

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF APRIL 4, 2022

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 Police Department Training Room, 7700 County Line Road, Burr Ridge, Illinois by Chairman Trzupsek.

ROLL CALL was noted as follows:

PRESENT: 8 – Irwin, Parrella, Petrich, Broline, Stratis, Morton, McCollian, and Trzupsek
ABSENT: None

Trustee Guy Franzese and Community Development Director Janine Farrell were also present.

II. APPROVAL OF PRIOR MEETING MINUTES – MARCH 21, 2022

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Irwin to approve the minutes of the March 21, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 8 – Morton, Irwin, Petrich, Broline, Parrella, Stratis, McCollian, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

III. PUBLIC HEARINGS

Chairman Trzupsek conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting. There was no public present.

Z-05-2022: 100, 130, 800 and 900 Burr Ridge Parkway; Permanent Real Estate Index Numbers 18-30-300-026-0000, 18-30-302-001-0000, 18-30-302-002-0000, 18-30-302-003-0000, and 18-30-302-004-0000 (Village of Burr Ridge); Re-zoning and Findings of Fact

Z-06-2022: 745 McClintock Drive; Permanent Real Estate Index Number 18-30-303-009-0000 (Village of Burr Ridge); Re-zoning and Findings of Fact

Z-07-2022: 835 McClintock Drive; Permanent Real Estate Index Number 18-30-303-006-0000 (Village of Burr Ridge); Re-zoning and Findings of Fact

Chairman Trzupsek asked for a summary of the petitions. Mrs. Farrell stated that all three petitions would be presented together since they are in the same area and have a similar history. The five individual parcels on Burr Ridge Parkway are requested to be rezoned from L-I to B-2. The two

parcels on McClintock Drive are requested to be rezoned from L-I to O-2. The petitioner is the Village of Burr Ridge. The Village does not own the properties and is not in the process of purchasing the properties. The McClintock properties are improved with office buildings. The Burr Ridge Parkway property is improved with an office building but also has vacant land to the north. This area was zoned L-I at the time of annexation in 1982, which was the only zoning district that allowed for the office complex use at that time. The 2005 Comprehensive Plan designates the Burr Ridge Parkway properties as "Mixed-use" and the McClintock Drive properties as "Office/Hotel." The properties are within the recently established Downtown Business District. A moratorium was passed in late 2021 on any new development within the downtown area. The moratorium allowed the Village time to evaluate the downtown area, including issues like zoning. Light Industrial zoning in the downtown has the potential to negatively impact surrounding businesses and residents and does not comply with the Comprehensive Plan. A municipality can initiate a rezoning request when it is in the best interest of the public. A list comparing uses in the L-I, B-2, and O-2 zoning districts was distributed to the Commissioners.

Chairman Trzupke asked about the Comprehensive Plan designation of the different properties as mixed-use and office. Mrs. Farrell stated that at the time, the McClintock properties were already developed as office uses and the surrounding properties on McClintock Drive had office uses which likely led to the office designation.

Chairman Trzupke asked about the use list and the manufacturing and warehousing uses permitted in L-I, and office uses permitted in B-2. Mrs. Farrell confirmed that only specific office uses would be permitted in B-2 but any existing use that did not comply would be legal, nonconforming. Chairman Trzupke confirmed that a hotel would be a special use in the B-2 and O-2 zoning districts.

Chairman Trzupke asked for public comment. There was no public comment.

Commissioner Morton did not have any comments or questions.

Commissioner Irwin discussed the B-1 and O-1 zoning districts which allow for the same uses as B-2 and O-2 but are less intense uses. Chairman Trzupke noted that the request is for the B-2 and O-2 districts and cannot be changed. Chairman Trzupke asked if those districts were selected because of the Comprehensive Plan recommendation. Mrs. Farrell confirmed. Mrs. Farrell noted that there is no O-1 in the area and rezoning to O-1 could be seen as spot zoning. The B-2 district was selected instead of B-1 since the Village Center area can be viewed as a regional destination due to its location at County Line Rd. and I-55 as opposed to local neighborhood commercial.

Chairman Trzupke stated that the requests are moving forward now since the moratorium is expiring and the rezoning will prevent unwanted Light Industrial uses being built although there is no current, active proposal for a Light Industrial development.

Chairman Trzupke asked if rezoning to B-2 and O-2 would prevent any future rezoning or evaluation of the downtown area zoning. Mrs. Farrell noted that the Board and Commission can revisit zoning in the downtown area in the future.

Chairman Trzupsek asked about extending the moratorium and the possibility of updating the Comprehensive Plan. Mrs. Farrell stated that updating the Comprehensive Plan could take months or up to a year and the moratorium can only be extended for a certain period.

Commissioner Parrella did not have any comments or questions.

Commissioner Petrich stated he had not looked at the B-1 and O-1 zoning districts and was interested in the comments Commissioner Irwin made.

Commissioner Stratis agreed with Commissioner Irwin but supported the petition as presented tonight since industrial is the hottest commodity in the real estate market today. Moratoriums are not something seen as positive in the development community and he would not support extending it. Commissioner Stratis supported updating the Comprehensive Plan and evaluating Commissioner Irwin's suggestions further.

Commissioner Broline questioned if a moratorium could be on just one piece of property. Due to the size of the property, Commissioner Broline anticipates that it would be the subject of a PUD in the future.

Commissioner McCollian echoed Commissioner Stratis' comments.

Chairman Trzupsek did not support extending the moratorium. Chairman Trzupsek supported the petition since B-2 and O-2 are lesser intensity uses than industrial zoning, but it is not a perfect solution and some options under O-1 and B-1 or a PUD should be looked at in addition to updating the Comprehensive Plan.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-05-2022.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Broline, Petrich, Morton, Parrella, McCollian, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-06-2022.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Broline, Petrich, Morton, Parrella, McCollian, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-07-2022.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Broline, Petrich, Morton, Parrella, McCollian, and Trzupek
NAYS: 0 – None

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to recommend approval of Z-05-2022, a request to re-zone 100, 130, 800 and 900 Burr Ridge Parkway (Permanent Real Estate Index Numbers 18-30-300-026-0000, 18-30-302-001-0000, 18-30-302-002-0000, 18-30-302-003-0000, and 18-30-302-004-0000) as per Section VIII.C of the Zoning Ordinance from the L-I Light Industrial District to the B-2 General Business District and adopt the Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 8 – Petrich, Morton, Irwin, Stratis, Broline, Parrella, McCollian, and Trzupek
NAYS: 0 – None

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner McCollian to recommend approval of Z-06-2022, a request to re-zone 745 McClintock Drive (Permanent Real Estate Index Number 18-30-303-009-0000) as per Section IX.D of the Zoning Ordinance from the L-I Light Industrial District to the O-2 Office and Hotel District and adopt the Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 8 – Petrich, McCollian, Morton, Irwin, Stratis, Broline, Parrella, and Trzupek
NAYS: 0 – None

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to recommend approval of Z-07-2022, a request to re-zone 835 McClintock Drive (Permanent Real Estate Index Number 18-30-303-006-0000) as per Section IX.D of the Zoning Ordinance from the L-I Light Industrial District to the O-2 Office and Hotel District and adopt the Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 8 – Petrich, Broline, McCollian, Morton, Irwin, Stratis, Parrella, and Trzupek
NAYS: 0 – None

IV. CORRESPONDENCE

Chairman Trzupek asked if there were any comments on the Board or Building Reports. There were none.

V. OTHER CONSIDERATIONS

PC-02-2022: 10S381 Madison St. (Musa); Extraterritorial Review of Rezoning and Plat of Subdivision

Chairman Trzupek introduced the case and asked for a summary of the petition. Mrs. Farrell explained that the case is within unincorporated DuPage County and the Village, being within 1.5 miles of the site, has extraterritorial review authority for the proposed three lot subdivision. The Village may also file a written protest petition against the rezoning request. The petitioner is requesting to rezone to a zoning district which is the same bulk regulations as the Village's R-3 zoning district. The Village's R-3 zoning district is adjacent. After a preliminary review of the subdivision, Village staff did not find any violations of the Subdivision Ordinance.

Chairman Trzupek asked about the shape of Lot 1. Mrs. Farrell responded that although it was an 'L' shape, it met the minimum lot width, depth, and area requirements.

Commissioner Morton asked about the location and approval of the driveways. Mrs. Farrell stated that the Village would be required to review any work which occurs within their right-of-way.

Commissioner Stratis asked if the petitioner approached the Village to annex and why they did not. Mrs. Farrell clarified that the Village was approached by the petitioner to annex, but the costs for the street and sidewalk fees led him to select subdividing under the County's regulations. Commissioner Stratis confirmed that the properties will be on wells with DuPage County sewer. Commissioner Stratis discussed potential forced annexation if the Village were to annex along a roadway.

Commissioner Broline asked about the small R-1 property to the north and if it might be changed in the future. Mrs. Farrell stated that it is legal, nonconforming and was annexed in as R-1.

Commissioner Parrella confirmed that the parcels would remain under DuPage County jurisdiction.

Chairman Trzupek asked if the 1.5 mile review were waived, the Village would still retain the right to sign off on the subdivision plat. Mrs. Farrell confirmed.

Commissioner Morton asked if waiving the subdivision review still allowed the Village the right to annex properties in the future. Mrs. Farrell confirmed.

Commissioner Stratis stated that he spoke with neighbors on 90th Street who were interested in annexation.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to waive the right to an extraterritorial review of the proposed Musa Subdivision at 10S381 Madison St. (PC-02-2022).

ROLL CALL VOTE was as follows:

AYES: 8 – Stratis, Irwin, Petrich, Broline, McCollian, Morton, Parrella, and Trzupke
NAYS: 0 – None

VI. PUBLIC COMMENT

There were no public comments.

VII. FUTURE MEETINGS

April 11, 2022 Board of Trustees

Commissioner Stratis volunteered to attend.

April 18, 2022 Plan Commission

Z-08-2022: Text amendments to Sections VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

Z-09-2022: Text amendments to Sections VIII.A, VIII.B, and VIII.C of the Zoning Ordinance to amend hours of operation for restaurant uses in the Business Districts.

Commissioner Irwin asked if draft language would be presented. Mrs. Farrell confirmed. Chairman Trzupke requested that research be provided on existing operations within the Village.

April 25, 2022 Board of Trustees

Chairman Trzupke is the scheduled representative.

May 2, 2022 Plan Commission

Z-04-2022: 308-312 Burr Ridge Parkway (continuation from March 21, 2022)

Z-10-2022: 9115 Kingery Highway (Thorntons LLC); Special Uses, PUD Amendment, and Variations to operate a proposed gas station with convenience store.

Chairman Trzupke confirmed the location was the parcel to the south of the McDonald's on the corner.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to adjourn the meeting at 7:43 pm.


ROLL CALL VOTE was as follows:

Plan Commission/Zoning Board Minutes
April 4, 2022 Regular Meeting

AYES: 8 – Irwin, Stratis, Morton, Broline, Petrich, Parrella, McCollian, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

Respectfully Submitted:



Janine Farrell, AICP
Community Development Director

