

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF MAY 6, 2019

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupsek.

ROLL CALL was noted as follows:

PRESENT: 8 – Irwin, Praxmarer, Broline, Farrell, Hoch, Stratis, Petrich, and Trzupsek

ABSENT: 0 – None

Village Administrator Doug Pollock and Assistant Village Administrator Evan Walter were also present.

II. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Petrich and Commissioner Irwin noted several edits to the April 15, 2019 minutes.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to approve the minutes of the April 15, 2019 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 7 – Hoch, Broline, Stratis, Farrell Praxmarer, Petrich, and Trzupsek

NAYS: 0 – None

ABSTAIN: 1 – Irwin

MOTION CARRIED by a vote of 7-0.

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-05-2019: 6901 Madison Street (Five Seasons); PUD Amendment and Findings of Fact; continued from April 15, 2019

As directed by Chairman Trzupsek, Mr. Walter provided an overview as follows: the petitioner is Five Seasons, owner and sole tenant of the property located at 6901 Madison Street. The petitioner is requesting an amendment to Planned Unit Development Ordinance #A-834-09-99 to permit an annual, temporary accessory structure covering a pool in the rear yard of a health club in the L-I Light Industrial District. Planned Unit Developments (PUD's) are considered special uses under the Burr Ridge Zoning Ordinance, and thus any major amendments to them require a special use approval via a public hearing. The petition was continued from April 15, 2019 to allow for the petitioner to submit more accurate site plan and elevation drawings for consideration.

The dome is proposed to cover most of the pool's decking area in the rear yard of the property, measuring approximately 175 feet wide on the north and south sides and 115 feet on the east and west sides. The dome's exterior wall is proposed to be located approximately 50 feet from the

southern property line, which would otherwise exceed the minimum rear yard setback for a building of this size in the L-I Light Industrial District. The dome as shown would not exceed the proposed 33-foot height as described in the previous meeting. Three total exit points are provided; however, one primary ingress and egress site is shown on the north side of the property in the form of a combination revolving door and standard door with airlock. The inflation unit and emergency generator is shown on the southern portion of the dome, nearest the rear property line. Mr. Walter noted that several of the items that were mentioned in the staff report were later satisfied by the petitioner, including the decibel rating level and privacy screening for the mechanical units.

Chairman Trzupke asked for public comment. None was given.

Commissioner Hoch asked for clarification of the dome's exterior footing. Barb Potter, Five Seasons, identified the location on the site plan. Commissioner Hoch asked who would maintain the structure. Ms. Potter said that the club's vendor, Yeadon Domes, would erect and tear down the structure on an annual basis on behalf of the club. Commissioner Hoch asked when the dome would be erected on the property. Ms. Potter said that it was not likely that the dome would be up for more than six months at a time, stating that they have had the outdoor pool open in November in previous years.

Commissioner Petrich asked how the Building Code would govern the construction of the accessory structure. Mr. Walter said that he reviewed the concept with the Village's commercial building consultant, who informed him that while the structure may be constructed for 180 days or less (defining a temporary structure), it would still be required to be built according to the specifications that govern permanent structures. Commissioner Petrich asked who would be performing maintenance and monitoring of the structure. Ms. Potter said that these functions were automated, but that Five Seasons would be responsible for site maintenance of the facility. Commissioner Petrich said that he was concerned about safety of the structure, especially given that it was proposed to be constructed over a swimming pool, which has different structural requirements.

Chairman Trzupke said that the word "temporary" may be deceiving, in that it is designed to be built as a collapsible building but not only as a temporary structure.

Commissioner Broline asked who generated the decibel ratings in the packet. Ms. Potter said that they were projected by the manufacturer.

Commissioner Stratis said that if the insulation unit and generator were to be screened, they would not need to be moved once the dome was deflated. Commissioner Stratis supported the concept of allowing the insulation unit and generator to be installed year-round with screening. Commissioner Stratis said he was concerned about the dome being left up year round to realize cost savings.

Commissioner Irwin asked if the dome would be permitted if the subject property were not a PUD. Mr. Walter said that the underlying zoning would not permit an accessory building, and that this would be a variation and still require a public hearing.

At 7:33pm, a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 7 – Hoch, Praxmarer, Irwin, Stratis, Farrell, Broline, and Trzupke

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to recommend that the Board of Trustees adopt the Findings of Fact and approve a request by Five Seasons for an amendment to Planned Unit Development Ordinance # A-834-09-99 to permit an annual, temporary accessory structure covering a pool in the rear yard of a health club in the L-I Light Industrial District, subject to the following conditions:

1. The dome shall not exceed 33 feet in peak height.
2. The dome's exterior shall be a gray or gray-toned.
3. No advertising, logos, flags, or writing of any kind shall be permitted to be written directly on or attached to the exterior of the dome.
4. The dome's exterior membrane shall be cleaned on an annual basis.
5. The dome shall be permitted to be erected from Labor Day to Memorial Day.
6. The dome's structural elements must be stored in an enclosed area.
7. The insulation unit and emergency generator shall be permitted to be present year-round, with both screened by a permanent masonry wall.

Commissioner Petrich asked if there was a need to add a condition about the structure being present for less than 180 days. Mr. Walter said that the structure would go through the permitting process as a permanent structure. Commissioner Petrich said that he was concerned about safety, with the proposed plans not showing all specifications that would be required for a permit application. Mr. Walter said the proposed plans were not intended to be construction-grade, and that such plans would be forthcoming once a permit application was filed. Mr. Walter also explained that the structure would be permitted once, but be required to be re-inspected on an annual basis once it is built by the Village's commercial building consultant.

Commissioner Petrich said that if he were voting on the matter, he would want to see a condition included in which the structure would be required to comply with all emergency and safety codes, specifically identifying the safety mechanisms to ensure that unscheduled deflation would be accounted for in an emergency situation. Chairman Trzupsek said that requirements related to the building code were not the purview of the Plan Commission and felt that adding local amendments would be inappropriate.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Broline, Praxmarer, Farrell, Irwin, and Trzupsek

NAYS: 0 – None

ABSTAIN: 1 – Stratis

MOTION CARRIED by a vote of 6-0.

Z-06-2019: 6880 North Frontage Road (Vine Academy); Text Amendment, Special Use, and Findings of Fact

As directed by Chairman Trzupsek, Mr. Walter provided an overview as follows: the petitioner is Vine Academy, the proprietor of a private grade school and prospective tenant of 6880 North Frontage Road. The petitioner is requesting a text amendment to Section X.E of the Burr Ridge

Zoning Ordinance to add “private school” as a special use in the L-I Light Industrial District and a special use as per the amended Section X.E to permit a special use for a private school in the L-I Light Industrial District. At this time, the Zoning Ordinance only lists “schools, commercial or trade schools which are conducted entirely within enclosed buildings” as a permitted educational use in the L-I District. Vine Academy is a private school which has been dual-accredited through AdvancEd and the National Independent Private School Association (NIPAS). Vine Academy serves K-12 students in a full-time, small-group setting, and is in the process of relocating from their present location in Hinsdale. Vine Academy would occupy 13,671 square feet within the building and has no immediate plans to expand beyond this footprint due to the self-limiting structure of the school’s educational approach. The building on the subject property is 53,731 square feet in size.

The petitioner states in their special use application that Vine Academy currently educates approximately 75 students with 16 full-time equivalent staff, including a school administrator, nurse, front-desk administrator, and teachers, and plans to grow at a rate of ten students per year, capping out at 200 students and 30 staff members. The petitioner has listed three primary components of its educational approach: class size, mixed-age groupings, and projected learning. First, class sizes are determined based on skills or content; smaller classes are employed for skills, such as literature and math, while larger classes are employed for content, such as science and languages. Second, mixed-age groupings are considered, allowing children to learn at a pace and challenge level that is appropriate for their current abilities. Finally, projected learning, which emphasizes hands-on exploration of topics through critical thinking as well as executive functioning.

The petitioner states that their hours of operation are 7:45am-4:15pm during the typical school year calendar, 8:00am-3:00pm for four weeks in the summer, as well as a few select evenings each year. These times include the drop-off and pick-up times that occur as a part of operations. Vine Academy owns and operates no buses, with transportation to and from school conveyed by parents of students or other private means, meaning that no vehicles will be stored on site. Vine Academy has proposed a one-way traffic flow around the building to more efficiently convey ingress and egress throughout the property. A specifically-designated drop-off space with access door is shown on the petitioner’s plans, and has been located so as to maximize the amount of stacking space between this area and the public right-of-way. The petitioner has stated that in the rare case of stacking occurring in the street, cars would be directed to park within the lot as they wait. As part of their request, the petitioner has requested a small, 2,500-square foot outdoor play area to be used for recess and other activities for younger students be included in their special use request. This area is proposed to include a small playground designed and installed by a licensed manufacturer. No inter-school athletic programs are directly sponsored by the school; however, Vine Academy does state that a multi-purpose space is included in its proposed building design to accommodate fitness electives and other large group activities.

Chairman Trzupsek asked how staff arrived at the particular context of the use. Mr. Walter said that the existing educational use was related to trade and technical colleges, and staff interpreted this use to be separate from the existing special use.

Amanda Vogel, Vine Academy, introduced herself to the Plan Commission.

Chairman Trzupsek asked for public comment. None was given.

Commissioner Stratis asked for further clarification of the use as proposed. Mr. Walter said that there are certain instances in the Zoning Ordinances wherein uses are written very specifically, and in the case of the existing use listing, the use was intended to account for something like a plumbing school, but not a truck driving school, as the plumbing school was conducted entirely indoors. Mr. Pollock also explained that “schools, public or private”, are commonly found uses in other zoning districts. Commissioner Stratis asked if 98 remaining spaces was sufficient. Mr. Walter said that parking is determined by individual uses, and that there would be no way to predict if the 98 remaining spaces were sufficient for the balance of the building because the types of uses that would be present was not known at the time. Commissioner Stratis asked what kind of fence would surround the outside area. Jason Shibata, representative of the petitioner, said that the fence would be an open fence, approximately 6’ in height. Commissioner Stratis asked if particular classes would use the space together. Ms. Vogel said that the school would limit how many kids would be able to use the outdoor space. Commissioner Stratis asked how the Village would know if the parking were sufficient for the remaining uses. Mr. Walter explained that the Village has a process for determining zoning applicability, and if insufficient parking were available for the use, a variation would be required, at minimum.

Commissioner Farrell asked if there were other examples of schools in zoning districts. Mr. Pollock said that aside from an autistic-oriented school on Madison Street, this would be the first private school in the Village. Commissioner Farrell asked for clarification as to the size of the outdoor play area. Mr. Shibata said that the smaller area would be the only outdoor area used by the school. Mr. Walter said that the smaller play area would allow for ten additional spaces to be realized on site.

Commissioner Praxmarer asked how lunch was taken. Ms. Vogel said that no kitchen was proposed and that lunches were eaten in classrooms or outside. Commissioner Praxmarer asked in Frontage Road was a county road. Mr. Walter said that it was a county road.

Commissioner Broline asked for clarification as to how the building was separated by use. Ms. Vogel provided an updated interior build-out plan which showed such barriers.

Commissioner Irwin said he supported the petition.

Commissioner Hoch said she supported the petition but asked if some of the drop off times could be staggered. Ms. Vogel said that the drop off times naturally stagger and younger children are picked up approximately 40 minutes earlier than older children.

Chairman Trzupke asked if the traffic pattern was mandated to be one-way as shown or if that was just the natural path of the building. Ms. Vogel said that the building has a true front and back side and while not mandated by local law, the pattern does have a natural effect.

At 8:13pm, a **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Hoch to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Hoch, Stratis, Praxmarer, Farrell, Broline, and Trzupke

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Farrell to recommend that the Board of Trustees adopt the Findings of Fact and approve a request by Vine Academy for a text amendment to Section X.E of the Burr Ridge Zoning Ordinance to add “private school” as a special use in the L-I Light Industrial District.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Farrell, Hoch, Praxmarer, Stratis, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Farrell to recommend that the Board of Trustees adopt the Findings of Fact and approve a request by Vine Academy for a special use as per the amended Section X.E to permit a special use for a private school in the L-I Light Industrial District, with the special use subject to the following conditions:

1. The special use shall be limited to Vine Academy in a manner consistent with the submitted business plan.
2. The special use shall be null and void if Vine Academy no longer operates a private school at 6880 North Frontage Road.
3. The private school shall be limited to 200 total students on site, comprised of any age or grade level.
4. The outdoor play area shall have a single point of access and shall be surrounded by a fence, to be secured with a child-proof locking mechanism at all times.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Farrell, Hoch, Praxmarer, Stratis, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

V. OTHER CONSIDERATIONS

S-03-2019: 6901 Madison Street (Five Seasons); Conditional Sign Approvals and Sign Variation

As directed by Chairman Trzupek, Mr. Walter provided an overview as follows: the petitioner is Five Seasons Sports Club, owner and sole tenant of the property located at 6901 Madison Street. The petitioner is requesting a variation to permit a ground sign in addition to a permitted ground sign and conditional approval to permit two ground signs with more than three colors at a property in the L-I Light Industrial District. Sign #1 is proposed to be located at the entrance of the facility, measuring 4 feet in height and 12 square feet in area and double-sided, while sign #2 is proposed to be located on the corner of the property, measuring 68 inches in height and 27 square feet in area and single-sided. Both signs will have identical Five Seasons logos with a white panel field and be erected on free-standing metal posts, which is permitted by the Sign Ordinance.

No person was present to represent the petition.

Commissioner Stratis recommended that the Plan Commission deny the petition on the basis of the proposed signs being located in inappropriate locations, with one sign being proposed to be located very close to the “Burr Ridge” entryway sign on Plainfield Road. The Plan Commission generally concurred with this statement.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to recommend that the Board of Trustees deny a request for a variation to permit a ground sign in addition to a permitted ground sign and conditional approval to permit two ground signs with more than three colors at a property in the L-I Light Industrial District.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Irwin, Farrell, Hoch, Broline, Praxmarer, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Preliminary Plat of Subdivision (Mendi): Subdivision Variation and Preliminary Plat of Approval

As directed by Chairman Trzupek, Mr. Walter provided an overview as follows:

- Two single-family residential lots are proposed; each lot complies with the minimum 20,000 square foot lot area and 100’ width as required in the R-3 District. The subject property has a current Grant Street address; if a subdivision were created, the western lot would receive its access via Keller Drive, while the eastern lot would receive its access via Grant Street.
- The extension of Keller Drive with a terminus at the north end is required to facilitate travel for vehicles along Keller Drive. Two properties located directly south of the subject property on either side of the street, 6081 and 6086 Keller Drive, were created via a re-subdivision in 1992 (Wildwood’s 1st Addition). That subdivision was permitted without the creation of a terminus, as it was assumed that at least one more subdivision would be created north of these new lots, with the next subdivision providing the necessary turnaround infrastructure. This petition represents the next and likely final subdivision extending north on Keller Drive.
- The purpose of the required turnaround is to provide ease of access for emergency vehicles, snow plows, and other vehicles.
- To create this subdivision, the petitioner is required to provide a cul-de-sac terminus with a 90’ pavement width and 120’ right-of-way per the Subdivision Ordinance. A cul-de-sac terminus meeting the requirements of the Subdivision Ordinance is shown as “Alternate #2” in the petitioner’s exhibits. The petitioner has requested a variation from this requirement, stating that since a standard cul-de-sac’s physical presence would be located on a single parcel, a reduction in the size of the terminus would allow for greater use of the property. The petitioner has provided two options for a variation, shown as “Alternate #1” and “Alternate #3”. Alternate #1 shows a reduced size cul-de-sac with 54’ wide pavement and right-of-way, while Alternate #3 shows a T-type terminus with 60’ wide and 24’ deep pavement and right-of-way.
- The following are examples of dead end streets in the Village that were approved without compliance with the cul de sac turnaround requirements:

- There are several in the R-4 District in the vicinity of 83rd and 87th Streets. They include Wedgewood Drive and Heather Court, north of 87th Street and Windsor Court north of 83rd Street. All of these were approved in the 1980's.
- Thurlow Drive in the Madison Club Subdivision was approved in 1997 without a turnaround but with the expectation that it would be extended through at a later date.
- The Esther Court Subdivision was approved in 2016 (Drew Avenue south of 91st Street) with a reduction in the required right-of-way width (from 120 feet to 100 feet) but with compliance with the required 90 foot turn around pavement width. Drew Avenue south of 91st Street serves nine current homes. This subdivision has not yet been constructed.
- If a variation were desired, the Village's Public Works Department and Pleasantview Fire Protection District have stated that while they both prefer that the standard cul-de-sac required by the Subdivision Ordinance be constructed, a T-type terminus is preferred to a sub-standard cul-de-sac if a variation were desired, with any T-type constructed be at least 120' wide and 25' deep to permit ease in conducting three-point turns. Public Works has also requested that a covenant be placed on the property which precludes a driveway being constructed at the end of the street facing Keller Drive to allow for greater ease in pushing snow off the street.

Resham Mendi, 6100 Grant Street, said that she was the owner of the property and was seeking to create a subdivision that would reflect the character of the neighborhood.

Chairman Trzupsek asked how far to the north the subdivision was proposed to reach. Mr. Pollock said that the road could conceivably reach beyond the property at 6100 Grant Street.

Commissioner Stratis asked how the property to the north could subdivide without public street access, as had occurred previously. Mr. Pollock said that while a subdivision had occurred, the lots were not buildable due to their not having public utility access.

Chairman Trzupsek asked if Keller Drive could simply continue and terminate into a flat dead end to allow for the opportunity for the road to continue further north. Mr. Walter said that such a concept was possible if the Plan Commission felt that it made sense to do so. Mr. Pollock said that additional information should be brought forward to better understand the impacts of all concepts.

Commissioners Hoch and Irwin said that they did not like the aesthetic nature of the T-type concept, and expressed an interest in seeing a full cul-de-sac be built at an appropriate location to allow for further development to occur if it were possible.

The Plan Commission agreed that the petition would be reconsidered at their June 3, 2019, meeting to allow for more time to gather possible alternatives for planning in the area, with no continuance being required.

VI. PUBLIC COMMENT

VII. FUTURE SCHEDULED MEETINGS

May 20, 2019

A. Z-04-2019: 10S110 Madison Street (Tri-State Fire Protection District); Special Use and Findings of Fact; continued from April 15, 2019

Requests a special use as per Section IV.V of the Burr Ridge Zoning Ordinance to permit a personal wireless service facility at a property owned and used for municipal services.

June 3, 2019

No business is currently scheduled for this date. If no business is scheduled by May 20, 2019, staff recommends this meeting be cancelled.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 8:50 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:50 p.m.

**Respectfully
Submitted:**

EVAN B WALTER

Evan Walter, Assistant to the Village Administrator