



**VILLAGE OF BARTLETT
PLANNING & ZONING COMMISSION MEETING
AGENDA**

**BARTLETT MUNICIPAL CENTER
228 S. MAIN STREET
October 2, 2025
7:00 P.M.**

- I. Call to Order
- II. Roll Call
- III. Approval of the August 7, 2025 Planning & Zoning Commission meeting minutes
- IV. Public Forum (comments may be emailed in advance to planningdivision@bartlett.il.gov)
- V. **(#25-11) Text Amendment** – To designate Tobacco/Vape Stores as a Prohibited Use in the B1 and B2 Zoning Districts and to designate Tobacco/Vape stores as a Special Use in the B3 and B4 Zoning Districts
PUBLIC HEARING
- VI. New Business/Old Business
- VII. Adjournment



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

Roll Call

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

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 July 3, 2025 meeting minutes.

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

Roll Call

Ayes: B. Bucaro, J. Kapadoukakis, J. Miaso, A. McSwane, M. Werden
Nays: None
Abstain: G. Koziol, C. Deveaux

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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(#24-18)

Kiddie Academy

Preliminary/Final Plat of Subdivision

Site Plan Approval (Lot 1)

Variation to allow parking in the front and side yard (Lot 1)

Variation to eliminate perimeter landscaping on western property line (Lot 1)

Special Use Permit for building height

PUBLIC HEARING

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

The petitioner, **Adam Bell** 5 Oakland Hills Ct, Harthorne Woods came forward and was sworn in by **M. Werden**. **A. Bell** stated that the proposed development is for a free-standing Kiddie Academy building for daycare use. We are seeking variations for front and side yard setbacks, landscaping perimeter variation and a special use for the building height. The reason for the variation and special use are due to the larger front yard setbacks and side yard setbacks. We need to make room for the prototype building. We have a large detention area to accommodate the storm water detention and in order to make the parking work for the user. We just need a few extra feet for the parking to work. Additionally, for the perimeter landscaping along the western line, we are proposing a plat of subdivision. That plat of subdivision would allow for a future potential building. We are requesting no landscape buffer between those lots. Those would be 2 lots that would operate as one continuous development. We currently do not have a user for that parcel, but we are looking for a user. The building's height is right about at the standard; however, we are requesting a special use for the large parapet. **B. Krause** stated that the property was annexed along with a larger section in 1973 and rezoned to B-2 when the rest of the townhomes and single-family home around it were all granted Planned Development zoning. In 2002, there was a carwash and service station that was granted a special use permit and site plan approval that obviously was never built, but those were granted. The petitioner is requesting a subdivision to break the lot into thirds with the first lot being for the proposed daycare center, which is going for site plan approval, lot 3 is for storm water management and lot 2 is for future development. Unlike other projects we have had, like Devon and Prospect, there is no future use slated for the lot 2 site. That lot would keep its commercial zoning, but there are no proposals for that. The variations are being requested for parking on the south side along Army Trail Road to be put in the setback and on the west side of lot 1, and the landscape requirement variation that is to remove the requirement of the property line because of the access easement. There is no special use permit required for daycare. Daycare is a permitted use in this district, but a special use is required for the building height. The building requirement height maximum is 25 feet. The average roof peak for this project is 31 feet, 6 inches. The daycare facility is proposed to have 30 employees. The parking requirements are 1 parking space for every employee. This proposal exceeds that having 35 spaces. The drop-off times are 7 am to 8:30 am and pick-up times are 4 pm to 5:30 pm. There will be 2 access points as required, 1 along Fairfax Lane and the other on Hanover Park's property. As a condition of approval, staff have mentioned that an easement is required from Hanover Park in order for the eastern



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access point to be granted for vehicles to enter from Army Trail Road. In the packet is an approval letter from the Hanover Park Public Work Department. That easement will need to be recorded before the building can begin. **M. Werden** asked, will the Hanover Park side be a main entrance? **A. Bell** it would be supplemental.

M. Werden opened the public hearing.

Denise LaRocco 1335 Antigo Trail, Carol Stream stated, I have been a residential real estate broker for 39 years and my house backs up to Army Trail Road right exactly where the proposal is. My biggest concern and for neighbors are the accidents at the light at Army Trail Road, Fairfax Lane and Spring Valley Drive. About 10 years ago a big SUV plowed through my fence and shed, the next neighbor's fence and ended up on top of an electrical transformer. It was an elderly couple. They tried to get out. We got them to stay in. ComEd had to come and get them out safely. If anyone would have been there, it would have been a bad accident. My next-door neighbors at 1343 Antigo Trail have given me their permission. They are on the corner of Spring Valley Drive and Army Trail Road. They had a car that ran over the stop light and ended up in their house. The car was in their living room within 2 feet of where he was sitting. The house was deemed uninhabitable. I think if you would check both Bartlett and Carol Stream Police and Fire Departments how many accidents happen there, I just do not think this is a safe place and there will be a lot more congestion. Personally, I do not have an issue with academy because that would be one time in and one time out, but when we are talking about the unknown of the other 2 lots that could be a quick service restaurant and I do not want a Wendy's causing traffic all the time, that is the big concern. There is enough traffic and enough accidents there. If you check with the police and fire departments, you will find that is true. What about the parking lot lights? Where will they be? From my backyard, I look at this piece of land and I would prefer not to have a stadium in my backyard. That is a personal thing. Safety is the biggest thing and I have personally seen it. **M. Werden** do you have a 6-foot fence along your backyard? **D. LaRocco** yes. It for sure would come through if the lights are not shining down. It would interfere with the residential on our side, but safety is the biggest thing. **K. Stone** as far as the lighting, the requirements are that the lighting cannot exceed 1 foot candle at the property line, which is pretty minimal. One foot candle measures how far 1 candle emits light from 1 foot. That is pretty dark. We also require that the lights shine directly down and cannot be at an angle because that would cast the light. **D. LaRocco** that is exactly what I wanted to know. I think for the neighbors and myself, it is the unknown of what is going to happen. They buy this big piece of property, and they do not need all the land, but you have to do something with it because I am assuming the owner is not going to subdivide. **K. Stone** for the other lot, that is unknown, if someone were to come in with a drive-through, that would still have to meet our parking requirements and setback requirements. It would have to go through this review process again. A drive-through is a special use permit that would require another public hearing. **D. LaRocco** I get that, but my concern is a drive-through with constant traffic in and out. If we are having cars that are ending up in my next-door neighbor's living room, it is a concern. **M. Werden** you do have a unique situation there.

Donna Stanton 3356 Ashford Cir, Bartlett said, I am here on behalf of the Fairfax Commons Condominium Association as its president. This community has been around for about 33 years and for 33 years there has been nothing on that corner. We have a lot of original owners. We have a high



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number of senior citizens in our community. Right now, Fairfax Lane is a speedway from Army Trail Road to Schick Road. There are no stop signs. There is nothing to slow anyone down. There are cars all the time. We are working very hard to monitor our residents and who parks in our parking lots. We have had to hire a towing service. There is a lot more traffic there. We are confident that this would be yet another way for traffic to be generated in our very quiet and very pleasant community. We have questions regarding trash. Where would the pick-up be and when would the pick-up be? When do deliveries come in? Is the staff going to park in the 35 allotted spaces or will they park on the streets near our homes? What are the daily hours? We all know that mom sometimes is late and does not get there until after 6 o'clock to get the children. When will people be coming in and out? What is the maximum occupancy of children that will be there? What is the drop-off protocol specifically? What about the landscaping along the fence at Fairfax Lane? Our community is beautiful. We spend the majority of our association monies keeping our community beautiful. We have over 300 fruit trees. We have an enormous amount of community pride that is important to us. This visually is important and right along that comes a big tower that is going to go up higher than the allotted space. Do children at the Kiddie Academy take walks during the day? Do they walk through the community? Will they be walking on our streets? Will there be people with the opportunity to speed down the street and maybe hit a small child? Access and egress on Fairfax Lane, we already have 61 buildings that we are worried about plus the single-family homes around Penny Lane. How is that going to affect us? Having the inbound on the Hanover Park side is good, but is it enough? Site lines from the adjacent building, if you are one of the unlucky ones that are going to back right up to this development, all you are going to see is a 6-foot fence and a 4-foot fence, and you are going to hear kids playing behind that building. Love kids, just do not love them at that level. We want to know about the construction plans, the hours, the completion and how long will this take? We are all concerned that we have 8 Kiddie Academy-type of establishments within 5 miles of our addresses not to mention all of the mom-and-pop homeowners that are there. With that being said, why did Hawk Hollow Grammar School just get rid of the grammar part of the school and make it a middle school? That says to me that there is not a critical mass of small children in our area requiring another Kiddie Academy. At the very least, I would like to know what the security procedures will be. Is this something that people think is easy to break into? Is there something there that somebody will think is valuable and in the dark of night, with very low light, they are up against my people's buildings, and I am not comfortable with that. At the very minimum, we need to talk about traffic abatement on Fairfax Lane from Army Trail Road to Schick Road whether it is speed bumps or stop signs. If we are going to have this kind of activity in our area, we want to feel safe and secure that what you just talked about is not going to happen. We are concerned top to bottom what is happening with this.

Rita Passini 1717 Fairfax Cir E, Bartlett stated that the size of the academy was not addressed. How many children are we talking about? That is a big concern because it concerns the traffic and the noise level.

Thomas Ferris 365 Ashford Cir, Bartlett said, I am disputing the findings for the site plan on page 4, item 3, the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic not only within the site, but on adjacent roadways as well. I dispute that. The entrance and exit for this property should be on Army Trail Road and not on a residential street in a residential area due to many reasons. The petitioner said that the entrance in



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Hanover Park would be a supplemental entrance. **M. Werden** added that Army Trail Road is a county road and we have no jurisdiction over that road and I am sure the county would not allow access there. **T. Ferris** have you asked? **M. Werden** yes. **K. Stone** DuPage County will not allow access. They would not even allow right-in and right-out. **T. Ferris** this is a residential area and there have already been several accidents at the intersection of Army Trail Road and Fairfax Lane. It seems like every couple of months there is an accident there including about a month ago and I remember the one that hit the house with the fence down and the damage to the house. One of my main concerns is that many vehicles speed on Fairfax Lane, especially southbound on Fairfax Lane to make the green light before it turns red and it stays red for a long time. Some people, to avoid that intersection, going southbound, they actually make a right on Army Trail Road, go a couple of 100 feet and make a U-turn on Army Trail Road. They do not want to wait for the light plain and simple. Also, there is a children's park on Fairfax Lane about a quarter mile north of the property and that is a big concern of mine. The speed limit is 30 miles an hour on that street. Nobody goes 30 miles an hour. Even though the drop-off and pick-up times are 1-1/2 hours each, the vast majority of vehicles will be in the area for a much shorter timeframe. If you have 160 kids coming to school, that is not just 140-160 cars, it is 280 or 300 cars because what goes in 5 minutes later, has to come out. I am sure not too many are going to be there at 7 am and not too many at 8:30. There is going to be a window of 20 to 30 minutes where the majority of the cars and traffic are going to be there in the morning and the evening. I am convinced that there will be excessive congestion in the morning drop-off and the afternoon pick-up. Vehicles will be parking on Fairfax Lane waiting in line. This access to the property will not work in my estimation. Vehicles will be waiting in line on Fairfax. In the detention area, will that be a pond that has water all the time or will it be a grassy area that when there is a big rainfall the water collects there and a day or 2 later it is gone? **B. Krause** it will only have rainwater for a few days and then go down.

Jim O'Hern 350 Sparrow Lane, Bartlett said, we are assuming there will be approximately 150 cars going onto Fairfax Lane. At that light, you can only fit 6 to 8 vehicles to turn east or west. At any given time, if there are 20-40 cars, there is going to be a logjam of cars there. If they want to go the other direction and head toward Schick Road, if anyone has experienced that intersection at Schick Road and Fairfax Lane, it is a blind corner. On the west side, there is a 6-foot fence and cars have to pull up into the intersection to see left or right. We have an issue at the Schick Road and Fairfax Lane intersection where you would most likely be pushing this traffic to and creating a logjam of cars trying to get to Army Trail Road. The supplemental access would be nice and people may find that is the easier way to go, but if they are turning west onto Army Trail Road that is going to perpetuate that same traffic jam because of cars trying to get into the subdivision and people trying to make those turns. The business looks great it is just the execution of how vehicles are going to get in and out. That is the concern. It does not seem like it is going to work mathematically with the space that there is at the intersection and potential for how many cars that are going to be there at any given time.

M. Werden I think anything that comes before us is going to be controversial if you are here for a while and as development comes along, there is more traffic. I suspect there will be much less traffic than there would be if the gas station had gone in, which was approved a long time ago, but was never built. The staff will monitor things along Fairfax Lane for traffic congestion. At some point, they may have to widen the intersection at Army Trail Road to accommodate more cars at the stoplight, I do not know, but we are not turning a blind eye. This is something that would be monitored along the



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way. If your property backs up to this, this has been a non-residential proposed area for decades and you certainly would not expect to have residences behind you. We find that in a lot of developments. You need to take that into consideration. I think this proposal will be much quieter with a lot less congestion with the exception of 2 main times during the day than other alternatives that would be allowed under the zoning ordinance. It is something we have to consider and monitor.

J. Kapadoukakis asked the petitioner, what is the number of cars expected on any given day? **A. Bell** we have traffic study from Downers Grove with the same exact building and the same enrollment, that is less than half of the 140 cars. It is estimated to be 50 cars in the morning and 50 in the afternoon. **Jenna Albers** Kiddie Academy, Site Development Manager, 3415 Box Hill Corporate Center Dr, Abingdon, Maryland stated that, at this location, we are planning to have a maximum of 148 enrolled students with 22 staff members. We only allow our locations to be open Monday through Friday. We are not open on the weekends. The building is open from 6:30 am to 6:30 pm. A lot of our locations do not use that full-time span. Our peak hours for drop-off are 7 am to 9 am when parents are trying to get into work. Our peak afternoon pick up times are 4 pm to 6 pm. When we are budgeting time frames, especially when looking at parking requirements that we need at each location, we typically budget about 10 minutes for a parent to park and escort their child in. We do not allow a drop-off lane. The parents must escort their children into the building, check them in at the front desk as well as with their teacher and at the end of the day when they are picking up, they must do the same process. We typically budget about a third of enrollment at any given location are siblings. Not every student will represent 1 car. For security, we have alarms on the gates. We have cameras in the building where parents are able to check in on their children through our Watch Me Grow program and we typically have external cameras at the entrances as well as the playground areas for safety concerns. The children do not take field trips out into the neighborhood. We keep things confined to the site. We have a 5-foot fence around the playground space dividing the children's age groups for safety with a 4-foot fence around the perimeter in case a child pushes through with alarms that go off. Please do not worry about the children wandering through your community.

T. Ferris you are going to have 35 parking spaces and 22 employees. When the 100 or so cars come in to drop off the children, they do not just open the door, they have to walk the children in. Where are the cars going to park for the 2-3 minutes to walk the children in and walk them out when it is time to go home?

J. Alber we do have 22 employees, but since there is a 12-hour schedule, we do not have staff there for the full 12 hours. There is a shift change. We would not have all 22 vehicles for staff at once. Typically, especially for the morning drop-off, we only see about 18 cars maximum at one time between staff and parents dropping off. We try to make it easier for the moms and accommodate their schedules. It is a rolling drop-off and not a designated time.

D. LaRocco the safety issue is my concern and you indicated that maybe they are going to widen the road. If that was the case, it should be on their side. It should not be a big part of my backyard.

K. Stone anything to do with Army Trail Road is not under the purview of this commission. Army Trail Road is under DuPage County's jurisdiction. **D. LaRocco** asked, how would that work? **K. Stone**



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widening the road was just pure speculation. **M. Werden** we would not initiate a change because it is a county road. The county would have to become aware of it, which means either you or the Village would have to contact the county and say there is a bigger problem going on. **D. LaRocco** I back up to Army Trail Road and there are accidents more than every 2 months. Has there been a study of the Carol Stream and Bartlett Fire and Police Departments to find out how many accidents there have been there over a year? I think that is a good question.

D. Stanton it was mentioned that on Fairfax Lane there could be 3 or 4 cars in the left turn trying to make a left turn onto Army Trail Road. If there are 3 to 4 cars there and residents that want to get out and get to work at the same time that there are patrons of the Kiddie Academy blocking the driveway across the northbound lanes of Fairfax Lane to the southbound lanes, that is going to be a very bad situation in the mornings. If you look at that and count cars, you will probably be surprised about how much traffic is already there. **M. Werden** you will have that problem no matter what goes on this lot. It is not unique to this petitioner.

Rajan Jariwala 1796 Penny Lane, Bartlett said, right now the traffic is getting worse. I have already contacted the Bartlett Police, and I was told that it is not in their hands. If anything happens it is Carol Stream or Hanover Park. If you look from my house, people are driving 70-80 miles an hour, which is so fast and it is getting worse. The problem needs to be solved before you make a decision. **M. Werden** some of this is out of our jurisdiction. It is DuPage County that handles the traffic and some things need to be addressed with the county. **R. Jariwala** there has already been a car driving into a house. I see so many accidents right in front of my house. Somebody needs to take action. **M. Werden** if there is a problem with people driving 80 miles an hour through the intersection, you need to contact DuPage County to ask them to install cameras at the intersection. There is nothing that we can do about that. If there is something going on on Fairfax Drive, you can ask the Village Board to set up monitoring along Fairfax Drive, but it sounds like you have a problem whether this development goes through or not. This is not something that we are here to address tonight. We have the findings of fact and studies that project things for us to decide on. We do not have control over some of the issues you have.

Bruce Nemer 376 Ashford Cir said, it sounds like this is a done deal already. We have brought up the speeding on Fairfax Drive numerous times. It is not a street; it is a highway the way people go from Army Trail Road to Schick Road. We have asked to have this monitored. They put out the speed monitor and I do not even know if it records the cars speed, it just shows it and does not do anything or record anything evidently. There have been cars going 40-50 miles an hour down that street and you want to put a Kiddie Academy there. I do not know if the Village is not willing to do something about it. We have asked for speed bumps. We have asked for stop signs and nothing has been done about it. They only put that that up for 1 day and I do not know what it is monitoring. If someone is going 45 and they see that, they put on their brakes and slow down, but is that recording anything for the Village to know that 200 cars have gone down there in excess of 30 miles an hour. The safety issue is there too and they have brought that up numerous times. Sometimes you are sitting there for a long time at the light at Army Trail Road and Fairfax Road, and if you are going to have cars trying to get out and turn left, I have a feeling we are going to have a lot of blockage and people not being able to get anywhere. **M. Werden** I suggest that you go to a Village Board meeting and address the board during the town hall meeting. They meet every first and third Tuesday. The police department has



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representation at those meetings too. I have seen the Village President ask the police department to conduct a study or place equipment. **K. Stone** I have already contacted our traffic unit during this meeting to see what information we have already collected. That information would be public record.

D. LaRocco once the other parcels are developed and there is a drive-through, would that warrant a traffic study? **K. Stone** if and when lot 2 is developed, that would require a traffic study because it would be adding an additional user and we would have to look at how those uses interact with roadways. **M. Werden** there would be hearing just like this and you would get notifications. It would not be something that would go through without your knowledge. **K. Stone** any drive-through requires stacking and parking, there are a lot of requirements that would have to be met. I know that it has been said by different people, but there is no guarantee that a drive-through will be proposed or that the site could accommodate that use. **D. LaRocco** how much land are we talking about? **A. Bell** it is half an acre. **D. LaRocco** my thoughts with these meetings are good for the residents. I think the residents are concerned about safety and traffic issues.

J. O'Hern in regard to the traffic study that was done for a gas station, that is in and out over time. This business plan is going to be concentrated to 2 hours in the morning and 2 hours in the evening with a lot of the traffic all at once so that traffic study is not equal. If this was a gas station, we would see a flow of traffic and not a burst of traffic all at once. I think that burst of traffic at these 2 critical times changes what was studied and what the impact is going to be if a different business was there. **K. Stone** traffic studies look at peak hours. It is not looking at the overall traffic for the entire day. They have 2 hours of peak traffic. Gas stations only have one. The amount of cars in and out at a gas station is higher than what the petitioner's peak traffic is.

T. Ferris when was the traffic study done? **K. Stone** the gas station traffic study was done in 2002.

G. Koziol asked, who owns Fairfax Lane? **K. Stone** Fairfax Lane is under the jurisdiction of the Village of Bartlett. **G. Koziol** Fairfax Lane from Army Trail Road to Schick Road is a Bartlett Road. **K. Stone** correct. **G. Koziol** some of the discussions here tonight remind me of the concerns from people when U-46 wanted to expand the school on Schick Road. The discussions were about the terrible traffic, but those locations were not part of the request by U-46 and it is similar to the problem I see here. Schick Road and Army Trail Road are not part of this discussion. There is nothing that can be done with that. The only way to make a change is for the citizens to go to the Village Board and voice their opinions there.

B. Bucaro asked the petitioner, what are the perimeters of the fencing getting in and out? **J. Albers** at the building, we have 2 points of egress for each classroom per Fire Marshal compliance. The doors that go directly outside are alarmed. There is a sidewalk between the building and the fencing so that the doors can open safely if there is an emergency and they need to evacuate through the classroom doors that lead directly out. The children can go safely along the sidewalk out to the point of refuge where they will know where to go if there is an emergency. The 4-foot fence goes around the building. The point of refuge is 50 feet away from the building and is typically an area that is sectioned off so the children are able to gather safely. **B. Bucaro** are those doors used to go out to the play area? **J. Albers** no, when the children are going out to the playground as part of their twice a day exploration time, they go through the hallway and out into the play area. We do not allow them to go out through the



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side evacuation doors. **B. Bucaro** with the 4-foot fence around the perimeter of the building, are there gates to get in and out of that area and is that controlled? **J. Alber** yes, every gate and every door is alarmed and each alarm goes off at the location of the door as well as the director's office and the entrance so that people know that something is happening and to make sure it is addressed. **B. Bucaro** I am concerned that in the event of an emergency when police and fire, and children need to get out, they are using those emergency exits from each classroom. Is there an easy way for the children to get away from the building and for fire and police, if need be, to get past the gates to the rear or sides of the building? **J. Albers** we do monthly evacuation drills with the teachers and the children so that they know if something happens where to go. Each of our locations has the Fire Marshal's approval. They know what types of gates and alarms we use, and they are fully aware of our evacuation plans. State Licensing is also aware of our evacuation plan. We do not open without the approval of the Fire Marshal. **B. Bucaro** it appears to me that this 4-foot fence encloses the building and if there is an active shooter and you need to get police in quickly with children fleeing, will that fence hinder that? **J. Albers** the fence is not there to hinder exits. There fence is there mainly to make sure that a child does not get out into the drive area. **B. Bucaro** is the fence around the perimeter of the building common at all of your facilities? **J. Alber** all 356 of our locations have that fence. It is a redundancy to make sure that child is not able to get to where vehicles are moving. **J. Kapadoukakis** do any of your locations stagger the times where students can go in and out of the building? It seems like a lot of the concerns are the traffic coming in and out and the number of parking spaces with 140 students. Have any of your other properties had a schedule where cars come in and out at certain times? **J. Alber** typically, no. We try to keep a rolling drop-off and pick-up. We need to accommodate the schedules of the parents. **G. Koziol** asked, how wide is the space between the back of the building and the 4-foot fence? **B. Krause** it is 5-feet wide. That meets ADA. **J. Alber** it is a standard sidewalk width.

B. Bucaro made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#24-18) Kiddie Academy** for Preliminary/Final Plat of Subdivision, Site Plan Approval (Lot 1), Variation to allow parking in the front and side yard (Lot 1), Variation to eliminate perimeter landscaping on western property line (Lot 1) and a Special Use Permit for building height subject to the conditions and findings of fact outlined in the staff report.

M. Werden closed the public hearing.

Motioned by: B. Bucaro

Seconded by: J. Miaso

Roll Call

Ayes: B. Bucaro, J. Miaso, A. McSwane, C. Deveaux , M. Werden

Nays: G. Koziol, J. Kapadoukakis

The motion carried.



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Old Business/ New Business

K. Stone we might have cases next month. Nothing is for sure yet.

B. Bucaro I was asked about the rezoning on Devon Avenue regarding the zoning being changed back to residential. Along Devon Avenue near Friendship Corner, there are stakes. Do you know what is going on there? **K. Stone** if that is the same site that was cleared where they put a fence up along the rear property line, nothing has been formally submitted. There have been concept plans. That property is zoned I-1, which is industrial. If they meet all of the requirements, it would come in for a building permit. If they request any special uses or variations, those would have to come before this commission.

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

Motioned by: J. Miaso

Seconded by: G. Koziol

Motion passed by unanimous voice vote.

The meeting was adjourned at 8:08 pm.

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM
25-61

DATE: September 25, 2025

TO: Chairman & Members of the Planning & Zoning Commission

FROM: Kristy Stone, Planning & Development Services Director

RE: **Tobacco/Vape Stores**

BACKGROUND

At the June 3, 2025 Committee of the Whole meeting, trustees requested staff to require tobacco/vape stores to obtain a special use permit within the Village. The Village Attorney stated some communities require special use permits but the Village would have to complete the public hearing process for a text amendment.

As Zoning Administrator, I initiated an application for a text amendment to:

- Prohibit tobacco/vape stores in the B-1 Village Center District and B-2 Local Convenience District
- Require a Special Use Permit for new tobacco/vape stores in the B-3 Neighborhood Shopping District and B-4 Community Shopping District
- Tobacco/Vape Stores would be defined as follows:
 - Tobacco/Vape Store: A retail establishment where the primary function is the sale of tobacco or tobacco related products, electronic cigarettes, vape or vaping products, or alternative nicotine products.
- All seven (7) existing tobacco/vape stores would be grandfathered and would become legal non-conforming uses subject to Chapter 10 of the Village's zoning code.
 - Any existing tobacco/vape store located in the B-1 or B-2 Districts would be able to continue to operate but may not expand or enlarge the tobacco/vape store operation. If any tobacco/vape store in the B-1 or B-2 Districts ceases to operate for a period of 6 consecutive months, then the legal non-conforming status would be eliminated.
 - An existing tobacco/vape store located in the B-3 or B-4 District would be able to continue to operate without obtaining a special use permit. However, any expansion or alteration of the existing tobacco/vape store operation would trigger the need for a special use permit.

DISCUSSION

1. Six (6) of the seven (7) existing tobacco/vape stores are located within the B-3 Zoning District. The majority of the commercial zoning districts are either B-3 or B-4. By prohibiting tobacco/vape stores in the B-1 and B-2 Zoning Districts, it would prevent a new tobacco/vape store from opening in downtown Bartlett.

Existing tobacco/vape store locations which will become legal non-conforming at the following addresses:

Business Name	Address	Zoning District
Uncle Stu's Smoke & Vape	107 E Lake Street	B-3
Skytec Tobacco	148 Bartlett Plaza	B-3 PUD
Smoke O Vapor	861 Route 59	B-3
Stearns Tobacco	923 Route 59	B-3
Wise Guy Vape	943 Route 59	B-3
Pure Cloud Smoke Shop	960 S. Bartlett Road	B-2 PUD
Exclusive Smoke & Vape	1066 Army Trail Road	B-3

The 2025 Zoning Map can be viewed at:
<https://maps.vbartlett.org/Hub/PDFMaps/Zoning2025.pdf>

2. The proposed text amendment language is as follows (additions in **bold and underline** and deletions in ~~strike through~~):

10-2-2: DEFINITIONS:

The following words and terms shall have the meaning set forth, except where otherwise specifically indicated. Words and terms not defined shall have the meaning indicated by common dictionary definition.

[...]

TOBACCO/VAPE STORE: A retail establishment where the primary function is the sale of tobacco or tobacco related products, electronic cigarettes, vape or vaping products, or alternative nicotine products.

[...]

10-6A-3: PERMITTED USES:

“The following uses are permitted within the B-1 village center district, in accordance with the conditions specified, and subject to site plan review as set forth in this title. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those itemized uses listed under the said category. No building or zoning lot in the B-1 Village Center District shall be devoted to any use other than a use permitted in the B-1 Village Center District and no building or structure in the B-1 Village Center District shall be erected, altered, enlarged, or occupied except for a permitted use in the B-1 Village Center District unless otherwise specifically allowed in this Title.

Uses lawfully established on the effective date of this Title and rendered nonconforming by the provisions thereof shall be subject to the regulations of Chapter 10.

The following uses are permitted in the B-1 Village Center District:

A. Retail Uses:

[...]

~~Tobacco Shops~~
[...]

10-6A-6: PROHIBITED USES:

"All uses not expressly authorized under "permitted, special or accessory uses" are expressly prohibited.

The following, and uses similar to the following, illustrate prohibited uses:

[.....]

Tobacco/Vape Store

[...]

10-6B-6: PROHIBITED USES:

All uses not expressly authorized under "permitted, special or accessory uses" are expressly prohibited.

The following, and uses similar to the following, illustrate prohibited uses:

[.....]

Tobacco/Vape Store

[...]

10-6C-4: SPECIAL USES:

Special uses, as hereinafter listed, may be allowed subject to the issuance of special use permits in accordance with the provisions of chapter 13 of this title.

The following uses are special uses in the B-3 district:

[.....]

Tobacco/Vape Store

[...]

10-6D-4: SPECIAL USES:

Special uses, as hereinafter listed, may be allowed subject to the issuance of special use permits in accordance with the provisions of chapter 13 of this title.

The following uses are special uses in the B-4 district:

[.....]

Tobacco/Vape Store

[...]

RECOMMENDATION

1. That the Planning & Zoning Commission conduct the public hearing on the proposed text amendment and make a formal recommendation to the Village Board.