

VILLAGE OF NORTH BARRINGTON
PLAN COMMISSION MEETING
MEETING MINUTES
Monday, May 9, 2022

Call to Order

The Meeting was called to order at 7:30 p.m.

Roll Call

Roll call was answered by Chairperson Gery Herrmann, Michael Beightol, Kim Ritschel, Ken Such and James Zakos.

Also present were Village Administrator John Lobaito, Trustee Liaison Kevin Horcher, Trustee Greg Rogus, Administrative Assistant Sue Murdy, and Village of North Barrington Attorney Bryan Winter.

Pledge of Allegiance

Vice Chairman Ken Such led the Pledge of Allegiance.

Public Comment

There was no public comment.

Approval of Minutes from the July 12, 2021 Plan Commission Meeting.

Motion by Michael Beightol and seconded by Kim Ritschel to approve the July 12, 2021, Plan Commission Meeting Minutes. On roll call vote Chairperson Herrmann, Michael Beightol, Kim Ritschel, Ken Such and James Zakos voted Aye. No Nays. Motion Carried.

Public Hearing to consider text amendments to the Village's Zoning Ordinance. The proposed text amendments would, if adopted, 1) Add a definition for "Vehicle Fueling Station", 2) Amend the definition of "Lot Coverage Ratio", 3) Add "Vehicle Fueling Station" with convenient store in the B-2 (Business) District.

At 7:40 p.m. Chairman Gery Herrmann called the public hearing to order, and Administrative Assistant Sue Murdy called the roll:

Roll Call was answered by Chairman Gery Herrmann, Michael Beightol, Kim Ritschel, Ken Such and James Zakos.

Also present were Village Administrator John Lobaito, Trustee Liaison Kevin Horcher, Trustee Greg Rogus, Administrative Assistant Sue Murdy, Village of North Barrington Attorney Bryan Winter, Patrick F. Daly of The Daly Group, LLC; Mike Krasucki, Thornton's Sr. Real Estate Manager; Andy Bulson, Mid-America Real Estate, Jerry Callaghan of O'Donnell Callaghan, and members of the public.

Chairman Herrmann stated the purpose of the Public Hearing was to consider a text amendment to the Village's Zoning Ordinance from PADMA North Barrington, LLC. The proposed text amendments would, if adopted, 1) Add a definition for "Vehicle Fueling Station", 2) Amend the definition of "Lot Coverage Ratio", 3) Add "Vehicle Fueling Station" with convenient store in the B-2 (Business) District.

Chairman Herrmann provided a background of the proposed project. At the August 18, 2021, Village Board Meeting the Daly Group, LLC ("Developer") presented a proposed project for a Thornton's Pump & Go Fuel Center at the northwest corner of Route 12 and Miller Road ("Subject Property"). The Subject Property is currently in unincorporated Lake County. If the project were to proceed it would be necessary, that the Subject Property be annexed into the Village of North Barrington. The Village Comprehensive Plan identifies the Subject Property as "Mixed Use Alternative (Residential or Business)".

Chairman Herrmann stated that since that presentation, the ownership of Thorntons has changed to BP. He stated that he was not sure if the specific development plans will remain the same, as well as the parties involved. Chairman Herrmann stated the purpose of the meeting tonight is not to discuss the actual project, only to make changes to the text contained in the Village Zoning Ordinance.

Persons wishing to speak were requested to sign the public comment sign in sheet. Village Attorney Bryan Winter swore in the public and interested parties. Mr. Winter clarified that for purposes of the Public Hearing, the request is to change the current Village zoning code text, not rezone any specific property. A separate public hearing would be necessary to address the actual zoning and use of a property within the Village.

Chairman Herrmann stated the role of the Plan Commission tonight is to listen to the presentation and make a recommendation to the Board of Trustees about the text amendment proposal. The Plan Commission decision is not final.

Mr. Jerry Callaghan from the law firm of O'Donnell Callaghan in Libertyville, IL addressed the Commission and stated he represents the petitioner Mr. Pat Daly with PADMA North Barrington, LLC. He stated that the referenced property is not currently in the Village of North Barrington. The petitioner is here to request the addition to the Village Code to include a Vehicle Fueling Station, amend the definition of Lot Coverage Ratio and add the Vehicle Fueling Station with a convenient store in the B-2 (Business) District. Mr. Callaghan stated that the current Village Code does not include this text or use. The petitioner is here this evening to address and request the text amendments. If approved by the Plan Commission, and the Board of Trustees, the petitioner will have the framework to move forward with the process of annexation and rezoning. Mr. Callaghan thanked the Commission for their time.

Chairman Herrmann invited comments and questions from the public.

Mr. Vince Foglia of North Barrington, IL addressed the Commission and stated he currently is a POA Board Member at Wynstone as well as a part of the ownership group of the Wynstone Golf Club. He is concerned and opposed to the possibility of a Thorntons Truck Stop on Route 12.

Mr. Steve Botsward of North Barrington, IL addressed the Commission and stated he agrees with Mr. Foglia.

Mr. Dan Murphy addressed of North Barrington, IL addressed the Commission and stated he is part of an ownership group of Wynstone Golf Club as well as the owner of three homes in Wynstone. He is opposed to the possibility of a Thornton's fueling station on Route 12. He feels this proposal is not consistent with the Village of North Barrington Comprehensive Plan.

Ms. Pat Coffey of North Barrington, IL addressed the Commission and stated she agreed with Mr. Murphy. She read excerpts from the Village Comprehensive Plan in support of her position.

Mr. Mike Krasucki, Senior Real Estate Manager from Thorntons addressed the Commission and stated that the proposal is not for a truck stop. It is called a pump and go convenient store with 2 or 3 diesel filling stations. He referenced a Thorntons recently opened in McHenry, as well as Crystal Lake. He anticipates 2 trucks per hour on average at the proposed Route 12 location.

Mr. Phil Bolduc, Real Estate Manager from Thorntons stated to the Commission that he was attending the meeting to address concerns and answer questions.

Connie Antoniou of North Barrington, IL addressed the Commission and stated she is opposed to the possibility of a Thorntons on Route 12, and also mentioned the proposal is detrimental from a real estate perspective.

Chairman Herrmann read a letter submitted by Mr. Bob Stein of North Barrington, IL. Mr. Stein is opposed to the proposal for a Thornton's Pump and Go Fuel Station at the NW corner of Miller Road and Rand Road.

Chairman Herrmann read a letter submitted by Mr. Joe Buettner of North Barrington, IL. Mr. Buettner is opposed to the proposal for a Thornton's Pump and Go Fuel Station at the NW corner of Miller Road and Rand Road.

Chairman Herrmann read a letter submitted by Ms. Alicia Timm of Lake Zurich, IL. Ms. Timm expressed her concern for the nearby Flint Creek Watershed, as well as the air pollution, light pollution, and truck traffic on what she sees as a high-speed stretch of Rand Road.

There was extensive discussion about the current Village of North Barrington Comprehensive Plan.

Village Attorney Bryan Winter swore in Mr. David Goldrath of North Barrington, IL. Mr. Goldrath stated to the Commission he opposes the possibility of a Thorntons on Route 12.

Plan Commission member Michael Beightol asked for confirmation of whether the purchase contract is for a 3.4-acre parcel or a 5-acre parcel. The representatives from Thorntons stated the hearing tonight is only related to a proposed text amendment.

Plan Commission member Ken Such inquired about the feasibility of this location when there are currently many gas stations along Route 12. The representatives from Thorntons replied that market studies and extensive research has been done on this location.

Plan Commission member James Zakos expressed his concern about the diesel fuel and truck traffic. Mr. Zakos inquired about the purpose of the compressed natural gas included on the plan. He also inquired about the possibility of video gaming on the premises.

Mr. Krasucki confirmed a video gaming license would be applied for later.

Plan Commission member Michael Beighton inquired about charging stations for electric vehicles in the proposed amendment.

Mr. Krasucki responded that charging stations were a possibility.

Mr. Ed McConnell of North Barrington, IL asked for an approximation of the number of vehicles that would be using the facility per day.

Mr. Callaghan responded that a traffic study would be conducted.

There was discussion about the proposed facility operating 24 hours a day and the required signage. Mr. Krasucki stated that all signage would be according to Village code.

Mr. Andres Quintero of North Barrington, IL stated to the Commission that he is concerned about the environmental implications and questioned the need Village tax revenue of this nature.

Mr. Neil Cox of North Barrington, IL stated to the Commission that he is concerned about the rising cost of fuel and the possibility that the facility goes bankrupt.

Close Public Hearing

Michael Beightol moved to close the public hearing and seconded by Kim Ritschel. On roll call Chairman Herrmann, Michael Beightol, Kim Ritschel, Ken Such and James Zakos voted AYE. No NAYS.

At 8:19 p.m. Chairman Gery Herrmann declared the Public Hearing adjourned.

Chairman Herrmann stated that the property being discussed is in unincorporated Lake County. He stated that the Village of North Barrington has very little control of the property. There is considerable uncertainty until an actual proposal is brought to the Village and the property is within

the Village. Chairman Herrmann stated the text amendment change being proposed would apply to all property in the Village. Chairman Herrmann asked for discussion from the Commission members.

Commission member James Zakos stated that the proposal is not an appropriate use for the corner of Miller and Route 12.

Commission member Michael Beightol referred to agenda item 6.c) which refers to a **possible** motion and recommendation. In the event of a motion not being made, Attorney Bryan Winter stated the Public Hearing would be continued to a date certain.

There was discussion about whether the petitioner could approach Lake County independently of the Village of North Barrington.

Mr. Beightol referenced the Village Comprehensive Plan as a guidance to their discussion.

Commission member Kim Ritschel stated that the Village should be allowed to change its initial plan, adding that while she is sympathetic to the residents of the Village in attendance, this issue is important for the Village. She believes the decision should rest with the Board of Trustees.

Attorney Bryan Winter reminded the Commission that the Comprehensive Plan is separate from this petition. The discussion tonight pertains to the zoning ordinance.

Commission member Ken Such stated that he felt this discussion was premature without a more definitive proposed site and annexation plans.

Chairman Herrmann asked the Commission if there were any wording changes that they would like to see in the text amendment proposal. He also believes the Board of Trustees should make the final decision.

Kim Ritschel made a motion to recommend approval of the proposed text amendments to the Village's Zoning Ordinance. The proposed text amendments would, if adopted, 1) Add a definition for "Vehicle Fueling Station", 2) Amend the definition of "Lot Coverage Ratio", 3) Add "Vehicle Fueling Station" with convenient store in the B-2 (Business) District; seconded by James Zakos.

Chairman Herrmann stated that he has been a long-time resident of North Barrington, is not anxious to bring commercial property into the Village but is aware the Village is in a revenue situation.

Commission member Michael Beightol brought up the topic of video gaming machines. Attorney Bryan Winter stated gambling is currently prohibited in the Village of North Barrington, requires a particular separate gaming license request and is not a zoning issue.

On roll call vote Chairman Herrmann and Kim Ritschel voted AYE. Michael Beightol, Ken Such and James Zakos voted NAY.

Chairman Herrmann declared the motion failed. The recommendation will be brought to the Village Board of Trustees.

Old/New Business

Chairman Herrmann informed the Commission that the Village is no longer considering the land donation of 225 Honey Lake Court, North Barrington, Illinois 60010 (Lot 23 in Grassmere Farm Subdivision).

Chairman Herrmann informed the Commission that there would be a Plan Commission Public Hearing for Biltmore Country Club at the June 6, 2022, Plan Commission Meeting.

Village Attorney, Bryan Winter presented updates and general overview of best practices for the Plan Commission members related to the following topics:

1. Conflicts of Interests
2. Public Hearing Process
3. Open Meetings Act
4. Types of Zoning Requests

Adjournment

Motion to adjourn the meeting was made by Kim Ritschel and seconded by James Zakos. On roll call vote Chairperson Herrmann, Michael Beightol, Kim Ritschel, Ken Such and James Zakos voted Aye. No Nays. Motion Carried.

The meeting of the Plan Commission was adjourned at 9:15 p.m.

Submitted by,

John Lobaito (sm)

John Lobaito
Village Clerk

