

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF FEBRUARY 3, 2020

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 Trzupek.

ROLL CALL was noted as follows:

PRESENT: 4 – Stratis, Broline, Petrich, and Trzupek

ABSENT: 3 – Hoch, Irwin, and Farrell

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

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Stratis to approve the minutes of the January 20, 2020 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Petrich, Stratis, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

III. PUBLIC HEARINGS

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

V-01-2020: Oak Creek Club Subdivision (Curelo); Variation and Findings of Fact; continued from January 20, 2020

Chairman Trzupek asked for a summation of the petition's status. Mr. Walter said that the Plan Commission continued this discussion from its January 20 meeting to provide for the findings of fact to be further elaborated, as well as for additional consideration to provide for an alternate storage location for the proposed vehicle. Mr. Walter said that the findings had been further clarified and that staff and Ken Curelo, petitioner, had determined that the location originally proposed would be least impactful due to the fact that it was not visible from any unit's front door. Chairman Trzupek asked for public comment. None was given.

Commissioner Petrich asked if the current snow removal contractor was still willing to mobilize the vehicle for the additional \$500 cost of each occurrence, the cost that was mentioned during the previous meeting. Mr. Curelo indicated that the current contractor would not perform the services unless the vehicle is stored at the subdivision. Commissioner Petrich also asked if Oak Creek has solicited bids from other contractors. Mr. Curelo indicated they reached out to one other contractor, and they were not interested in bidding the work. Commissioner Petrich clarified for the record, contrary to what was previously stated, that the vehicle is visible from the living area and deck of at least one unit, which is across from where the vehicle is stored. Mr. Curelo indicated that the resident in that unit has lived there prior to and since the vehicle has been stored at that location. Commissioner Broline asked how many residents of Oak Creek Club were senior residents. Mr. Curelo said that over 75% of their residents were aged 65 and over.

Commissioner Stratis said that he could support the concept of the request but wished that there was a better location for storage. Commissioner Stratis said that unanimity in the HOA's Board was a factor in determining the appropriateness of the variation.

Chairman Trzupsek said that he could support the concept of the request due to the geographic nature of the subdivision as well as due to the fact that there were unique snow-clearing issues to the site. Chairman Trzupsek asked if there were any other subdivisions that could be compared to Oak Creek Club in terms of layout and HOA responsibility. Mr. Walter said that only Burr Ridge Club was identified; Mr. Walter elaborated by saying that this was the only other subdivision to his knowledge that was private, had a fully-staffed guardhouse, in which the subdivision was responsible for plowing both roads, driveways, and walkways. Mr. Walter said that while Burr Ridge Club was identified on these grounds, that subdivision also had cluster driveways made of clay and dirt and not pavement, and a different method of snow removal was used that would not be used in Oak Creek Club.

At 7:12pm, a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 4 – Stratis, Broline, Petrich, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to recommend that the Board of Trustees adopt the Findings of Fact and approve a request by Oak Creek Club Subdivision for a variation from Section IV.K.2 of the Zoning Ordinance to permit outdoor storage of one commercial vehicle and relevant attachments and implements to be used for snow removal on a seasonal, annual basis in a guest parking spot in the subject subdivision, subject to the following conditions:

1. The variation shall be limited to one commercial vehicle; the commercial vehicle may vary in exact make and model but be no larger than a traditional “Bobcat” utility vehicle.

2. The commercial vehicle shall be permitted to be stored in the designated guest parking area as noted within the petitioner's submitted materials. The commercial vehicle may not be parked within any public or private roadway when not in use.
3. The commercial vehicle shall be permitted to be located at the designated guest parking area from November 15 through April 1 on an annual basis.

Commissioner Broline requested that the letter in the packet from the HOA Board be included in the findings of fact. There was consensus on this request.

ROLL CALL VOTE was as follows:

AYES: 4 – Stratis, Petrich, Broline, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 4-0.

Z-04-2020: 15W230 North Frontage Road (Bobak); Special Use, Variations, and Findings of Fact

Prior to discussion, Commissioner Broline stated that he represented the seller of the subject property, and would be recusing himself from any discussion or voting on the petition. Commissioner Broline's recusal was noted by the Plan Commission, and he returned to the audience at this time.

Due to Commissioner Broline's recusal, there were only three Commissioners present, meaning that a quorum was no longer present. Chairman Trzupek explained that no action could be taken, but because residents had attended the meeting, he wished to begin the discussion of the petition and receive feedback from both residents and Plan Commission.

Chairman Trzupek asked Mr. Walter to review the public hearing request. The petitioner is John Bobak, prospective purchaser of the property commonly known as 15W230 North Frontage Road. The petitioner is requesting a special use consisting of a site plan and building elevation review for the purpose of erecting a 10,000-square foot, 2-story office building with associated parking in the T-1 Transitional District. Accommodation of the request requires the following variations from the Zoning Ordinance:

- A principal building that exceeds the maximum FAR requirements
- Insufficient setbacks for a principal building on the interior side, corner side, and rear yards
- A driveway which exceeds the maximum allowable width in a non-residential district
- Insufficient setbacks for a driveway from a property line
- An off-street loading berth in a yard adjoining a residential district that is not fully enclosed
- A trash dumpster located partially in the side yard and nonadjacent to the rear wall of the principal building
- An insufficient number of parking spaces for an office use

- Insufficient setbacks for off-street parking as well as off-street parking located in the front and corner side yards of the subject property

Mr. Walter explained each variation required, noting specifically that even if no variations were required to construct a building, the petition would still require a special use due to it being a new building in a T-1 Transitional District. Mr. Walter said that a previous petition for an office building on the subject property was approved in 2008, and staff included the parameters of said petition in the staff report to add context for the present petition. Mr. Walter said that the petition was incomplete in that the landscaping plan was incomplete and no engineering plans were provided, and so he stated that the petition was incomplete.

Jonathan Hague, representative of the petitioner, stated that there were challenges in the size of the subject property, which resulted in so many variations being required to build the proposed building.

Chairman Trzupsek said that he strongly opposed the presence of a drive aisle on the north side of the site plan. Mr. Hague said that because a vacated alley was previously located in this area, it seemed like a natural area for such infrastructure. Mr. Hague noted that while semi-trucks were drawn on the site plan, deliveries would come via box trucks.

Chairman Trzupsek asked for public comment.

Frank Mensik, 7339 Hamilton, said he lived directly adjacent to the northwest of the subject property and was concerned with truck traffic as well as the impacts of water runoff. Mr. Mensik opposed the plan as shown but felt that a small office building would be appropriate.

Ken Burnett, 7339 Park, said that he felt the site was inappropriate for truck traffic and opposed the plan as shown. Mr. Burnett said that the roads in the area were not engineered for major truck traffic.

Scott Madsen, 7309 Hamilton, said that he concurred with the previous statements made about the plan, opposing it as shown. Mr. Madsen said that the roads in the area were very narrow and had very little sub-base, therefore being inappropriate for truck traffic.

Oscar Pederson, 7250 Elm, said that the area has a “no truck traffic” ordinance, prohibiting streets in the area from being used for truck traffic, thus making the plan incompatible with the area. Mr. Pederson said he opposed the plan as shown.

Linda Bedoe, 321 79th Street, said that she opposed the plan as shown, stating that the building being proposed for the area did not make sense as a sound wall would eventually be built between the subject property and I-55. Some discussion followed regarding this topic.

Holly Adkins, 7219 Hamilton, said that she opposed the plan as shown. Ms. Atkins felt that the lack of sidewalks in the area made pedestrian access challenging, which would be incompatible with further truck traffic.

Susan Pederson, 7250 Elm, said that the use being used partially as a warehouse was not appropriate for the area or the T-1 Transitional District. Ms. Pederson said she also opposed the plan because of the truck traffic that would be present if developed.

Julie Mensik, 7339 Hamilton, said that she opposed the plan due to the presence of trucks on site. Ms. Mensik said that she was opposed to any use that would not be residential in character.

Commissioner Stratis disclosed that he and Mr. Hague once shared a common client many years ago, but felt that the relationship did not rise to the level requiring a recusal. The Plan Commission concurred with Commissioner Stratis' assertion.

Commissioner Stratis asked for clarification as to proposed truck traffic on the site. Mr. Hague said that an error was made and he would correct the issue. Commissioner Stratis asked how the neighbor received legal access to their driveway, which was shown to terminate on the subject property. Mr. Mensik said that the driveway previously terminated into the common alley that had been vacated and that no access easement was ever established to permit such movement. Commissioner Stratis asked if there would be a service wall separating the loading dock from the office. Mr. Hague confirmed that such a feature would be present on any later plan. Commissioner Stratis asked where the driveway that exceeded the maximum width was located. Mr. Walter identified the driveway in the northeast corner as being too wide. Commissioner Stratis asked what percentage of the building was office and warehouse. Mr. Hague said that about 60% of the building would be office. Commissioner Stratis asked what the parking requirement would be if it were more specifically calculated, nothing that the staff report was the most conservative estimate. Mr. Walter said that the office portion would be 24 spaces, while the warehouse space depended on the number of employees. Mr. Walter estimated that it would likely be around 30-32 total spaces, not knowing the number of total employees who would be working on site. Commissioner Stratis concurred with this estimate. Commissioner Stratis said that the building was designed beautifully, but did not meet the character of the neighborhood. Commissioner Stratis said that he understood the design but ultimately said that the design was too much for the neighborhood.

Commissioner Petrich asked where the power lines shown on the site plan would be relocated. Mr. Hague said that they attempted to retain the power lines on the site plan as shown. Commissioner Petrich said that he agreed with Commissioner Stratis' comments and felt that the site plan was not feasible as shown based upon the bulk, non-transitional design, and presence of a loading dock facing the residential properties to the north.

Chairman Trzupek concurred with Commissioners Stratis and Petrich, noting that of 10 major regulations comparing the 2008 and 2020 petitions, eight of the 2020 petition's plan were less compliant than the 2008 petition. Chairman Trzupek said that the encouragement of trucks to the north of the property was a major issue with the site plan.

As a quorum was not present, automatic continuation of the meeting was required. Mr. Hague requested that the next discussion take place on March 16, 2020. Mr. Walter said that the petition would appear on the February 17 agenda but only to continue the petition to March 16.

No further discussion was held on this petition.

IV. CORRESPONDENCE

V. OTHER PETITIONS

VII. FUTURE SCHEDULED MEETINGS

A. February 17, 2020

- **Z-02-2020: 166 Shore Drive (Smit); Text Amendment, Special Use, and Findings of Fact**

Requests text amendment to Section X.F of the Zoning Ordinance add “Accessory Building to a Principal Building” as a special use in the G-I General Industrial District; a text amendment to Section X.F of the Zoning Ordinance to establish necessary bulk, size, setback, and other such regulations for accessory buildings in the G-I General Industrial District, if necessary; and a special use as per Section X.F of the amended Zoning Ordinance to permit an “Accessory Building to a Principal Building” on the subject property.

- **Z-05-2020: 410 Village Center (Hassan); Special Use and Findings of Fact**

Requests an amended special use to accommodate an expansion of an existing “Dental Office with Ancillary Retail Sales” use at the subject property.

B. March 2, 2020

- **Z-07-2020: Zoning Ordinance Amendments; Planned Landscaping**

Requests amendments to Section IV of the Zoning Ordinance regarding the installation and maintenance of prairie grasses, natural plantings, and other such vegetation in lieu of grass in yards in Residential zoning districts.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to **ADJOURN** the meeting at 8:15p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:15p.m.

**Respectfully
Submitted:**

Evan Walter, Assistant Village Administrator