

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF AUGUST 16, 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 Vice Chairperson Farrell.

ROLL CALL was noted as follows:

PRESENT: 6 – Broline, Petrich, Irwin, Stratis, Parella, and Farrell

ABSENT: 1 – Trzupsek

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 Irwin to approve the amended minutes of the August 2, 2021 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Petrich, Irwin, Broline, Stratis, Parella, and Farrell

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

III. PUBLIC HEARINGS

Vice Chairperson Farrell conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting.

Z-11-2021: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendments and Findings of Fact; continued from August 2, 2021

Mr. Walter said that the petition had been continued from August 2, 2021. Mr. Walter said that several revisions had been made to the petition's core elements, including renaming the standard "Excessively Audible" from "Plainly Audible," incorporating a property line mechanism for measurement purposes, several additional exceptions to the rule added, as well as a staff-monitored special event permit which could be obtained once every six months by property owners.

Vice Chairperson Farrell asked for public comment. No public comment was given.

Commissioner Irwin asked for clarification regarding the difference in measurement between a noise being heard from either a property line or a linear footage from the noise itself, but otherwise

supported the language in general form. Mr. Walter said that the language was written upon staff's understanding of previous Plan Commission feedback to provide an either/or approach to measurement. Commissioner Irwin requested that all measurements be made at the property line so as to preclude the need for agents of the Village to enter private property if no violation was witnessed. Mr. Walter agreed with the assertion.

Vice Chairperson Farrell agreed with Commissioner Irwin's assertion about the basic measurement being taken at the property line in all cases. Mr. Walter said that without the linear footage measurement, there would be almost no distinction between day and night hours (10p-7a being defined as night hours). Mr. Walter suggested that a more universal approach might be preferred, with the difference between day and night hours being that exceptions are more permissible during day hours. The Plan Commission agreed with Mr. Walter's suggestion.

Commissioner Stratis compared the measurement of noise to light, saying that light is not permitted to breach the property line just as unreasonable noise would not be in this proposal.

Vice Chairperson Farrell asked how the proposal would impact businesses who operate 24 hours a day. Mr. Walter said that it would be a discretionary issue.

Commissioner Irwin asked if the ordinance would be stronger if there was a lack of a continuously-present regulation; that is, the 60-second minimum be removed. Mr. Walter said that such a revision would be considered by staff.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to continue the public hearing for Z-11-2021 to September 20, 2021.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Stratis, Broline, Parella, and Farrell
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway (Village of Burr Ridge); Planned Unit Development and Findings of Fact; continued from July 19, 2021

Mr. Walter said that the petition had been continued from July 19, 2021. Mr. Walter said that several revisions had been made to the petition's language, including the provision of a redlined copy of any changes made from standard B-1 Business District zoning, the inclusion of more permitted uses compared to special uses, as well as employee parking and valet parking plans being required for all tenants and certain uses, respectively.

Commissioner Petrich asked staff for clarification on a few items as follows. Temporary outdoor activities administratively approved by the Village will be limited to durations of up to 72 hours. The new requirements for Signs for County Line Square (CLS) are proposed to be the same as currently allowed for the Village Center. The Landscaping and Buffering requirements adjacent to

CLS are applicable only to Ambriance residents, and not to the Village Center residents or Chasemoor residents. The 479 available parking spaces at CLS include the 85 employee parking spaces at the rear of the CLS storefronts. Outdoor music, performances, etc. would be approved by the Village on a one-time permit basis, and adjacent residents would be notified in accordance with the requirements of the noise ordinance. Commissioner Petrich was concerned with possible saturation of restaurants at CLS, and suggested that the permitted restaurants with or without liquor be limited to less than 3,500 square feet instead of the proposed 5,000 square feet, and agreed with other Commissioners and staff that a shared parking space of 1/200 sf or 1/225 sf is more appropriate than the proposed 1/250 sf. Commissioner Petrich was also not comfortable with permitting outdoor dining and outdoor dining hours, and thought that these should remain as a special use. In addition, massage parlors should remain a special use and not be permitted.

Commissioner Irwin asked if any additional spaces could be added near Patti's Sunrise Café. Mr. Walter said that adding additional spaces would preclude semi-truck traffic from being able to practically maneuver the drive aisle from the front to the back of the building.

Vice Chairperson Farrell asked for public comment.

Mark Thoma, 7515 Drew Avenue, asked for clarification of the valet parking requirement. Mr. Walter said that staff's proposal was to require that any restaurant over 3,500 gross square feet must provide valet parking services from Thursday-Saturday after 5:00pm. Mr. Walter said that a threshold needed to be made to require valet going forward; the Village had, to that point, required valet from all restaurants over 3,500 square feet in County Line Square to have valet, with no restaurant under 3,500 square feet being required to have valet, thus the decision to recommend 3,500 square feet as the threshold for valet parking services being required.

Alice Krampits, 7515 Drew Avenue, said that if valet services were not mandated, valet would park all of the cars up close, and she preferred having zones be made in which valet cars would be required to be parked. Mr. Walter said that he had considered such an approach, but ultimately opted not to make that recommendation to the Plan Commission, but felt that a PUD that is over-regulated in this manner would be difficult to enforce and have much greater need to have constant revisions in the future, thus defeating the general premise of the PUD. Mr. Walter said that after speaking with restaurant operators, their feedback was that patrons either would have the option of parking their own vehicle or obtaining valet parking, and that in either case, it would not matter where the cars went, as both types of patrons would remain satisfied with the parking situation. Ms. Krampits asked if businesses were incentivized to have reserved parking under the Zoning Ordinance. Mr. Walter said that businesses had never been promised a certain set of spaces; they were simply required to provide a certain number of spaces under the zoning regulations.

Commissioner Irwin thanked staff for the redline copy of the PUD's regulations. Commissioner Irwin asked why some special uses were struck but others remained, including some of which he found objectionable. Mr. Walter said that some of the more controversial uses which remained in the proposal, such as gun sales with shooting ranges and liquor stores, were strategically kept in the regulation to allow the Village a more secure legal footing to stand on should any such petitions be encountered for said uses. Under the findings of fact for special uses, there are many more standards which must be met that are not necessarily present under a text amendment, thus

allowing the Village greater opportunity to deny possibly objectionable uses than if they were not listed at all. Commissioner Irwin said that he was very concerned about the presence of pet service shops in the PUD. Mr. Walter said that use was specifically left in to allow the Village the opportunity to review the petition, as stated previously. Commissioner Irwin said that while he understood the rationale for the parking regulations being amended, he preferred a regulation that was closer to the 479 spaces. Mr. Walter said that moving to 1 space per 200 square feet would move the regulation to 450 spaces. Commissioner Irwin agreed with the proposed revision. Mr. Walter said that the petitioner could not add any commercial square footage due to the PUD being approved in accordance to a specific site plan.

Commissioner Petrich requested that the cap of 5,000 square foot restaurants be permitted be reduced to 3,500 square feet to align with the valet requirement. Commissioner Petrich said that he preferred not to have outdoor dining be a permitted use, acknowledging that the use was always approved by the Village. Commissioner Petrich asked that “professional massage” uses be struck as a permitted use.

The Plan Commission recommended that the permitted hours of operation be 7am-10pm for all uses, with special uses required for any hours of operation outside of this timeframe.

Commissioner Broline preferred to have less parking regulation than more.

Commissioner Stratis said that he preferred more overregulation regarding hours of operation, and did not have an objection to the standard hours of 7am-10pm. Commissioner Stratis said he would be supportive of placing restrictions on certain uses being permitted only if the use has a minimum number of locations outside of the Village.

Vice Chairperson Farrell supported the reduction of the permitted restaurant use cap. Vice Chairperson Farrell asked if the parking calculation accounted for outdoor dining. Mr. Walter said that outdoor dining was not considered. Vice Chairperson Farrell asked about the additional spaces that were proposed for Lincolnshire Drive. Mr. Walter said that staff wanted to suggest the creation of those spaces to aid in assuaging any parking concerns near the property.

Commissioner Irwin asked how outdoor dining would be permitted near the building. Mr. Walter said that outdoor dining would be permitted within the frontage of a restaurant, with a fence around the dining area and a door leading back into the restaurant, with a 48” gap between the edge of the fence and the curblin.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to continue the public hearing for Z-08-2021 to September 20, 2021.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Petrich, Broline, Parella, and Farrell
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

V. OTHER PETITIONS

VI. PUBLIC COMMENT

VII. FUTURE MEETINGS

Mr. Walter said that there were four considerations scheduled for the September 20, 2021 meeting.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to adjourn the meeting at 8:38 pm.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Petrich, Broline, Parella, and Farrell
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:

Evan Walter – Village Administrator