

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF
MARCH 19, 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 Police Station, 7700 County Line Road, Burr Ridge, Illinois by Chairman Trzupsek.

ROLL CALL was noted as follows:

PRESENT: 6 – Stratis, Grunsten, Praxmarer, Hoch, Broline, and Trzupsek

ABSENT: 1 – Scott

Staff present were Village Administrator Doug Pollock and Assistant to the Village Administrator Evan Walter. Trustee Guy Franzese was also present in the audience.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Stratis to approve the minutes of the March 5, 2018 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 3 – Broline, Stratis, Trzupsek

NAYS: 0 – None

ABSTAIN: 3 – Hoch, Grunsten, Praxmarer

MOTION CARRIED by a vote of 3-0.

III. PUBLIC HEARINGS

Chairman Trzupsek conducted the swearing in of all those wishing to speak during the public hearing on the agenda for the meeting.

Z-08-2018: 15W110 87th Street (Provencal) – PUD, Variation and Findings of Fact

Mr. Walter said that the petitioner had withdrawn their request and that the petitioner would need to re-file with the Village if they wished to continue with their pursuit of a PUD.

Z-07-2018: 6860 North Frontage Road (Agarwal) – Special Use and Findings of Fact

As directed by Chairman Trzupsek, Mr. Walter described this request as follows: the petitioner is Arun Agarwal, owner of an 18,020 square foot commercial building at 6860 North Frontage Road. This property shares a parking lot with the property to the east, 6880 North Frontage Road, which the petitioner also owns. The petitioner is requesting special use approval for a medical clinic, First Choice Occupational Medicine, at 6860 North Frontage Road.

No public comment was provided on the petition.

The petitioner was not present. Chairman Trzupsek noted that all petitioners should be present to represent a petition.

Commissioner Grunsten asked about the proposed hours of operation. Mr. Walter said that the proposed use anticipated to be open during normal business hours and briefly open on Saturdays.

Commissioner Broline asked if any emergency services would be provided at this location. Mr. Walter said that no such services would be part of the proposed use.

Chairman Trzupsek said that he would like to see the regulation for medical office parking be amended to something other than six spaces for every doctor on site, as this method of regulation would be difficult to monitor.

At 7:45 p.m. a **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Broline to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Grunsten, Broline, Stratis, Hoch, Praxmarer and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Praxmarer to recommend that the Board of Trustees approve a special use for First Choice Occupational Medicine in Suite A at 6860 North Frontage Road subject to the following conditions:

1. The special use shall be limited to First Choice Occupational Medicine at 6860 North Frontage Road in a manner consistent with the submitted business plan and to expire once the business no longer operates at this property.
2. In order to maintain compliance with the Zoning Ordinance parking regulations, there shall be no more than 27 doctors in practice at any given time.

ROLL CALL VOTE was as follows:

AYES: 6 – Broline, Praxmarer, Stratis, Hoch, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Z-05-2018: 9101 Kingery Highway (McDonald's) – PUD and Findings of Fact

Commissioner Stratis stated that he would be recusing himself from participation in this petition due to a conflict of interest. As directed by Chairman Trzupsek, Mr. Walter described this request as follows: The petitioner is McDonald's, lessee of land at 9101 Kingery Highway. This property is located west of the Spectrum Senior Living facility at the southeast corner of Kingery Highway and 91st Street, which was annexed as part of the Spectrum PUD approved in 2015. McDonald's requests an amendment to Planned Unit Development Ordinance #A-834-24-15 (the Spectrum PUD) and requests special use approvals as per Section VIII.C.2 of the Burr Ridge Zoning Ordinance for a single-tenant restaurant with drive-thru facilities in a B-2 Business District. The subject property is part of a Planned Unit Development approved in 2015, which originally included a senior care facility with approximately 190 total units on 15.5 acres and retail zoning on 3.5 acres fronting Kingery Highway. The Comprehensive Plan states that this area should be developed with residential lots; however, in 2015, the Plan Commission indicated that they wished to amend the Comprehensive Plan to reflect that this area should be developed as mixed-use, which

is the intention of the Spectrum PUD. An amendment to the Comprehensive Plan will be necessary and will be initiated by staff and scheduled for a subsequent Plan Commission meeting. Mr. Walter said that signs would be reviewed under a separate consideration.

Jim Olguin, attorney for the petitioner, introduced the petition and the team from McDonald's that worked on said petition.

Andrew Uttan, V3 Engineering, made a presentation on behalf of the petitioner. He said that McDonald's was moving a nearby location in unincorporated Hinsdale Township to the proposed property because the current building is outmoded and the new location would allow them to take advantage of better morning traffic patterns. He discussed site plans, building elevations, and other details related to the petition.

Chairman Trzupcek asked for public comment.

Stillman Chang, 9550 Pacific Court, said that the petitioner's reasons for moving were not valid, including the setback of the current location on Kingery Highway being sub-standard and the building being outmoded.

Laurie Chang, 9550 Pacific Court, said that the increase in traffic would be detrimental to the property values in the area, specifically the Fallingwater subdivision, and said that the McDonald's would bring unwanted criminal activity to the Village. She said that she felt the south side of Burr Ridge was continually treated unfairly in regards to traffic and new development.

Cindy Gorney, 10S301 O'Neill Drive, said that she was concerned about an increase in traffic on 91st Street, with the increase affecting her neighborhood as traffic had routinely cut through her street to avoid the light on 91st Street on Kingery Highway. She also expressed concerns regarding the safety of pedestrians who were riding their bicycles in the area. Ms. Gorney asked about the smell that would emanate from the site. Cindy Armstrong, McDonald's, said that the company uses the latest in filtering technologies to mitigate issues related to smell. Ms. Gorney asked about sidewalk connectivity. Mr. Walter said that sidewalks were to be built on the south side of 91st Street and connect to County Line Road. Mr. Uttan explained that McDonald's is required to build an ADA-compliant access from the connecting sidewalks to a public door, which was shown on the plans.

Richard Shackleton, 10S311 O'Neill Drive, said that traffic at the intersection was already very intense and that pedestrians would be endangered if a McDonald's was permitted to be opened at the proposed location.

Barry Irwin, 15W064 87th Street, said that the proposed use was not appropriate for the existing intersection and felt that a McDonald's should not be featured at a major entrance to the Village.

Raymond Baldi, 9204 Fallingwater Drive, said that he had seen the area develop as the first resident in the Fallingwater subdivision, and was concerned that crime that he felt currently existed

on the other corners of the intersection would be drawn into Burr Ridge that would be brought by the McDonald's.

Marc Thoma, 7515 Drew, said that the garbage area was small and that the garbage trucks would cause parking lot back-ups. Al Daniels, McDonald's construction manager, said that they did not anticipate this being a problem. Mr. Thoma said that the elevations were ugly and cookie-cutter, and was not up to Burr Ridge standards. Mr. Thoma asked the petitioner where snow would be put on site if this were allowed. Mr. Daniels said that the proposed site allowed for more storage than McDonald's is usually used to due to the reconfigured site plan which eliminated a driveway. Mr. Thoma asked if the yellow architectural features were considered signs. Mr. Walter said that these were not considered signs as they are architectural features of the building's elevation.

Alice Krampits, 7515 Drew, asked about the hours of operation, specifically if the location would be open 24 hours. Mr. Daniels said that the facility would be open approximately 5am-midnight with the interior of the store closing one hour prior to midnight, with only drive-through access permitted after 11pm. Ms. Krampits asked about the potential to work with DuPage County to lower the speed limit on Kingery Highway due to the number of residents concerned about traffic speed in the area.

Anis Paya, 9253 Fallingwater Drive, said that he had experience managing traffic-related projects and found that the petitioner's work was not up to certain professional standards. He requested that another traffic study be done during summer months to determine if traffic projections would differ.

Mary Glusak, 2 Sylvan Glen Court, said that she was concerned about crime coming into Burr Ridge that would be brought by the McDonald's.

Commissioner Praxmarer said that while the property is zoned for such a use, she was concerned about the intensity of traffic and requested further traffic studies and information be provided. Commissioner Praxmarer also requested crime reports from the other three corners of the intersection located in unincorporated DuPage County.

Commissioner Grunsten said that traffic was a primary concern, and did not feel that the proposed elevations met the aesthetic standards that are expected in Burr Ridge. She compared the proposed elevations to several other locations in the area and wanted to see a more aesthetically pleasing elevation brought forth.

Commissioner Broline asked the traffic consultant to explain the traffic study, specifically regarding how they came up with the proposed traffic counts if McDonald's were built. Commissioner Broline also asked about sales projections for this proposed location. Luay Aboona, KLOA, provided an answer, but Commissioner Broline said that he did not feel the explanation provided was clear and did not support the proposed petition without further information.

Commissioner Hoch asked what types of uses are appropriate for the site under current zoning, if there was anything similar in the Village to a McDonald's, and if there was a more suitable site

for such a use. Mr. Walter said that the property is zoned for commercial retail uses, such as a McDonald's, and that they are a well-known, well-run entity with a proven business model. Mr. Walter said that there are no other uses like a McDonald's in town; he explained that McDonald's was the first ever petition for a drive-thru restaurant in town and the Village has no comparable zoning history for another use. Mr. Walter said that in his opinion, this was the best site for a McDonald's in Burr Ridge from an economic development and planning perspective.

Chairman Trzupsek said that he felt that the traffic study was valid, but did request that the petitioner refine their study to be more user-friendly and understandable. Chairman Trzupsek asked staff how IDOT studied intersections for possible improvements. Mr. Walter said that IDOT likely did a study when the Spectrum PUD was proposed and concluded that the proposed uses would have included a senior living facility and several commercial outlots, and would have not approved the traffic improvements as sufficient if they did not feel that they would solve the problems.

The Plan Commission directed staff and the petitioner to provide more information regarding the following:

- Traffic; specifically, how many unique car trips would be generated to the subject property by northbound and southbound travelers as well as how many would be required to use 91st Street upon exiting the subject property.
- Intersection studies; specifically, whether IDOT studied the intersection (either in terms of capacity or signal timing) to determine if any expansion or upgrades is required due to the development occurring in the Village.
- Crime; the Plan Commission requested reports from the DuPage County Sheriff and Burr Ridge Police Department regarding the number of issues that have occurred at Speedway, Walgreens, the strip center on the southwest corner of Kingery Highway and 91st Street, and the existing McDonald's on Kingery Highway.
- Elevations; the Plan Commission requested to see an upgraded elevation package as the proposed property is located at a Village entrance.

At 10:02 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to continue the public hearing until the April 16, 2018 meeting of the Plan Commission.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

Z-03-2018: Zoning Ordinance Amendment; Overnight, Outdoor Parking of Commercial Vehicles in Manufacturing Districts

As directed by Chairman Trzupke, Mr. Walter described this request as follows: At the February 19, 2018 meeting, the Plan Commission discussed several potential amendments to the Zoning Ordinance related to outdoor, overnight commercial vehicle parking. The Plan Commission requested further data be collected on possibly regulating by building square footage and available parking spaces as well as provide a final recommendation for said amendments. Mr. Walter said that the results of this analysis demonstrate that the average petitioner requested one truck for every 2,500 square feet of commercial space or every third parking space.

At 10:12 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Stratis, Broline, Praxmarer, Grunsten, and Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend that the Board of Trustees approve amendments to the Section X.B.7 of the Zoning Ordinance as follows:

1. The standard number of vehicles that are permitted to be parked outside shall be raised from two to four.
 - a. The trucks must be parked in the rear of the property or in the side if rear parking is unavailable.
 - b. Up to four trucks shall not exceed 24,000 pounds.
2. A commercial business may park up to eight trucks overnight; however, four of the eight trucks may not exceed a Class 2 GVWR rating (not to exceed 10,000 pounds).
3. Trailers shall be permitted but limited to one-half the number of total trucks parked outside, not to exceed four trailers without a special use permit, each not to exceed a 5,000-pound flat weight rating.
4. A special use hearing shall be required if the petitioner requests more than eight vehicles be stored outside or four vehicles if the subject property is located adjacent to a residential district.
 - a. If the commercial property abuts a residential zoning district, a 6' solid fence shall be provided on the residential lot line if the user seeks to park more than four commercial vehicles outdoor, overnight.
5. Outdoor storage, such as storage containers, shall remain a special use.
6. Outdoor, overnight parking of trucks exceeding 24,000 pounds shall remain prohibited.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Hoch, Broline, Praxmarer, Grunsten, and Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

V. OTHER CONSIDERATIONS

S-03-2018: 9101 Kingery Highway (McDonald's); Sign Variations and Findings of Fact

Commissioner Stratis stated that he would be recusing himself from participation in this petition due to a conflict of interest.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to continue the consideration until the April 16, 2018 meeting of the Plan Commission.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

VI. FUTURE SCHEDULED MEETINGS

1. April 2, 2018

A. Z-09-2018: 306 Burr Ridge Parkway (Hennessy); Text Amendment, Special Use, and Findings of Fact

Requests a text amendment to permit “custom art studio” as a permitted or special use in the B-1 Business District and requests special use approval for a custom art studio in a B-1 Business District, if necessary.

B. Z-10-2018: 16W020 79th Street (Lyons Truck Sales); Text Amendment, Special Use, and Findings of Fact

Requests a text amendment Section IV.J of the Burr Ridge Zoning Ordinance to permit chain link fence as a special use in Manufacturing Districts and requests a special use approval as per the amended Section IV.J to permit a chain link fence on the subject property.

2. April 16, 2018

A. Z-05-2018: 9101 Kingery Highway (McDonald's); PUD and Findings of Fact; continued from March 5, 2018 and March 19, 2018.

Requests an amendment to Planned Unit Development Ordinance #A-834-24-15 (Spectrum) and requests special use approvals as per Section VIII.C.2.q of the Burr Ridge Zoning Ordinance for a single-tenant restaurant with drive-thru facilities in a B-2 Business District.


B. S-03-2018: 9101 Kingery Highway (McDonald's); Sign Variation; continued from March 5, 2018 and March 19, 2018.

Requests variations from Section 55.06.A of the Burr Ridge Sign Ordinance to permit four wall signs in addition to a permitted ground sign on the subject property, all of which exceed 100 combined square feet.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 10:19 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 10:19 p.m.

**Respectfully
Submitted:**



Evan Walter, Assistant to the Village Administrator