

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF OCTOBER 4, 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.

ROLL CALL was noted as follows:

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

ABSENT: 1 – Parella

Interim Village Administrator Evan Walter was also present. Commissioner Irwin participated remotely due to a work commitment.

II. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Petrich and Broline suggested several technical revisions to the September 20 minutes.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Farrell to approve the amended minutes of the September 20, 2021 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Petrich, Farrell, Broline, and Trzupek

NAYS: 0 – None

ABSTAIN: 2 – Stratis and Irwin

MOTION CARRIED by a vote of 4-0.

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.

V-04-2021: 6100 Grant Street (Toland); Variation and Findings of Fact; continued from August 2, 2021

Chairman Trzupek asked for a summary of the petition. Interim Village Administrator Walter said that the petitioner is requesting a variation from Section VI.F.4 of the Zoning Ordinance to permit a single-family residence to be built with a Floor Area Ratio (FAR) in excess of 20%. The petitioner states in their application that the water table on the subject property is demonstrably impactful on their property's plans, requiring that the proposed home to be built be raised out of the ground with a shallower basement than is otherwise desired. The petitioner has submitted a

proposed site, elevation, and floor plan of the home to be developed if the variation were granted. The home shows 4,799 square feet of applicable Floor Area, which would equate to a Floor Area Ratio of 21.2% on the subject property, remaining above the standard 20% FAR threshold set for the R-3 Residential District. The petitioner has previously stated that the additional FAR is identified in the need to relocate elements of the basement to an above-grade location due to a higher-than-normal water table on the subject property.

Mr. Walter said that the Plan Commission requested additional information to further consider the merits of the petition's request for a variation. First, this petition would meet the development standards of the Village but for the FAR calculation as well as several technical engineering comments, such as the presence of a perceived retaining wall in a Public Utility and Drainage Easement that the Village would require to be relocated. Any plans for a new home would be required to meet the remaining Village regulations before a building permit were issued. Mr. Walter also said that staff was unable to ascertain useful data regarding the proliferation of shallow water tables throughout the Village. The petitioner submitted a report dated February 19, 2020 from a licensed soil testing company indicating that water bearing conditions were encountered at depths of 6'-10' below existing grade, with an engineering recommendation that the maximum bottom of foundation be no more than 5' below grade. While there is no presence of wetland or floodplain within the specific lot lines of the subject property, both wetland and floodplain are located on adjacent properties, which may indicate the likelihood of rising sub-surface water tabling in the general area. Based upon limited information, Mr. Walter said that staff concluded that a water table at this level is likely unusually high in the Village, but that it was impossible to ascertain the uniqueness of the water table due to limited information.

Chairman Trzupek asked for public comment.

Matt Joyce, 6111 Madison, asked how the Village measured building height. Mr. Walter said that the Village uses a median height definition between effectively the gutter and peak roof lines; the proposed house was approximately 20 feet tall by definition, while 30 feet was defined as the maximum allowable roof. Mr. Joyce asked for confirmation that the home would only exceed the Village's FAR regulations by approximately 100 square feet. Mr. Walter confirmed this fact. Mr. Joyce said that since the variation was limited in scope, he did not oppose the petition, but asked that the Village be vigilant in not setting precedent for much larger buildings to exceed FAR in the area, as further subdivision of the area was expected.

Mark Thoma, 7515 Drew, said that while the variation was not severe, the Village should continue to enforce its regulations.

Commissioner Stratis asked for confirmation of the applicable square footage of the FAR calculation. Mr. Walter confirmed that 4,799 square feet on an approximate 22,350 square foot property resulted in an FAR calculation between 1.2-1.5% over 20% based upon the most exact calculation possible, depending on very minor changes that may be ascertained during a permit review process and rounding preferences. Commissioner Stratis felt that a hardship was not clear, but that the request for a variation was also not severe or significant.

Commissioner Farrell concurred with Commissioner Stratis' comments. Commissioner Farrell asked for clarification regarding the perceived reduction in FAR non-compliance from the first petition to the current proposal. Mr. Walter confirmed that the petitioner had revised their plans to re-grade the subject property, creating a site plan which would not count the basement as being part of the FAR. The FAR had dropped from approximately 25% to 21% based upon the petitioner's revisions.

Commissioner Broline asked for clarification about the basement not being included in the FAR. Mr. Walter reviewed the revised grading plans, which were confirmed as preliminarily acceptable by the Village Engineer.

Commissioner Petrich asked about the elevation changes from the street to the house. Mr. Walter said that the sidewalk was shown at 705' while the front stoop was shown at 708.3', therefore creating about 3 feet of slope from sidewalk to front wall. Mr. Walter said that many houses have a slight grade increase from the street to the home in an effort to create additional flooding protection and a better building stance on the property.

Commissioner Irwin asked about the proliferation of the water table in the Village. Mr. Walter said that due to the fact that the Village does not require soil testing as part of routine permitting, property-specific data is not available. Commissioner Irwin said that he did not immediately see a hardship present on the subject property, and that it is the petitioner's job to prove the presence of a hardship, not staff's. Chairman Trzupek agreed with the sentiment of Commissioner Irwin's statements but noted that if staff did not have enough data to make a scientific determination, it would not be reasonable to assume that the petitioner would have access to such information.

Chairman Trzupek asked for clarification of the definition of FAR as it applies to attics and lot coverage. Mr. Walter said that attics whose wall plates are less than 54" tall are not counted towards FAR, whereas there was no maximum lot coverage other than the building area presented on all lots and the FAR calculation generally. Chairman Trzupek said that since the proposed home was already nearly in compliance with FAR as shown, there were "ironic" opportunities to make the home larger in footprint, but smaller in FAR, therefore possibly creating perverse incentives to expand the footprint to comply with FAR regulations.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to close the public hearing for V-04-2021.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to recommend that the Board approve a variation for a home with a Floor Area Ratio (FAR) in excess of 20% in the R-3 Residential District at 6100 Grant Street, subject to revised Findings of Fact,

with the variation being granted for the property with the Permanent Index Number of #09-13-306-013 and that the maximum Floor Area Ratio permitted for the subject property shall be that which is present in the petitioner's submitted site plans.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Petrich, Farrell, Broline, and Trzupek
NAYS: 1 – Irwin

MOTION CARRIED by a vote of 5-1.

Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway (Village of Burr Ridge); Planned Unit Development and Findings of Fact; continued from September 20, 2021, August 16, 2021, and July 19, 2021

Chairman Trzupek asked for a summary of the petition. Mr. Walter said that final revisions per Plan Commission feedback had been incorporated into the draft PUD regulations, including the inclusion of outdoor dining space as part of any restaurant size calculation and the removal of the fire lane/no parking zone being replaced with a standing/loading zone in map form. Mr. Walter said that no parking would be permitted near the frontage of Brookhaven due to the presence of an intersection in this location.

Chairman Trzupek asked for public comment.

Mark Thoma, 7515 Drew, said that the Village should retain some control over parking regulations, and that the standing/loading lane would be abused.

Alice Krampits, 7515 Drew, said that the Village should retain some control over parking regulations, and that the standing/loading lane would be abused.

Commissioner Irwin asked for a review of the fire lane issue, with him being absent from a recent meeting. Mr. Walter said that Pleasantview Fire Protection District had no objection to the fire lane being removed, as most of the relevant firefighting apparatuses were located in the rear of the building.

Commissioner Petrich provided several brief formatting suggestions as well as requested that "funeral homes and parlors" be specified as a special use to retain further control over the use. Commissioner Petrich said that he felt better about outdoor dining being a permitted use now that it was included in the restaurant's overall size calculation and supported the change. Commissioner Petrich supported the inclusion of street parking along Lincolnshire Drive adjacent to the subject property as appropriate.

Commissioner Broline supported the PUD's language.

Commissioner Farrell expressed concerns regarding the potential for abuse of the standing/loading lane and wanted to see how it would work for a period of time, suggesting one year. Mr. Walter

said that PUD regulations allow for more expedient land use, and would be glad to provide a monitoring of the activities as they develop in practice. Commissioner Farrell otherwise supported the PUD.

Commissioner Stratis shared Commissioner Farrell's concerns regarding the standing/loading lane but otherwise felt that the regulations had undergone significant improvements through the iterative process between the Plan Commission and staff. Commissioner Stratis also supported the inclusion of street parking along Lincolnshire Drive adjacent to the subject property but asked for mechanisms to be considered to limit their potential use by Pace users. Mr. Walter suggested a late-morning parking start as well as a time limit. Commissioner Stratis agreed with a multiple-pronged approach and supported the concept again.

Chairman Trzupek shared previous concerns about the standing/loading lane but felt that any issues could be addressed at a later date.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Irwin to close the public hearing for Z-08-2021.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to recommend that the Board approve a special use for a Planned Unit Development as per Section VIII.B.2.cc of the Zoning Ordinance for the purpose of creating parking and land use regulations at the subject property (50-124 and 200-324 Burr Ridge Parkway) as per the draft PUD regulations.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

A brief discussion was held regarding a future public hearing regarding land use moratoria in the Downtown Business District.

V. OTHER PETITIONS

VI. PUBLIC COMMENT

No public comment was given.

VII. FUTURE MEETINGS

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to cancel the October 18 Plan Commission meeting due to a lack of business.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Farrell to adjourn the meeting at 7:55 pm.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:

Evan Walter – Village Administrator