

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF NOVEMBER 1, 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, Farrell, Parrella, and Trzupek

ABSENT: 1 – Stratis

Interim Village Administrator Evan Walter was also present.

II. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Petrich asked how previous revisions to the minutes are recorded. Mr. Walter said that these revisions are made administratively, as the Plan Commission directs their amendment prior to voting in final on the items.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Broline to approve the amended minutes of the October 4, 2021 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

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-12-2021: Business Development District (Village of Burr Ridge); Development Moratorium

Chairman Trzupek asked for a summary of the petition. Mr. Walter said that on September 27, 2021, the Board of Trustees considered the concept of a potential moratorium which would temporarily restrict the consideration of applications for new development within the Downtown Business Development District. Subsequent to their review and discussion, the Board of Trustees recommended the Plan Commission host a public hearing to consider a moratorium. The proposed moratorium would be an Ordinance adopting a policy establishing a temporary hold on certain types of development undertaken while the Village considers potential land-use and zoning

amendments. Illinois courts have recognized the use of moratoria as a viable land use tool, and the United States Supreme Court has acknowledged both the importance and appropriateness of moratoria in certain planning efforts. Communities establishing a temporary moratorium should ensure the moratorium:

- a. advances a legitimate governmental interest;
- b. relates to an issue the community is actively studying;
- c. precisely defines what activities are subject to the moratorium;
- d. only extends for limited duration of time; and
- e. is clearly and completely communicated in the ordinance establishing the moratorium.

Given the Village's recent development of economic development priorities, creation and implementation of the Downtown Business Development District, a temporary pause in review of any new downtown development could allow for any desired adjustments to the Village's downtown regulations and future vision to be evaluated. The Plan Commission and subsequently the Village Board should review the five components noted to provide the public with an understanding of the goals and terms of the moratorium. Before considering a recommendation to the Board of Trustees, the Plan Commission should review the following criteria and identify findings that would be included in a draft ordinance for the Village Board's consideration at an upcoming meeting.

Chairman Trzupek asked for public comment.

Alice Krampits, 7515 Drew, said that while she did not want the Village to be shown as uninterested in new development, she understood the need to pause to ensure that zoning regulations were put in place which made sense.

Mr. Walter said that the Village has received more calls in the downtown district in the previous 60 days compared to the last 5 years, meaning that there is significant renewed interest in Burr Ridge, and that the development community supported the Village pausing development for a short time. The reason for their support is that clear zoning creates more clear opportunities to good developers, as developing the vision for a property can often be an expensive process. Once the zoning review is completed, they would be better able to adjust their proposals to meet the new zoning regulations, rather than having to ask for many variations which may be required under standard zoning. Chairman Trzupek agreed with these statements, saying that he would be looking forward to the input from the private sector to develop mutually acceptable zoning regulations.

Commissioner Parrella asked what was being considered for moratorium. Mr. Walter said that the moratorium as proposed would only pertain to the development of new foundations; build out of tenant space in existing buildings, as an example, would not be affected.

Commissioner Farrell supported the moratorium as proposed and felt it would be a tool in the process of creating better outcomes in downtown Burr Ridge. Commissioner Farrell suggested specifically noting the age of the Comprehensive Plan as a factor in pursuing the moratorium.

Commissioner Broline supported the moratorium as proposed.

Commissioner Petrich asked if the proposed deadline of May 1, 2022 was realistic. Mr. Walter said that it was legally simpler to extend the moratorium, if such action was necessary, than to pull deadlines back, as he was unaware of any example where moving deadlines up had occurred. Commissioner Petrich asked about possible exceptions. Mr. Walter said he was only aware of exceptions being granted wherein additional footprint expansions were necessary to meet new code requirements, but would otherwise not alter the essential use or character of the property.

Commissioner Parrella said that the benefits of creating good downtown regulations greatly outweighed any perceived negative connotation of the Village being uninterested in new investment. Commissioner Parrella asked how a planning consultant would be identified and if such criteria were already established. Mr. Walter said that a consultant would be identified through a competitive process.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Broline to close the public hearing for Z-12-2021.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to recommend that the Board approve a temporary land use moratorium on new development projects in the Downtown Business Development District, with the recommended language included in the “Findings of Fact and Recommendation” section of the staff report as supporting evidence thereof.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

V. OTHER PETITIONS

S-01-2021: 7508 County Line Road (Guidepost Montessori); Special Uses, Variations and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Mr. Walter said that the petitioner is Guidepost Montessori, tenant of the building at 7508 County Line Road. The petitioner is seeking conditional approvals as per Section 55.05 of the Sign Ordinance for a wall sign and a ground sign

as well as variations from Section 55.05 of the Sign Ordinance to permit a wall sign in excess of 16 square feet in area and a ground sign less than ten (10) feet from a lot line, all at a non-residential lot in the T-1 Transitional District. Section 55.05 of the Sign Ordinance permits each non-residential lot in Transitional Districts to have one ground sign not exceeding 16 square feet in area and not more than 8 feet in height along with being located 10 feet from all lot lines, and one wall sign not exceeding 16 square feet in area. The primary plans for the property include a Montessori school which was approved by the Village under petition Z-14-2020 (final plans attached). The property's previous tenant, Coglianese Funeral Home, had one ground sign measuring approximately 33 square feet in size. This sign was erected by right prior to the Sign Ordinance's overall revision in 2001, which established the current regulations in the T-1 Transitional District; this sign has since been removed from the premises. The petitioner provided multiple options for a ground sign; however, the petitioner requested that Option 3 be solely considered by the Plan Commission. To be approved as shown, the proposed ground sign requires a variation to permit a sign located within 10 feet of a lot line. The proposed wall sign is located on the east-facing wall and requires a variation due to its size (18 square feet in size).

Chairman Trzupek asked for public comment.

Mark Thoma, 7515 Drew, said that the petition was excessive in its request and asked for the petition to be tabled until engineering concerns may be addressed at the subject property. Mr. Walter said that while the current state of the property would not meet legal standards set forth in the previous special use granted for the use, the Village was not currently able to make any enforcement due to special uses permitting certain time periods for development to occur. Mr. Walter also said that the current petition would be permitted to be considered at this time independent of the state of the development if so desired.

Commissioner Irwin asked as to the Findings of Fact for the petition. Mr. Walter reviewed both the Findings of Fact for a conditional sign as well as sign variations. Commissioner Irwin asked why the petitioner could not comply with the regulations. Scott Heguy, petitioner, said that the wall sign was increased in size due to creating a higher-quality rendering being available at said size, while the sign was restricted in terms of where it would be able to be located since the majority of the front of the building has a detention easement.

Commissioner Parrella said that the exterior elevations appeared to be within scope of the property.

Commissioner Petrich said that the location of the sign appeared awkward and wondered if the sign could be placed in the detention area. Mr. Walter said that it was highly unlikely that such a location could be accepted by neither the petitioner nor the Village. At Commissioner Irwin's request, Mr. Walter denoted the approximate area of the detention area as well as the setbacks from the nearby property lines. Commissioner Petrich asked if the sign could be placed in the right of way. Mr. Walter said that no signs are permitted in public rights of way. Commissioner Petrich asked why the site was designed with no permitted area for signage. Chairman Trzupek said that he understood why the detention area was placed where it is presently located, and that it would not be reasonable to expect the site engineer to account for signage possibilities.

Commissioner Broline asked for further context regarding neighboring sign locations. Mr. Walter said that of all properties on the block, this sign would be the nearest to the street.

Commissioner Farrell asked for the actual setbacks of the sign. Mr. Walter said that the sign was between 5' and 9' from both front and side property lines. Commissioner Farrell said that other signs were somewhat similar to the previous sign in size but were further back from the road, thus possibly making the character of the subject property different. Commissioner Farrell asked for the boundaries of the detention area to better understand the sign's possible locations.

Chairman Trzupek asked if a variation could be granted to allow a sign in the detention area. Mr. Walter said such an action would not be likely.

Commissioner Petrich asked if other buildings in the area had a double driveway similar to this situation. Mr. Walter acknowledged that while Shirley Ryan had such a driveway, their property is much larger and lends itself to the possibility of a second driveway.

The Plan Commission recommended the petition be tabled to the November 22, 2021 meeting.

VI. PUBLIC COMMENT

Mark Thoma, 7515 Drew, asked what could be done about engineering issues and relevant deadlines in the Village. Mr. Walter said that the Zoning Ordinance would need to be amended as in any other instance. Commissioner Irwin asked that such an amendment be placed on the annual zoning review for consideration in January 2022.

VII. FUTURE MEETINGS

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Farrell to adjourn the meeting at 8:29 pm.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:

Evan Walter – Village Administrator