

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF
FEBRUARY 5, 2018

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, Grunsten, Broline, Scott, and Trzupek

ABSENT: 2 – Hoch, Praxmarer

Staff present were Village Administrator Doug Pollock and Assistant to the Village Administrator Evan Walter.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Grunsten to approve the minutes of the January 15, 2018 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 3 – Broline, Grunsten, Stratis

NAYS: 0 – None

ABSTAIN: 1 – Scott, Trzupek

MOTION CARRIED by a vote of 4-0.

III. PUBLIC HEARINGS

Chairman Trzupek swore in all those wishing to speak during the public hearings on the agenda for tonight's meeting.

Z-02-2018: 15W308 North Frontage Road (Wilk): Text Amendment, Special Use, and Findings of Fact

As directed by Chairman Trzupek, Mr. Walter described this request as follows: the petitioner is Michael Wilk, owner of Magic Irrigation, a landscape irrigation systems installer seeking to relocate to Burr Ridge. The primary services offered by the business include the installation of sprinkler systems and landscape lighting. The petitioner is requesting a text amendment to the Zoning Ordinance to designate "irrigation installation business" as a special use in the B-2 Business District, a special use approval as per the amendment to operate an irrigation installation business upon approval of the text amendment, as well as a special use to permit outdoor overnight parking for six vans and three trailers in a B-2 Business District, all at 15W308 North Frontage Road. At this time, there is no permitted or special use that can accommodate the petitioner in a B-2 Business District. The petitioner does not intend to attract customers to the property; rather, the property is intended to house the administrative functions of their business, such as sales and

scheduling, as well as to park and store company-owned vans and trailers outdoors and overnight. In their pre-application meeting with staff, the petitioner stated that their future plans include purchasing and redeveloping the entire block into a multi-tenant use, such as an office building.

Michael Wilk, owner of Magic Irrigation, said that he was interested in relocating his business to Burr Ridge and explained the nature of his business.

Chairman Trzupke at this time asked for public comment.

Mark Thoma, 7515 Drew, asked if any outside storage would occur on-site. Mr. Wilk said that no outside storage would occur except for vehicles.

Commissioner Stratis asked if any heavy equipment or gas will be stored or maintained on the property. Mr. Wilk said that the business does own one digger, but that it would be stored indoors and not be mechanically maintained on the property, and no gas would be stored on the property. Commissioner Stratis asked if the business was a point-of-sale for parts. Mr. Wilk said that he purchased them from a wholesaler and was not a point-of-sale in Burr Ridge.

Commissioner Broline asked when trucks would leave and return to the business as well as if the trucks were full. Mr. Wilk said that the trucks generally leave around 7:00 a.m. and return around 5:00 p.m. and generally be loaded near the building. Commissioner Broline asked if additional lighting was necessary. Mr. Wilk said that they did not need additional lighting, and that they were a seasonal business and do not operate in the winter.

Commissioner Scott asked what type and quantity of vehicles would be stored outside. Mr. Wilk said that six vans and three trailers would be stored outside. Commissioner Scott asked about the status of the parking lot. Mr. Wilk said that he has a three-year lease with an option to purchase the property at the end of the lease, and preferred not to invest in the parking lot until he purchased the property. Commissioner Scott asked about interim property improvements. Mr. Wilk said that they planned to freshen up the interior of the building, as well as install landscaping on the property.

Chairman Trzupke asked about retail sales. Mr. Wilk said that the customer would purchase the entire system from his company, and pass through the costs to the customer that were paid for originally. Chairman Trzupke asked about the sales process. Mr. Wilk described his sales and installation process.

At 7:50 p.m. a **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Stratis to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 5 –Scott, Stratis, Grunsten, Broline, Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Grunsten to recommend that the Board of Trustees approve an amendment to Section VIII.C.2 of the Zoning Ordinance to add *Irrigation installation business, with no customers on premises* as a special use in the B-2 Business District.

ROLL CALL VOTE was as follows:

AYES: 5 – Scott, Grunsten, Stratis, Broline, Trzupsek

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 petitioner’s findings of fact and recommend that the Board of Trustees approve a special use for an Irrigation installation business, with no customers on premises to Magic Irrigation subject to the following conditions:

1. The special use will be limited to Magic Irrigation in a manner consistent with the submitted business plan and shall expire if Magic Irrigation no longer operates the business at 15W308 North Frontage Road.
2. The special use and facility shall be limited to the building on the property at 15W308 North Frontage Road in which Magic Irrigation will be the sole occupant.
3. No other business activities other than administrative functions and storage of equipment related to an irrigation installation business use shall be conducted within the building on the property at 15W308 North Frontage Road in which Magic Irrigation is the sole occupant.
4. The special use shall expire if the property is significantly re-developed from its current state, including but not limited to demolition of the current building at 15W308 North Frontage Road.
5. The special use shall be granted on a temporary basis for a term of three years, at which time the property owner must demonstrate that the property is in the process of redevelopment or must bring the non-conforming parking lot into conformance with the standards set forth by the Burr Ridge Zoning Ordinance.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Scott, Grunsten, Broline, Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Scott to adopt the petitioner’s findings of fact and recommend that the Board of Trustees approve a special use for outdoor, overnight parking and storage of commercial vans and trailers in a B-2 Business District for Magic Irrigation, subject to the following conditions:

1. All outdoor, overnight parking of commercial vans and trailers shall be limited to the north parking lot within the fenced-in area.
2. Outdoor, overnight parking shall be limited to six commercial vans and three trailers each with a gross weight not exceeding 24,000 pounds.
3. Only commercial vans or trailers owned and operated by Magic Irrigation shall be parked on the premises overnight.
4. The special use shall expire if the property is significantly re-developed from its current state, including but not limited to demolition of the current building at 15W308 North Frontage Road.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Scott, Grunsten, Broline, Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

V. OTHER CONSIDERATIONS

S-01-2018: 16W260 83rd Street (Odeh): Variation and Findings of Fact

As directed by Chairman Trzupke, Mr. Walter described this request as follows: the petitioner is Awad Odeh, owner of Apex Motorworks, an indoor automobile sales business located at 16W260 83rd Street. The petitioner is requesting a variation from the Burr Ridge Sign Ordinance to permit two wall signs in addition to a permitted ground sign on the premises. The petitioner requests the variance for wall signs in addition to a permitted ground sign because the business is restricted from storing or selling any inventory outdoors as a condition of their special use, and signs are their only on-premise method of attracting customers to their location. At the petitioner's public hearing for a special use in May 2017, the subject of attracting customers was brought up by several Commissioners. The petitioner stated that they anticipated a very small minority of their business would be from drive-by customers; instead, they planned to attract a significant portion of their customer base via online marketing methods.

Commissioner Scott asked why the signs were already erected in place if they were not approved. Mr. Walter explained that the petitioner was under the impression that the signs were approved as part of a building permit which showed the sign elevations on the exterior. He said that staff has taken steps to make it clearer that signs should be reviewed separately.

Awad Odeh, 16W260 83rd Street, said that while drive-by customers are not their core customer, they sought the variance to ensure that the building's visibility was clear regardless of where customers were coming from.

Commissioner Scott asked if the Plan Commission had ever been petitioned to have a wall sign in addition to a ground sign. Mr. Walter said that the Plan Commission had recommended approval of variances similar to the one before them.

Commissioner Grunsten asked if any comments were made about the petitioner. Mr. Walter said that no public notice was given because none is required for a sign variance. Commissioner Grunsten asked if granting the variance would set a precedent for this particular street. Mr. Walter said that he could not recall one being granted on that particular street, but variances could always set precedent.

Commissioner Broline asked how the petition came to light. Mr. Walter said that a complaint was received about the parking lot lighting, which prompted the discovery of a lack of permit or variation. Mr. Pollock said that a complaint was separately received about the signs. Mr. Broline said that he felt that there was disregard for the neighborhood in the way the signs were put up. Mr. Odeh said that disregard was not intended and said that his business was appreciative of the special use that had been granted to his business. Mr. Broline asked how the lighting was resolved. Mr. Odeh said that the lights were turned back towards the parking lot as well as removed some lightbulbs to dim the effects.

Commissioner Stratis said that he needed to examine this request as if the signs were not already in place, and would not have supported the request had it been made before they were installed.

Chairman Trzupke asked what the maximum amount of permitted signage would be. Mr. Walter said that the building is permitted 100 square feet of signage but that they were limited to one sign per the Sign Ordinance. Chairman Trzupke said he was sympathetic to the petition if all of the signs were under 100 square feet. Mr. Odeh said they would be willing to take down the smaller of the wall signs if it made their petition more attractive. Chairman Trzupke said that a precedent would be set regardless of whether it was one or two signs that would be permitted.

Mr. Walter said that the Economic Development Commission was currently considering recommending amendments to the Sign Ordinance and that it may make sense to table the petition until the EDC can present their recommendations to the Board, which may result in favorable amendments to the petitioner. Mr. Pollock recommended that the Plan Commission deny the variation, and the Board of Trustees have the opportunity to table the matter.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to recommend that the Board of Trustees deny the request for a variation from Section 55.07 of the Burr Ridge Sign Ordinance to permit two wall signs in addition to a permitted ground sign.

ROLL CALL VOTE was as follows:

AYES: 5 – Scott, Stratis, Grunsten, Broline, and Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

Lakeside Pointe PUD Final Engineering and Plat Review

As directed by Chairman Trzupke, Mr. Pollock described this request as follows: the petitioner, McNaughton Development, Inc., developer of the Lakeside Pointe subdivision, submitted the final plat and final engineering plans for staff review on November 30, 2017. The first set of review comments were provided to the developer on December 18, 2017. Revised plans were provided by the developer on January 15, 2018 and a second set of review comments were provided to the developer on January 30, 2018. Each set of staff review comments includes a review by the Community Development Department relative to compliance with the preliminary PUD, Zoning and Subdivision Ordinances; review comments from the Village Engineer, and review comments from the Village's consulting forester.

1. Review comments provided in the attached staff review dated January 30, 2018 and not also covered in this review will be addressed prior to recording of the final plat subject to staff review.
2. The developer and the Plan Commission should consider if land banking of the perpendicular parking spaces would be appropriate. These spaces have limited value as for every 2 perpendicular spaces added, there is 1 parallel space on the street removed. If land banked, the developer could be asked to provide an escrow account that would be used if the Homeowners Association decided the extra parking is needed.
3. The proposed donation of park land is under consideration by the Pleasant Dale Park District Board. However, the developer requests that if the Park Board does not accept the land donation, that the Village accept the proposed park to be improved by the

- developer, maintained by the Homeowners Association, and provided with an easement that grants public access to the park. As per Section X.A.4 of the Burr Ridge Subdivision Ordinance, the Village has the option of accepting a “private” park dedicated for public use in lieu of a park impact fee or land donation. If the Park District prefers not to accept a land donation and the Village agrees to accept a “private” park, it is suggested that the developer provide an initial deposit of funds to be used by the HOA for park maintenance.
4. An improvement plan for the park has been provided which includes diagonal parking spaces located in the public right of way. Staff cannot recommend this design for parking. As an alternative, it may work to construct parallel parking spaces in this same location. Under any circumstances, it is requested that any work in the right of way be accompanied by the removal of the landscaping island in the middle of Bridewell Road.
 5. The Subdivision Ordinance requires a half street improvement of the adjacent Commonwealth Avenue. It appears the intent was to waive or reduce this requirement. It is staff’s recommendation to waive the street improvements except to add a turnaround at the end of the street.
 6. Similarly, there was no specific action in the preliminary PUD approval to waive the requirement for a donation in lieu of the required sidewalks. Required sidewalks that are not being constructed include a sidewalk along Commonwealth Avenue and along the outside loop of the internal street. A fee in lieu of the required sidewalks will be required unless specifically waived by the Board of Trustees. The Village’s Pathway Commission is recommending a donation in lieu of the required sidewalks not being built.
 7. Final review of the building elevations is required by the Plan Commission and Village Board. Attached are building elevations showing 8 different elevations. The materials and design are similar to the elevations approved with the preliminary PUD plans. The Plan Commission should recommend anti-monotony regulations for the final PUD approval. Typical regulations would include prohibiting the same elevation on adjacent lots and limiting the number of units using the same elevation throughout the subdivision.

John Barry, McNaughton Development, said that his company made the proposal to the Park District, who has currently not determined a course of action, which led them to make the proposal to the Village directly. His company would complete all improvements and be HOA-owned after a period of time. Mr. Barry said that perpendicular parking was proposed because storm sewer was present in the area and it would be less impactful to have parking in this manner. Mr. Barry said that they were under the impression that the residents on Commonwealth Avenue wished to have their street remain as-is during the development of the parcel. Mr. Barry said that they felt that they should also not be subject to the sidewalk requirements as the Plan Commission only required the petitioner to have sidewalks on the inside loop of the street.

Commissioner Stratis said he did not want to see perpendicular parking near the park, which staff agreed with. Mr. Pollock said that parallel parking would be preferred to perpendicular, and that it would become part of the public right-of-way. Commissioner Stratis asked if key lots were identified to have four-sided masonry. Mr. Barry said that eleven key lots were identified to have standard four-sided masonry, while all homes will have the option to have such construction. Commissioner Grunsten asked about park access. Mr. Barry outlined how residents will be able to reach the proposed park via sidewalks.

Commissioner Scott asked about existing green space and vegetation. Mr. Barry said that they preferred to wait until spring to examine the species and health of trees on the property.

Commissioner Scott asked how long McNaughton intended to manage the property before turning it over to the HOA. Mr. Barry said it would be three years before such a transition occurs.

Chairman Trzupke asked about key lots. Mr. Barry said that eleven key lots were identified in the notes of the plat, while all homes will have the option to have such construction. Mr. Barry said that these lots would also have upgraded landscaping plans.

Mark Thoma, 7515 Drew, said that the residents on Commonwealth were most worried about losing their green space barrier. Mr. Thoma said that the Village should not pass on the opportunity to improve Commonwealth.

Mr. Barry said that the petitioner was agreeable to anti-monotony language that was not included in the preliminary plat of approval.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Scott to recommend that the Board of Trustees approve the final plans for the Lakeside Pointe PUD subject to addressing outstanding staff comments.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Scott, Grunsten, Broline, and Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

VI. FUTURE SCHEDULED MEETINGS

- 1. February 19, 2018**
- 2. March 5, 2018**

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 9:02 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:02 p.m.

Respectfully

Submitted:

Evan Walter, Assistant to the Village Administrator