

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF JULY 18, 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 Village Hall Board Room, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupsek.

ROLL CALL was noted as follows:

PRESENT: 5 – Petrich, Broline, Morton, Stratis, and Trzupsek

ABSENT: 2 – Parrella and McCollian

Commissioner Irwin arrived at 7:02 p.m.

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

II. APPROVAL OF PRIOR MEETING MINUTES – JUNE 20, 2022

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Broline to approve the minutes of the June 20, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 3 – Morton, Broline, and Petrich

NAYS: 0

ABSTAIN: 2 – Stratis and Trzupsek

MOTION CARRIED by a vote of 3-0 with 2 abstentions.

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. Chairman Trzupsek noted that the agenda was very full and that the last three items, F, G, and H, would likely be continued to the following meeting.

A. Z-18-2022: 6880 North Frontage Rd. (Premier IL Burr Ridge, LLC); Special Use and Findings of Fact

Chairman Trzupsek asked for a summary of the petition. Director Farrell stated that the petitioner, Tom Allor of Premier IL Burr Ridge LLC, is in the process of taking over Grand Avenue Preschool and Day Care which has an existing special use. The petitioner will operate the same business as Grand Avenue, utilizing the same space, enrolling the same number of children,

having the same employees, the same parking area, the same fenced play area, and the same pick-up/drop-off schedule. Grand Avenue was approved for a child care center in this location in 2020. Conditions #1 and #3 of that approved Ordinance stipulate that the special use was limited to Nancy Hayes and her business partners operating Grand Avenue. The petitioner, as the new tenant and owner of the business, must obtain a new special use for the child care center. Staff is recommending that the same conditions be applied to this request with the exception of condition #5 which was satisfied.

Chairman Trzupsek confirmed that special uses are conditioned for that particular business at that time, that there are no changes in operation, and that no complaints have been received about the business. Chairman Trzupsek asked if the petitioner was present. The petitioner, Dave P. from Premier, stated that everything was accurate and had nothing to add.

Chairman Trzupsek asked for public comment. There was none. Chairman Trzupsek asked for Commissioner discussion.

Commissioner Morton had no questions since it was essentially the same business and believes it is an asset to the community.

Commissioners Stratis and Broline had no comments or questions.

Commissioner Petrich asked about condition #5 and confirmed that the petitioner will still be required to follow the parking plan.

Commissioner Irwin and Chairman Trzupsek did not have any questions or comments.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to close the public hearing for Z-18-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Broline, Stratis, Morton, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend approval of Z-18-2022, a special use for a child care center pursuant to Zoning Ordinance section X.E.2 and Ordinance #A-834-02-20, with Findings of Fact, and subject to the following conditions:

1. The special use shall be limited to Premier IL Burr Ridge LLC in a manner consistent with the submitted business plan included as Exhibit A.
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road included as Exhibit A.
3. The special use shall be limited to Tom Allor and his business partners and shall expire at such time that Mr. Allor and his business partners no longer occupy the space at 6880 North

Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.

4. The capacity of the special use shall be limited to 80 children on the premises.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Broline, Morton, Petrich, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

B. Z-19-2022: 595 Village Center Drive (Kastanis/Yolk); Special Use and Findings of Fact

Chairman Trzupsek introduced the case and asked for a summary. Director Farrell stated that the petitioner is Yolk, which is operating an existing restaurant in the Village Center and requesting to have outdoor dining. Outdoor dining in this building requires a special use permit. The outdoor dining area will be located along Lifetime Drive and to the side of the main entrance. An in-depth analysis of the outdoor dining plan was provided in the packet, but in all respects, it complies with Zoning Ordinance regulations. Staff recommends seven conditions, including prohibiting plated, sit-down meals from being served at the coffee bar walk-up counter.

Chairman Trzupsek clarified with staff that this building and location was not part of the entertainment district and therefore a special use was required for the outdoor dining. Chairman Trzupsek asked if the petitioner was present and wished to add anything. The petitioner, Peter Chabot, the Regional Manager for Yolk's Chicagoland locations, stated that added pavement will provide safe passage of pedestrians, there would be 42 seats, and no alcohol will be served.

Chairman Trzupsek asked for public comments. There was none. Chairman Trzupsek asked for Commissioner discussion.

Commissioner Irwin had no comments or questions.

Commissioner Petrich confirmed that the umbrellas are weighted, and floor supported. The petitioner confirmed four total umbrellas. Commissioner Petrich asked about off-season storage of furniture. The petitioner stated that all furniture would be stored off-site.

Commissioner Broline asked about live entertainment and music within the outdoor dining area. Chairman Trzupsek confirmed that the draft language for live entertainment states that it cannot be outside. The petitioner stated that music volume can be adjusted for the outdoor area.

Commissioner Stratis confirmed with the petitioner that the fence would be permanent and that no advertising would be on the umbrellas.

Commissioner Morton commented on the new pavement area and believed that 2% is the permitted cross-slope in IDOT accessibility guidelines. The petitioner stated that he can review

and follow-up regarding ADA accessibility guidelines. Commissioner Morton requested a condition be added about grading and cross-slope compliance.

Chairman Trzupsek agreed with Commissioner Morton's comments and stated that the information about the new pavement area was not clear on the plans.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to close the public hearing for Z-19-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Petrich, Irwin, Broline, Morton, Stratis, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to recommend approval of Z-19-2022, a special use for outdoor dining at a permitted restaurant pursuant to Ordinance #A-834-10-05 and Zoning Ordinance sections VIII.A and VIII.C, with Findings of Fact, and subject to the following conditions:

1. The special use for a restaurant with outdoor seating shall be limited to Gianluca Pesce, Taki Kastanis, and their business partners of Yolk Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plan.
3. Music and all other amplified sound originating from the restaurant should be kept to a level so as not to be audible from residential units.
4. Tables shall be cleaned promptly following use.
5. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
6. Outdoor food preparation, storage, or display is prohibited.
7. Plated food for sit-down service shall not be served at the outdoor walk-up coffee bar/counter.
8. All grades and cross-slopes shall be in compliance with Americans with Disabilities Act (ADA) requirements.

ROLL CALL VOTE was as follows:

AYES: 6 – Petrich, Irwin, Broline, Morton, Stratis, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

C. Z-20-2022: 11731 87th Street (McNaughton Development LLC); Re-zoning and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Director Farrell stated that the petitioner, McNaughton Development LLC, seeks to rezone the property located at 11731 87th Street from the R-1 zoning district to the R-3 zoning district. The petitioner's future intent is to develop the site for a 20-lot subdivision. The subdivision is not part of tonight's request, but a conceptual site plan was provided. The property is adjacent to the Highland Fields Subdivision which is zoned R-3 to the north and R-2A to the west. For the first Findings of Fact, uses within the general area, the petitioner's request for single-family residential is in compliance. For the second Findings of Fact, the zoning designations in the area, there is R-3, R-2A, unincorporated Cook County R-1 to the east, and Village of Willow Springs SR-1 to the south. For the third Findings of Fact, the suitability of the property for uses permitted under the zoning district designation, the property is currently developed for single-family residential and the 15-acre site could support more than one home since there are utilities in the area. For the fourth Findings of Fact, the trend of development in the area, staff compared 2002 to 2022 aerial imagery illustrating the development of the Highland Fields Subdivision. The trend in development since the property was placed into its current designation in 2005 has been towards residential subdivision developments. For the fifth Findings of Fact, compliance with the Comprehensive Plan, while the petitioner's request for single-family residential complies with the Comprehensive Plan's future land use map, the goals and objectives #1.1 states, "maintain and encourage low density residential developments with a variety of lot sizes. Lot sizes are encouraged to be 30,000 square feet or larger." The R-3 zoning district minimum lot size is 20,000 sq. ft., R-2B is 30,000 sq. ft., and the adjacent R-2A is 40,000 sq. ft.

John Barry of McNaughton Development LLC stated that the properties in the area are single-family residential primarily within Burr Ridge and reiterated the surrounding zoning districts. The R-1 zoning is the default zoning when the property was annexed and is obsolete and impractical due to the cost to extend utilities and current development trends. This is evidenced by the final phase of Highland Fields to the west, platted in 2016, where only one lot has been sold and there are still three vacant lots on Heritage Dr. from the first phase. The big home on the big lot as a status symbol is now out and too expensive to build, maintain, and not a lifestyle someone wants. For the trend of development in southwest Burr Ridge, 834 acres total, there are five zoning districts: 90 acres of R-1, 244 acres of R-2, 34 acres of R-2B, 332 acres of R-3, 131 of R-4 which is an old zoning district; 55% is R-3. This will be a high-quality, low-density subdivision which will be a complement to the area and meet today's needs.

Chairman Trzupek confirmed that the re-zoning is the only request on the agenda for tonight and that the concept plan is helpful, but not under consideration and can change.

Chairman Trzupek asked for public comment.

Mark Thoma, 7515 Drew, stated that 87th Street is the dividing line between R-3 and R-2 properties. R-2A zoning is not obsolete and new homes are being built on R-2A properties in his neighborhood.

Frank Hojjat, Highland Fields HOA Board member, stated that everyone is against the proposal. Mr. Hojjat lives adjacent and is zoned R-2A. Mr. Hojjat stated that his home value will go down if the development is built. Mr. Hojjat stated that 87th Street is congested, and the street should be widened.

Mak Maheronnaghs, president of the HOA, stated that there are issues with 87th Street congestion and this increase in density will make the problems worse.

Beatrice Mologousis, HOA Board member, stated that the properties on Oak Knoll also use 87th Street. Ms. Mologousis stated that building smaller homes would affect the property values of the larger homes that are to the south of 87th Street. Ms. Mologousis stated that R-3 is to the north of 87th Street and with the 40% of R-3 in the area, no more is needed.

Kristina Bryndal, 8501 Oak Knoll, stated that all homes beyond the gate on Oak Knoll are on 5 acres and are larger homes. Ms. Bryndal welcomes new development, but it should keep within the same sizes of the lots that are already there and the same value of the homes that are there.

John Moskal, 8721 Stark Dr., owns multiple properties along Stark Dr. Mr. Moskal is concerned about the stormwater in the area and that the water run-off from the proposed development would wash onto his property. With the increase in density, water that normally filters into the ground would no longer be able to. The Comprehensive Plan calls for consideration about stormwater. Chairman Trzupsek stated that stormwater is not under consideration tonight, but any development's detention must account for the stormwater and the property cannot release more water than it does today.

Ben Shipper, 8800 County Line Road, stated that people are generally in favor of development but that it needs to keep within the existing level of density and the existing zoning. The traffic will be increased on 87th Street with this proposal.

John Barry stated that the homes will be \$1.2M to \$1.5M and not a detriment to surrounding property values.

There was no additional public comment.

Chairman Trzupsek asked for Commissioner discussion.

Commissioner Morton confirmed with Chairman Trzupsek that only R-3 was being requested and the request could not be changed. Commissioner Morton did not support 20,000 sq. ft. lots and would support R-2B over R-3.

Commissioner Stratis stated that engineers will review the stormwater numbers as part of the development. Commissioner Stratis did not agree with the property value or marketability comments made by the developer. Commissioner Stratis supported R-2A for the property. The community's stated goal is for larger size lots especially over 30,000 sq. ft. and smaller lots are available in other communities. Commissioner Stratis asked about a boundary agreement with Willow Springs for the properties along Stark Dr. Director Farrell stated that she does not believe

there is a current boundary agreement for that area. Commissioner Stratis confirmed that the properties on Oak Knoll are zoned R-2A with one R-1 property on 87th Street. Commissioner Stratis did not support R-3.

Commissioner Broline stated that since 1998 the Plan Commission and Board of Trustees have discussed the area and mentioned R-2B which permits 30,000 sq. ft. lots.

Commissioner Petrich does not support R-3 for the property due to the surrounding zoning and lot sizes in Burr Ridge, Willow Springs, and unincorporated Cook County.

Commissioner Irwin agreed with previous comments. Commissioner Irwin noted the petitioner's numbers that stated 56% of the area is R-3 or R-4 and more dense than Comprehensive Plan suggests. Commissioner Irwin believes that this trend should not be continued. Burr Ridge has seen larger homes built on larger lots recently. There is a lot of traffic at the intersection of 87th Street and County Line Rd. and a traffic light may be needed with an increase in density. The Comprehensive Plan also calls for the preservation of trees and green space. The concept plan shows all the trees being removed which is inconsistent with the Comprehensive Plan. Commissioner Irwin does not recommend R-3.

Chairman Trzupsek cannot comment on marketability and if the Comprehensive Plan is out of date in terms of market trends, but R-3 is not consistent with the area. Chairman Trzupsek could see R-2B as a transition. R-3 is to the north, but south of 87th Street has larger lots.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing for Z-20-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Morton, Broline, Petrich, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to recommend denial of Z-20-2022, a request to re-zone the property as per Section VI.F of the Zoning Ordinance from the R-1 Single-Family Residence District to the R-3 Single-Family Residence District, with Findings of Fact as prepared by staff.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Morton, Broline, Petrich, Irwin, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

D. V-03-2022: 10S675 Glenn Dr. (Rohan); Variation and Findings of Fact [CONTINUED FROM JUNE 20, 2022]

Chairman Trzupke asked for a summary of the petition. Director Farrell stated that the case was continued from June 20 since only four Zoning Board of Appeals members were present and four affirmative votes were required to approve the request. The request was amended from 5 ft. to 10 ft. for the setback. The petitioner is requesting to permit a detached garage within the corner side yard area and within the corner side yard setback. The proposed garage would be located 10 ft. from the 94th Street property line.

Chairman Trzupke asked if the petitioner was present. Judith Rohan, property owner, stated that a second garage must be built and for a variety of reasons it cannot be located in the rear yard. Ms. Rohan must have access to a detached garage and if it is located in the rear yard, she would not have access to it due to the slope. A location in the side yard would permit easy access. Ms. Rohan read from an article about the Fair Housing Act (FHA) 1988 amendment, "while the Act prohibits intentional discrimination, it also prohibits other forms of discrimination in zoning including zoning laws which although neutral on their face have a disparate impact on persons with disabilities. And it also prohibits the failure of municipal officials to reasonably accommodate the needs of persons with disabilities." Ms. Rohan stated that her request is reasonable, no neighbors have objected, and asks that it be accommodated.

Chairman Trzupke asked for public comment. There was none. Chairman Trzupke asked for Commissioner discussion.

Commissioner Morton stated that he is unsure how to interpret the FHA. Commissioner Morton reiterated his comment made at the prior meeting asking why the existing garage cannot be used. Ms. Rohan said that the accessible van will be in the existing garage but the items in the existing garage will need to be moved. Commissioner Morton did not support violating the integrity of the Zoning Ordinance and permitting the garage outside the buildable area. Commissioner Morton understood there are grading challenges but believes they can be overcome. There have been improvements made to the home, but he does not believe that those rise to the level of a hardship. Ms. Rohan stated that when the improvements were made, she did not need the accessible van.

Chairman Trzupke stated that a variation requires a hardship and that the petitioner is requesting an accommodation under ADA. Chairman Trzupke asked if there is latitude to accommodate a hardship using ADA. Director Farrell stated that would require a legal opinion. Ms. Rohan stated that the hardship is her inability to access the building if it is within the area the Zoning Ordinance allows.

Commissioner Stratis does not have issue with what is looking to be done but cannot approve the request without a hardship. Commissioner Stratis stated that the property was purchased with the steep slope. Ms. Rohan stated that she was not disabled when the property was purchased. Commissioner Stratis asked if any other neighbors commented on the request, specifically the neighbor to the south. Director Farrell spoke with a neighbor who expressed concern about the request, but no official comments were received. Commissioner Stratis clarified where the proposed garage would be located in relation to the hammerhead turnaround.

Commissioner Broline did not have anything additional to add.

Commissioner Petrich agreed with the comments made.

Commissioner Irwin needed more evidence that there is no way to comply with the Zoning Ordinance regulations. Commissioner Irwin stated that impacting the deck is not a hardship. Ms. Rohan stated that a builder denied doing anything in the rear slope area and building on the other side of the house would make it difficult to access. The accessible van will not always be used, and an additional vehicle needs to be housed in a separate garage with close access. Commissioner Irwin asked about expanding the existing attached garage. Ms. Rohan stated that a bathroom and closets would be lost if the garage was extended. Commissioner Irwin requested a floorplan to see how the attached garage expansion would impact the interior of the home. Chairman Trzupsek and the petitioner discussed the interior floorplan and how the expansion of the garage would impact it.

Commissioner Stratis asked about expanding the attached garage to the south. Director Farrell confirmed that any expansion to the south would require a variation since it would be within the setback.

Chairman Trzupsek discussed alteration of the interior of the home to accommodate the expansion of the attached garage. Chairman Trzupsek did not find a hardship based upon the land and has not seen a hardship based upon ADA accommodations. Chairman Trzupsek requested the Village Attorney's position on it.

There was discussion about whether to proceed to a vote or table the request. The Commission agreed to vote and have the case proceed to the Board of Trustees. The Commission stated that they are a recommending body and the Village Attorney will be consulted for an opinion prior to the Board meeting.

Commissioner Petrich asked about the vinyl sided garage and brick house and if there were regulations in place which required the structures to match. Director Farrell confirmed that there was not a requirement. Commissioner Petrich requested that the size discrepancy between the site plan and the text be clarified. Chairman Trzupsek stated that it was not necessary.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to close the public hearing for V-03-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Petrich, Broline, Morton, Irwin, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend denial of V-03-2022, a request for variations to permit a detached accessory building (garage) within the corner side yard area and within the corner side yard setback, from 30 ft. to 10 ft., pursuant to Zoning Ordinance Sections IV.I.1, VI.F.7.a, IV.H.4, and IV.H.7, with Findings of Fact as prepared by staff.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Petrich, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

E. Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 18 & JUNE 6, 2022]

Chairman Trzupek asked for a summary of the petition. Director Farrell stated that this is the third iteration before the Commission. The most recent Commission requests included to modify the definition. The first sentence of the draft definition has been removed and the remainder modified as presented. The Board's direction was that live entertainment should be permitted as accessory to the restaurant use which is how the language has been drafted. The wine boutique language was clarified and shortened. For the overall regulations for live entertainment, they are the same as proposed in June, but the area dedicated to live entertainment has been reduced to 10% based upon what had been discussed in June.

Chairman Trzupek was supportive of the language and having live entertainment as an accessory use, but is concerned about the definition of a restaurant. Director Farrell read the definition for a restaurant, "an establishment that serves unpackaged food and beverages in individual servings, or in nondisposable containers to customers who consume these foods while seated within the building." Chairman Trzupek wanted to prohibit a primarily live entertainment venue because it could impact traffic. Chairman Trzupek would like to see primarily a sit-down restaurant with live entertainment, not a music venue that has food.

Chairman Trzupek asked for public comment.

Nick Esposito, representative for Are We Live, stated that Are We Live serves small plates and wanted to confirm it is a restaurant. Chairman Trzupek stated that there is a loose definition of a restaurant and would like this to be reviewed. Mr. Esposito asked for clarification if someone is broadcasting a sporting event. Director Farrell clarified that playing a sports broadcast on TV is not considered live entertainment and would be permitted. Mr. Esposito commented that the DJ at Are We Live plugs into the system and may have another speaker or two. Chairman Trzupek stated that Mr. Esposito may question if a DJ playing through the speakers is live entertainment, but the Commission states that it is through the draft language.

Chairman Trzupek asked for Commissioner discussion.

Commissioner Irwin clarified the Board's direction. Chairman Trzupke stated the Board would prefer live entertainment to be an accessory use, but it is the Commission's call and is still open to the Commission's recommendation. Chairman Trzupke personally would prefer to have a good definition and allow it as an accessory use. Commissioner Irwin supports keeping live entertainment as a special use and supports the definition.

Commissioner Petrich supports the definition. Commissioner Petrich stated that all other municipalities besides LaGrange require a special use and supports keeping live entertainment as a special use in line with other towns. Chairman Trzupke stated that he does not know how other towns define live entertainment.

Commissioner Morton asked for the Chairman to restate a previous comment. Chairman Trzupke stated that with a tight definition of live entertainment, he would support it as an accessory use. If there was no definition, then it should be a special use.

Commissioner Broline stated that at the last meeting, he wanted to keep live entertainment as a special use to have more control but has changed his position. Commissioner Broline stated that permitting it as accessory allows for confidence in expectations and if someone exceeds the regulations then they could make a request through the Plan Commission.

Commissioner Stratis supports the final language and had suggested the 10% provision which is appropriate. Commissioner Stratis stated that if someone wants more, they can request it through the Commission.

Commissioner Morton asked if live entertainment should end before closing hours. Commissioner Morton questioned if "lewd" and "overtly sexual" should be subject to definitions themselves or if that is overkill. Commissioner Morton supported live entertainment as an accessory use with the smaller square footage of floor space. Director Farrell stated that there could potentially be a definition but not having a definition allows for the staff interpretation of what someone is proposing. If a determination is made and if the petitioner disagrees, that appeal could be brought forward to the Commission. There is language regarding adult type uses which could help guide the definition. Closing hours could be up to the Commission for discussion.

Chairman Trzupke asked if "similar activity" would apply to that same staff interpretation process. Director Farrell stated that it would and it allows for similar uses which may not be expressly listed.

Commissioner Irwin noted that the definition of "overtly" implies secretive acts and recommends striking that language. Commissioners Stratis and Morton agreed to remove "overtly" from the definition.

Commissioner Petrich suggested 50 sq. ft. for the floor space dedicated to the live entertainment area. Other Commissioners felt that was very restrictive. There was discussion about limiting the floor space and if that was to eliminate dancing as an option. Commissioner Irwin and Director Farrell confirmed that current Zoning Ordinance regulations separate live entertainment from

dancing. The Commissioners agreed that a 10 ft. x 10 ft. area or 100 sq. ft. would be more appropriate for a live entertainment area.

Mark Thoma, 7515 Drew, asked for clarification on the 10% limitation. Director Farrell and Commissioner Irwin confirmed that it is the percent of the floor space dedicated to patrons, not the entire space.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-08-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Petrich, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend approval of Z-08-2022 with Findings of Fact, a request to consider text amendments to Sections VIII.A, 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. The Commissioners agreed to strike "overtly" from the language and add "10% or 100 sq. ft., whichever is less" to the language.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Petrich, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

- F. Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16 & JUNE 6/20, 2022]**
- G. Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16 & JUNE 6/20, 2022]**
- H. Z-12-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM JUNE 6, 2022]**

Chairman Trzupek asked if the Plan Commissioners agreed to continue the three cases until August 1, 2022.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to continue the public hearings for Z-11-2022, Z-13-2022, and Z-12-2022 until August 1, 2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Stratis, Broline, Morton, and Trzupsek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

V. CORRESPONDENCE

There were no comments on the Board or Building reports.

VI. OTHER CONSIDERATIONS

There were no other considerations.

VII. PUBLIC COMMENT

There were no other public comments.

VIII. FUTURE MEETINGS

Commissioner Broline is the scheduled representative for the July 25 Board of Trustees meeting.

Director Farrell briefly mentioned the upcoming cases scheduled for August 1, 2022 which included the continuation of Z-11-2022, Z-13-2022/S-01-2022, and Z-12-2022 from this agenda and the continuation of Z-10-2022. Director Farrell did not have an update on Thorntons.

Commissioner Stratis offered to be the Plan Commissioner representative for the August 8 Board of Trustees meeting.

Director Farrell briefly mentioned the upcoming cases scheduled for August 15, 2022 which included the continuation of Z-17-2022 and a new petition for revised outdoor dining at Coopers Hawk.

Commissioner Irwin stated that he will be out of town for the August 15th meeting but could participate by Zoom if necessary.

IX. ADJOURNMENT

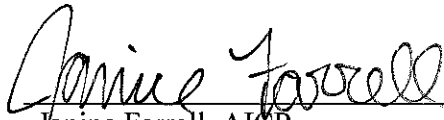
A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Irwin to adjourn the meeting at 8:54 p.m.

ROLL CALL VOTE was as follows:

AYES: 6 –Morton, Irwin, Broline, Petrich, Stratis, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:

A handwritten signature in cursive script that reads "Janine Farrell". The signature is written in black ink and is positioned above a horizontal line.

Janine Farrell, AICP
Community Development Director