Administrator for his approval. You know, I don't
 2 think at this point -- I'm not sure that a new
 3 landscaping is planned or not. I think that will
 4 probably be a dialogue that goes on because there is
 5 not a lot of room really for landscaping, but it
 6 could be something that, you know, takes in to
 7 account native grasses or who knows. So that's one
 8 thing. And then -- But they don't need that for
 9 these proceedings.
 10 Another thing is relative to the I
 11 thought the appropriate comment relative to the
 12 temporary signage, you know, my recommendation on
 13 paragraph -- relative to paragraph M on page 5 would
 14 be to basically, you know, draft into that paragraph
 15 basically except as otherwise permitted in the zoning
 16 ordinance. We went through this Commission and the
 17 Village Board went through pretty detailed work on
 18 allowing a limited temporary signs and kind of count
 19 how many months you could have those, et cetera,
 20 during the year. So there's no reason not to deny
 21 them that same benefit, I think. So that would be my
 22 recommendation.
 23 And on that same page, paragraph R

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1 at the bottom of page 5, top of page 6 is the cross-
 2 easement provision, and there I would suggest along
 3 the lines of Mr. Carpenter's questions and
 4 Mr. Sfire's response. That I would suggest language
 5 that would say, the petitioner shall maintain
 6 appropriate pavement marking and/or signage to
 7 delineate the cross-easement which marking and/or
 8 signage shall be approved by the village
 9 administrator.
 10 CHAIRMAN DELISLE: And I'm wondering if we
 11 could just add to that a little bit. You say traffic
 12 markings. Do you think that that includes maybe a
 13 yield or a stop sign at the corner of the building?
 14 There is a door on the north -- I think it's on the
 15 west elevation, but here it says the north corner of
 16 that building. I'm not sure if a yield might do it
 17 or maybe we just say to address safety, and let the
 18 petitioner, who's very experienced with parking lot
 19 traffic, kind of address safety.
 20 ATTORNEY BATEMAN: To delineate the
 21 cross-easement and address traffic safety.
 22 CHAIRMAN DELISLE: Yes. That would be great.
 23 ATTORNEY BATEMAN: And then I was -- pursuant

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1 any comments? Do you think that is being overly
 2 restrictive?
 3 COMMISSIONER BARBERA: Yeah, I do.
 4 CHAIRMAN DELISLE: You think it is.
 5 COMMISSIONER BARBERA: I don't know what you
 6 would possibly put over them, but I don't know what
 7 the benefit of putting that in there would be.
 8 CHAIRMAN DELISLE: Okay.
 9 COMMISSIONER BARBERA: Can you think of a
 10 scenario?
 11 COMMISSIONER PULEO: Yes, many.
 12 COMMISSIONER BARBERA: But where they put
 13 what over the windows, like decals, marketing decals?
 14 ATTORNEY BATEMAN: So that's not an unusual
 15 sign regulation. I don't remember the we have that,
 16 but it's not unusual really. Its origin was security
 17 in terms of police going to a location and not being
 18 able to see inside the business as they were
 19 approaching it. But it's still a common zoning
 20 regulation. Not -- I'm going to take a look and see
 21 if we have it. I don't recall if we do.
 22 COMMISSIONER BARBERA: But I mean office
 23 buildings have tinted windows that are tinted so dark

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1 to the Chairman Delisle's comment, I would suggest
 2 adding as -- at the end of the document a provision
 3 that would say there shall be no outside storage on
 4 the subject property other than the parking of
 5 vehicles. Because that's part of our zoning
 6 ordinance anyway. So it's just really kind of a
 7 reminder.
 8 CHAIRMAN DELISLE: Okay. Sure. That would
 9 be great. And I'm wondering I'd like the other
 10 Commissioners to tell me their opinions on this. I
 11 get the sense that the developer here is high
 12 quality. They've done a lot of other developments in
 13 the surrounding communities, and I think the user
 14 building is high quality also. But it's completely
 15 possible for the business to change and sell to
 16 someone else that is less responsible, and I'm
 17 thinking the worst thing that could happen is
 18 probably all of those windows be covered with black
 19 paper or something we don't want. And I -- My
 20 suggestion is that 75 percent of the existing
 21 showroom glass stays showroom. We have a much higher
 22 chance of getting retail in the second use if that
 23 stays glass or it stays exposed. Does anyone have

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1 that you can't see through them unless you put your
 2 face up to them. That's commonplace. I mean, I
 3 don't really --
 4 CHAIRMAN DELISLE: And I think you would be
 5 allowed to tint them. I think the language would say
 6 that 75 percent of the glazing would remain glazing.
 7 So it could be tinted. I just -- I think they could
 8 be -- you know, just imagine someone else buying
 9 that.
 10 COMMISSIONER CARPENTER: I could imagine a
 11 smoke shop coming in there, and the handmade painted
 12 signs all over the place, just plaster the ceilings
 13 with them. And I don't want that.
 14 CHAIRMAN DELISLE: It is a classy looking
 15 building. It's a first class looking building. I
 16 would like to keep that, and I think maybe I am being
 17 overly restrictive.
 18 COMMISSIONER BARBERA: Let's not turn in to
 19 regulation nation.
 20 CHAIRMAN DELISLE: Well, I think you'll be
 21 sure we don't. You're going to lead the battle on
 22 it.
 23 COMMISSIONER PULEO: I'm not opposed to 75

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1 percent, but I would also say, depending on what the
 2 Commissioners feel, I would be open to having
 3 something stipulated that if another retail coming in
 4 would want to discuss the percentage and what type of
 5 signage would be in those windows, I would amenable
 6 to that, rather than leave it open and having a
 7 situation having to fight that battle.

8 ATTORNEY BATEMAN: One thing we could do
 9 since it seems to be some differing views, we're
 10 getting -- coming your way in the not too distant
 11 future will be amendments to the sign regulations.
 12 Because the U.S. Supreme Court, in their decision
 13 which was, let me see, Gilbert vs. The Town of --
 14 Well, anyway, so a recent decision a year ago now,
 15 they invalidated a municipal ordinance saying that
 16 all municipal ordinances, and my view including
 17 commercial sign regulations, any sign regulations,
 18 have to be content neutral. And what the Justices
 19 said was that content neutral means you really can't
 20 distinguish your regulations based on what the sign
 21 does. So it's going to really apply to commercial
 22 signs and to real estate signs and political signs.
 23 All of the same regulations have to apply to

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1 are site specific regulations in a special use.
 2 That's -- I don't think that's going to be really
 3 impacted the same way. This really -- What we're
 4 talking about needing to revisit to be content
 5 neutral is sign regulations of general applications.

6 CHAIRMAN DELISLE: You're talking a three
 7 foot sign on a 12 foot window.

8 Should we relax that a little bit?
 9 Mr. Sfire?

10 ADMINISTRATOR MARTIN: He has a lot of glass.
 11 CHAIRMAN DELISLE: Class and glass.
 12 MR. SFIRE: Just a thought, listening to
 13 what's going on. 1) I certainly agree with the
 14 concept of 75 percent of the glazing being open; but
 15 you asked Mr. Wilson the question, and he said
 16 absolutely there will not be more than 25 percent of
 17 the windows, if any, utilized. I've gone through,
 18 and I'm certainly not speaking from a legal
 19 perspective because I'm not a lawyer. Why couldn't
 20 this ordinance be specifically designed for Angel?
 21 So anybody that comes -- Because it seems to me
 22 you're talking about the possibility of somebody
 23 coming in the future and worrying about the 75

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1 everything. And so that's going to be a real
 2 challenge that you're going to face in the not too
 3 distance future. We've got a draft, but I think when
 4 you get that and start to work on the sign
 5 regulations, you can probably talk about the
 6 regulations relating to the -- you know, the
 7 limitation on the coverage of glass windows.

8 CHAIRMAN DELISLE: So we might be able to do
 9 that through that.

10 ATTORNEY BATEMAN: Yeah.
 11 CHAIRMAN DELISLE: See, we always learn
 12 something at these meetings.

13 Commissioner Wrzeszcz?
 14 COMMISSIONER WRZESZCZ: I'm not opposed to
 15 the 75 percent immediately right now.

16 CHAIRMAN DELISLE: Okay. So we've got -- How
 17 many would support? How many Commissioners would
 18 support a restriction of 75 percent?

19 COMMISSIONER CARPENTER: A clarification
 20 here. Legal guru down there, we're going to have to
 21 change all this in the near future anyway. So are we
 22 talking ahead of the horse?
 23 ATTORNEY BATEMAN: Not really. Because these

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1 percent. So why can't this be designated at Angel
 2 Soft's special use rezoning, just like the car
 3 dealership was, the car dealership concept. So if
 4 anybody else, in the event, which I certainly don't
 5 anticipate that Angel Soft won't be here for another
 6 20 to 30 years. I don't anticipate it changing
 7 hands. But in the event it should, that anybody that
 8 comes -- That would have to come before you to go
 9 through the same thing that we're going through
 10 tonight as opposed to I'll say stepping over this --
 11 you're really stepping over this ordinance and
 12 looking to the future if what I'm hearing what you're
 13 saying. So I don't know if Lake Barrington ever does
 14 that. I go through it all the time in other
 15 municipalities where they say this is designed for
 16 what you're doing. This ordinance is for what you're
 17 doing. And anybody else that wants to come in and
 18 take this property after this specific tenant or
 19 whatever use is, is not there anymore, would have to
 20 come back and go through the same thing. And I would
 21 think you would want that no matter who it is. In
 22 the event it changes, you're going to want somebody
 23 to come in and convince you that you want them to be

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1 part of your community. It's just a thought. I
 2 don't know if you've ever done that.
 3 ATTORNEY BATEMAN: We did that in your
 4 special use.
 5 MR. SFIRE: I know that.
 6 ATTORNEY BATEMAN: And I think the thought is
 7 really, you know, to get away from that -- being that
 8 restrictive, because there's a lot of retail uses
 9 that could be on that spot, and to have to go through
 10 this process -- That's a decision for the Plan
 11 Commission.
 12 ADMINISTRATOR MARTIN: This is an interesting
 13 conversation. I never had a developer come in and
 14 say why don't you just put some more encumbrances on
 15 the property.
 16 MR. SFIRE: Well, it's only logical.
 17 ADMINISTRATOR MARTIN: We've certainly done
 18 it. Web Printing Controls is an example. There's a
 19 use that runs with the owner, and once the owner is
 20 now no longer using the property. They have to come
 21 back.
 22 MR. SFIRE: You guys wouldn't have a job if
 23 we didn't do that.

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1 you're ever going to see that bridge. I've known
 2 Andrew for a long time, used his services. I think
 3 that as Mr. Carpenter and Mr. Barbera reiterated,
 4 there is -- He has been around the area, he's been in
 5 Barrington for a long, long time. He's not going
 6 anywhere. He's a young man. He's kind of like my
 7 son. But he just -- I anticipate this being nothing
 8 but a growth business for him. He's a smart kid,
 9 okay. I spent a lot of time with him. He's a smart
 10 kid, and this is going to work really well.
 11 So I only say that because it might
 12 make life easier to just focus on what we're doing
 13 tonight as opposed to saying oh, gosh, what if five
 14 years something else happens; but I probably won't be
 15 here in five years to work through this with you, but
 16 it won't matter. So think about today. That's all.
 17 CHAIRMAN DELISLE: Thank you, Mr. Sfire.
 18 I think we were talking to perhaps
 19 relax the 75 to 70 percent. My big issue is I think
 20 petitioner's a very healthy, young, great operator;
 21 but again, things happen, accidents happen, companies
 22 change hands, they change ownership. It could be
 23 tied to Angel Soft. I just like while we can, we

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1 ATTORNEY BATEMAN: John, for your strip
 2 center, you really need the panoply of permitted uses
 3 to fill up a strip center, right?
 4 MR. SFIRE: But I'm going through -- I'm
 5 acquiring some new properties right now and getting
 6 special use ordinances for those particular
 7 properties that are designed specifically for a user,
 8 a use and user. I'll call them synonymous, a use and
 9 user. If that doesn't happen, I have to go back and
 10 apply for a different type of zoning. You're right.
 11 If I took a generic -- Take Village Square, which is
 12 265,000 feet, about 35 tenants: Office Max, T.J.
 13 Maxx, Trader Joe's, Petco, Party City. Those are all
 14 retail uses in the B-3 zoning district in Lake
 15 Zurich.
 16 Here, you have the ability, because
 17 it's a single user, on a single lot, to design it for
 18 that specific use and that specific user.
 19 If your concern is -- Again, I'll
 20 just reiterate. It seems like you're talking about
 21 the possibility of the future. It's almost like, you
 22 know, I don't mean to be silly, but it's like cross
 23 that bridge when you come to it. I don't anticipate

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1 have the ability right now because it's a special
 2 use. We can always relax it. Someone else comes in,
 3 and they do want a smoke shop, and they want to cover
 4 all of the windows with smoke advertisement. We have
 5 to -- We can hear it. If we like it, we can say
 6 okay, cover all of the windows with cigarette
 7 advertising. But that would have to come before us.
 8 So maybe we relax it to 70 percent
 9 and leave it -- Let it ride with the special use, and
 10 if the petitioner feels it's overly restrictive, I
 11 think we're very approachable and we can hear it at
 12 the time that petitioner thinks it's overly
 13 restrictive.
 14 I will completely back down if three
 15 of you think it's a problem.
 16 COMMISSIONER BARBERA: I wouldn't support it,
 17 no.
 18 COMMISSIONER CARPENTER: (Indicating).
 19 CHAIRMAN DELISLE: Two. Do we have a third?
 20 COMMISSIONER PULEO: I'll support it.
 21 CHAIRMAN DELISLE: You support it. You
 22 support it. So I wonder if you could add that to
 23 the --

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1 ATTORNEY BATEMAN: Sure. I'll add to the
 2 sign -- the paragraph that relates to sign
 3 regulations and saying that coverage of the windows
 4 of the building on lot 1 shall not exceed 70 percent
 5 of the service area and glazing.
 6 CHAIRMAN DELISLE: That would be great.
 7 And is everyone comfortable with
 8 understanding what the petition is, it's for
 9 approval, it's a modification of the existing special
 10 use. And again, just so we are sure on this,
 11 Mr. Sfire then can proceed to building permit for the
 12 retail building without coming back before us; is
 13 that correct?
 14 ATTORNEY BATEMAN: Correct.
 15 COMMISSIONER BARBERA: Correct.
 16 CHAIRMAN DELISLE: So do we have a motion for
 17 approval or denial of this?
 18 ADMINISTRATOR MARTIN: Before we go to
 19 motion, relative to Mr. Sfire's comments of the SUP
 20 running with the land or with the petitioner, where
 21 are we coming out here?
 22 ATTORNEY BATEMAN: Well, when we started,
 23 when the petition came in, Chris, we didn't approach

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1 zoning ordinance and a list of permitted uses. As
 2 long as you comply with those permitted uses, you
 3 don't have to come in and apply for a special use
 4 permit. I'd be against doing that.
 5 CHAIRMAN DELISLE: So you're in favor of
 6 making the change --
 7 COMMISSIONER BARBERA: Run with the property,
 8 correct.
 9 CHAIRMAN DELISLE: And you too, Mr. Nixon?
 10 COMMISSIONER NIXON: I am.
 11 CHAIRMAN DELISLE: How about you,
 12 Commissioner Carpenter?
 13 COMMISSIONER CARPENTER: You're saying it
 14 runs with the property.
 15 CHAIRMAN DELISLE: Right.
 16 COMMISSIONER CARPENTER: If they sell to John
 17 Q, John Q still has to maintain the conditions of the
 18 property, right?
 19 ATTORNEY BATEMAN: Right, but it could be a
 20 lumbar yard rather than --
 21 COMMISSIONER BARBERA: Which is per whatever
 22 our ordinances require of any business. And it
 23 wouldn't be a lumber yard, just not to get too

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1 it that way. I mean, we didn't say, you know, you're
 2 coming in with this and we're going to lock you in to
 3 a one use. I mean, so I -- you know, I'll write it
 4 the way the Plan Commission wants, but that is kind
 5 of a substantial restriction that we haven't really
 6 talked to Mr. Wilson about.
 7 COMMISSIONER BARBERA: We don't want to do
 8 that to him. It should run with the land.
 9 ATTORNEY BATEMAN: It wouldn't be -- In other
 10 words, the authority to use that building wouldn't be
 11 limited to --
 12 COMMISSIONER BARBERA: Whatever fits into M-1
 13 would be an appropriate use. If he outgrows it and
 14 wants to build another building down the street five
 15 years from now and wants to retain ownership, this is
 16 a real estate investment, he ought to be able to put
 17 anybody that is a permitted use within that zoning
 18 classification in without having to come and go
 19 through a special use application, I think. That's a
 20 deterrent to future uses. That's a huge deterrent to
 21 future uses. It's a pain in the neck. And for many
 22 uses -- I mean, up and down all of these streets
 23 there are many -- practically every property has a

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1 nitpicky because we don't allow outside storage. So
 2 if it were, and I'm not going to use a car dealership
 3 because that is special use. But if it were an
 4 electrical supply company that wanted to also have a
 5 showroom and display lighting as an example, would be
 6 another type of use that would fit into our M-1
 7 probably without special use. They could come right
 8 in and do business. They would have to get a
 9 business license, but they would not have to subject
 10 themselves to a special use permit.
 11 CHAIRMAN DELISLE: And I think that's the way
 12 Mr. Bateman wrote the motion; is that correct?
 13 ATTORNEY BATEMAN: That's the way -- That is
 14 really the way the motion is. That's the way the
 15 special use ordinance was drafted that would go
 16 before of Village Board.
 17 CHAIRMAN DELISLE: Is there any more dialogue
 18 on that, Commissioner Carpenter?
 19 COMMISSIONER CARPENTER: No.
 20 CHAIRMAN DELISLE: Commissioner Puleo?
 21 COMMISSIONER PULEO: No, thank you.
 22 CHAIRMAN DELISLE: Commissioner Wrzeszcz?
 23 COMMISSIONER WRZESZCZ: No.

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1 CHAIRMAN DELISLE: Do we have a motion?
 2 COMMISSIONER PULEO: So moved.
 3 CHAIRMAN DELISLE: The motion was made by
 4 Commissioner Puleo.
 5 Do we have a second?
 6 COMMISSIONER BARBERA: Yeah, second.
 7 CHAIRMAN DELISLE: Second by Commissioner
 8 Barbera.
 9 Mr. Martin, will you please call the
 10 roll?
 11 CHAIRMAN DELISLE: Commissioner Barbera?
 12 COMMISSIONER BARBERA: Present.
 13 ADMINISTRATOR MARTIN: Yes?
 14 COMMISSIONER BARBERA: Yes.
 15 ADMINISTRATOR MARTIN: Commissioner Puleo?
 16 COMMISSIONER PULEO: Yes.
 17 ADMINISTRATOR MARTIN: Commissioner Nixon?
 18 COMMISSIONER NIXON: Yes.
 19 ADMINISTRATOR MARTIN: Commissioner
 20 Carpenter?
 21 COMMISSIONER CARPENTER: Yes.
 22 ADMINISTRATOR MARTIN: Commissioner Wrzeszcz?
 23 COMMISSIONER WRZESZCZ: Yes.

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1 Commission working on that document. So we're
 2 looking at the second meeting in July which would be
 3 the 28th, a Thursday, to start crafting that
 4 document. We'll probably start with kind of the
 5 low-hanging fruit and go through the, you know,
 6 preamble stuff like demographics and table of
 7 contents, maybe some of the easier sections like
 8 transportation and some of things like that. We'll
 9 kind of wordsmith through those and go through them.
 10 Then we'll start setting up other hearings down the
 11 road to pick off the larger pieces, land use and
 12 stuff like that. So we'll keep chucking along.
 13 We're hoping to kind of have it done sometime late
 14 fall. Get it up to the Village Board and finished.
 15 CHAIRMAN DELISLE: That's the 14th?
 16 ADMINISTRATOR MARTIN: The 28th.
 17 COMMISSIONER BARBERA: 28th of July?
 18 COMMISSIONER NIXON: I'll be out of the
 19 country that week.
 20 ADMINISTRATOR MARTIN: I'll poll. If we
 21 can't do that -- I'll poll you all. I just wanted to
 22 say that's coming down the road. That's how we did
 23 it last time. The consultant is not really used to

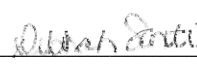
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1 ADMINISTRATOR MARTIN: Chair Delisle?
 2 CHAIRMAN DELISLE: Yes.
 3 ADMINISTRATOR MARTIN: Motion carries.
 4 Congratulations. It will be on the agenda for the
 5 Village Board next Tuesday or this coming Tuesday.
 6 So we're going to prep up the final documents, and
 7 we'll see you there.
 8 ATTORNEY BATEMAN: You know, I will make
 9 those changes in the motion. They'll carry over into
 10 the draft Plan Commission report, and we'll carry
 11 over into the special use ordinance.
 12 See you next week.
 13 MR. SFIRE: Thank you all very much. See you
 14 again.
 15 CHAIRMAN DELISLE: You're welcome. Thank
 16 you.
 17 So the next order of business is --
 18 Does anyone have anything they would like to bring
 19 up?
 20 ADMINISTRATOR MARTIN: I just have a brief
 21 announcement. As you are aware, we're working on our
 22 comprehensive plan, and I've been meeting with
 23 consultants. It is my intention to start the Plan

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1 that way. That's the way I kind of like to do it.
 2 Bring the document in and start the public hearing.
 3 Everyday meeting is a public hearing. So the people can
 4 come in, and if they're interested in transportation,
 5 they can talk about that. So that's the way we're
 6 going to do it.
 7 ATTORNEY BATEMAN: The legal notice calls
 8 each meeting a workshop and invites people to
 9 comment. When we get a whole document done to where
 10 you're comfortable with it, then we'll have -- we'll
 11 publish the public hearing on this draft of the Plan
 12 Commission basically. So we're doing it in -- we're
 13 breaking it down into small pieces. Then we'll have
 14 kind of a global hearing at the end of our workshop,
 15 if that makes sense.
 16 CHAIRMAN DELISLE: So will we get draft
 17 language to review prior to the next workshop?
 18 ADMINISTRATOR MARTIN: Yes.
 19 CHAIRMAN DELISLE: And that would have been
 20 reviewed by you I take it before.
 21 ADMINISTRATOR MARTIN: Yeah. I go through it
 22 with the consultant.
 23 ATTORNEY BATEMAN: You get chapters or the

1 whole thing?
 2 ADMINISTRATOR MARTIN: Chapters. I like to
 3 do it in bite-size pieces. It's too hard to look at
 4 a big document. Everybody is all over the place, and
 5 you don't really focus. It worked out last time real
 6 well.
 7 CHAIRMAN DELISLE: Is there any other
 8 business before we take a motion to adjourn today's
 9 meeting?
 10 (No response.)
 11 CHAIRMAN DELISLE: Hearing none, does anyone
 12 have a motion to close today's meeting?
 13 COMMISSIONER PULEO: So moved.
 14 CHAIRMAN DELISLE: Moved by Commissioner
 15 Puleo.
 16 Do we have a second?
 17 COMMISSIONER BARBERA: Second.
 18 CHAIRMAN DELISLE: Second by Commissioner
 19 Barbera.
 20 All those in favor say aye.
 21 (Chorus of ayes.)
 22 CHAIRMAN DELISLE: Meeting adjourned.
 23 (The meeting concluded at 8:15 p.m.)

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
 14 
 15 DEBORAH R. SANTI, CSR
 CSR # 084-004107
 16
 17
 18
 19
 20
 21
 22
 23



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