

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF NOVEMBER 16, 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.

Chairman Trzupek 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 November 16, 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: 7 – Broline, Petrich, Hoch, Irwin, Stratis, Parrella, and Trzupek

ABSENT: 1 – Parella

Village Planner Doug Pollock 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 October 19, 2020 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

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.

Z-14-2020: 7508 County Line Road (Guidepost); Special Use, Text Amendment, Variations, and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Mr. Pollock said that the petitioner is seeking a text amendment to the Zoning Ordinance, special use review and approval, and variations from the Zoning Ordinance to accommodate an addition to an existing building and use of the building for a private school (i.e. Montessori school). To accommodate this request, the following relief from the Zoning Ordinance is requested: An amendment to add “private preschool or Montessori school” as a special use in the T1 Transitional District. Special Use approval to permit a “private preschool or Montessori school” on the subject property. Special use approval for site plan, building elevations, and landscape plan review for an addition to the existing building. Variations from the Zoning Ordinance as follows: to permit two outdoor playground areas; to permit an addition to the principal building with a combined Floor Area Ratio (FAR) that exceeds the maximum FAR requirements; to permit a building addition with an interior side yard setback of less than 20 feet; to permit reconstruction of a parking lot without perimeter curbing, without landscape islands, and with parking lot drive aisle widths of less than 13 feet; and to permit a trash dumpster to be located in the rear yard rather than adjacent to the rear wall of the principal building.

Chairman Trzupek asked the petitioner to present their petition.

Mr. Zubin Kammula, Attorney for the petitioner, presented this petition and provided a review based on the issues described in the staff report and as follows:

In regards to the play areas, Mr. Kammula stated that both play areas are necessary due to the differing age groups needing to be in separate play areas, which is a requirement of the state licensing. In regards to the floor area ratio variation, he said that the additional floor area is needed to accommodate their business model and that increased space has become necessary due to the pandemic. Mr. Kammula said that the variation for the building setback matched the existing building. He said that the petitioner would agree to install curbing and otherwise meet all parking lot design requirements and that the dumpster would be relocated to be adjacent to the building.

Chairman Trzupek asked for public comments.

Mark Thoma, 7515 Drew Avenue, said that he initially thought the school was a good fit but upon looking at the plans he decided it was not a good fit. He cited the need for stormwater management; he suggested that the property was subject to the County Line Road Overlay District and thus would require a .2 FAR rather than a .24 FAR suggesting that the size of the building was too large. Mr. Thoma added that the driveways are too tight for emergency vehicles and snow removal and he expressed concern that parking lot lighting would interfere with adjacent residential properties. He also said that the amount of traffic could be a problem and that he did not want to have the trash dumpster located adjacent to the rear property line.

Chairman Trzupek asked the petitioner to address stormwater and vehicular circulation.

Mr. Elan Walsh, an employee of Guidepost A, LLC, said that the use is classified by the State as child care. He said that drop offs are done in 15 minute shifts so that the property is not too crowded and that pick ups vary throughout the day. He noted that there would be a maximum of 16 employees rather than the 17 cited in the staff report. He added that they are not adding to the

impervious surfaces and that with the play areas, they may actually be reducing impervious areas. He concluded that they would comply with all applicable stormwater management requirements.

Alice Krampits, 7515 Drew Avenue, asked about the number of cars, the ages of the children, what is the type of fencing for the play areas, if there are after school activities, food service, hours for staff, and snow removal and storage. She concluded that the property is too small for this particular business.

Ms. Rae Peroni, a tenant in the building at 7512 County Line Road, said that her office and conference room is adjacent to the play area. She believes that the noise from the play area will interfere with her work. She noted that in heavy rains there are already drainage problems on her property. She asked about having a fence on the south property line of the subject property.

Chairman Trzupsek asked for comments and questions from the Commissioners.

Commissioner Hoch said that she does not think there is sufficient parking and that the property is just not large enough to accommodate this land use.

Commissioner Irwin said he shares the concerns expressed in public comments and believes that the petitioner has not shown that the findings of fact have been met.

Commissioner Broline said that schools are a permitted use but believes that more work is necessary before any further consideration of this petition.

Commissioner Petrich generally agreed with the residents' comments, but also noted that he was open to continuing the hearing to another meeting based on the petitioner indicating that many requested variations will be brought into compliance, as well as addressing the residents' concerns. Commissioner Petrich expressed concerns that the existing narrow south driveway aisle will be extended from the current 45-50 ft to about 200 ft and this should be addressed. He also expressed concerns of having a playground and fence in the front of a T1 transitional district property. Commissioner Petrich added that the 66 percent maximum land coverage (VII.B.7) was greatly exceeded and should be reduced. Commissioner Petrich requested that a future submittal should also include a landscaping plan and stormwater drainage plan.

Commissioner Farrell said that the text amendment is not needed as the use could be permitted as a School or already listed as a special use under the listing for Day Care Center. She suggested that the hearing be continued to get more information. She agreed that the size of the parcel is a concern.

Commissioner Stratis said that the building is too large for this property. He added that the driveways are too narrow for emergency access, that the front yard play area was a non-starter and that the findings for a floor area ratio cannot be met.

Chairman Trzupsek summarized that the land use may be okay but that there is no support for the FAR variation or the second play area. He asked if they could make the building smaller.

Mr. Kammula said that he was not sure if they could make the necessary adjustments but that they would like a chance to try. He asked that the hearing be continued to December 7, 2020.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Broline to continue this public hearing to December 7, 2020.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Z-15-2020: 212 Burr Ridge Parkway (Halleran): Special Use, Variation, and Findings of Fact

Chairman Trzupsek asked for a summary of the petition. Mr. Pollock said that the petition requests a special use to permit a restaurant with live entertainment and sales of alcoholic beverages, a special use to permit an outdoor dining area at a restaurant, and a variation to permit a restaurant without the required number of parking spaces at the subject property, all in the B-1 Business District.

Chairman Trzupsek asked the petitioner to provide a review of this request.

Mr. Scott Magnusson described himself as one of the investors/owners of the proposed business. He said that there is another owner and both he and the other owner are Burr Ridge residents. Mr. Magnussen said that they would like to convert the former dance studio into a high end sports bar, restaurant, and entertainment venue. He said that there is plenty of parking available at the west end of the shopping center particularly after 8 pm when the proposed business would be at its peak and the grocery store and diner are closed.

Chairman Trzupsek asked if there were any public comments. There being no public comments, Chairman Trzupsek asked for comments and questions from the Plan Commission.

Commissioner Stratis said he likes the idea of an entertainment use but that the landlord has not done enough to resolve the parking shortage.

Commissioner Farrell agreed that the land use was good but said she is struggling with the parking. She said that a strict parking management plan is needed.

Commissioner Petrich asked and petitioner indicated that the target customers are 40 to 75 year old, that the live entertainment would be big band and 60s-70s music, and meals would be light and higher end. The petitioner also indicated that the live entertainment would be limited to Thursday, Friday, and Saturday starting at 9pm and that the entertainment noise will not be heard

outdoors as it will be acoustically controlled, and the sliding doors will also be closed during live entertainment. Commissioner Petrich expressed concerns that while the plan indicated 140 total seating (100 indoors and 40 outdoors), the submitted sketch showed at least 250 seating with 104 outdoor dining, 94 indoor seating, bar seating of 24, and whale booth seating of 30, which would further challenge the parking concerns. The petitioner indicated that submitted sketch was overaggressive, and that they would limit the number of customers to 100 indoors and 40 outdoors. Commissioner Petrich asked staff if there was a limitation of occupancy with respect to fire regulations.

Commissioner Broline said that a clear plan for parking is needed. He also questioned the floor plan and the number of seats shown. In response, Mr. Magnussen said that the architect was showing more outdoor seating than would be normally provided. He said the architect was trying to show extra outdoor seating in case indoor dining is limited by the pandemic. Commissioner Broline noted too that the signs shown in the renderings may not comply with the Sign Regulations.

Commissioner Irwin said he has no problem with the special use request but he shares the same concerns about parking.

Commissioner Hoch said Burr Ridge residents want to have this type of business in their downtown but she is worried about parking. She suggested that this hearing be continued so that more work could be done on a parking plan and that other tenants and the landlord could be consulted.

Chairman Trzupek stated that an accurate count of customers and customer seating should be provided. He noted that the chart provided by staff does not consider the varying peak hours of the business in the shopping center. He said a more detailed parking plan is needed.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to continue the public hearing to December 7, 2020.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

In regards to the Board Report, Commissioner Hoch welcomed Mr. Pollock back as the staff liaison the Plan Commission.

Chairman Trzupek suggested that the Commission skip to Public Comment since there were people in the audience.

VI. PUBLIC COMMENT

Ms. Krampits spoke in regards to the hearing for the restaurant. She said that a parking survey should be done to determine actual parking availability at various times. Commissioner Stratis responded that those requests have been made and there has been frustration over the property owner's lack of action in that regard. Mr. Pollock added that a parking survey at this time would not yield helpful results because of the current dining and gathering restrictions caused by the pandemic.

V. OTHER PETITIONS

PC-07-2020: Appointment of 2021 Vice Chairperson

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to appoint Commissioner Farrell as the Vice Chairperson for 2021. By voice vote, the **MOTION** was unanimously **APPROVED**.

PC-08-2020: Approval of 2021 Plan Commission Calendar

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Irwin to approve the 2021 Plan Commission calendar.

ROLL CALL VOTE was as follows:

AYES: 7 – Broline, Irwin, Hoch, Petrich, Stratis, Farrell, and Trzupke
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

VII. FUTURE SCHEDULED MEETINGS

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Farrell to adjourn the meeting at 9:00 pm.

ROLL CALL VOTE was as follows:

AYES: 7 – Hoch, Farrell, Stratis, Petrich, Broline, Irwin, and Trzupke
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Respectfully Submitted:

Doug Pollock, Planner

Plan Commission/Zoning Board Minutes
November 16, 2020 Regular Meeting