



Village of Bartlett
Planning and Zoning Commission
July 3, 2025

M. Werden, Chair called the meeting to order at 7:00 pm.

Roll Call

Present: B. Bucaro, J. Miaso, A. McSwane, M. Werden, M. Sarwas, J. Kapadoukakis
Absent: G. Koziol, C. Deveaux

Also Present: Kristy Stone, Planning & Development Services Director, Andrew Barna, Associate Planner, Brian Krause, Associate Planner

Approval of Minutes

A motion was made to approve the May 1, 2025 meeting minutes.

Motioned by: B. Bucaro
Seconded by: A. McSwane

Roll Call

Ayes: B. Bucaro, J. Miaso, A. McSwane, J. Kapadoukakis, M. Werden
Nays: None
Abstain: M. Sarwas

The motion carried.

Public Forum

M. Werden opened the public forum. No one from the public came forward. **M. Werden** closed the public forum.



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(#25-05) Nova 2 - Northwest Corner Miles Pkwy and W Bartlett Road

Amendment to the Planned Unit Development (Blue Heron Business Park)

Site Plan (Nova 2)

PUBLIC HEARING

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

A. Barna stated that the petitioner is requesting to change the development designation of the subject property in the PUD from Development Area 4, which is commercial, to Development Area 3 to allow for the office/warehouse with truck servicing fire and distribution. The site plan shows that there will be truck servicing on the north end with tire distribution on the south end of the building. The landscaping on the south property line meets the W. Bartlett Road Corridor Plan for the Western Gateway. **M. Werden** asked, will access only be on Miles Parkway? **A. Barna** correct.

The petitioners, **Dean Kelley**, Abbot Land and Investment Corp, 2250 Southwind Blvd, Bartlett and **Pavlo Vayda**, Nova II LLC, 484 Miles Parkway, Bartlett, came forward and were sworn in by **M. Werden**. **D. Kelley** stated that this is the last lot in Blue Heron Business Park. The previous development, Alan Horticulture is across the street to the east and that building is up and looks great. This building would be made with precast and would look very similar to the building on the east side of Miles Parkway. This is the second building that **P. Vayda** is going to build in Blue Heron. He has a facility at the far northwest corner that was constructed a couple of years ago. We are asking for rezoning. It has been asked before if there has been any commercial interest and there has not been any commercial interest here. That was also the case when we requested to rezone a portion of the site for Alan Horticulture. We do have brokers that were marketing this, but it is not a retail site. This would make the park 100 percent industrial. Those are the reasons for our request for rezoning and we think it is a very good use. It would be a nice completion to the park. **M. Werden** asked, was that part of the problem with delays? **K. Stone** it is because Kane County will not allow direct access to W. Bartlett Road from this lot and that made the lot less desirable for commercial or retail uses. **M. Werden** that makes sense because that could be a problem at the intersection. **B. Bucaro** I do have a question about the truck access. I understand that the access to service bays with the 3 lanes comes off Miles Parkway and supply truck servicing the rest of the building would come in from the upper left and that is an in and out access. **D. Kelley** the inbound from Miles Parkway has 3 drive-through bays and that is where the tire servicing will occur. They are not anticipating a large number of trucks. It would be 6 to 8 trucks a day. It would not be a big traffic generator. To the west, there are overhead doors and docks and that is where the truck traffic will enter and exit from the north.

M. Werden opened the public hearing. No one from the public came forward.

J. Miaso made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#25-05) Nova 2** for an Amendment to the Planned Unit Development (Blue Heron Business Park) and a Site Plan for Nova 2 subject to the conditions and findings of fact outlined in the staff report.



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**Motioned by: J. Miaso
Seconded by: B. Bucaro**

M. Werden closed the public hearing.

Roll Call

Ayes: B. Bucaro, J. Miaso, A. McSwane, J. Kapadoukakis, M. Sarwas, M. Werden

Nays: None

The motion carried.



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(#25-06) AJB Polish Deli – 879 S Route 59

Variance to allow full coverage window signage

PUBLIC HEARING

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

Exhibit D – Letter from Resident

The petitioner, **Jolanta Zajkowski**, AJB Polish Deli II, Inc 879 S Route 59, Bartlett and the petitioner's attorney, **Michael Kelly** 118 Bartlett Ave, Bartlett were sworn in by **M. Werden**. **M. Kelly** stated, most of you have seen or gone into the Polish deli. The deli has been there for over 10 years. The sunlight from the west is brutal making it impossible for them to operate the business. They have tried numerous ways to block the sun. Finally, they had very beautiful images painted on the windows that cost approximately \$8,000 and they are very nice. Those images stopped the sun from coming in and allowed them to put dry goods along the windows. They only have 1,200 square feet and that allows them to utilize the entire space. If they did not have the windows blocked off, they could not operate the business because the sun is so brutal. If you have ever been in Taylor Street Pizza, you can hardly stand inside when the sun is out in the afternoon. This window covering has been there for 8 years. Over that course of time, various people from Village actually interviewed Jolanta and put that on social media so it has been right out there and everyone has known this is there. It has worked well. There has never been a complaint from anyone in the neighborhood that we are aware of. Instead, there have been compliments. The windows are not only beautiful and attractive because that is what they sell, but it allowed her to keep her business going. She still works every day, 10 hours a day. She worked through COVID. She depends on this business for her livelihood and if the pictures have to be removed, she will not be able to keep the business. We know that there are requirements for variations. This is unique and if these windows are not covered, the business will close. The window coverings have been there for over 8 years and there have never been any problems. I know that there are businesses that the Village rightfully worries about what goes on inside those businesses for the public welfare, but these doors are open when the business is open. It is a deli and they utilize every square inch. This does not have any impact for light or air for the adjoining properties. There is no special privilege attached to this for something that has never been there and for whatever reason, the Village came up with this ordinance. Their nice little business fell into this spot where the Village has this ordinance and now it covers this business, which is tailor made for a variation. We received a letter this afternoon and would like to read it into the record. The letter is from Maggie Lesniewski and states *"To Whom It May Concern, I Maggie Lesniewski, a resident of Bartlett at 1070 Dartmouth Drive, agrees for the AJB Polish Deli to display pictures of food in their windows. They are an amazing family, hard-working, and are part of the community. The quality of food is great and I've been a customer for the past ten years. I cannot imagine grocery shopping without them in Bartlett."* That is an unsolicited letter. I do not know who this person is and Jolanta does not know either, but this is very complimentary. We sent out 44 letters and did not hear any complaints whatsoever. **M. Werden** asked, has the sun faded what has been installed on the window? **M. Kelly** no, it has not faded. These signs cost \$8,000 about 8 years ago. They did a really nice job. **M. Werden** did staff receive any phone calls or emails for this case?



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A. Barna we did receive a number of calls all of which were apathetic about the variance except for one, which was against approval of the variance. **M. Sarwas** asked, was this ordinance in place before the deli opened and we just never enforced it? **K. Stone** the petitioner never applied for a permit for the signage. We first found out about this when someone else came in to apply for a permit and we told them that we have a maximum percentage that is allowed. That petitioner cited other business that had it. This has come up periodically. Dog Father had filming many years ago and that had to be removed. There have been a few locations that have complied with our regulations and reduced the percentage. Typically, it is window film that needs to be removed. Per our sign ordinance and to be in accordance with the constitution, we cannot deny signage based on content and that is why it is a percentage requirement. It is not what the signs say or what is on the signage. **M. Werden** I think part of that is for safety. There have been other businesses where there was prostitution going on and we did not want that shielded. We wanted people to see where there are cash transactions going on and to make sure they are not being held up. This is unusual in that it is predominantly pictures of food and people are not trying to read the sign as they go by. There are several windows there that have full window displays and you cannot even tell that it is glass. **K. Stone** there are a number of businesses in town that are currently going through the code enforcement process. This is the first time someone has actually come in and filled out the variance application. There are other businesses that have been cited. **M. Werden** it is commendable that the petitioner is going through the process to ask for the variance. **B. Bucaro** asked, has there ever been a variance previous to this for coverage in a similar manner? **K. Stone** this is the first business that has gone through this process. The Village Board started to look at our sign ordinance regulations about 2 years ago. During COVID, we were directed not to enforce the window signage percentage because we wanted to help the businesses as much as we could thinking that it would be a temporary solution. When the board looked at the regulation, they still thought that it was important that it be reviewed and that the businesses go through the variation process as opposed to us eliminating that regulation. **B. Bucaro** are there other remedies that would be acceptable like blinds to pull down in the afternoon? **K. Stone** if there is no advertisement, it is not considered a sign. If there was solid tinting on the windows or a film that did not have any advertisement or if there were blinds, the Village does not regulate that. It is because this is signage. **B. Bucaro** I do not feel that this is unique. All of the businesses on that side have the same problem. It is unique that it is a Polish deli, but the basic problem is not unique to this location because the sun and heat affects all of the business in the strip mall. Across the street, they face east and get the morning sun. The deli has food and that may be somewhat unique, but there is a 7-Eleven on Prospect and Devon Avenues that faces west which has food. My concern is setting a precedence. We have an ordinance that has been in effect for years and now if we grant this variance, I just see this opening up an undesirable potential effect. There are other remedies. If a permit had been pursued 8 years ago, you would not have spent the money because the Village would have said you cannot do the signs. You could have done tinting or blinds. I think that there are other remedies without asking for a variance. **M. Sarwas** I have a business and have had to deal with that sun and it is just obnoxious. You cannot function when you have people up front. If we allow blinds and other things that would block the vision, I am not sure what the harm would be having signage. If the major concern is not that you cannot see through the window, but that the window has advertising on it as opposed to just being blacked out, then I feel like we are doing more harm by not granting the variance knowing that it is going to cause a long-standing, small business in our community financial harm. **B. Bucaro** I do see the potential for any business in town to have what they deem they need for their sign and I think that just



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becomes a nightmare. **M. Sarwas** how has the Village handled past issues with the massage establishments where we have different concerns with them blocking out the windows that is not signage. Are they allowed to block out the windows? **K. Stone** massage establishments have their own set of regulations as part of their license and one of those is that they cannot have their blinds closed. We have to be able to see inside those facilities at all times. **M. Sarwas** my concern would be that I would want to maintain that protection for the Village. I am not opposed to any business have signage covering the window as long as it is not disruptive to the community. **M. Werden** I think Michelle brings up a good point. This is unique. They are not changing this signage every week because of sales going on. Driving by this, you would not be distracted. I think it is aesthetically pleasing. **J. Miaso** the petitioner does need to block the sun and has food stored there. That is a hardship to have the windows open. They do need the variance to maintain what they have. The signage is not offensive and does not distract anyone. No one has complained about the signs. **M. Sarwas** I think the fact they have food; there is a different level of concern because of the added heat near the window. There could be a difference in temperature and you could have food that is perishable. It is a small space and there is only so much room to work with. I do think this is a reasonable request. **J. Kapadoukakis** I think in food service, it is very important. Just the perception of it, as a customer, I will not go into a business if I see sun hitting a bakery case or a food case.

M. Werden opened the public hearing.

Konrad Wazny 67 Chestnut Ct, Elgin stated my family has been shopping at AJB Deli for the last 10 years. As Polish immigrants, this is a staple for the Polish community. Any time we need goods or have family in town, that is the first place we go. It is nice to have a place to get our familiar favorites when we have family coming in from out of town. Working previously as a window film installer and graphics installer, I know these applications are significantly helpful to businesses that are not only storing food items but other perishable items. These are imported items and are more delicate. These applications are quite expensive, but they offer much more protection against UV radiation than traditional window films. Ceramic window films offer a good amount of IR rejection, but they do not eliminate all of it as sunlight still seeps through. The opaque coverings will eliminate more than a sufficient amount of sunlight to maintain the quality of product that is for sale. As a customer and as a member of the community, I believe the signs should remain as they are.

Jullan Jarmula 29W780 Schick Road, Bartlett said my family has been shopping at AJB Polish Deli for 10 years. We cook and eat Polish food every day and the deli has been very important. I think going after them and this display especially considering that it does block the UV radiation, which is the main concern, but it is also esthetically pleasing and very nice. Considering that COVID was just 5 years ago and a lot small businesses are struggling still; it is very important to uplift small businesses instead of going after them and making it more difficult for them to function. As immigrants, we are in this country trying to have a better life and that is exactly what they are trying to do. Comparing this deli to a 7-Eleven is not a fair comparison because 7-Eleven is a large chain and they have more money to redesign their windows as they please. This is a very small Polish deli and redesigning the windows would put them out of business. I would ask this committee to consider this application to allow the window signage to remain.



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Janusz Jarmula 29W780 Schick Road, Bartlett I have been shopping at the deli for 10 years. Very often, the door is wide open and when you are walking by, you can see what is going on inside. I do not see a problem with the design on the window. The deli has great Polish and European food. I think it is a great opportunity to have this store in our community.

M. Sarwas I would hate for anyone to feel like the Village would come after a small business and rather understand that there should have been a permit in place when the window signs were first installed and there was not. This is a matter of trying to correct that and be fair to everyone so that we do not have businesses that try to do things that are damaging to the community. We have the variance process to allow a reasonable request and the Village is not coming after a small business.

M. Sarwas made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#25-06) AJB Polish Deli, 879 S Route 50** for a variance to allow full coverage window signage subject to the conditions and findings of fact outlined in the staff report.

Motioned by: M. Sarwas

Seconded by: J. Miaso

Roll Call

Ayes: J. Miaso, A. McSwane, J. Kapadoukakis, M. Sarwas, M. Werden

Nays: B. Bucaro

The motion carried.



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Old Business/ New Business

K. Stone we might have a case in August, it depends if they make it onto the next Committee agenda.

M. Werden asked if there was a motion to adjourn.

Motioned by: J. Miaso

Seconded by: M. Sarwas

Motion passed by unanimous voice vote.

The meeting was adjourned at 7:34 pm.