

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

JANUARY 17, 2011

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:37 P.M. at the Village Hall, 7660 County Line Road, Burr Ridge, Illinois, by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 4 – Franzese, Stratis, Grunsten, and Trzupek

ABSENT: 4 – Cronin, Bolos, Manieri, and Perri

Also present was Community Development Director Doug Pollock.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to approve minutes of the December 6, 2010 Plan Commission Meeting.

ROLL CALL VOTE was as follows:

AYES: 2 – Franzese and Trzupek

NAYS: 0 – None

ABSTAIN: 2 – Stratis and Grunsten

MOTION CARRIED by a vote of 2-0.

III. PUBLIC HEARINGS

Chairman Trzupek confirmed all those present who plan to speak at one of the scheduled public hearings.

A. Z-09-2010: Zoning Ordinance Text Amendment – Rooftop Screening

Chairman Trzupek opened the public hearing and asked Mr. Pollock to provide an overview of the public hearing.

Mr. Pollock said that the Plan Commission opened the public hearing at their October 4, 2010 meeting and continued it to this date to provide for notices to affected property owners. He explained the proposed amendment as follows: Since 1997, the Zoning Ordinance has required that all new rooftop equipment in a Manufacturing District be screened from view from any adjacent street and from all perimeter property lines. There is no corresponding regulation that requires screening of roof top equipment in office or

business districts. Buildings constructed prior to 1997 were not required to provide rooftop screening and are considered legally, non-conforming relative to the requirement for rooftop screening. Any new buildings or any new rooftop equipment added to a building in a manufacturing district is required to be screened. Existing equipment is not required to be screened when new equipment is added.

Mr. Pollock suggested that if the Village wants to be more aggressive in requiring non-conforming buildings to be brought into compliance, there are several options to be considered. He said those options include: Establish a deadline whereby all buildings must be brought into compliance with the rooftop screening regulations or establish triggers that would require non-conforming rooftop equipment to be screened when certain construction activities occur such as remodeling, expansion or when any new equipment is added.

Chairman Trzupsek asked for comments and questions from the audience.

Mr. Bruce Kanya, 16W505 South Frontage Road, asked how this came up. Mr. Pollock said that Village staff had received a complaint about one building and asked the Plan Commission if they wanted to address the issue. Chairman Trzupsek added that the construction of the Loyola medical building brought attention to the buildings on Tower Drive which have a lot of exposed rooftop equipment.

Mr. Kanya went on to say that he feels this is unnecessary and opposes any requirement to add screening to existing buildings. He said the extra costs imposed on businesses will cause them to look elsewhere to locate.

Mr. Kanya also said he wanted to register a complaint about a house on South Frontage Road that is in terrible condition. Mr. Pollock responded that staff has already begun proceedings to have the house fixed or removed.

Mrs. Margarite Guido said she owns the building known as 260-262 Shore Court and 16W261-311 South Frontage Road. She referenced a letter she had sent to the Plan Commission. She said she is not in favor of this amendment. She noted that all of the buildings in the Hinsdale Industrial Park are well maintained. She said there are 14 buildings either for sale or for lease in the Hinsdale Industrial Park and this amendment would put another burden on property owners.

Mr. Mark Howard said he owns a condo unit at 145 Tower Drive. He asked if the screening might actually draw more attention than the existing equipment. He wondered how owners might pay for it and estimated that it could cost \$50,000 to \$60,000 per building.

There being no one else in the audience wishing to speak at this time, Chairman Trzupsek asked the Plan Commission for questions and comments.

Commissioner Franzese confirmed that the Village currently requires any new or replacement equipment to be screened. He said that there are residential areas nearby

many of the buildings that have unscreened equipment. He said he is not sure this is the right time to pass new costs for building owners but that on the other hand other regulations for ADA compliance and such are absorbed by building owners over time.

Commissioner Stratis said he shares the same concerns regarding the present state of the economy and the real estate market. He said he would not want to create an amendment without exclusions for buildings that may not be structurally able to handle the additional rooftop weight. He noted that costs could be kept low, however, and cited an example of a rooftop that was screened using traditional fencing materials purchased at a home improvement store. Commissioner Stratis explained that zoning is for the long term and should not always be impacted by current economic conditions. He added that screening of rooftop equipment may be more important adjacent to residential areas such as along Tower Drive and less important for buildings that may only be seen from I-55. He said he is leaning toward requiring that all equipment be screened whenever one piece of new equipment is added or replaced.

In response to Commissioner Grunsten, Mr. Pollock explained several options to create a trigger to require retrofitting of rooftop screening. He said it could be tied to replacement or addition of equipment, issuance of any building permit, or issuance of certain types of building permits.

Chairman Trzupke cited the example of ADA requirements that has a sliding scale for retrofitting existing buildings depending on the extent of new work being done. He said he does not want to establish a deadline whereby everyone would have to be in compliance. He agreed that the Village should be looking at the long term with its zoning regulations.

In response to Chairman Trzupke, Mr. Pollock said he did not find any other Villages that have a similar requirement for retrofitting rooftop screening but that it was common to require signs and other structures to be brought into compliance over a period of time.

Chairman Trzupke added that he believes the regulations should be sensitive to the location of the building and perhaps require screening when next to residential.

In response to Commissioner Franzese, Mr. Pollock said there are probably only a few new permits each year for rooftop equipment. Commissioner Franzese made the point that at this rate it would be a long time before buildings are brought into compliance with the rooftop screening requirements.

Commissioner Franzese noted that on larger buildings with large areas devoted to rooftop equipment there are structural engineering requirements that may make it very costly to add rooftop screening. He said it would not always be as simple as the example described by Commissioner Stratis.

Commissioner Stratis said that does not favor a time limit but would consider an amendment that ties the improvements to other work being done on a building. He said he also likes connecting the regulations based on proximity to residential areas.

Mr. Pollock said that he believes the Village can connect the regulations to proximity to residential but he questioned whether that would be fair or appropriate. He said that one purpose of the regulation would be to improve the appearance and value of the affected industrial parks and that requiring all buildings to make such improvements would have a greater impact.

Chairman Trzupiek said he likes the triggering option and compared it to the ADA requirements for retrofitting buildings for accessibility. He asked Mr. Pollock if he had enough information to prepare a draft ordinance. Mr. Pollock said he did and could have a first draft for the next Plan Commission meeting.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Franzese to continue the public hearing for Z-09-2010 to the February 21, 2011 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Stratis, Franzese, Grunsten, and Trzupiek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

IV. CORRESPONDENCE

There was no discussion regarding the various correspondence provided with this agenda.

V. OTHER CONSIDERATIONS

A. S-01-2011: 51 Shore Drive (Personalization Mall) – Sign Variation

Mr. Pollock said the petitioner constructed a sign without a sign permit and it was subsequently determined that the sign exceeded the maximum area permitted. He said the sign is approximately 156 square feet and they are allowed 110 square feet. Mr. Pollock recommended that this request be continued until sometime after the sign ordinance review is completed. He said that the changes being considered to the Sign Ordinance may affect this sign.

Mr. George Arnold, attorney for the petitioner, said that the sign was not constructed by a sign company but rather by the petitioner themselves. He said the employee who put up the sign did not know a sign permit was required.

Commissioner Franzese asked if there was any hardship or other reason to justify a variation. In response, Mr. Arnold said that he believes a smaller size sign would be out of scale for this large building.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to continue S-01-2011 to such time that the Sign Ordinance review currently pending before the Plan Commission is completed.

ROLL CALL VOTE was as follows:

AYES: 4 – Franzese, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

B. PC-02-2011: 15W308 North Frontage Road (Martin); Informal Discussion

Mr. Pollock said that the tenant in the building at 15W308 North Frontage Road moved into the building without a Zoning Certificate of Occupancy and that the use is not permitted in the existing B-2 District. He said the use is the powder coating of automobile parts and related work. Mr. Pollock said the owner of the property at 15W308 and 15W320 North Frontage Road has had trouble finding tenants for the property and would like to get some input from the Plan Commission regarding zoning of the property and the existing use.

Mr. Ted Martin was present on behalf of the ownership. He said he owns the property with his brother and that they inherited the property from their father.

Commissioner Franzese asked if the work done was primarily with cars and car parts. Mr. Martin said that it was. Commissioner Franzese asked about outside storage of cars and other materials. Mr. Martin said that some storage was there but that the business owner would remove it if necessary.

Commissioner Stratis asked if this use could be similar to automobile repair. Mr. Pollock said that it could be considered in that manner and if so, it would be a special use in the B-2 District.

Mr. Pollock said it appears the options would be to consider a special use for automobile repair in the B-2 District or to rezone the property to the L-I District which would permit fabrication and painting. He said that the preference for the property would most likely be a T-1 District zoning consistent with the recent rezoning two blocks away but that the T-1 District would not permit this use.

Chairman Trzupsek indicated agreement and suggested that the property owner work with staff to submit a petition that provides for the options as described by Mr. Pollock.

C. S-02-2011: Sign Ordinance Text Amendments

Chairman Trzupsek suggested that the sign ordinance review be continued so that the entire Plan Commission can participate in the review.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to continue S-02-2011 to the February 21, 2011 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Franzese, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

D. PC-01-2011: Annual Zoning Ordinance Review

Chairman Trzupsek said that most of the zoning ordinance review probably should be continued so that the entire Plan Commission can participate in the review. He asked Mr. Pollock if there were any issues that do not require any action and may be forwarded to the Board at this time.

Mr. Pollock said that the floor area ratio amendment for Braemoor PUD was discussed by both the Plan Commission and Board and it would be appropriate for the Commission to go ahead and request authorization from the Board to conduct a public hearing.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to request authorization from the Board of Trustees to conduct a public hearing to consider an amendment to the FAR requirements within the Braemoor PUD.

ROLL CALL VOTE was as follows:

AYES: 4 – Franzese, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to continue PC-02-2011 to the February 21, 2011 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Franzese, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

VI. FUTURE SCHEDULED MEETINGS

Chairman Trzupsek asked staff if there were any public hearings scheduled for the February 7, 2011 meeting. Mr. Pollock said there were none.

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Stratis to cancel the February 7, 2011 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Grunsten, Stratis, Franzese, and Trzupsek

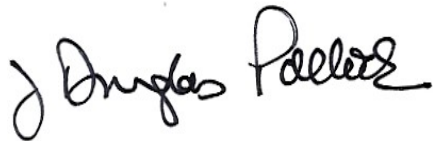
NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Grunsten to **ADJOURN** the meeting at 9:12 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:12 p.m.

Respectfully Submitted:



J. Douglas Pollock, AICP

March 7, 2011