

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF SEPTEMBER 21, 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 Trzupsek. Due to the current limitations on social distancing and gatherings of no more than 50 persons in physical attendance that were set forth in place by the Declaration of a State of Emergency by the Governor of the State of Illinois based upon the ongoing novel coronavirus pandemic disaster, the hearing was convened utilizing a virtual environment, pursuant to Public Act 101-0640.

Chairman Trzupsek read aloud the following statement:

“As Chairman of the Village of Burr Ridge Plan Commission and Zoning Board of Appeals, I am advising you in your capacity as Deputy Village Clerk that I hereby declare that conducting an in-person meeting of the Burr Ridge Plan Commission/Zoning Board of Appeals on September 21, 2020 is neither practical nor prudent due to Governor Pritzker’s May 29, 2020 Declaration of a State of Emergency caused by the COVID-19 pandemic.”

ROLL CALL was noted as follows:

PRESENT: 6 – Broline, Petrich, Hoch, Irwin, Parrella, and Trzupsek

ABSENT: 2 – Farrell and Stratis

Assistant Village Administrator Evan Walter was also present.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to approve the minutes of the August 17, 2020 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Petrich, Broline, Irwin, Parrella and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

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-12-2020: 7512 County Line Road (Giadla); Special Use, Text Amendment, and Findings of Fact

Chairman Trzupsek asked for a summary of the petition. Mr. Walter said that the petitioner is Peter Giadla, owner of the office building and property located at 7512 County Line Road. The petitioner is requesting a special use to permit a medical office (chiropractor) at an existing building in the T-1 Transitional District and a text amendment to Section VII.C.2 of the Zoning Ordinance to add “offices, including medical, dental, optical, and chiropractic, under 3,000 square feet” as a permitted use and “offices, including medical, dental, optical, and chiropractic, over 3,000 square feet” as a special use, both in the T-1 Transitional District. The subject property contains an approximately 6,500 square foot office building with 29 parking spaces.

Chairman Trzupsek asked for public comment.

Mark Thoma, 7515 Drew Avenue, said that he opposed the special use and text amendment as requested due to the impacts on neighboring properties, including noise and headlights. Mr. Thoma said that he felt that the drainage ditch on the west side of the property was poorly maintained and the existing vegetation was insufficient to provide any real buffer for residential neighbors.

Alice Krampits, 7515 Drew Avenue, said that she opposed the special use and text amendment as there was no need for additional medical uses in the neighborhood.

Commissioner Hoch said that she had no problem with the request for a special use for a chiropractor, except noting that additional buffering may be needed, but felt that the text amendment needed some work before she could support it.

Commissioner Irwin said that he felt there were an increase of the number of text amendments in the recent year. Mr. Walter said that the petitioner requested staff determine methods to allow for leasing to occur more freely; staff’s guidance to the petitioner was that the only method to achieve their request was a text amendment, thus the petitioner’s request in the current petition. Commissioner Irwin did not support the text amendment, noting that he wished to see documented evidence of hardships that the Zoning Ordinance was causing the property owner to be unable to lease the building.

Commissioner Broline asked if the petitioner could provide a fence or other barrier on the western property line. Mr. Giadla said that he would look into such options with staff.

Commissioner Petrich expressed concerns based on resident comments including the numerous signed petitions presented during the meeting. In particular, some buffering should be added at the property line such as a wall and/or non-deciduous landscaping to shield headlights and reduce noise from the parking area into resident’s property. In addition, the extended business hours between 7am till 7pm, especially on Saturday should be reconsidered. The petitioner indicated that a current dental office has similar hours, but adding this medical facility with 40 more patients per day would further aggravate resident’s current concerns.

Commissioner Parrella agreed that an improved buffer was necessary to ensure proper development of the site, and that the text amendment was negatively precedential.

Chairman Trzupsek said that the proposed text amendment needed tightening before he could support the petition, and expressed a desire to improve the separation between the subject property and residential neighbors before he would consider supporting the special use.

The Plan Commission generally agreed that staff should work with the petitioner to explore extension of the fence from Shirley Ryan Ability Lab as well as incorporate taller landscaping into the general area.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to continue the public hearing to October 19, 2020.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Irwin, Broline, Petrich, Parrella, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Z-11-2020: Village Center PUD (Hassan); PUD Amendment and Findings of Fact

Chairman Trzupsek asked for a summary of the petition. Mr. Walter said that the petitioner is Ramzi Hassan, owner of the Burr Ridge Village Center mixed-use shopping center. The petitioner requests an amendment to Ordinances #A-834-10-05 and #A-834-40-06 to amend the list of first-floor permitted and special uses in Buildings 1, 2, 3, 4, 5a, 5b, and 6 as well as an amendment to Ordinances #A-834-10-05 and # A-834-13-15 to provide for amendments to the approved common areas, including partial closure of Village Center Drive and expansion of pedestrian ways, outdoor seating areas, and the like adjacent to Buildings 4 and 5a, and re-establishment of the previously permitted traffic circle adjacent to the Village Green, all at the Burr Ridge Village Center Planned Unit Development. The petitioner has submitted this request to the Village after much discussion with staff about the challenges inherent within the current built environment and land-use plan (from a leasing perspective) of the Village Center, as well as the inefficiency of repeatedly petitioning the Village for approval of pending leases at the subject property.

The petitioner is requesting specific uses be added to specific buildings within the Village Center with the intent of creating three distinct “leasing districts” within the seven buildings on the subject property with first-floor commercial space (noted below). These districts are the “Retail/General Services”; “Restaurant/Entertainment”; and “Health/Wellness/Medical/Office”. It should be noted that this petition proposes no changes to the list of uses in second-floor commercial areas or use of the residential portions of buildings at the Village Center. These Districts would allow for more efficient and targeted groupings of specific use types, such as congregating restaurant and entertainment uses in a portion of the property that has no residents in the adjoining buildings

while also creating critical masses of uses, which further promotes synergy in the Center's leasing strategy.

The petitioner also requests an amendment to the Village Center PUD to close Village Center Drive to non-emergency vehicle traffic between LifeTime Drive and McClintock Drive to establish an outdoor pedestrian environment adjacent to Buildings 4 and 5A. This would include the re-establishment of the original traffic circle at the southern end of the Village Green as well as the creation of a new traffic circle within the intersection of LifeTime Drive and Village Center Drive, and finally, the creation of two valet staging areas at either traffic circle. The purpose of the amendment to the streetscape is to create an outdoor seating/dining area within the aforementioned Restaurant/Entertainment District area of the Village Center. This District's purpose and intent would be to concentrate such uses into a specific area (but not necessarily restrict these uses to said area) which would have a corresponding pedestrian environment which can be utilized by each business within the District and Village Center generally.

Ramzi Hassan, owner of the Village Center, thanked the Plan Commission for their time, noting that the petition was a necessity for the future life of the Village Center.

Chairman Trzupek asked for public comment.

James Kuksta, Village Center resident, supported the petition as proposed by the petitioner. Mr. Kuksta said that the residents welcomed the flexibility that was proposed by the petition and felt it would add significant amounts of new tenants to the property.

Linda Zeman, Village Center resident, supported the petition as proposed by the petitioner. Ms. Zeman said she was excited about the new energy that would be provided by the outdoor space.

Amy Seus, Village Center resident, supported the petition as proposed by the petitioner. Ms. Seus said that she hoped that the fireplace could be retained throughout the approval process.

Joanne Kuksta, Village Center resident, supported the petition as proposed by the petitioner. Ms. Kuksta agreed with Ms. Seus' desire to retain the fireplace.

Paul Bellisario, Village Center resident, supported the petition as proposed by the petitioner. Mr. Bellisario said that the new approach was necessary to protect property values.

Dominic Fava, Village Center resident, supported the petition as proposed by the petitioner.

Mark Bartlett, owner of Wok 'N Fire, supported the petition and applauded the investment that was being made in the property.

Chairman Trzupek asked for clarification as to office uses being proposed as permitted in almost all buildings. Mr. Hassan said that the districts were not intended to be hard and fast, but rather targeted areas, noted that there may indeed be a good fit for a small office in a non-office district that a retail use may not otherwise provide. Mr. Hassan noted that there were significant constraints

in terms of building usability that also impeded the possibility of specific uses going in specific areas, such as a lack of black iron in Building 5B.

Commissioner Hoch said that she supported the petition in general, but requested that additional consideration be given to signage revisions on the property. Mr. Walter said that signage would need to be addressed if the petition was approved. Commissioner Hoch said that County Line Road gateway signage needed serious investment, including the removal of the sign for County Line Square.

Commissioner Irwin said that the plan was good and accounted for a long-term vision of the property. Commissioner Irwin applauded the petitioner's efforts to bring residents out in favor of the petition. Commissioner Irwin expressed reticence in allowing permitted uses such as office and medical in all buildings and requested some limitation on service uses in specific buildings. Mr. Hassan said that the strategy was not to fill the entire property with service uses, but rather to fill gaps when needed. Mr. Hassan used the example of putting a dentist in the entertainment district

Commissioner Broline asked if it were appropriate to put nightlife next to children's uses in the Entertainment District. Mr. Hassan said that daytime entertainment was just as critical to the Village Center as nighttime, such as having programming at Barbara's Bookstore or for school groups between 9am-3pm. Commissioner Broline asked if the petitioner could build physical bridges between buildings. Mr. Hassan said that he could not do so since he did not own the space above the first floor. Commissioner Broline asked if the petitioner had any prospective tenants that were willing to sign leases based upon the current petition. Mr. Hassan said that he had 2-3 such tenants participating remotely.

Commissioner Petrich applauded the petitioner and staff in engaging Village Center residents and receiving only positive comments during the meeting, and was generally in favor of providing flexibility to petitioner to fill the Village Center with occupied storefronts. Commissioner Petrich indicated that there is some self-controlling measures in place, as the petitioner also needs to satisfy any business tenants in possibly expressing opposition to certain other types of businesses in close proximity to them. Commissioner Petrich asked that entertainment uses that serve or sell alcohol be limited as permitted uses in Buildings 4 and 5A, while entertainment uses in buildings 1, 2 and 3 would be acceptable as permitted uses without alcohol consumption or sales, but should require a special use if alcohol is consumed or sold. The Petitioner agreed with this limitation. Commissioner Petrich was not opposed to include alcohol or dancing within restaurants in building areas 2/3/4/5A. Commissioner Petrich indicated that any permitted use be limited up to hours of 12AM as currently in place. Any time limit beyond that should be a special use. Both petitioner and staff indicated that this was the case.

Commissioner Parrella said that she generally supported the petition, but noted that the Plan Commission should not be so quick to give up full control over specific uses, such as general office and restaurants.

Chairman Trzupsek said that while healthcare was indeed different from what used to be the conception of healthcare in previous eras, he did not support unlimited permitting of such uses in all buildings. Chairman Trzupsek asked if 75% or more of retail space made a use permitted what the balance of the square footage would be. Mr. Walter said that this area could be logistical space, such as stockrooms or bathrooms, or simply space not necessarily dedicated to retail sales, such as service stations. Chairman Trzupsek asked what was being specifically sought by the petitioner during the present hearing. Mr. Walter said that the petitioner had submitted a concept plan which could be approved during the present meeting, and that the petitioner had already offered, as part of their petition, to return under a conditional review (a review by the Plan Commission and Board of Trustees) to approve final site and design plans for the streetscape. This would mean that the Plan Commission would not necessarily need to have the petitioner return for final site approval under the current petition, and the Village would lose no oversight over the process if the concept plan were approved as submitted.

At 9:40pm, a **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Broline, Hoch, Parrella, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to recommend that the Board approve a request by Ramzi Hassan for an amendment to Ordinances #A-834-10-05 and #A-834-40-06 to amend the list of first-floor permitted and special uses in Buildings 1, 2, 3, 4, 5a, 5b, and 6, subject to the attached list of uses, as well as an amendment to Ordinances #A-834-10-05 and # A-834-13-15 to provide for amendments to the approved common areas, including partial closure of Village Center Drive and expansion of pedestrian ways, outdoor seating areas, and the like adjacent to Buildings 4 and 5a, and re-establishment of the previously permitted traffic circle adjacent to the Village Green, all at the Burr Ridge Village Center Planned Unit Development, subject to the following conditions:

1. The amendment shall be consistent with the submitted site plans and list of permitted and special uses.
2. The petitioner must receive conditional approval from the Plan Commission and Board of Trustees regarding the Restaurant/Entertainment District's final streetscape design, such as the final site plan design, color and design of surface materials, street furniture and bollard design, landscape and lighting design, etc.
3. All cars operated on valet bailment at the Village Center must be parked either in the surface parking lot adjacent to Building 5B or in any parking deck.
4. The petitioner must submit a revised on-site wayfinding plan for the Village Center for consideration within six months of approval of this petition.

5. The amount of permitted general office space shall not exceed 40% of gross leasable area in Building 1 and 20% in Buildings 2 and 3, a special use in Buildings 4 and 5A, and a permitted use in Buildings 5B and 6.
6. Entertainment uses as described in the petition that serve or sell alcohol be limited as permitted uses in Buildings 4 and 5A. Entertainment uses in Buildings 1, 2 and 3 shall be listed as permitted uses without alcohol consumption or sales and special uses if alcohol is consumed or sold.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Broline, Hoch, Parrella, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

V. OTHER PETITIONS

S-03-2020: 16W361 South Frontage Road (Price); Sign Variation and Text Amendment

Chairman Trzupek requested an overview of the petition. Mr. Walter said that the petitioner is Don Price, owner of the subject property at 16W361 South Frontage Road. The petitioner requests a sign variation from Section 55.07 of the Burr Ridge Sign Ordinance to add two ground signs to the subject property in addition to one permitted ground sign and a text amendment to Section 55.07 of the Burr Ridge Sign Ordinance to list “blade sign” as a conditional sign. The subject property is 5.2 acres in size with approximately 250 feet of street frontage along South Frontage Road. The subject property contains one primary office building, housing approximately 20 tenant spaces, surrounded by surface parking on all sides. The Plan Commission stated at a previous meeting that Mr. Price’s original request to add “blade signs” as exempt signs should be revised to incorporate new sign designs as well as make blade signs conditional uses as part of the Sign Ordinance.

Chairman Trzupek asked for public comment. There was none.

Commissioner Hoch asked where the two ground signs, which required a variation, would be placed. Mr. Walter identified the location as being on the north and south side of the subject property.

The Plan Commission generally felt that the concept was appropriate in its limited scope and was appropriate for the subject property.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to recommend that the Board approve a request by Don Price for a sign variation from Section 55.07 of the Burr Ridge Sign Ordinance to add two ground signs to the subject property in addition to

one permitted ground sign, subject to the submitted elevations and site plan provided by the petitioner, as well as a text amendment to Section 55.07 of the Burr Ridge Sign Ordinance to list “blade sign” as a conditional sign, subject to the following language:

Blade Signs (wall): Not more than 18 inches extending from the building; 9 inches in total height; and 3 inches in thickness, with no other writing other than address numerals on the face of the sign.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Petrich, Irwin, Broline, Parrella, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

VII. FUTURE SCHEDULED MEETINGS

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to cancel the October 5, 2020 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Petrich, Broline, Irwin, Parrella, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to adjourn the meeting at 10:02pm.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Petrich, Broline, Irwin, Parrella, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:

Evan Walter, Assistant Village Administrator