

**PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**VILLAGE OF BURR RIDGE**  
**MINUTES FOR REGULAR MEETING OF JUNE 21, 2021**

**I. ROLL CALL**

The 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 hereby declare that conducting an in-person meeting of the Burr Ridge Plan Commission/Zoning Board of Appeals on June 21, 2021 is neither practical nor prudent due to Governor Pritzker’s Declaration of a State of Emergency caused by the COVID-19 pandemic.”

**ROLL CALL** was noted as follows:

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

Commissioner Parrella participated remotely. Interim Village Administrator Evan Walter was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES**

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Farrell to approve the minutes of the June 7, 2021 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Petrich, Farrell, Irwin, Broline, Parella, Stratis, and Trzupek  
**NAYS:** 0 – None  
**ABSTAIN:** 1 – Hoch

**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 hearings on the agenda for the meeting.

**Z-05-2021: 15W351 87<sup>th</sup> Street (Patel); Re-Zoning and Findings of Fact**

Commissioner Petrich, being a neighbor living directly adjacent to the subject property, recused himself from discussion and voting on this petition at the outset of the public hearing.

Chairman Trzupsek asked for a summary of the petition. Mr. Walter said that the petitioner is the property owner of 15W351 87th Street, an approximately 3-acre property located on the south side of 87th Street about halfway between County Line Road and Madison Street. The property contains one single-family home which is in process of being demolished and replaced with a new home. The petitioner requests re-zoning of the subject property from R-3 Residential District to the R-2A Residential District. Lots zoned as R-2A Residential must have a minimum size of 40,000 square feet, while lots zoned as R-3 Residential must have a minimum size of 20,000 square feet. The purpose of the re-zoning is to allow for a home with larger attached garages and detached accessory buildings than what would be permitted under standard R-3 Residential zoning. The petitioner had already submitted applications for building permits to demolish an existing home and build a new single-family home. If the petitioner were successful in re-zoning the property to R-2A Residential, the petitioner's proposed home would then comply with all facets of the Zoning Ordinance.

Chairman Trzupsek asked for public comment.

Joe Petrich, 8700 Wedgewood, objected to the re-zoning on the basis that the Village had, in 2002, re-zoned the property from R-1 to R-3, reading from the approving ordinance from 2002 that R-3 best met the conditions and character of the existing neighborhood.

Joe Pozzi, 4 Hanover Court, objected to the re-zoning as it would create additional standing water and water conveyance to his property.

Al Petkus, 5 Regent Court, objected to the re-zoning as it would create additional flooding for his property as well as the neighborhood.

Betty Pozzi, 4 Hanover Court, objected to the re-zoning as the size of the proposed house was too large, and that the size of the accessory structures would be unsightly in a backyard. Ms. Pozzi said that many trees had been removed in the development process and that the re-zoning would permit the continued destruction of the local environment.

Commissioner Hoch asked if the property could be subdivided. Mr. Walter said that the property could have at least three parcels under R-3 zoning. Commissioner Irwin asked if the property owner could remove trees without a permit. Mr. Walter said that the property owner could remove no more than four live trees in excess of 6" in width without a permit, but could remove as much brush or dead trees as they desired without a building permit. Commissioner Hoch asked if the Village had encountered any petitions to upzone properties with resident objection. Mr. Walter said that he could not find evidence of a comparable petition. Commissioner Hoch questioned why R-2A was worse than R-3 given the protections available in R-2A via subdivisions.

Commissioner Irwin said that the rezoning would result in more density via a bigger house since a subdivision was not proposed, noting the presence of the sport court. Mr. Walter said that the sport court which appeared on the plans would be permitted under any zoning classification. Mr. Walter said that the petition could also have a 4-car attached garage with a 1500 square foot

detached garage, thereby allowing them all of the garage space that they are presently requesting in an amended form.

Commissioner Parella expressed concerns about the size of the development.

Commissioner Farrell said that she did not support the findings of fact as submitted as the petitioner did not need to re-zone to R-2A to satisfy the requirements of the Comprehensive Plan to reach 30,000 square foot lots.

Commissioner Stratis asked if the Village were better off providing the petitioner a variance to accommodate the petition. Mr. Walter said it did not appear that a hardship was present, and felt that a PUD was not a wise precedent given the scope of the development.

Chairman Trzupek asked if subdivisions trigger stormwater issues. Mr. Walter said that stormwater would need to be addressed, but only to combat the amount of impervious surfaces generated by the development. Chairman Trzupek asked if the Village could condition a re-zoning request to a specific site plan. Mr. Walter said that the Village was not permitted to condition a re-zoning under State law.

Joe Petrich asked if there was a wall lining the driveway. Jon Bieritz, petitioner, said that no wall was present. Mr. Petrich asked if a fence was permitted in the front yards as shown on the site. Mr. Walter said that the fence as shown would not be permitted in any zoning district.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to close the public hearing for Z-05-2021.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

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

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to recommend that the Board of Trustees deny the request to re-zone the property at 15W351 87<sup>th</sup> Street from R-3 Residential to R-2A Residential.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

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

**Z-04-2021: 720-730 Village Center Drive (Kostandinov); Special Use, PUD Amendment, and Findings of Fact**

Chairman Trzupsek asked for a summary of the petition. The petitioner, Alexander Kostandinov, is an amendment to Ordinance #A-834-10-05 to amend the outdoor space use adjacent to Building 4 of the Village Center to add a patio with a permanent/retractable awning to accommodate outdoor dining and a special use as per Ordinance #A-834-10-05 for outdoor dining at a permitted restaurant use, both at 720-730 Village Center Drive. The petitioner is seeking to open a restaurant called Pella located in the former LOFT and Banana Republic tenant spaces in Building 4 at the corner of Village Center Drive and LifeTime Drive. Ordinance #A-834-10-05 created the concept of the Village Center in both land use and physical form, including a specific set of uses that were permitted in each building as well as specific dimensions of buildings, setbacks, streetscapes, and common areas around each building. Ordinance #A-834-15-20 later amended the streetscape in specific areas as well as re-classified certain uses as being permitted or special uses in specific buildings. One such use that was classified as permitted in the 2020 amendment was “restaurants without drive-through facilities and with any of the following: live entertainment, dancing, or sales of alcoholic beverages.” By right, the petitioner may operate an indoor-only restaurant at the subject property without need for zoning consideration. The purpose of the petition is to consider the petitioner’s request not only for outdoor dining (a special use in Building 4 of the Village Center as per the 2005 ordinance) but to amend the outdoor space at the subject property (also per the 2005 ordinance). The petitioner’s proposed restaurant contains approximately 8,000 square feet of indoor space with two banquet rooms, a private dining room, a gelato shop, two bar areas (including one indoor/outdoor bar), and an indoor fountain. There is also 4,660 square feet of new outdoor patio area proposed on the east side of Building 4 between the building and street, including a permanent/retractable awning and additional outdoor bar. An additional water feature is proposed between the terminus of the patio and the sidewalk. In total, there are over 450 seats shown in the petitioner’s site plan, not counting any capacity that would be imputed in the two indoor banquet facilities. There is no current outdoor dining space in this area of the Village Center.

Chairman Truzpek asked for public comment. None was given.

Anthony Garza, TGAR Group representing the petitioner, provided a revised rendering to the Plan Commission of the proposed restaurant space.

Chairman Trzupsek asked for staff analysis regarding the parking generated by the use. Mr. Walter said that if the standard Village calculation of 1 space per 100 square feet were used to calculate restaurant parking need, all of the current restaurants along with Pella would have their parking needs satisfied in the parking decks, leaving 190 additional deck spaces and all surface spaces open for use at other places of business.

Stanley Tomula, contractor for the petitioner, presented the petition to the Plan Commission.

Commissioner Stratis asked if live music was planned. Mr. Tomula said that the only outdoor music planned was over a speaker system, while there would likely be live music indoors. Commissioner Stratis said that he preferred a fence to match other restaurants in the center, such as Topaz. Commissioner Stratis asked about the hours of operation. Mr. Tomula said that the restaurant would be open to 2am. Mr. Walter said that 2am would not be permitted based upon the PUD’s regulations, and that receiving a 2am close would require a special use. Mr. Walter said

that staff was unaware of any intention to stay open until 2am as it was not included in their business plan. Mr. Walter recommended that the use withdraw and refile its petition if they wanted to obtain a 2am close but cautioned that the Village Board had already directed staff to begin work on amendments to restrict closures to midnight Village-wide.

Commissioner Farrell asked where the patio would be located. Mr. Walter said that the sign and retaining wall would remain in place and the patio will be built up to the sign. Commissioner Farrell asked if the outside window to the gelato shop was permitted. Mr. Walter said the Plan Commission had the ability to recommend such a use. Commissioner Farrell said that she opposed the urns and statues being proposed for the front entranceway.

Commissioner Petrich asked how the outdoor patio was enclosable. Mr. Tomula said that some type of Nano wall would be employed. Commissioner Petrich asked where the water features would be located. Mr. Garza said that the only water feature would be located indoors.

Commissioner Irwin said that the plan as shown did not present symmetry with the building on the other side of the road and requested a redesign of the outdoor space.

Commissioner Hoch asked for comparable examples of the enclosure. Mr. Walter displayed an example product. Commissioner Hoch said she supported the concept but agreed that some of the details needed fine tuning.

Commissioner Parella said that the design needed work to match the size and scale of the buildings around the subject property.

Chairman Trzupsek supported the concept but felt that there was insufficient detail and specificity in the plans. The Plan Commission discussed the size of the patio extending towards Burr Ridge Parkway, with no immediate concerns being presented.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to continue the public hearing for Z-04-2021 to July 19, 2021.

**ROLL CALL VOTE** was as follows:

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

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

#### **IV. CORRESPONDENCE**

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

**PC-02-2021: Burr Ridge Village Center Planned Unit Development (Hassan); Conditional Approval**

Chairman Trzupsek asked for a summary of the petition. The Plan Commission previously recommended approval of the PUD amendment subject to final plan review and approval. At this time, the property owner is seeking final plan approval. Staff completed a follow-up review of the plans. The petitioner is amending their original petition to split the approval process into three phases (1 – infrastructure; 2 – signage and wayfinding; 3 – tenant enclosures). The purpose of the multi-phase approach is to allow timely construction to occur if the Plan Commission is in agreement with the petitioner’s proposal.

The Plan Commission requested a more thorough analysis of the parking context at the Village Center be provided. There are 1,145 public parking spaces at the Village Center that are controlled by the property owner available for restaurant, retail, and office uses, of which 624 spaces are located in two parking decks adjacent to Buildings 3 and 5, and 491 spaces are located variously throughout the property in surface lots and along Village Center Drive. Approximately 50% of the surface parking at Village Center is located along Village Center Drive, of which 30 of the 491 spaces would be eliminated by the proposal. Approximately 100 deck spaces are reserved for office parking during normal business hours which are available to any patron during evening or weekend hours. Parking at Village Center was originally devised using a shared parking method, meaning that a general projection of the parking demands of different types of uses was used to aggregate a set amount of parking need for the entirety of Village Center. While the current tenant mix denotes an increase in demand from the initial parking projections, it should be noted that a significant amount of “retail” has been converted to office use, such as the conversion of the north end of the Village Center adjacent to Village Green into doctor’s offices with almost no traffic impact beyond 5pm. While the mix of tenants is more “parking intensive,” a significant amount of retail space which was projected to be open through the dinner hour has been replaced with more daytime-oriented business uses. Staff’s analysis of the tenant mix at the Village Center indicates that only 34% of the gross leasable area of the entire Village Center is currently open past 6pm, almost all restaurants, the focal tenant of the entertainment area. Under the current tenant parking projection, all restaurant traffic could fit within the two parking decks with approximately 190 additional deck spaces and all surface parking unused.

Ramzi Hassan, petitioner and property owner, said that he was pleased to present revisions to the petition in line with the Plan Commission’s feedback.

Corey Dunne, D+K Architects, said that the petition had been significantly refined and noted that several representatives of the proposed permeable paver product were present to answer questions.

Bob Walker, Bono Consulting, said that the location was ideal for permeable pavers due to the street’s ability to take on water and filter any particulate matter which may seep into the ground. Mr. Walker said that the proposed engineering with permeable pavers would exceed MWRD regulations and aid in local stormwater collection.

Chairman Trzupsek asked about maintenance of permeable pavers. Mr. Walker said that the joints were only ¼-inch thick, and if any joint material became corroded, it would become obvious near the surface, and the joints could be easily replaced. Mr. Hassan said that pavers were already in use at the Village Center, such as at the Starbucks seating area.

Commissioner Hoch thanked the petitioner for making changes as requested and supported approval of the first phase.

Commissioner Irwin asked if traffic would be backed up along Lifetime Drive. Mr. Dunne said that eight cars could fit in the valet staging area.

Commissioner Petrich asked about the final color of the pavers. Mr. Dunne said that the final color would match the existing color scheme of the Village Center and not introduce any significantly different shades.

Commissioner Farrell supported the petition and acknowledged the changes made at the behest of the Plan Commission.

Chairman Trzupke asked if the proposed temporary enclosures would be placed into foundations in the ground, thus triggering need to review the enclosures during the present hearing. Mr. Dunne said that there was no need to perform such work, and thus the enclosures would be discussed at a later date.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Hoch to recommend that the Board of Trustees approve the request for conditional approval to approve phase one engineering and infrastructure amendments at the Village Center as per the petitioner's submitted site plan, with the condition that the property owner petition the Village for all remaining elements of the streetscape within 12 months.

**ROLL CALL VOTE** was as follows:

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

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

**S-01-2021: 7508 County Line Road (Guidepost); Condition Approvals, Sign Variations, and Findings of Fact**

Mr. Walter said that the petition was tabled indefinitely at the request of the petitioner. No further action was taken.

**VI. PUBLIC COMMENT**

Alice Krampits, 7515 Drew, requested staff follow up with the petition at 7512 County Line Road regarding the proposed tree types. Mr. Walter said staff would follow up in the coming days to resolve the matter.

**VII. FUTURE MEETINGS**

Mr. Walter said that there were four public hearings scheduled for July 19, 2021 and that a significant number of petitions were being processed for the next three months.

**VII. ADJOURNMENT**

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to adjourn the meeting at 9:47 pm.

**ROLL CALL VOTE** was as follows:

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

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

**Respectfully Submitted:**

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Evan Walter – Village Administrator