

*Village of Barrington
Zoning Board of Appeals
DRAFT Minutes Summary*

Date: August 2, 2011

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Peg Moston, Commissioner
William Fitzpatrick, Commissioner
David Holtermann, Commissioner
Ryan Julian, Vice Chairperson
Patricia Pokorski, Chairperson

Staff Members: Kevin Kramer, Planner
Peg Blanchard, Director Economic Development
Jean Emerick, Recording Secretary

Call to Order

Chairperson Pokorski called the meeting to order at 7:05 PM.

Roll Call noted the following: Peg Moston, present; Victoria Perille, absent; William Fitzpatrick, present; Michael Sepe, absent; David Holtermann, present; Vice Chairperson Ryan Julian, present; Chairperson Patricia Pokorski, present.

Chairperson's Remarks

Chairperson Pokorski gave the order of business and explained the process and duties of the ZBA. She swore in those members of the audience that may possibly speak during the meeting.

Old Business

New Business

ZBA 11-05: 303 East Main Street, Special Use

Owner: Fred Weinert
Barrington Centre, LLC
303 East Main Street
Barrington, IL 60010

Summary: The petitioner, (Barrington Centre, LLC) seeks approval of a special use permit to allow professional office users on the first floor at 303 East Main Street (Chapter 7, Section 7.5 D). No other variations from the zoning ordinance have been requested. The property is zoned B-4 Village Center District.

Mr. Fred Weinert, Barrington Centre managing partner, presented his petition. The purpose of the petition is to request approval of the first floor as professional offices. In 2000, he purchased the property and received approval for 100% office space as a by-right development. Then the Zoning Ordinance changed to prohibit office on the first floor to encourage retail development. Coldwell Banker had leased over 70% of the space on the first floor. They moved out after the economic crisis in 2008. Mr. Weinert attempted to market the space to many retailers, including a fitness center tenant and restaurants, but with no success. He said he has a prospective office tenant and asked for a special use permit that would allow the building to be leased under the original zoning, which is 100% office. He explained that the building would create more property tax for the Village if it was fully occupied and would bring more people into the downtown to support the other restaurants and shops.

Mr. Kramer, planner, presented the Staff report. He said the petitioner is requesting a special use permit to allow office on the entire first floor at 303 East Main Street. Mr. Kramer then pointed out that, in the B-4 district, retail is permitted on the first floor and that professional office is a listed special use on the first floor in the Zoning Ordinance. He said the Special Use would be harmonious in appearance with the existing character of the general vicinity because the exterior of the building will not change. Mr. Kramer pointed out that the special use will not diminish the safety, use or enjoyment of the surrounding property or require additional public facilities because the building was originally designed to have offices on the first floor, as demonstrated by Coldwell Banker occupying the space from construction until 2008. Staff has reviewed the parking on site and determined that the site had sufficient parking for the proposed special use. Staff recommends approval of the special use to have office on the entire first floor, 10,203 square feet, at 303 E. Main Street.

The record reflected there was no one in attendance from the public for participation.

Chairperson Pokorski opened discussion up to the Board for comment and asked Mr. Kramer if the special use was "consistent" or "complimentary to" the objectives of the Comprehensive Plan and Zoning ordinance per the language in the Staff Report.

Mr. Kramer said it was consistent with the planning documents.

Chairperson Pokorski stated that #6 of the Staff Report states that the special use is not detrimental to the "economic welfare of the community". She added that this standard was intended as an incentive to have more retail tax income generated. She said that the ZBA should make sure the petition fits all the standards for a Special Use. She understood, however,

that this standard may be changing and that, further, a vacant building generates even less taxation than an office building.

Commissioner Moston stated that the system that the Zoning Board of Appeals is a part of is not a system set of precedence and regardless of what the ZBA decides it could do something completely different for the neighbor next door with the same petition. She also felt that the site does look like an office building. She asked how long a special use is in effect once it is granted.

Mr. Kramer said that when a special use is granted, it is granted for as long as there is someone in premises for which the special use is granted. After such space is vacant for 12 months, the special use would cease to be in effect.

Ms. Blanchard, said that the area has a different feel from the retail districts. She pointed out that the main objective of the first floor retail ordinance is for the Village Center to be a major economic engine.

Commissioner Moston feels that tenants of these offices will support the businesses in the area.

Ms. Blanchard said it would increase tax revenue once it is occupied. Staff thought this was the best solution for the property owner at this time. She also pointed out that the Village only has a 6% vacancy rate in the downtown area.

Commissioner Holtermann asked if Staff believes that granting a permit for use as office space would limit the amount of available retail space or otherwise hinder the Village's efforts to bring in more retail business.

Ms. Blanchard said that the space was built for an office, thus there are many things that would have to change if it was to be retail.

Commissioner Pokorski said the first floor is 10,000 square feet, but the petitioner is only asking for 7,700 feet for the special use.

Mr. Kramer stated that 7,700 square feet is what is vacant now but the petitioner would like a special use permit for the entire first floor to be office which is 10,203 square feet.

Commissioner Fitzpatrick said that office is what the building was designed for and clarified again about each case standing on its own, reiterating that this will not set a precedent.

Commissioner Moston moved and Commissioner Fitzpatrick seconded the motion to approve ZBA 11-05, a special use permit to allow professional office users on the first floor at 303 East Main Street for 10,203 square feet.

Roll Call Vote: Ms. Moston – aye; Ms. Perille –absent; Mr. Fitzpatrick – aye; Mr. Julian – aye; Mr. Sepe – absent; Mr. Holtermann – aye; Ms. Pokorski – aye; the vote was 5 to 0. Chairperson Pokorski declared the motion approved.

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ZBA 11-06: 141 South Northwest Highway, Special Use

Applicant: David Helmrich
Monetta Now, LLC
35 S Illinois Avenue
Villa Park, IL 60181

Owner: Carolyn J. Gable

Summary: The petitioner (Monetta Now, LLC) seeks approval of a special use permit to allow an indoor recreation and fitness center at 141 South Northwest Highway (Chapter 7, Section 2-D). No other variations from the zoning ordinance have been requested. The property is zoned B-1 General Business Service District.

Mr. Ricky Trinidad, of Metronomic Inc, presented on behalf of the petitioner and has been retained by Monetta Now to help start this fitness center. He said the facility would be a state of the art fitness, health and wellness club. It will be located at 141 S. Northwest Highway, next to CVS. Mr. Trinidad pointed out that only minor changes to the interior space will be made and no alterations to the exterior will be done. Private showers and restrooms will be added but the general purpose of the facility will not change. He presented Anytime Fitness as a one of a kind, fitness on demand facility with 24-hour secure access to the center. Mr. Trinidad pointed out that people can walk to the Metra from the site and felt that this special use is a needed service in the community. It will enhance the community economically by providing jobs, a health facility and be a destination point for many patrons. Also, the petitioner will convert a vacant space to a functioning business.

Mr. Kramer, presented the Staff report. Monetta Now requests to open a fitness center in Barrington. The activities are categorized as "recreation indoors" which is slightly different from the previously permitted use, "Academy". The site does border a residential area to the East but there is a fourteen (14) foot retaining wall and fence along with extensive tree foliage. The petitioner will not change the exterior, only the sign. The special use will not create public expense and actually benefit the economic welfare of the community. Staff recommended approval of the petition for a special use permit.

The record reflected there was no one in attendance from the public for participation.

Chairperson Pokorski thinks it fits directly into the definition of "recreation indoors" and satisfies the standards for a special use permit. The only problem she thought there might be is the fact that it is open 24 hours. But there is no one from the public in attendance, although the Commission still has a fiduciary duty to protect the interest of the public.

Mr. Kramer cited an email from Police Chief Jerry Libit who spoke with police department's in areas that have a twenty-four (24) hour fitness center and they have not reported any crime problems related to these operations and their hours.

Commissioner Moston asked if the ZBA owes anything to the existing businesses? She pointed out there is the new Park District facility and the Good Shepherd facility.

Commissioner Pokorski replied no.

Commissioner Holtermann asked if the facility is staffed all the time.

Mr. Trinidad said no, it is not always staffed. But they have several security and safety measures for members working out late. He then added that the building has twenty-five (25) parking spaces which is well over the required thirteen (13) for the special use.

Commissioner Holtermann asked if they would add any exterior lighting.

Mr. Trinidad said they did not have any plans to do so.

Commissioner Holtermann asked if there were windows to the east.

Mr. Kramer replied no and if the petitioner were to add any they would be below the fence line.

Commissioner Fitzpatrick moved and Commissioner Julian seconded the motion to approve ZBA 11-06, a special use permit to allow an indoor recreation and fitness center at 141 South Northwest Highway Street.

Roll Call Vote: Ms. Moston – aye; Ms. Perille – absent; Mr. Fitzpatrick – aye; Mr. Julian – aye; Mr. Sepe – absent; Mr. Holtermann – aye; Ms. Pokorski – aye; the vote was 5 to 0. Chairperson Pokorski declared the motion approved.

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Other Business

None

Approval of Minutes

July 5, 2011

Commissioner Fitzpatrick moved to approve the minutes of the July 5, 2011, meeting as amended; Commissioner Moston seconded the motion. Voice vote recorded all ayes. The minutes were approved.

Planner's Report

Mr. Kramer stated that no new cases are on the agenda for next month. ZBA case 11-01, the special use for Dent Recon at 245 W Northwest Highway was approved by the Board on the June 27th. Also, the Motor Werks special use petition for a stand-alone parking lot was approved by the Board on July 18th.

Adjournment

As there was no additional business to come before the Board, Commissioner Fitzpatrick moved to adjourn; Commissioner Moston seconded the motion. Voice vote recorded all ayes.

Chairperson Pokorski adjourned the meeting at 8:14 PM.

Respectfully submitted,

Jean M. Emerick
Recording Secretary



Ms. Patricia Pokorski, Chairperson
Zoning Board of Appeals

Approval Date: