

**PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**VILLAGE OF BURR RIDGE**  
**MINUTES FOR REGULAR MEETING OF DECEMBER 7, 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:** 8 – Broline, Petrich, Hoch, Irwin, Stratis, Farrell, Parella, and Trzupek

**ABSENT:** 0 – None

(Commissioner Parella did not respond to Roll Call but later indicated she was present but having trouble unmuting her computer)

Village Planner Doug Pollock was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES**

Chairman Trzupek noted that the minutes incorrectly noted that Commissioner Parella was absent and that she was also in attendance. Mr. Pollock said that she was present at the meeting and the minutes would be changed accordingly.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to approve the minutes of the November 16, 2020 Plan Commission meeting subject to the change noted herein.

**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 public hearing for this petition was continued from November 16 to allow the petitioner to revise the site plan in response to feedback at the November 16 hearing. Mr. Pollock summarized the changes as follows:

- The building addition was reduced from 4,046 square feet to 2,639 square feet; thus reducing the Floor Area Ratio (FAR) from 0.27 to 0.22. As a result, the petitioner has withdrawn their request for an FAR variation. The maximum permitted FAR is 0.24.
- The front playground area has been removed and the rear playground area made larger. The petitioner has also designated the front yard as a snow disposal area.
- The number of parking spaces has been increased from 16 to 22; a total of 16 spaces are required). The parking plan has also been revised to provide perimeter curbing and to otherwise comply with the parking lot design criteria.
- The trash dumpster has been relocated to rear wall of building; thus, eliminating a variation request.
- Circulation has been modified to direct traffic to enter via the south driveway and exit the north driveway. This provides additional stacking for vehicles on private property. The existing front yard turnaround driveway has been preserved providing a secondary drop off area.

Chairman Trzupek asked the petitioner to present their petition.

Mr. Zubin Kammula, Attorney for the petitioner, stated that he has read the staff report and understands the recommendation for a minimum 3 foot side yard landscaping strip. He said that they have looked at that recommendation but are unable to provide due to the need to maintain the size of the play area in compliance with licensing standards.

Chairman Trzupek asked for public comments.

Mark Thoma, 7515 Drew Avenue, asked about the floor area ratio and whether they had to comply with the 0.2 FAR required by the County Line Road Overlay District. In response, Mr. Pollock said that the property is not considered to be within the Overlay District and that the Overlay

District regulations have not been applied to the T1 District. He noted that the properties in this T1 District have County Line Road addresses but are actually on South Frontage Road.

Mr. Toma said that he is still concerned with traffic, does not like the 1-foot buffer on the north and south sides, that there is not enough parking, that drainage is a big concern, and that even though it is not required he would like to see some stormwater storage provided. In response to a question from Mr. Toma, Mr. Pollock confirmed that the property would have to comply with the Village's lighting standards.

Ms. Alice Krampits, 7515 Drew Avenue, questioned how the front drop off area is used and whether it would cause a bottleneck. She said that the garbage collection would conflict with the traffic flow, that the perimeter buffers are too small, and that she is concerned there will still be problems with snow removal and storage.

Chairman Trzupsek asked the petitioner why there are two drop off areas. In response, Mr. Elan Walsh, an employee of Guidepost A, LLC, said that the front drop off area already exists and that it will be used as a backup drop off area. Mr. Walsh went on to describe how the primary drop off works on the north side of the building and showed a video from another location that indicates each drop off lasts about 21 seconds. He added that the drop offs are staggered to lessen traffic volume and that pick-ups occur throughout the afternoon. He also said that the petitioner would install a perimeter fence if requested.

Chairman Trzupsek asked for comments and questions from the Commissioners.

Commissioner Stratis said that the revised plan is much better, but the development still appears to be too big for the property. He said that he thinks the text amendment is not needed and that the use should be classified as child care which is already a special use in the T-1 District.

Commissioner Stratis asked if there is one or two stairs to the basement and if the building is sprinkled. Mr. Kammula said that one of the two stairs to the basement is to be removed and that the building does not currently have a sprinkler system but one would be added.

Commissioner Stratis said that the plan is better, but he believes it still has too much lot coverage. He added that he would not support requiring extra stormwater detention if it is not required by code. He said he does not want to see the Plan Commission involve itself with stormwater engineering.

Commissioner Farrell said she concurs that there is no need for a text amendment. She said that she would like to see a more detailed landscaping plan including more details regarding the play area. She said that updated findings of fact are also needed to reflect the revised variation requests.

Commissioner Petrich agreed that a text amendment is not needed and that the development is too much for this property. He said he would like to see something done to provide improved stormwater management.

Commissioner Broline said that other Commissioners addressed his questions and issues and that he agrees with the need for more details regarding landscaping and stormwater.

Commissioner Parella said that she has been in the meeting but was muted during roll call. She said that she agrees with the concerns of others and especially the concern about access to and from the basement.

Commissioner Irwin agreed that more detail is needed for landscaping and play areas and that revised findings of fact are needed. He said he agrees that no text amendment is needed.

Commissioner Hoch said she was concerned about the number of cars shown on the site plan. Mr. Walsh responded that there would never be that many cars, and the site plan is only to show the total number of cars that could be accommodated. She said that it still seems like traffic may be too much given that they have up to 120 children. She also asked about how often the play area would be used, and Mr. Walsh responded that there would be a maximum of 40 children at a time with three different shifts of children. He also described details of the play area.

Commissioner Hoch concluded that she wants to see more details and that she prefers an open fence for the play area. She said she is less concerned with stacking of vehicles but remains concerned that this use may not be appropriate at this location.

Chairman Trzupsek also questioned the egress from the basement. He said he understands the need for the variations but questions the hardship for the reduced setback for the new building and the side-landscaping yard. He said that the amount of development for this site may be too much.

Commissioner Stratis added that he is concerned that the 17-foot drive aisle for the parking may be too small and that there does not appear to be a hardship for the variations. Mr. Pollock responded that the 17-foot drive aisle complies with the parking requirements for angled parking.

Commissioner Irwin questioned the side yard landscaping requirement. Mr. Pollock clarified that the code requires an 8 foot wide separation between the curb and the property line. Mr. Pollock apologized for not providing more information about this requirement in the staff report. Commissioner Irwin noted that the findings of fact do not address this variation and that he questions whether a hardship exists to justify the variation.

Commissioner Stratis agreed that there does not appear to be hardship for the side yard landscaping setback. He said that with the substantial addition to the property, any non-conforming status would be forfeited. Chairman Trzupsek added that his interpretation would be that the existing building remains legal non-conforming but that new construction beyond the existing building should be subject to current standards.

Chairman Trzupsek asked the petitioner if they want to continue the hearing or if they would like the Commission to proceed with a vote.

Mr. Kammula said that he appreciates the additional opportunity to reconsider the plan and that they would like a continuance to the December 21, 2020 meeting.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Irwin to continue this public hearing to December 21, 2020.

**ROLL CALL VOTE** was as follows:

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

**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 Trzuppek asked for a summary of the petition. Mr. Pollock said that the public hearing for this petition was opened at the November 16, 2020 Plan Commission meeting and continued to December 7, 2020 to allow the petitioner to provide more information. He said that the petitioner provided a revised floor plan and a parking management plan and that staff updated the parking table showing existing and required parking. Mr. Pollock said that staff has also provided a table listing all of the businesses in County Line Square, their hours of operation, and their parking requirement during those hours of operation. He said that this table shows that based on the hours of operation, there is always sufficient parking in compliance with the Zoning Ordinance. Mr. Pollock clarified that the Zoning Ordinance does not allow this type of accommodation for hours of operation but that the table was provided to inform the Plan Commission's knowledge of the actual parking situation at the shopping center.

Chairman Trzuppek asked how many parking spaces were on each side of the shopping center. Mr. Pollock said he did not know that number but could provide that information in the future.

Chairman Trzuppek asked the petitioner for comments.

Mr. Scott Magnusson said he is one of the investors/owners of the proposed business. He said that the table with the hours of operation shows that there is sufficient parking on the west side of the property and that during the peak hours for the proposed restaurants, which is approximately 7 to 9 pm, there is plenty of parking in the shopping center.

Mr. Tyler Metcalf said he is also a part owner. Mr. Metcalf further discussed the available parking and that sufficient parking is available during peak times for the restaurant. He said that he would like the Commission to forego the condition that there be two valet attendants on Thursdays, Fridays, and Saturdays. He said that with this being a new business that may not always be necessary and he assured the Commission that sufficient attendants would be provided to accommodate demand.

There being no response to his request for public comment, Chairman Trzupsek asked for questions and comments from the Plan Commission.

Commissioner Hoch asked if the Chase Bank property was included in the parking calculations. Mr. Pollock said the Chase lot was owned separately so staff did not include that in the parking calculation. He estimated there were 44 parking spaces on the Chase lot.

Commissioner Hoch asked if the restaurant would have any daytime hours. Mr. Magnusson said that they would be open during the daytime but that business would be small.

Commissioner Hoch suggested that maybe less than 4 spaces were necessary for the staging of valet parking and asked for further clarification regarding valet staging. Mr. Magnussen said that valet staging would occur in the first row of parking spaces next to the express pick up spaces for Dao Restaurant.

Commissioner Hoch concluded that there might be parking congestion at times but that overall she believes there is sufficient parking within the shopping center.

Commissioner Irwin said he agrees and that he believes with the parking management plan, there will be sufficient available parking. He said he favors approving the parking variation.

Commissioner Parella said that the valet parking should resolve any parking issues.

Commissioner Broline said the parking by hours table was very helpful and that he favors approving this petition.

Commissioner Petrich said that the idea of this restaurant with entertainment is great but he wanted more clarification regarding the business plan. Mr. Magnussen said that the primary entertainment evenings would be Thursdays, Fridays, and Saturdays. He said that there would be entertainment such as karaoke on Tuesdays and Wednesdays but those events tend not to draw large crowds. He said that the entertainment on weekends would likely start at 8 pm or later.

Commissioner Petrich said that during the early evening hours, perhaps before 8 pm, that the valet parking should be moved further west beyond the first 2 double rows of parking. He said that Brookhaven is still open during that time and he does not want the valet parking to interfere with Brookhaven parking.

Commissioner Farrell agreed that requiring 2 valet attendants is not appropriate and that should be left to the business owner.

Commissioner Stratis said that he agreed with one valet on Thursdays but believes two should be provided on Fridays and Saturdays. He said the table with the hours of operation helped alleviate his fears about parking but that he is still frustrated that the property owner has not done more to address parking. He suggested that the shopping center owner should provide a single valet service for all of the restaurants.

Chairman Trzupsek asked the petitioner if they had read the conditions recommended by staff and if they accept those conditions. Mr. Magnussen said that they have read them and agree with those conditions.

There being no further questions or comments, Chairman Trzupsek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Hoch to close the public hearing for Z-15-2020.

**ROLL CALL VOTE** was as follows:

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

**MOTION CARRIED** by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to recommend that the Board of Trustees approve Z-15-2020 subject to the following conditions:

1. The special use shall be limited to Gene Halleran and shall be null and void should Gene Halleran no longer have ownership interest in the restaurant consisting of approximately 4,200 square feet commonly known as 212 Burr Ridge Parkway.
2. Outdoor dining shall conform to the requirements of Section VII.A.5 of the Zoning Ordinance.
3. The enclosure of the outdoor dining area and design of outdoor furniture shall match the adjacent Dao Restaurant subject to staff review and approval.
4. Hours of operation for the restaurant and outdoor dining areas shall comply with Section VIII.A.11.c of the Zoning Ordinance.
5. The restaurant shall comply with the following parking management conditions:
  - a. All employees shall park in designated parking spaces behind the building or west of the shopping center main entryway.
  - b. Valet parking shall be provided each and every evening that the restaurant is open for business.
  - c. Four parking spaces shall be designated in the parking lot for staging of valet parking and under no circumstances shall the drive aisle/fire lane be used for valet parking or staging of valet parking.
  - d. All valet customer vehicles shall be parked west of the shopping center main entryway at all times and west of the first two double rows (four single rows) of parking spaces before 8 pm.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

#### **IV. CORRESPONDENCE**

There were no comments regarding the Board Report.

#### **V. OTHER PETITIONS**

##### **Z-20-083 (Baridi): Review of Du Page County Conditional Use Request**

Mr. Pollock said that staff received notice last week from Du Page County regarding a public hearing for this property scheduled for December 10, 2020. The public hearing is to consider a request for conditional use for an automobile laundry, minimart, and drive through food service in conjunction with an automobile service station. The subject property is located on the west side of Route 83 south of 91st Street.

Mr. Pollock said that this property is not within the planning jurisdiction of the Village as defined by our Comprehensive Plan but that staff wanted to bring this to the attention of the Plan Commission as it may have impact on property within the Village on the east side of Route 83. He also said that he has been in contact with a representative of the property owner about potential for annexation into the Village.

Commissioner Farrell said she lives close to this property and asked if there would be a turn lane on Route 83 to accommodate the semi-trucks and trailers accessing this property.

Commissioner Stratis asked if lighting on the canopy would be recessed or shielded. He asked if there would be access to 91<sup>st</sup> Street and agreed that a proper turn lane is needed on Route 83.

Commissioner Broline said signage is a concern because these types of uses often want to have large and tall highway signs.

There being no other comments, Mr. Pollock said he would forward these comments to the County Zoning Board staff.

##### **PC-08-2020: Approval of Revised 2021 Plan Commission Calendar**

Mr. Pollock said that the calendar previously reviewed and approved by the Commission had some incorrect dates. He said a revised calendar was provided with the agenda packet.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Farrell to approve the revised calendar for 2021. The **MOTION** was approved by a unanimous voice vote of the Commission.



**VI. PUBLIC COMMENT**

Mr. Mark Toma said that if no stormwater detention is provided for the property at 7508 County Line Road that he requests there be no curb so that run off continues to go onto other properties rather than be directed only toward the back of the property.

**VII. FUTURE MEETINGS**

Chairman Trzupek noted that Z-14-2020 was continued to December 21 so that there will be a meeting on that date.

**VII. ADJOURNMENT**

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Irwin to adjourn the meeting at 8:47 pm.

**ROLL CALL VOTE** was as follows:

**AYES:** 8 – Broline, Irwin, Hoch, Farrell, Stratis, Petrich, Parella, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 8-0.

**Respectfully Submitted:** \_\_\_\_\_  
Doug Pollock, Planner