

**PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**VILLAGE OF BURR RIDGE**  
**MINUTES FOR REGULAR MEETING OF**  
**AUGUST 15, 2016**

**I. 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:** 5 – Stratis, Hoch, Broline, Praxmarer, and Trzupek

**ABSENT:** 3 – Grunsten, Grela, and Scott

Also present was Community Development Director Doug Pollock.

**II. APPROVAL OF PRIOR MEETING MINUTES**

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to approve the minutes of the June 6, 2016 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Hoch, Broline, Stratis, and Praxmarer

**NAYS:** 0 – None

**ABSTAIN:** 1 – Trzupek

**MOTION CARRIED** by a vote of 4-0.

**III. PUBLIC HEARINGS**

Chairman Trzupek confirmed all those wishing to speak during the public hearing on the agenda for tonight's meeting.

**Z-08-2016: 580 Village Center Drive (Peak Performance); Text Amendment, Special Use and Findings of Fact**

As directed by Chairman Trzupek, Mr. Pollock described this request as follows: The petitioner is seeking zoning approval to open a new store in the Burr Ridge Village Center. The store is primarily an apparel store which is a permitted use on the first floor of the retail buildings in the Village Center. However, the petitioner also wants to sell individual servings of beer and wine for consumption in the store. Sales of alcoholic beverages accessory to a retail store is not listed as a permitted or special use in the B-2 District nor in the Village Center Planned Unit Development (PUD). Thus, a text amendment is being requested to add this use to the list of special uses in the B-2 District and in the Village Center PUD. Concurrently, the petitioner is requesting special use approval for this specific business at 580 Village Center Drive.

Chairman Trzupek asked the petitioner to make their presentation.

Ms. Tiffany Cruickshank, 15W047 60<sup>th</sup> Street, Burr Ridge, said that she operates a running store in Downers Grove and was looking to open a similar store in Burr Ridge but with a twist. She said that she wanted to create a unique gathering spot for runners after group events and group runs. She said they would have 6 to 8 specialty craft beers on tap from local breweries. She said they want to create a very cool, urban vibe. Mr. Mike Cruickshank added that a small business has to be creative and establish long relationships with customers.

Chairman Trzupek asked about the hours for the beer sales. Ms. Cruickshank said that beer sales would be almost exclusively after group events and group runs which happen twice a week generally but that individual customers may purchase beer and wine during normal business hours.

Chairman Trzupek asked for public comments and questions. There were no public comments.

Chairman Trzupek asked for comments and questions from the Plan Commission.

Commissioner Praxmarer asked if the current location sells beer and wine. Ms. Cruickshank said that the Downers Grove store does not sell beer and wine. She said that she is trying to create something different in Burr Ridge and that the Downers Grove store does not suit itself to beer and wine sales.

In response to Commissioner Praxmarer, Ms. Cruickshank described the shoe and clothing lines at her store.

Commissioner Broline asked about the events. Ms. Cruickshank said that her running club typically meets twice a week for evening runs and would gather for a beer after the run. She said it rarely goes beyond one beer and no later than 8 pm. She said the store hours would be the same as other retail stores in the Village Center which is 10 am to 8 pm Mondays through Saturdays and 11 am to 6 pm on Sundays.

Commissioner Hoch asked about food sales and provision of restroom facilities. Ms. Cruickshank said that they would always make available snack foods and restrooms for customers.

Commissioner Hoch said she is not sure if this is the right thing for downtown although she acknowledged that the beer and wine sales would be minimal. She said that there should also be a limit on the hours of sale for the beer and wine.

Mr. Cruickshank responded with a description of similar businesses in other locations and the need to create a unique concept to attract customers. He said that the beer and wine sales would be no more than 5% of the total sales.

Commissioner Stratis said he does not like any part of this. He said he is concerned that other retailers would want to do the same thing. He said he does not see the nexus between running and beer. He expressed concern about kids being exposed to beer and wine in a shoe store.

Chairman Trzupek asked about other businesses that sell alcoholic beverages and noted that all other such businesses either sell package wine or are full restaurants. He said that there would be a precedent. In response, Commissioner Stratis said that this would lower the bar for the types of stores that can sell beer and wine.

Chairman Trzupek suggested restricting the beer and wine sales to events, only. Mr. Cruickshank said he would prefer to limit the hours rather than limited to special events.

Commissioner Praxmarer asked if the beer and wine sales was a deal breaker for the petitioner. Mr. Cruickshank said it was a deal breaker.

Ms. Cruickshank described the food and other beverages that would be made available. She mentioned coconut water and drinks with electrolytes. She said healthy snack bars, pretzels, and crackers would be available.

In response to Commissioner Praxmarer, Ms. Cruickshank said that the running club is 15 to 30 runners. She said other events include bringing in shoe company representatives to do free fittings for new shoes.

There being no further discussion, Chairman Trzupek asked for a motion to close the hearing.

At 8:00 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to close the hearing for Z-08-2016.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Hoch, Stratis, Praxmarer, Broline, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend that the Board deny Z-08-2016.

**ROLL CALL VOTE** was as follows:

**AYES:** 2 – Stratis and Hoch

**NAYS:** 3 – Praxmarer, Broline, and Trzupek

**MOTION FAILED** by a vote of 2-3.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Praxmarer to adopt the petitioner's findings of fact and recommend that the Board of Trustees approve Z-08-2016 to add Running Store/Fitness Apparel Store with Sales of Craft Beer or Wine to the list of special uses in the B-2 District and in the Burr Ridge Village Center; and to approve a special use approval to permit said business at 580 Village Center Drive.

**ROLL CALL VOTE** was as follows:

**AYES:** 3 – Praxmarer, Broline, and Trzupek

**NAYS:** 2 – Stratis and Hoch

**MOTION CARRIED** by a vote of 3-2.

**V-04-2016: 15W660 79<sup>th</sup> Street (Mars Chocolate); Variation and Findings of Fact.**

As directed by Chairman Trzupek, Mr. Pollock described this request as follows: The petitioner proposes to erect three large air handling units on the rooftop of the building at 79th Street and South Frontage Road. The Zoning Ordinance requires that all new rooftop equipment be screened from any adjacent street or property by a screen wall erected at least one foot higher than the equipment. The petitioner is seeking a variation to waive the requirement for rooftop screening.

Chairman Trzupek asked the petitioner to make their presentation.

Mr. Jeff Nowak, Engineering Technician for Mars Chocolate introduced Cameron Trefry of Ware Malcom Architects. Mr. Trefry referenced overhead slides with photographs with the equipment photo shopped onto the building. The slides included sight lines showing the visibility of the equipment from various points on the property.

In response to Chairman Trzupek, Mr. Gary Jensen of AMS Mechanical, contractor for Mars Chocolate, said that each of the three units consists of 6 pieces that are built in place on the top of the building. Chairman Trzupek asked additional questions regarding the construction, location and height of the units.

Chairman Trzupek said that he was sympathetic to the issues related to the cost and need for the rooftop screening but he does not believe the safety issues described in the findings of fact are relevant. He said the safety issues are not unique to the installation of screen walls. Mr. Jensen responded that he believes safety is not the primary reason for the variation but is a contributing factor.

Chairman Trzupek said that partial screening should be considered. He asked if they had considered a partial screen of the equipment particularly on the west and south. He said that he does not appreciate that the petitioner has used safety as an issue and that they have not considered at least partial screening. He suggested that at least some additional landscaping should be provided.

Chairman Trzupek asked for public comments and questions.

Mr. Mark Tomas, 7515 Drew Avenue, said that the existing units are substantial and that some taller trees should be added to mitigate the view.

Chairman Trzupek asked for comments and questions from the Plan Commission.

Commissioner Stratis said that the project cost was reported to be \$7 million and the cost of the screen walls to be \$386,000. He said that the equipment is far from the road, on an older building, and he understands that it is a significant financial burden but he would like to see something done perhaps with perimeter landscaping.

Commissioner Hoch said she appreciates the comments from Chairman Trzupek regarding safety. She said she would like to see additional landscaping to help hide the equipment.

Commissioner Broline asked about the ammonia and how it is dissipated. Mr. Jensen described that he believes the screening walls could be a problem if there is an ammonia leak.

Commissioner Praxmarer said she was concerned about the precedent. In response, Mr. Jensen said that the size of the property, the scale of the building, and the setback of the equipment are all unique features to this property that would not be applicable to most properties in the Village.

Mr. Pollock said that the only other similar property in the Village is the CNH property. He said that if this variation is granted, he would not have a problem explaining to other property owners that this variation is unique to this property and not applicable to other properties. Mr. Pollock added that there are large green areas along the south, east and west that could be used to plant trees and buffer the appearance of the proposed and existing rooftop equipment.

There was further discussion regarding the amount of landscaping that may be required. Commissioner Stratis suggested a minimum amount of money to be required for landscaping and suggested \$50,000 or \$80,000. Other Commissioners said they were not comfortable with a minimum dollar amount.

Mr. Pollock suggested that staff would recommend a double row of trees spaced 40 feet on center along the south, east and west property lines and that existing trees would be taken into consideration. Chairman Trzupsek said he is most interested in screening from the south where there are residences across the street.

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

At 9:18 p.m. a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to close the hearing for V-04-2016.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Stratis, Hoch, Praxmarer, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 4-0.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to direct staff to prepare findings of fact and recommend that the Board of Trustees approve V-04-2016 subject to a final landscaping plan being submitted for review by the Plan Commission.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Hoch, Praxmarer, Stratis, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 4-0.

#### **IV. CORRESPONDENCE**

There was no discussion regarding the Board Report.

#### **V. OTHER CONSIDERATIONS**

##### **PC-05-2016: Minor Amendment to PUD – Spectrum Senior Living Carports**

Mr. Pollock reported that the developer of the Spectrum Senior Living facility at 91<sup>st</sup> Street and Route 83 is asking for an amendment to the PUD to add carports over the resident parking spaces. He said that staff has reviewed the carports and believes the change does not alter the scope and intent of the PUD and, therefore, it is a minor change that may be approved without a public hearing.

Chairman Trzupsek asked about the color of the carports. Mr. Steve Cross said that the color would match the building.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend that the Board of Trustees approve a minor amendment to the Spectrum Senior Living PUD to allow the addition of carports over resident parking spaces subject to compliance with the submitted plans and staff approval of the final color of the carports.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Stratis, Hoch, Praxmarer, Broline, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

**PC-06-2016: 7785 Wolf Road; Requests for Private Sanitary Sewer System for New Home**

Mr. Pollock said that the owner of property at 7785 Wolf Road is building a new home and is requesting permission to use a private sanitary sewer system. He said the Zoning Ordinance requires Plan Commission review and Board of Trustees approval for any new home using a private sewer system. Mr. Pollock said that the nearest public sewer was 1200 feet away and would require a lift station. He added that there have been other homes in this area approved for the use of a private sanitary sewer.

A **MOTION** was made by Commissioner Praxmarer and **SECONDED** by Commissioner Broline to recommend that the Board of Trustees grant permission for a new home at 7785 Wolf Road to use a private sanitary sewer system subject to compliance with the Cook County Health Department approved plans and subject to a covenant being recorded that the home be connected to a public sewer if it becomes available.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Praxmarer, Broline, Stratis, Hoch, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

**PC-07-2016: 11650 Bridewell Drive and 1400 Burr Ridge Parkway (Weekley); Pre-Application Review for proposed R-5 PUD**

Mr. Pollock presented this pre-application review as follows: David Weekley Homes previously came before the Plan Commission with a petition to rezone the property at Bridewell Drive and Burr Ridge Parkway from O-2 PUD to R-5 PUD. The PUD plan proposed 75 homes in a cluster or zero lot line configuration. The Plan Commission held a public hearing on May 16, 2016 and recommended denial of that petition based primarily on concerns with density. Prior to consideration by the Board of Trustees, the petitioner withdrew the request.

Mr. Pollock added that David Weekley Homes has entered into a new contract to purchase the land and has submitted the plans for a pre-application review by the Plan Commission.

Mr. Kevin Seay described the revised plans. He said that the number of homes was reduced from 75 to 52 and the street plan was changed. Chairman Trzupek asked about using the courtyard homes in the middle block with an alley providing access to rear loaded garages. Mr. Seay said they could not make that work due to the grading. Chairman Trzupek said that is unfortunate as

that would provide a positive distinction to the development by providing a more attractive streetscape.

Commissioner Stratis said the revised plan was a vast improvement over the previous plan. Commissioners Hoch, Broline and Praxmarer generally agreed.

**PC-08-2016: Preliminary Review of Text Amendment – Front Yard Walls and Monuments**

Mr. Pollock said that staff has three pending code compliance cases involving monuments and walls constructed in front yards without a permit and in conflict with the Zoning Ordinance. The property owners have all asked about the possibility of requesting approval for the existing structures. In order to do so, they would have to either file petitions for a variation or a text amendment. Mr. Pollock said that staff has advised the property owners that variations for what are essentially decorative features are not likely because a variation must be based on something unique to the property that creates a hardship.

Mr. Pollock suggested that rather than have separate petitions for text amendments, staff is asking the Plan Commission and Village Board to direct staff to schedule a hearing and act as the petitioner. He said that does not mean that staff would support a change to the Ordinance nor does it commit the Plan Commission or Board of Trustees to approve any changes.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend that the Board of Trustees direct the Plan Commission to hold a public hearing to consider text amendments to the zoning regulations for front yard walls and monuments.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Stratis, Hoch, Praxmarer, Broline, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

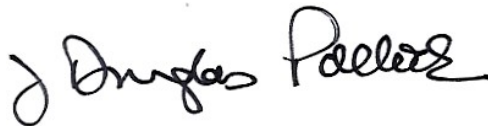
**VI. FUTURE SCHEDULED MEETINGS**

Mr. Pollock said the filing deadline for the September 19, 2016 meeting is August 29, 2016 and that there is no meeting scheduled for the first Monday in September due to the Labor Day holiday.

**VII. ADJOURNMENT**

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to **ADJOURN** the meeting at 10:03 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 10:03 p.m.

Respectfully  
Submitted:



September 19, 2016

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J. Douglas Pollock, AICP