

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

NOVEMBER 4, 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 Trzupke.

ROLL CALL was noted as follows:

PRESENT: 6 –Hoch, Grunsten, Scott, Grela, Praxmarer, and Trzupke

ABSENT: 2 – Cronin and Stratis

Also present was Community Development Director Doug Pollock. In the audience were Trustees Manieri and Bolos

2. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Hoch to approve minutes of the October 21, 2013 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – Grunsten, Hoch Scott, Praxmarer and Trzupke

NAYS: 0 – None

ABSTAIN: 1 – Grela

MOTION CARRIED by a vote of 5-0.

3. PUBLIC HEARINGS

Chairman Trzupke affirmed all present wishing to speak at a public hearing. Chairman Trzupke also said that the public hearing for item III.B would be held first.

B. Z-22-2013: 15W455 79th Street (St. Mark); Special Use, Variations and Findings of Fact

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

Mr. Pollock summarized the hearing as follows: St. Mark Coptic Orthodox Church owns 8.6 acres located at the southwest corner of 79th and Garfield Avenue. They are seeking approval to construct an addition to the church. The addition would contain a second worship sanctuary, meeting rooms, common areas, and other facilities accessory to the

church. Special use approval is required for the expansion of the church. Variations are requested for front yard parking adjacent to 79th Street, building height for the bell tower and dome, and a variation for about 10 parking spaces that encroach into the side yard setback.

Chairman Trzuppek asked the petitioner for their presentation.

Mr. Awad Eskander said he was the Architect for the church and for this project. Mr. Eskander described the site plan and building elevations. He emphasized that the site plan and elevations were intended to provide balance to the site and building. He showed photos of the existing landscaping around the perimeter of the property and mentioned two neighborhood meetings held by the church. Mr. Eskander described the parking lot lighting and said the parking lot lighting would comply with the Zoning Ordinance.

Mr. Dustin Erickson of Terra Engineering said he was the civil engineer for the project. Mr. Erickson said that the property is about 12 feet lower at the northeast corner than the southwest corner and that is why detention is planned for the northeast corner. He noted that the driveway to Garfield Avenue was recommended by the Fire District.

Commissioner Grela asked for more explanation as to why they do not keep the detention at the southwest corner of the property. Mr. Erickson explained that in addition to the land being lower at the northeast corner, they have to comply with new standards for detention that expand the detention volume significantly. Mr. Eskander added that the location of the church addition and the need to provide drives and parking near the front entrance are other reasons why the existing detention needs to be relocated.

Mr. Bill Schmidt of Terra Engineering introduced himself as the Landscape Architect for the project. He said that most of the trees along Garfield Avenue will be saved; that there will be a 4 foot berm on the north side of the 79th Street parking lot; and that they will preserve the existing arbor vitae along the south lot line.

Ms. Naveen Michael said she was a member of the church and was leading the church committee for this project. She said the project is being done to address the need for more capacity for current membership. She said they have concurrent church services on Sunday mornings and one is held in the gym. The addition would allow that service to be held in a sanctuary. She referenced the two neighborhood meetings and added that the church was considering security cameras in the parking lot.

Mr. Eskander summarized the petitioner's presentation. He acknowledged the concern from residents regarding the driveway to Garfield Avenue but said he believes this access is important for safety. He said that only 20 to 30% of the congregants would use this driveway at peak times on Sundays as most would still use the 79th Street driveways. He also described the use of the outdoor classroom and other facilities. Finally, he showed some three dimensional elevations of the building.

Chairman Trzuppek asked for public comments or questions.

Ms. Connie Markiewicz, 61 Pine Tree Lane, expressed her concern about the height of the building and recommended that the Garfield driveway be moved 30 feet north, away from the residents and where the ground was flatter, and that a gate be added to the driveway to limit the driveway to emergency access only. She recommended that the arbor vitae along the south lot line be maintained and the gaps in the arbor vitae be filled. She also mentioned a ponding problem at the southwest corner of the church property.

Mr. Jamil Bou-Saab of Terra Engineering, stated that they would fix the ponding problem at this location.

Mr. Bud Arquila, 61 Pine Tree Lane, said that the arbor vitae should be maintained and additional arbor vitae added at each end to provide a complete screen between Pine Tree and the church property. He said that if this done and the drainage problem at the southwest corner is fixed, he believes the Pine Tree residents will be satisfied.

Mr. Leo Ditewig, 26 Pine Tree Lane, said that moving the building closer to his property will not increase the value of his property. He said he is not in favor of allowing the buildings to be moved closer to his property.

Mr. Martin Cavaney, 51 Pine Tree Lane, said he works at Panduit on the north side of the church. He said that parking is currently a problem and church members park on Grant Street. He suggested that the Garfield driveway should be used.

Chairman Trzupsek asked the petitioner about the number of existing and proposed parking spaces and the church attendance before and after the addition. Ms. Michael stated that they are not building the addition in anticipation of an increase in attendance. She said that they hold concurrent services and one is in the gym – that service would be moved to the new sanctuary. She described the demographics of the church and the denominations plans for construction of new churches in other locations if growth continues.

Mr. Eskander said they are increasing the number of parking spaces on-site from about 200 spaces to over 300 spaces. He said they believe this will be sufficient for any new growth that may occur.

Mr. Chris Becker, 14 Pine Tree Lane, said that his bank recently told him that his property value had fallen by five figures in recent months and speculated that it may be due to the plans for the church addition. He said there was no shielding planned in the vicinity of this property and that the Garfield driveway was too close to his property. He said he is very concerned about the impact of the church addition on his property.

Mr. Bob Sodikoff, 6029 Woodcreek Drive, said as a former Plan Commission Chairman, former Trustee and former Acting Village President he is very familiar with the church and considers the church a good neighbor for Burr Ridge. He said with any new development like this there are always questions that have to be answered. He suggested

making the Garfield access emergency only but added he does not think that is a major issue. He said the church solidifies the area and the church is an asset to the Village. He urged the Plan Commission to recommend approval.

Mr. Domenic Reda, 53 Chesterfield Court, said he was pleased to see the parking lot is complying with the 30 foot perimeter setback. He said he was not sure if it would cause a drainage problem and they need to add evergreen shrubs along the west lot line to provide a year round screen.

Mr. Mark Collins, 7974 Garfield Avenue, said that the only issue is the driveway onto Garfield Avenue. He said there are no sidewalks on Garfield Avenue and people have to walk in the street – with the additional cars from the church, the safety of pedestrians will be a problem.

Mr. Mike Kelling, 6 Berkshire Lane, said that he is on the Lake Ridge Club Homeowners Association Board but was not authorized to speak on behalf of the Board. He said that with only two exceptions, he believes the residents of Lake Ridge Club do not have a problem with the church or the addition. He agreed that 4 to 5 foot evergreens along the west lot line should be provided.

Mr. Ron Zachary, 7958 Garfield Avenue, said he does not want to see more traffic on Garfield Avenue. He suggested a gate on the driveway so it can be used for emergency purposes only. He was also opposed to the outdoor play area saying he did not want to see that from his home. Mr. Zachary noted sight line problems at the corner of 79th and Garfield which should be avoided when considering a final landscaping plan.

An unidentified resident from Kraml Estates supported the project noting the increase in on-site parking and that the outdoor activities would be similar as a residential property.

Ms. Alice Krampit, 7519 Drew Avenue, asked about the construction schedule. Mr. Eskander said they hope to begin in summer of 2014 and the entire project would take 1 to 1.5 years.

Mr. Ramy Saif mentioned that there is 30 feet from the parking lot to the south lot line that is on the church property. He said the church has been there for 35 years preceding the Pine Tree homes.

Mr. Paul Castellvi, 44 Pine Tree Lane, asked what the benefit would be for the Pine Tree residents. He said it will disrupt the residents. He asked for a walking path on Garfield Avenue.

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

Commissioner Hoch asked about the landscaping along the south lot line. Mr. Schmidt said the original plan was to construct a berm in this area but after further review and

after hearing what the neighbors have to say, he believes it would be best to maintain the grades in this area, maintain the existing arbor vitae and to add additional landscaping where needed. Commissioner Hoch said a more accurate survey and plan for that area is needed.

Commissioner Grela asked Mr. Pollock if he had discussed the Garfield driveway with the Fire District and if so, what they are requiring. Mr. Pollock said that he did discuss this with the Fire District and they are recommending a driveway for emergency access from Garfield Avenue. He said the Fire District believes a driveway to Garfield Avenue will provide a significant public safety benefit. Commissioner Grela asked if this was being required by the Fire District. Mr. Pollock said that the Fire District cannot dictate to the Village whether a driveway is provided. He said the Village has to make that decision based on the input from the Fire District and from others.

Commissioner Grunsten asked how often weddings and other events were held at the church. Ms. Michael said that weddings were not held during Lenten or Advent seasons and usually only one per month. She said receptions for weddings are not held at the church.

Commissioner Grunsten said she was concerned about the Garfield access drive and suggested it should be for emergency use only. She added that it may be appropriate to require a sidewalk on Garfield to reduce the conflict between pedestrians and traffic.

Commissioner Scott asked about the use of the outdoor kitchen and other outdoor areas. Ms. Michael said that the plans should not have called it an outdoor kitchen as it is really only a barbeque grill. She said she would expect that area to be used once a month in the summer and the patio to be used weekly.

Commissioner Scott asked if it was possible to move some or all of the detention to the south lot line. Mr. Bou-Saab explained that it would be very difficult to move the detention to the south lot line because it is so much higher than the northeast corner of the property.

Commissioner Scott asked if the Garfield access drive can be moved to the north. Mr. Bou-Saab said that they will agree to erect a gate to limit the drive to emergency only but they did not want to move it north as it would take split their land and make much of that area unusable.

Commissioner Grela confirmed that the detention pond would be a dry basin pond and Mr. Bou-Saab reiterated that they would not agree to move the Garfield drive to the north. Commissioner Grela suggested that they extend a detention basin along the south lot line and to eliminate the Garfield access drive. He said that even with a gate, he is concerned that it would get used on Sundays. Mr. Bou-Saab said he believes the Garfield access is necessary and that it would be extremely difficult to move detention to the south lot line.

Commissioner Grela noted that at one point the church was considering senior housing on the Garfield property. He asked if that was still being considered. Ms. Michael said the church was not considering senior housing and had no plans for the open space along Garfield Avenue.

Commissioner Praxmarer asked if the Garfield driveway would be visible and she asked about exposed mechanical equipment at the northeast corner of the building. Mr. Schmidt said they will continue the berm and landscaping along the south lot line so that it is screened from the residences. Mr. Eskander said that they would provide landscaping screening around this existing equipment.

Ms. Michael stated that the church will agree to eliminate the driveway to Garfield in the spirit of cooperation with the neighbors.

Chairman Trzupek suggested that with the topographical peak in the center of the property, it would seem to make sense to have some detention in the southwest corner. He said he would also like to see more detail on the berm and screening at the south lot line.

Chairman Trzupek asked about the height of the addition relative to the existing church. Mr. Eskander said the new building is about 2 feet above the gym. Chairman Trzupek said he does not believe the new tower is necessary and may be too close to the residential area. Mr. Eskander said he could lower the tower but would not want to remove the tower. He said it is very significant to their faith.

In response to Chairman Trzupek, Mr. Eskander said the parking lot lights would be shielded and would comply with the Zoning Ordinance. He said the foot candles would be less than 0.5 at the property line and that there would be no lights on the side of the building facing south.

Chairman Trzupek said that if there is a driveway to Garfield, it should be a pervious surface the blends with the landscaping and has a gate to limit access to emergency vehicles.

Chairman Trzupek said the Plan Commission could continue this hearing if they feel additional information is needed or they could proceed with a recommendation with conditions to be resolved by staff.

Commissioner Grela said he is prepared to make a recommendation with conditions for the petitioner to work out with staff.

There being no further questions or comments from the Plan Commission, Chairman Trzupek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Grunsten to close the hearing for Z-22-2013.

ROLL CALL VOTE was as follows:

AYES: 6 – Grela, Grunsten, Hoch, Scott, Praxmarer, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Commissioner Grela suggested conditions requiring permeable or grass pavers for the driveway with a gate limiting access to emergency vehicles. He also suggested a condition requiring staff approval of the final engineering with consideration of providing detention at both the southwest and northeast corners of the property.

Mr. Pollock said he was concerned about the condition requiring staff approval of the final stormwater plans. He said if the intent was to resolve the ponding problem at the southwest corner, he thought the condition was okay but if the intent is provide stormwater across the south lot line to increase the buffer between the church and Pine Tree, the plans should come back to the Plan Commission for further review.

Commissioner Grela said the intent of the final engineering review would be to address the ponding issue, only.

Chairman Trzupek added a condition requiring that the bell tower be reduced in height. In response to a question from Mr. Pollock, Chairman Trzupek said he would suggest leaving the amount the tower is reduced to the discretion of the architect.

A MOTION was made by Commissioner Grela and **SECONDED** by Commissioner Scott to adopt the petitioner's findings and fact and recommend approval to the Board of Trustees of a special use approval as per Section VI.F.2.k of the Burr Ridge Zoning Ordinance for the construction of a building addition to a church and the expansion of the parking lot and with an outdoor playground, outdoor classroom and outdoor kitchen and gazebo; a variation from Section VI.F.5.b of said Zoning Ordinance to allow sections of the building addition to exceed the 45 foot maximum permitted height for non-residential uses; a variation from Section XI.C.8.a of said Zoning Ordinance to allow parking to be located in a front buildable area rather than in the side or rear buildable area of the lot; and a variation from Section XI.C.11.a(2)(a) of said Zoning Ordinance to allow a limited number of parking spaces to encroach into the required 30 foot setback from the west property line; with all recommendations subject to the following conditions:

1. The driveway between the parking lot and Garfield Avenue shall be surfaced with grass pavers to blend with the surrounding grass/turf and an emergency access gate shall be provided preventing use of the driveway to Garfield Avenue by vehicles other than emergency vehicles. The final plan for the driveway and gate shall be subject to administrative review by the Plan Commission.
2. The final landscaping plan shall be subject to staff review and approval prior to issuance of any building permit and shall include maintenance of the

existing arbor vitae along the south lot line, maintenance of the existing plant materials along the west lot line, the addition of arbor vitae or similar landscaping along the south lot line to fill in gaps, and the addition of a solid row of evergreens along the west lot line to shield the adjacent residential district.

3. The height of the bell tower on the church addition shall be reduced as determined appropriate by the petitioner.
4. The final stormwater management plan shall be subject to staff review and approval with the intent of eliminating the existing ponding adjacent to the existing detention area at the southwest corner of the property and consideration of maintaining some of the detention at the southwest corner of the property if it contributes to the resolution of the existing ponding.
5. A pathway shall be provided along Garfield Avenue subject to the concurrence of the Pathway Commission.

ROLL CALL VOTE was as follows:

AYES: 6 – Grela, Scott, Hoch, Grunsten, Praxmarer, and Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A. Z-19-2013; Zoning Ordinance Text Amendment – Regulations for Medical Cannabis Cultivation and Distribution Facilities

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

Mr. Pollock summarized the hearing as follows: The Plan Commission continued this hearing from the previous meetings to allow input from all Commissioners. The continuance was also to allow the full Plan Commission to consider allowing medical cannabis dispensing facility as a permitted or special use when accessory to a fully licensed pharmacy in addition to allowing a dispensing facility as a special use in the GI District as recommended by staff. After the last meeting, the Village Attorney provided an opinion that the State law would likely not allow medical cannabis accessory to a pharmacy. It is anticipated that medical cannabis dispensing will be stand-alone facilities.

Mr. Pollock reminded the Commission that the State law requires municipalities to accommodate medical cannabis facilities within the guidelines established by the law. Based on the input from the Village Attorney and the mandate from the State of Illinois, Mr. Pollock said that staff is recommending that medical cannabis dispensing facilities be added as a special use in the GI District.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Grunsten to close the hearing for Z-19-2013.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Grunsten, Scott, Grela, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Scott to recommend to the Board of Trustees an amendment to the Zoning Ordinance to add “Medical Cannabis Dispensing Facility, licensed by the State of Illinois as per the State of Illinois of the Compassionate Use of Medical Cannabis Pilot Program Act” to the list of special uses in the GI General Industrial District.

ROLL CALL VOTE was as follows:

AYES: 6 – Grela, Scott, Hoch, Grunsten, Praxmarer, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

4. CORRESPONDENCE

There was no discussion regarding the Board Report.

5. OTHER CONSIDERATIONS

A. PC-10-2013: 2014 Plan Commission Schedule

Mr. Pollock presented the 2014 Plan Commission schedule including meeting dates and designations for Village Board meeting representatives.

A **MOTION** was made by Commissioner Praxmarer and **SECONDED** by Commissioner Scott to approve the 2014 schedule as submitted. The **MOTION** was unanimously approved by **VOICE VOTE** of the Plan Commission.

B. Z-20-2013: 11680 German Church Road; Findings of Fact

Mr. Pollock presented the findings of fact for the recent Village initiated rezoning of the Village owned property at 11680 German Church Road.

A **MOTION** was made by Commissioner Praxmarer and **SECONDED** by Commissioner Scott to approve the Findings of Fact for Z-20-2013 as submitted. The **MOTION** was unanimously approved by **VOICE VOTE** of the Plan Commission.

6. FUTURE SCHEDULED MEETINGS

Mr. Pollock reported that there is nothing scheduled for the November 18, 2013 meeting.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Hoch to approve to cancel the November 18, 2013 meeting. The **MOTION** was unanimously approved by **VOICE VOTE** of the Plan Commission.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to **ADJOURN** the meeting at 10:53 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 10:53 p.m.

Respectfully Submitted:



December 16, 2013

J. Douglas Pollock, AICP