

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF
DECEMBER 5, 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 Vice Chairperson Praxmarer.

ROLL CALL was noted as follows:

PRESENT: 5 – Stratis, Hoch, Grunsten, Broline, and Praxmarer

ABSENT: 3 – Scott, Grela, and Trzupek

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

In the absence of Chairman Trzupek, Vice Chairperson Praxmarer was present to chair the meeting.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to approve the minutes of the November 21, 2016 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

ABSTAIN: 1 – Grunsten

MOTION CARRIED by a vote of 4-0.

III. PUBLIC HEARINGS

Vice Chairperson Praxmarer confirmed all those wishing to speak during the public hearing on the agenda for tonight's meeting.

Z-12-2016: 7600 and 7630 County Line Road (Med Properties Group); Special Use, Variations, and Findings of Fact

As directed by Vice Chairperson Praxmarer, Mr. Pollock described this request as follows: The public hearing for this request was continued from the October 17 and November 21, 2016 meetings so that the petitioner could make revisions to the plans and provide additional information. The petitioner has provided revised plans which were included in the agenda packet. Mr. Pollock listed the special uses and variations being requested.

Vice Chairperson Praxmarer asked the petitioner to make their presentation.

Mr. Lance Theis, architect for the petitioner, described the changes to the site plan as follows: the north drive was made into a two way drive; a plan was provided showing how the parking lot could

be changed to provide enough parking for a general office use; a sidewalk was added along the frontage road; and the north drive was shifted south to provide greater separation from the adjacent driveway. In reference to the variations being requested, he said the setback from the south lot line was not changed because the variation is necessary to maintain the shared parking and shared access; the 20 foot setback was maintained from the rear lot line due to the need to maintain the cross access driveway with the property to the south and that a fence was provided for screening; and the variation for the front yard parking encroachment was modified so that only a very small part of the drive encroached beyond the established building line.

Commissioner Hoch asked if there would be a connection between the building and the sidewalk for employees. Mr. Thies said they would be willing to provide this connection provided it was feasible.

Mr. Thies introduced Mr. Curtis Dettman of Manhard Consulting. Mr. Dettman is the project engineer.

Mr. Dettman described the engineering plans and how the drainage that currently runs in pipes through the middle of the property will be diverted around the new building and into a detention pond along County Line Road and into the drainage ditch that flows eastward. Mr. Thies added that the detention pond is a dry pond.

Mr. Tom Lee of HDR Architects, described the building's architecture. He explained the location and screening for the rooftop equipment which is to be in one location in the middle section of the building.

Vice Chairperson Praxmarer asked for public comments and questions.

Mrs. Judy Coglianese, 8680 Heather Drive, wanted to know what address the building would use. She also asked about the building architecture and said that when the funeral home was built, they were required to make it look like a house. Mrs. Coglianese added that she is concerned that the clinic may be impacted by the number of cars going to the funeral home.

Mr. Pollock responded that the address had not been assigned but that they would likely use either 7600 or 7630 County Line Road.

Mr. Mark Thoma, 7515 Drew Avenue, said that the information provided by the petitioner was not provided in a timely manner and that the notice of the meeting in the e-briefs was for December 8 instead of December 5.

Mr. Thoma expressed his concerns with drainage and in particular a storm pipe that conveys water from his property and other properties to the frontage road. He suggested that there should be secondary means for the stormwater to flow overland if the pipe fails. He said he would like a written commitment that he and his engineer be involved in the decision making relative to the final engineering plans. Mr. Thoma also said he would like to have a gate on the fence so that he and his neighbors can access the storm drain to clear leaves and branches.

Mr. Pollock reminded the Plan Commission that engineering is not a part of the Plan Commission review. Mr. Thoma said he disagreed.

Commissioner Stratis said that engineering has never been part of the Plan Commission review and that the Commission must rely on the Village Engineer. He said he understands the concerns of the residents and would like the developer's engineer to respond to those concerns.

Ms. Anne Conidi, 8107 Park Avenue, said that the larger building will create stormwater runoff greater than what currently exists. She also referenced the findings of fact that state that a variation cannot adversely impact adjacent properties.

Ms. Alice Krampits, 7515 Drew Avenue, said that she is concerned with drainage. She asked if adding parking for general office use would require another variation. Mr. Thies said that it would not need a variation unless it was for green space coverage.

Ms. Krampits asked about the location of the fence and suggested that the fence be maintenance free. She said that she would prefer the 30 foot parking lot setback be maintained; that the building architectural does not fit in the T1 District in that it is not residential in appearance. She also asked about the metal roof, the dumpster location, parking lot lighting and the potential for buses idling on the property.

Mr. Thies responded that the fence would be located one foot off the property line; that the 20 foot setback is proposed to maintain continuity with the adjacent parking lot to the south; that they are still proposing a metal roof; that the dumpster will not contain a significant amount of medical or food waste; that the parking lot lighting would comply with Village code; and that there would not be buses idling on the property for any extended period of time.

Mr. Russell Allen, 7519 Drew Avenue, said that there is already flooding on his property and if one pipe fails, his property would be underwater.

Dr. Bohdan A. Iwanetz, 7516 Drew Avenue, described drainage in the area and said the area does not drain as well as it did five years ago.

Ms. Rita Michaels, 7520 Drew Avenue, said she has lived here for 20 years and that the Village needs to look into drainage for this area.

There being no further public comments, Vice Chairperson Praxmarer asked for questions and comments from the Plan Commission.

Commissioner Stratis said he was pleased with the answer to the potential conversion to an office use; was satisfied with the traffic study; that he would prefer to a maintenance free fence such as a vinyl fence. He said that he thought the residents were okay with the 20 foot parking lot setback if there was a fence that would prevent headlights and that he agrees with the arguments presented by the petitioner regarding the continuity with the adjacent property. He said he likes the architecture and that the building is consistent with contemporary homes in the Village.

Commissioner Stratis expressed concerns about the proximity of the sidewalk to the detention pond. He suggested a rail or barrier that would provide safety for pedestrians.

In response to Commissioner Stratis, Mr. Dettman provided further explanation of the detention and drainage in the area.

Commissioner Stratis asked about Chairman Trzupek's comments. Mr. Pollock said that Chairman Trzupek called him and said that he was generally satisfied with the petitioner's responses but asked about the material for the screening of the rooftop equipment and the separation of the sidewalk from the street and from the detention pond.

Mr. Lee said that the rooftop screen would match the building roof. Mr. Dettman said that there is 5 to 10 feet of relatively flat land adjacent to the sidewalk and it would not be a hazard if someone came off the sidewalk.

Commissioner Hoch said that the sidewalk is needed because people currently walk in the street. She confirmed that the building has a similar setback as adjacent building and that the dumpster is located in the same location. She said she would not want to see a gate on the fence. Commissioner Hoch suggested a sidewalk connection between the building and the public sidewalk. She said a darker tone metal roof would be helpful so it does not stand out as much. She said that the building is attractive and appropriate for the site.

Commissioner Grunsten said that she liked the design of the building. She said there are some more modern homes being built in Burr Ridge.

Commissioner Broline said that he had questioned how the existing pipe was going to be changed and the petitioner has addressed that question. He asked if the petitioner looked at a different roof material than metal. Mr. Lee said that they tried to balance the height of the roof with the materials. He said the metal roof allows them to keep the lower pitch of the roof for appearance and maintenance reasons.

Commissioner Broline also asked about the dumpster location. Mr. Thies said they share the dumpster with the neighbor and did not want to put in in a location that would be difficult for the neighbor.

Commissioner Broline said that the two architects on the Commission had expressed favorable review of the building and he does not question that opinion.

Vice Chairperson Praxmarer said she does not think the architecture of the building is transitional. She asked if there is a way to try to ease some of the worries of the neighbors relative to stormwater.

Mr. Thies said that Mr. Dettman has been working with the Village Engineer and they are confident that the stormwater design will work and will have greater capacity for detention than currently exists.

Mr. Pollock clarified that because engineering is not part of the Plan Commission review does not mean that the residents' concerns cannot be addressed. He said he will have the Village Engineer contact the residents to discuss the issues that were raised.

There being no further discussion, Vice Chairperson Praxmarer asked for a motion to close the hearing.

At 8:55 p.m. a **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Grunsten to close the hearing for Z-12-2016.

ROLL CALL VOTE was as follows:

AYES: 5 – Broline, Grunsten, Hoch, Stratis, and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to adopt the findings of fact submitted by the petitioner and recommend that the Board of Trustees approve Z-12-,2016 including special use approval as per Section VII.B.8-10 for site, landscaping and building elevation plan review; special use approval as per Section VII.C.2.i for the use of the

property for a medical office; a variation from Section XI.C.11.a(2)(a) to permit the construction of a parking lot and dumpster enclosure 20 feet from the rear lot line rather than the required 30 feet; a variation from Section XI.C.11.a(2)(c) to permit the parking lot and shared access drive without the required 8 foot setback from the south side lot line; and a variation from Section XI.C.8 to permit a parking lot drive aisle to encroach into the front yard; subject to the following conditions:

- A. Development shall comply with the submitted site plan, landscaping plan and building elevations except as specifically modified herein.
- B. The fence on the rear lot line shall be a maintenance free fence such as vinyl.
- C. A sidewalk connection shall be provided between the building and the proposed public sidewalk.
- D. The design and location of the proposed public sidewalk shall be subject to staff review and approval and may include a railing between the sidewalk and detention pond if determined appropriate by staff.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Hoch, Grunsten, Broline, and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

V-07-2016: 15W241 81st Street (Paulan); Variation and Findings of Fact

As directed by Vice Chairperson Praxmarer, Mr. Pollock described this request as follows: The petitioner recently built an addition and a detached accessory building on the property at 15W241 81st Street. The petitioner now seeks to enlarge the driveway and to add a patio. The Zoning Ordinance limits horizontal coverage of a rear yard to 30%. With the patio and enlarged driveway, the total horizontal coverage of the rear yard would be approximately 45%.

Mr. Pollock added that the petitioner provided updated numbers on the area of the rear yard and the coverage. Those numbers were provide in writing to the Plan Commission at the meeting. He also said that staff was mistaken in the staff report that the petitioner is using porous pavers. The driveway pavers are impervious.

Vice Chairperson Praxmarer asked the petitioner to make their presentation.

Mr. Ken Paulan introduced himself as a forty year resident of the Village and the owner of the property at 15W241 81st Street. Mr. Paulan said the property is unusual in its shape and the location of the house so far in the back of the property. He described drainage and showed photos of existing conditions on the property.

Vice Chairperson Praxmarer asked for public comments and questions.

Ms. Anne Conidi, 8107 Park Avenue, said that the pond on the front of the property was lined with cement and stone. She said her property is flooding for the first time this year. She complained about the noise from the construction on the property which bothers her tinnitus. She said that there was no hardship that would justify the variation. She said the owner made a choice to use most of the 30% permitted coverage for the large barn. She said the construction has been going on for four years and there have been numerous violations for construction hours and cutting of stone without a wet saw.

Mr. Sid Bindingnavle, 8118 Park Avenue, said that neighbors are being impacted by the construction on the property and that it is not fair to the residents to allow more development.

Ms. Natalie Romeo, 8139 Kathryn Court, said that the owner has to choose how to use the 30% rear lot coverage and they have chosen to use most of it for the large building. She said this was a self-imposed hardship and does not justify a variation. She described drainage impacts onto her property from the subject property. She added that the petitioner's calculation of coverage is incorrect and the proposed coverage is actually greater.

Mr. Dan Romeo, 8139 Kathryn Court, submitted a plan with what he believes are the correct calculations for the rear lot and rear lot coverage. He described drainage problems they have had due to the construction on this property.

Mr. Bhaskaran, 8143 Kathryn Court, said that the water on his property is greater since the construction on the subject property.

Mrs. Conidi added that the petitioner has been deceptive with this request and there is no hardship.

Mr. Paulan said that the Village Engineer and his own engineer have approved the engineering design and the property has been improved in compliance with the approved engineering plans.

Vice Chairperson Praxmarer asked for questions and comments from the Plan Commission.

Commissioner Stratis clarified that the building is for storing cars. He asked Mr. Pollock if the owner could construct an aggregate path. Mr. Pollock said a driveway has to be hard surfaced but they might be able to have an aggregate patio if it is not considered a structure.

In response to Commissioner Stratis, Mr. Pollock described how a plan got approved with more than 30% coverage. He said that the site plan for zoning purposes was approved in June of 2013 and there was a revised grading plan approved in April of 2014. Mr. Pollock speculated that the driveway got changed and did not go back for zoning review.

Commissioner Stratis said he does not see a hardship and any hardship is caused by the petitioner, not the Zoning Ordinance.

Commissioner Hoch said she visited the site and there is a lot of driveway and building covering the rear yard. She said the zoning is to protect neighbors and referenced the letter from Mr. and Mrs. Jahn.

Commissioner Grunsten said she agrees that there is no hardship.

Commissioner Broline also agreed as did Vice Chairperson Praxmarer.

There being no further discussion, Vice Chairperson Praxmarer asked for a motion to close the hearing.

At 9:53 p.m. a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to close the hearing for V-07-2016.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Hoch, Grunsten, Broline and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to direct staff to prepare findings of fact and recommend that the Board of Trustees deny V-07-2016.

ROLL CALL VOTE was as follows:

AYES: 5 – Hoch, Stratis, Grunsten, Broline, and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

PC-10-2016: Amendment to the Burr Ridge Comprehensive Plan; 1400 Burr Ridge Parkway and 11650 Bridewell Drive

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Grunsten to continue the hearing for PC-10-2016 to January 16, 2017.

ROLL CALL VOTE was as follows:

AYES: 5 – Broline, Grunsten, Hoch, Stratis, and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

Z-15-2016: Zoning Ordinance Text Amendment – Personal Wireless Service Facilities

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to continue the hearing for Z-15-2016 to January 16, 2017.

ROLL CALL VOTE was as follows:

AYES: 5 – Hoch, Broline, Grunsten, Stratis, and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

IV. CORRESPONDENCE

There was no discussion regarding the Building Report or the Board Report.

V. OTHER CONSIDERATIONS

V-06-2016: 7383 Madison Street (Gofis); Approval of Findings of Fact

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Grunsten to approve the findings of fact for V-06-2017 as prepared and submitted by staff.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Grunsten, Hoch, Broline, and Praxmarer

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

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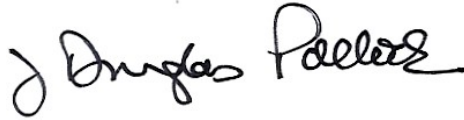
VI. FUTURE SCHEDULED MEETINGS

Mr. Pollock stated that the December 19, 2016 meeting was previously canceled and the next scheduled meeting is January 16, 2017.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Hoch to **ADJOURN** the meeting at 9:57 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned.

Respectfully
Submitted:



January 16, 2017

J. Douglas Pollock, AICP