

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

MAY 5, 2014

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: 8 – Stratis, Hoch, Grunsten, Praxmarer, Sheth, Grela, Scott, and Trzupek

ABSENT: 0 – None

Also present was Community Development Director Doug Pollock.

2. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Scott to approve minutes of the April 21, 2014 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

3. PUBLIC HEARINGS

A. Z-04-2014: 503 Village Center Drive (Red Mango); Special Use

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

Mr. Pollock summarized the request as follows: The petitioner operates a frozen yogurt restaurant in the Village Center and is seeking approval for up to 3 tables with four chairs and an umbrella for each table to be placed on the sidewalk outside of the restaurant. The restaurant does not serve alcoholic beverages and no outside table service would be provided. The sidewalk seating area would be for carry out customers only. Because there is not table service or alcoholic beverage service, the sidewalk seating area does not include a railing to enclose the tables.

The petitioner, Mr. Gopal Radadia, stated that he did not have anything to add to the staff's summary.

Chairman Trzupsek asked if there was anyone in the audience wishing to speak on this matter. There being none, Chairman Trzupsek asked the Commissioners for questions and comments.

Commissioner Stratis asked staff about the conditions imposed on other sidewalk dining areas for power washing of the sidewalk. Mr. Pollock said that condition was imposed on enclosed sidewalk dining areas such as Dao Restaurant but not on the sidewalk seating for the carry out restaurants in County Line Square. Mr. Pollock added that this could be added as a condition of this special use.

Mr. Scott Rolston, Manager of the Village Center, said that they would power wash the sidewalk twice a year.

Commissioner Stratis asked if the umbrellas would go through the center of the tables. He was concerned about the light weight of the tables and if they would be knocked over by wind. Mr. Radadia stated that the umbrella stands are heavy and would go through the center of the tables.

Commissioner Grunsten asked about the chairs and if they would be subject to wind damage.

Mr. Rolston said the Village Center gets lots of wind on Village Center Drive but he is not concerned about wind damage at this end of the shopping center.

The other Commissioners all stated that they had no further questions.

In response to Chairman Trzupsek, Mr. Radadia said he understood the conditions recommended by staff and accepts those conditions.

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

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Grunsten to close the hearing for Z-04-2014.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Grela to adopt the petitioner's findings of fact and recommend approval of Z-04-2014, a petition requesting special use approval as per Section VIII.C.2.ee of the Burr Ridge

Zoning Ordinance to permit a sidewalk seating area for an existing restaurant subject to the following conditions:

- A. The number of tables and chairs shall be limited to a maximum of three tables and twelve chairs and they shall be located in a single row along the front wall of the restaurant so as not to impede pedestrian traffic.
- B. There shall be no table service or service of alcoholic beverages for the sidewalk dining area.
- C. There shall be no advertising, signs, or leaflets on the tables, chairs, or umbrellas.
- D. A trash container shall be provided in the vicinity of the tables and chairs matching other trash containers in the Village Center and with a self-closing lid.
- E. Sidewalk seating shall be limited to May 1 to October 31 each year, and all furniture and facilities for sidewalk seating shall be removed from November 1 to April 30.
- F. Failure at any time to comply with these regulations shall deem this special use approval null and void.
- G. The sidewalk within and surrounding the seating area shall be treated and cleaned after completion of its use before the winter season to ensure the removal of all food stains and return it to a state consistent with other concrete sidewalks within the Village Center.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Grela, Hoch, Grunsten, Praxmarer, Scott, and Trzuppek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. Z-05-2014: 10S265 and 10S231 Vine Street (Pizzuto and Krelina)

Chairman Trzuppek asked Mr. Pollock to summarize this public hearing.

Mr. Pollock summarized the hearing as follows: The petitioner seeks to annex his property and his neighbor's property into the Village. The purpose of the annexation is to connect the homes to the Village's water supply system. This petition seeks to rezone the property upon annexation to the R-2B Single-Family Residence District. The R-2B District is consistent with existing zoning and development in this area.

Chairman Trzuppek asked the petitioner for comments. Mr. Pizzuto said he was working with staff to complete plans for a water main extension from 89th to 90th Street on Vine Street. He said the proposed zoning is acceptable to himself and his neighbor.

Chairman Trzuppek asked for public comments.

Mr. Thomas of 15W627 89th Street asked about the creek that runs along 89th and who would have jurisdiction over the creek once the property is annexed. Mr. Pollock said that because the creek is a special management area, Du Page County would continue to be responsible for issuing approvals for any work that impacts the creek.

Mr. Thomas also asked about existing fences. Mr. Pollock said that existing fences that were legal in Du Page County would be grandfathered and allowed to remain. He said new fences would require a permit from the Village and compliance with Village regulations.

A resident from 15W660 90th Street asked if Vine Street would be extended to 90th Street. Mr. Pollock said it would be very unlikely as Vine Street has cul de sac turnaround and the creek would interfere with the extension.

A resident from 15W700 90th Street asked about the existing R-1 District property in Burr Ridge. Mr. Pollock said that property was annexed but never rezoned and would likely be rezoned to the R-2B District.

Mr. Espisoto of 15W627 89th Street asked about the impact of annexation on the rest of the area. Mr. Pollock said that this annexation would give the Village the legal authority to annex the rest of the area long 89th and Grant Street. He said the Village Board would likely annex that area in the near future. He said any existing structures that are legally established in the County would be grandfathered once annexed to Burr Ridge.

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

Commissioner Scott asked the petitioners if they intend to build on the vacant lots. Mr. Pizzuto said he may in the future but has no intentions at this time.

Commissioner Stratis asked about the portion of Vine Street between 90th Street and the subject lots. Mr. Pollock said that right of way would remain under the jurisdiction of the Township but the Village would likely work out an arrangement to plow the snow on this street due to its small size.

Commissioner Grela clarified that existing non-conforming structures are only grandfathered if they were legally established in the County prior to annexation.

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

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Scott to close the hearing for Z-05-2014.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Scott, Hoch, Grunsten, Praxmarer, Grela, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Hoch to direct staff to prepare findings of fact and to recommend that the Board of Trustees approve Z-05-2014, a petition to rezone the properties commonly known as 10S265 and 10S231 Vine Street to the R-2B District upon annexation to the Village.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

4. **CORRESPONDENCE**

Commissioner Stratis said that the Board tabled the recommendation to adopt beekeeping regulations pending more information. Specifically, the Board wanted to know if bees would colonize on adjacent properties and create nuisance for neighbors. Mr. Pollock added he was working on getting a response to that question for the May 12 Board meeting.

5. **OTHER CONSIDERATIONS**

There were no other considerations on the agenda.

6. **FUTURE SCHEDULED MEETINGS**

Mr. Pollock stated that there are no public hearings scheduled for May 19.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Praxmarer to cancel the May 19, 2014 meeting. The **MOTION CARRIED** by a unanimous voice vote of the Commission.

7. **ADJOURNMENT**

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Praxmarer to **ADJOURN** the meeting at 8:37 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:37 p.m.

Respectfully
Submitted:



June 2, 2014

J. Douglas Pollock, AICP