

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

JULY 15, 2013

1. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:30 P.M. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois, by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 7 – Cronin, Stratis, Hoch, Scott, Grela, Praxmarer, and Trzupek

ABSENT: 1 - Grunsten

Also present was Community Development Director Doug Pollock and Village Trustee Guy Franzese

2. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Cronin to approve minutes of the July 1, 2013 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Grela, Cronin, Stratis, Scott, Praxmarer, and Trzupek

NAYS: 0 – None

ABSTAIN: 1 – Hoch

MOTION CARRIED by a vote of 6-0.

3. PUBLIC HEARINGS

Chairman Trzupek confirmed all present who wished to give testimony at the public hearings and introduced the public hearings as follows.

A. Z-12-2013: 15W150 South Frontage Road (Odyssey Hotels); Planned Unit Development

Chairman Trzupek stated that the petitioner has asked for a continuance to the August 5, 2013 meeting. Mr. Pollock said that he attempted to notify the residents that the hearing would be continued and he noted that there was no one in the audience for this hearing. He added that the petitioner has been working with staff to respond to the questions and issues raised at the July 1 hearing.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Scott to continue the hearing for Z-12-2013 to August 5, 2013.

ROLL CALL VOTE was as follows:

AYES: 7 – Cronin, Scott, Stratis, Hoch, Grela, Praxmarer, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. Z-13-2013: 8320 Madison Street (Soaring Eagle Academy); Special Use

Chairman Trzupek asked Mr. Pollock to provide a summary of this public hearing.

Mr. Pollock described the petition as follows: The petitioner operates a school for developmentally disabled persons in a tenant space within a light industrial building at 8320 Madison Street. The use of the tenant space for a school was first established by special use permit in 2002. The outdoor play area would be 6,735 square feet in area and would be bounded by a six foot high, wood privacy fence. The play area is located in the front buildable area of the property.

Chairman Trzupek asked for comments from the petitioner.

Ms. Deanna Tyrpak stated that she is the director of the Soaring Eagle Academy which is a non-profit school for autistic persons from the age of 5 to 21. She said the school has 45 students and 80 employees and each student has their personal teacher for one-on-one guidance. Ms. Tyrpak said that the school would like to have a confined area for outdoor play for the students. She said she understands that the Village would prefer an open fence but she said the landlord would like a solid fence or an open fence with barrier landscaping. She said the cost of the barrier landscaping would exceed their budget. She explained that they have a \$10,000 grant from the UPS Foundation for this project. Ms. Tyrpak concluded by referencing the written findings of fact and reading those findings for the Plan Commission.

Chairman Trzupek asked for public comments. There was no one in attendance to speak.

In response to Chairman Trzupek, Ms. Tyrpak said that some students currently cannot play outside because they may become distracted and wander or run away. She said with the fence, they would be able to confine those students in a safe manner.

In regards to an open fence versus a solid fence, Chairman Trzupek suggested that the landlord was not willing to compromise but instead was asking the Village to compromise.

There being no further public comments, Chairman Trzupek asked for comments and questions from the Plan Commission.

Commissioner Cronin confirmed the access to the play area. In response, Ms. Tyrpak said the gate would be located on the west side and that students would be escorted

through the parking lot and around the existing berm to the play area. She said the parking lot is usually pyloned off during the day and is safe.

Commissioner Cronin said that he would be amenable to an open iron or aluminum fence instead of the solid wood fence. He added that the 200 foot setback from the front lot line helps.

Commissioner Stratis said it is an economic issue as to why the petitioner prefers a solid fence instead of an open fence. He asked if there were any guidelines from a governing body for these types of schools relative to an open versus a closed fence. Ms. Tyrpak said that there are no guidelines of which she is aware but that the solid fence does provide the benefit of eliminating possible external distractions for students. In response to Commissioner Stratis, she added that the gate is self-locking and that there is no equipment planned for the play area.

Commissioner Hoch asked why the fence was 6 feet tall instead of 5 feet and if they would do landscaping around the fence. In response, Ms. Tyrpak said that they needed 6 feet because they have teenagers and other full grown persons. She said that they could do some accent landscaping but cannot afford to do barrier landscaping around the entire perimeter.

Commissioner Scott asked about re-arranging the area so that there would be less lineal feet of fencing with roughly the same area. He added that he would like to also figure out a way to soften the appearance of the fenced area.

Commissioner Grela said he was really struggling with this request. He said that the current configuration with the building, parking lot, berm and front yard was ideal and that inserting a wood fence into the front yard is undesirable. He said that if it were another use, he would not even consider allowing a front yard fence. He added that he also recognized that someone could construct a building with a 20 foot tall solid building wall in this same location. Commissioner Grela concluded that he would prefer an open fence and that under any circumstance; the fence would need to be removed if the school moved away from this location.

In response to Commissioner Praxmarer, Ms. Tyrpak said that with the enclosure, all of the students would be able to use this area.

Chairman Trzupke asked if there was any way to move the area closer to the berm. He said that may allow the fence to be rectangular and use less fencing for the same area. He asked why ownership wanted a solid fence. Ms. Tyrpak said ownership did not want the public to think it was open for public use.

Chairman Trzupke said he was okay with the concept of an outside play area but he has a big problem with the solid fencing. He noted the Village would never allow a solid fence for a residential property.

Commissioner Stratis asked if there was any concern with the stability of an aluminum fence. He noted that some residential fences would not hold up to someone pushing hard on the fence.

Mr. Pollock suggested that another alternative would be an open wood fence.

Commissioner Scott asked if an open fence with landscaping would be a distraction for students. Ms. Tyrpak said that may be an option. Commissioner Scott said that the portion of the fence facing Madison Street should be at least 50% open.

Commissioner Cronin suggested asking the neighboring business, Tuthill Corporation, for a donation. He said they may be willing to contribute as it would beautify their own neighborhood.

There being no further questions or comments, Chairman Trzupsek asked for a motion to close the hearing. Mr. Pollock asked if the Commission wanted to continue the hearing so the petitioner could explore other options. Chairman Trzupsek responded that he thought they may be able to make a conditional recommendation.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Hoch to close the hearing for Z-13-2013.

ROLL CALL VOTE was as follows:

AYES: 7 – Cronin, Hoch, Stratis, Scott, Grela, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Chairman Trzupsek asked for a motion regarding this petition.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Stratis to adopt the petitioner's findings of fact and to recommend that the Board of Trustees approve the request for special use approval as per Sections X.F.2.p and IV.J.2 of the Burr Ridge Zoning Ordinance for an fenced outdoor play area for a school for developmentally disabled persons subject to the following conditions:

- A. The fence may be a wood fence that is solid on three sides but must be at least 50% open on all sides facing Madison Street.
- B. All sides of the fence visible from Madison Street must be bounded by landscaping.
- C. The play area shall be reconfigured to move it as close as possible to the berm.
- D. The final fence design, the final configuration of the outside play area and the final landscaping shall be subject to staff review and approval.

- E. The special use approval shall be limited to Soaring Eagle Academy and the fence shall be removed immediately upon termination of this use at this location.

ROLL CALL VOTE was as follows:

AYES: 7 – Grela, Stratis, Cronin, Hoch, Scott, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

C. Z-14-2013: 101 Tower Drive (Global Luxury Imports); Special Use and Variation

Chairman Trzupsek asked Mr. Pollock to provide a summary of this public hearing.

Mr. Pollock described the petition as follows: This petition seeks special use approval for the sales and service of automobiles at 101 Tower Drive. This petition also requests a zoning variation to construct a small customer parking lot in the front buildable area of the property. The petitioner currently leases space at 161 Tower Drive and conducts an automobile sales business from that location. The petitioner has recently purchased the building at 101 Tower Drive and has received a Zoning Certificate of Occupancy for the storage of automobiles in an existing building.

Chairman Trzupsek asked for comments from the petitioner.

Ms. Christina Brotto said she was the Attorney for the petitioner. She introduced Mr. Moodie Sughayar as the General Manager of Global Luxury Imports. Ms. Brotto said that the petitioner was willing to limit the special use to the current petitioner and that car service would be for cars sold on the premises. She said they want to be able to do follow up service for customers who purchase cars from this dealership.

Chairman Trzupsek asked for public comments.

Mr. Ken Glum, 101 Carriageway Drive, said that all of the traffic from this area goes by his house. He said there should not be outside storage of cars for this dealership. He said the current business at 161 Tower Drive does not affect him. He said if there is no outside storage, he would not object to the special use.

Mr. Sughayar said there would be no outside storage or servicing of vehicles.

There being no further comments or questions from the public, Chairman Trzupsek asked for comments and questions from the Plan Commission.

Commissioner Praxmarer said there were 11 parking spaces in the right of way that are being replaced by the parking spaces in the front yard. She asked if there would be sufficient parking. Mr. Sughayar said that there would be 7 spaces and that they would be for exclusive use of customers. He said employees would park in the back. He said there would be sufficient parking for the customers.

Commissioner Grela said that the proposed reuse of the building is outstanding and he confirmed with the petitioner that there would be no outside storage or servicing of vehicles and no spray booth for painting cars. He also asked if there were living quarters inside the building or if they would lease any space for storage. Mr. Sughayar said there would be no living quarters inside the building and no leasing of storage space.

Mr. Sughayar stated that they were looking at an alternative for the roof top equipment. He said they have determined that all but a few of the pieces of equipment on the rooftop may be removed. He said they may decide to simply remove all of the equipment except a few pieces, screen the individual pieces and forego the screen around the entire building. He presented renderings of what this would look like.

Commissioner Scott said he thinks the project is great and asked how many lifts would be in the building and how many cars could be stored in the building. Mr. Sughayar said there would be 2 to 4 lifts and that the building could accommodate up to 150 cars.

Commissioner Scott asked about improving the parking lot and driveway. Mr. Sughayar said that they are concentrating on the building and the customer parking area first but they would eventually plan to resurface the parking lot and driveway. He said they would also like to paint the adjacent Village pump house to match the building.

Commissioner Hoch said that the building improvements were beautiful and she had no further questions.

Commissioner Stratis asked if the building was sprinkled. Mr. Sughayar said it was. Commissioner Stratis said this was an exciting project.

Commissioner Cronin asked about the windows and the signs. Mr. Sughayar said the windows would be the same size and they were looking at new windows with a lighter tint or double paned windows. He said a new sign face would be placed on the existing sign structure.

Chairman Trzupsek confirmed that the painting would be for the bricks only and not include the mortar joints. He suggested that they replace the metal cap at the top of the building as it looks worn. He asked what would be seen through the windows. Mr. Sughayar said only the cars on display would be seen. He said there are walls between the front area and the warehouse. Chairman Trzupsek suggested some type of louvered awning over the windows if they wanted to reduce the glare and heat from the sun.

In response to Commissioner Praxmarer, Mr. Sughayar said that the building would have a security system with cameras and alarms.

In response to Commissioner Grela, Mr. Sughayar said they usually have only one major event each year which is an annual food drive with a semi-trailer to collect canned food and with sports celebrities assisting to draw a crowd.

There being no further questions or comments, Chairman Trzupsek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Cronin to close the hearing for Z-14-2013.

ROLL CALL VOTE was as follows:

AYES: 7 – Grela, Cronin, Stratis, Hoch, Scott, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Chairman Trzupsek suggested three separate motions for this petition; one for the text amendment, one for the special use and one for the variation.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Stratis to adopt the petitioner's findings of fact and to recommend that the Board of Trustees that Section X.E.2 of the Burr Ridge Zoning Ordinance be amended to add Automobile Sales and Service to the list of special uses in the LI Light Industrial District.

ROLL CALL VOTE was as follows:

AYES: 7 – Grela, Stratis, Cronin, Hoch, Scott, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Cronin to adopt the petitioner's findings of fact and to recommend that the Board of Trustees grant special use approval as per the amended Section X.E.2 for an Automobile Sales and Service business at 101 Tower Drive subject to the following conditions:

- A. The special use shall be limited to the Petitioner and the sales and service of automobiles at 101 Tower Drive.
- B. Site and building improvements shall comply with the submitted plans including removal of the parking in the Tower Drive right of way and construction of the new parking as shown on the site plan.
- C. The building shall be brought into conformance with Section IV.X.2 of the Zoning Ordinance relative to screening of rooftop equipment.
- D. Final landscaping plans shall be subject to staff review and approval prior to issuance of a Zoning Certificate of Occupancy for automobile sales and service.
- E. All vehicles shall be stored inside the building at all times and all service activities shall be conducted inside the building.
- F. The Petitioner shall sign a Sales Tax Disclosure Agreement with the Village of Burr Ridge.

- G. The business shall comply with the noise regulations as outlined in the Zoning Ordinance.
- H. There shall be no test driving of automobiles in the residential areas to the north of the subject property including on streets within the Carriageway Subdivision, Carriageway Club, and Carriageway Condos.
- I. The point of sale for all vehicles stored in this location will be registered as this location in the Village of Burr Ridge and all sales of vehicles stored in this location shall be consummated and completed at this location in the Village of Burr Ridge.

ROLL CALL VOTE was as follows:

AYES: 7 – Hoch, Cronin, Stratis, Scott, Grela, Praxmarer, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to adopt the petitioner's findings of fact and to recommend that the Board of Trustees grant a variation from Section XI.C.8 of said Zoning Ordinance to permit parking in a front buildable area (between the building and Tower Drive) for the property at 101 Tower Drive subject to the following conditions:

- A. Site and building improvements shall comply with the submitted plans including removal of the parking in the Tower Drive right of way and construction of the new parking as shown on the site plan.
- B. The building shall be brought into conformance with Section IV.X.2 of the Zoning Ordinance relative to screening of rooftop equipment.
- C. Final landscaping plans shall be subject to staff review and approval prior to issuance of a Zoning Certificate of Occupancy for automobile sales and service.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Hoch, Cronin, Scott, Grela, Praxmarer, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

4. CORRESPONDENCE

There was no discussion regarding the correspondence.

5. OTHER CONSIDERATIONS

A. S-03-2013: 15W150 South Frontage Road (Odyssey Hotels)

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Grela to continue the hearing for S-03-2013 to August 5, 2013.

ROLL CALL VOTE was as follows:

AYES: 7 – Scott, Grela, Cronin, Hoch, Stratis, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. PC-05-2013: Annual Appointment of Plan Commission Vice Chairperson

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Cronin to approve the revised Plan Commission schedule as submitted. The **MOTION WAS APPROVED** by a unanimous voice vote of the Commission.

6. FUTURE SCHEDULED MEETINGS

There was no further discussion regarding future scheduled meetings.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 9:13 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:13 p.m.

Respectfully Submitted:



August 5, 2013

J. Douglas Pollock, AICP