

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF SEPTEMBER 19, 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 Trzupek.

ROLL CALL was noted as follows:

PRESENT: 6 – Irwin, McCollian, Petrich, Broline, Morton, and Trzupek
ABSENT: 1– Stratis

Commissioner Parella arrived at 7:03 p.m.

Community Development Director Janine Farrell was also present.

II. APPROVAL OF PRIOR MEETING MINUTES – AUGUST 15, 2022

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commissioner Petrich to approve the minutes of the August 15, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – McCollian, Petrich, Broline, Morton, and Trzupek
NAYS: 0 – None
ABSTAIN: 1– Irwin

MOTION CARRIED by a vote of 5-0 with one abstention.

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.

A. Z-22-2022: 7600-7630 County Line Rd. (MedProperties LLC); Variation, Special Use Amendment, and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary of the petition. Director Farrell stated that this case was continued from the August meeting and is a request to amend Ordinance #A-834-02-17 for a special use for final plat approval. The petitioner is requesting

to reconfigure the existing parking lot and add additional spaces. The proposal and site plan have not changed since the August meeting. Director Farrell displayed the plan on the screen and noted the proposed changes. At the August meeting, lighting, fence, the van program, trash pick-up, and stormwater were brought up and discussed. The petitioner provided an updated addendum providing responses to these items. Regarding the lighting, the petitioner has worked with the cleaning crew to change the route inside the building. The cleaning crew had been turning on all the lights in the building and working from one end of the building ending at the west end. They will now be starting at the west end and turning the lights off as they go. For the trash, SRA has worked with the company to ensure that pick up does not occur earlier than 7:00 am on Wednesdays and Thursdays for trash and recycling. It was brought up that the fence may be inadequate for blocking the headlights on the property. After consultation with the Village attorney, the fence must be altered through a separate request. The petitioner provided information about the cost to replace the fence. Regarding the stormwater concerns, the petitioner provided a revised stormwater plan which shows no impact to neighbors. The Village Engineer provided a memo with his review, distributed to the Commissioners.

Chairman Trzupsek asked how the agreements about trash pick-up and the cleaning crew would be memorialized. Director Farrell stated that a condition can be added requiring the petitioner to abide by the addendum provided.

Chairman Trzupsek asked if the petitioner was present and if they had anything to add.

Caitlyn Culbertson responded that they wish to be good neighbors and contact information will be provided to residents if there are any problems that persist or come up in the future.

Chairman asked if there were any public comments.

Mark Thoma, 7515 Drew, stated that the fence must be higher due to the facility's size and that it's too busy for a residential area. Mr. Thoma discussed the drain tile and dry well that are connected and stated that the high water limit will flow backwards on neighboring properties and flood yards. Mr. Thoma stated that the 12 acres which flows into the one 18" pipe will be restricted. Mr. Thoma stated that drainage has improved on his property but he is concerned that it will go backwards if the project is approved.

Chairman Trzupsek believed the 18" pipe could not be changed originally because of limitations downstream. Mr. Thoma said that he doesn't recall the exact conversation.

Trudy Buehler, Mackey Consultants, stated that the drain tile comes down to the dry well and is a separate system from the onsite stormwater which flows to the detention basin. Ms. Buehler discussed infiltration and the need for soil samples to check hydrology and how the basin and dry well are connected. Ms. Buehler stated that there will be no modification to the outlet control structure so there will be no change in the volume of water coming out, only the duration.

Chairman Trzupsek and Ms. Buehler discussed the dry well, detention basin, and the need to understand how it works and how the water flow will impact the system.

Caitlyn Culbertson stated that they do not want go backward or to negatively impact the neighbors.

Andy Paulius, 7523 Drew, asked about the cost of the fence and whether the petitioner wants to fix the lighting and fence.

Chairman Trzupsek and Mr. Paulius discussed the separate approval that the fence would require.

Mike Trippiedi, landscape designer, spoke about the 400 linear feet of fence and its installation on the embankment of the swale. The fence cannot be retro fitted. It must be rebuilt to accommodate wind shear and load with the height addition. He said the fence would not fit on the upslope of the swale and would ultimately end up at the same elevation as it is currently.

Chairman Trzupsek and Mr. Trippiedi discussed the location and retrofitting the fence.

Commissioner Irwin requested a report with the quote for the fence.

Jack Sullivan, MedProperties, stated that the price was for two different heights of fence, 8' and 10', and that it is not feasible to add on to existing fence.

Chairman Trzupsek requested information on how much light goes over and how much fence is needed.

Mr. Sullivan discussed cleaning crew parking and vehicle lights. The cleaning crew is now asked to park on the north and south side of the building which will mitigate the light coming over the fence.

Ms. Culbertson provided photos of landscaping along the fence to help block lights. Ms. Culbertson stated that they followed all of the requirements when installation was done.

Mr. Sullivan noted the cleaning crew's route inside the building will change, starting on the west side, and turning off lights as they go.

Mr. Paulius stated that there are no trees that block light and showed a picture of the property lit up at night.

There was a discussion about the light source, landscaping, and it was noted that parking lot lights should be shielded.

Russ Allen, 7519 Drew, stated that he has light coming directly into his windows at night and has concerns about stormwater.

Alice Krampits, 7515 Drew, asked if only a portion of a higher fence be done.

Chairman Trzupsek asked for Commissioner discussion.

Commissioner Morton stated that lights should be shielded and was concerned that the sock lining can clog draining of stormwater. Commissioner Morton asked how residents can voice concerns.

Ms. Culbertson stated that the front desk staff was advised that upper management should be alerted when a complaint comes in. SRA wants to make sure that there is a streamlined process for resident concerns.

Commissioner Morton requested that the hydrology between the dry well and detention be investigated and understood so there are assurances that drainage will not be negatively impacted.

Commissioner Broline confirmed with Ms. Buehler that soil boring test would be done to determine the connection between the dry well and basin. Commissioner Broline asked if a partial fence can be looked at.

Commissioner Petrich asked the petitioner to again confirm that the light pole near the northeast corner of the property is not being removed, since this removal is still indicated on the proposed site plan. The petitioner again confirmed no light poles are being completely eliminated, just relocated. Commissioner Petrich requested that all the drawings be updated to reflect the relocation and not removal. Commissioner Petrich asked about the use of the overflow parking at the Village Hall being increased from 10 to 30, and who will use this overflow parking. The petitioner indicated that staff currently uses this, and it will be used for overflow when construction occurs. Commissioner Petrich suggested that possibly caregivers and family who wait in a parking space during the outpatient visit use this overflow lot to open up on-site parking spaces for other unoccupied vehicles.

Commissioner Parrella requested exploratory tests for the drainage and is concerned about the aesthetics of the partial fence. Commissioner Parrella confirmed with the petitioner that mesh roller shades are on the windows.

Commissioner McCollian requested the petitioner review the dry well and the lighting.

Commissioner Irwin initially believed that this use was appropriate for the Transitional District and the approval was conditioned upon the neighboring property owners being satisfied. Commissioner Irwin requested that the issues mentioned be addressed and does not support the expanded parking into the front yard.

Chairman Trzupsek understands the need for the additional parking at the front. Chairman Trzupsek requested that the petitioner review how the dry well functions and that the Village Engineer reviews the information. Chairman Trzupsek stated that fixing the interior lights should be easy to address but the fence and headlights along the property line are an issue. Chairman Trzupsek requested that the petitioner come back with a solution and verify the exact height of the fence that is needed and where to block the lights.

Ms. Culbertson noted that amending the fence would require a new special use amendment.

Director Farrell, Commissioner Irwin, and Chairman Trzupsek discussed the fence and the need for a separate petition to alter the fence by the petitioner.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to continue the public hearing for Z-22-2022 until October 17, 2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Morton, Petrich, McCollian, Parrella, Broline, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. PC-04-2022: 6101 County Line Road (King-Bruwaert House); Minor Change to a PUD and Findings of Fact

Chairman Trzupsek asked to move this case to second on the agenda. Director Farrell stated that the petitioner is King-Bruwaert House and is requesting a minor change to the previously approved PUD for the renovation and addition. A section of Dragonfly Dr. is being proposed to be shifted five feet to the north. This request is to allow more green space and further distance from the townhome residents. Staff assessed the proposal and believed that it fit the definition of a minor change. The Plan Commission may determine that it qualifies as a major change however.

Chairman Trzupsek asked if the petitioners were present and wished to speak. Cathleen Keating, attorney for the petitioner, stated that the change benefits two townhomes. One of the residents of the townhomes was new and not living in the townhome at the time of the petition and was unaware of the proposal.

Commissioner Irwin and Chairman Trzupsek asked for clarification on the proposal. Ms. Keating explained that the ring road, Dragonfly Dr., was straightened due to the addition in 2020 and brought the road closer to the townhomes. The road will remain straightened but is moving further away from the townhomes. The moving will not impact the new addition due to the topography.

Commissioners McCollian and Parrella did not have comments.

Commissioner Petrich asked what sidewalk was being eliminated, as noted in the Findings of Fact item “c”, as this information may be pertinent to the Plan Commission if a change is minor or not. The petitioner was unsure but believed that there was no sidewalk eliminated and will confirm that as well as update the Findings of Fact once confirmed.

Commissioner Broline had no comments.

Commissioner Morton asked if there would be an impact to the new addition with moving Dragonfly Dr. five feet closer. The petitioner stated that due to the topography of the site, it goes higher in elevation from the road.

Chairman Trzupsek confirmed with the petitioner that there was no change in retaining walls.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to recommend approval of PC-04-2022, a minor change to PUD Ordinance #A-834-07-20 to permit the realignment of a section of Dragonfly Drive.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, McCollian, Morton, Parrella, Petrich, Broline, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

C. Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Chairman Trzupsek introduced the case and asked for a summary. Director Farrell noted that the case had been heard at multiple meetings and presented the draft definition for an attached garage based upon the comments at those meetings.

Chairman Trzupsek asked for public comment.

Alice Krampits, 7515 Drew, asked for the definition of a party wall. Director Farrell read the definition, “an interior wall of adjoining buildings extending from its footing below grade to the underside of the roof, which divides and is in common use by such adjoining buildings.”

Chairman Trzupsek asked for commissioner discussion.

Commissioner Morton had no comments.

Commissioner Broline confirmed that the area underneath the roof will count towards the garage square footage. Director Farrell noted that anything over 1,000 sq. ft. counts toward FAR.

Chairman Trzupsek recommended removing “if fully enclosed or open on one or more sides” from the draft definition.

Commissioner Petrich originally preferred the definition of attached garage as per DuPage County, meaning detached as having open space on all sides. However, based on further

discussions, Commissioner Petrich agrees that the proposed text amendment is appropriate for Burr Ridge, with clarification that the “or” between “architectural character, or elevation” be revised to “and”.

Commissioners Parrella, McCollian, and Irwin did not have comments.

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commissioner Irwin to close the public hearing for Z-11-2022.

ROLL CALL VOTE was as follows:

AYES: 7 – McCollian, Irwin, Morton, Petrich, Parrella, Broline, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to recommend approval of Z-11-2022, a text amendment to section XIV.B of the Zoning Ordinance to include the following definition of an attached garage, with Findings of Fact: *A garage connected to a principal building by a party wall or by a roof. If connected by a roof, the roof shall be of a similar pitch, architectural character, and elevation as the rest of the primary residence. The area underneath the roof shall count towards the total attached garage square footage.*

ROLL CALL VOTE was as follows:

AYES: 7 – Petrich, Broline, Morton, McCollian, Parrella, Irwin, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

D. Z-12-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary of the petition. Director Farrell noted that this case had been heard at multiple meetings and the draft language presented was the synthesis of those discussions. Director Farrell provided information from the last change from 2003 which was primarily to remove pick-up trucks as commercial vehicles, but the van provision was added at that time. The proposed change is just to ‘ii’ since that was the only change which had consensus. Director Farrell presented information for Willowbrook and LaGrange at the request of Chairman Trzupek. In Willowbrook, Class B license plate vehicles are restricted in residential areas. LaGrange classifies vehicles into different groups, with Class II vehicles not exceeding a certain size and B plate. Class II vehicles are required to be screened if on driveways. LaGrange’s regulations are similar to

Burr Ridge.

Chairman Trzupsek asked for public comment.

Mark Thoma, 7515 Drew, stated that the van regulation is an over-reach and his van was never used as a commercial vehicle. Mr. Thoma researched criminal activities committed by vans and they did not reach the top ten. Mr. Thoma stated that the van is the appropriate vehicle for his hobbies.

Alice Krampits, 7515 Drew, stated that in 2003 vans appeared to be an issue in Skokie, not in Burr Ridge. Since it is not a problem in Burr Ridge, Ms. Krampits does not believe the regulation should be on the books. Ms. Krampits stated that the State of Illinois defines commercial vehicles and the Village should not supersede the State. Ms. Krampits suggested language for the regulations and that the Ordinance should focus on the use, not the type of vehicle.

Andy Paulius, 7523 Drew, asked what happens to existing vans if the regulations were changed. Chairman Trzupsek clarified that the van provision is currently existing. Mr. Paulius believed that if that type of vehicle was for personal use, then it should be allowed.

Russ Allen, 7519 Drew, concurred with what Mr. Paulius stated.

Alice Krampits, 7515 Drew, discussed a painter's van in the area which had windows but had equipment which clearly made it commercial.

Chairman Trzupsek asked for commissioner discussion.

Commissioner Irwin is in favor of the proposed change which had consensus.

Commissioner McCollian supported the proposed change but would have supported further changes as well.

Commissioner Parrella did not have comments.

Commissioner Petrich preferred to keep the word "equipment" in the provision and did not support snow plows being allowed for overnight parking. Commissioner Petrich prefers low profile storage boxes that are not diamond plate.

Commissioner Broline stated that snow plows are essential but should not be sitting in every driveway. Commissioner Broline questioned if small logos on vehicles should be given consideration. Commissioner Broline would like to provide individuals time to make arrangements for relocating commercial vehicles so as not to impact their businesses.

Commissioner Morton did not have issues with the proposed changes but continues to support allowing windowless vans. Commissioner Morton stated that the van language is vague. Commissioner Morton requested Director Farrell speak with the Police Department about

crime data statistics for vans and found that there was no data on that. Commissioner Morton will be a “no” vote.

Chairman Trzupsek supports the proposed changes but is concerned about a personal use only snow plow since many people use them to plow other properties. Chairman Trzupsek noted that it appears the windowless vans provision was added on at the end but believes it was intended for a cargo and panel van. Chairman Trzupsek would support striking the van provision but understands there is not a consensus. Chairman Trzupsek also did not understand the limitation on storing commercial vehicles inside garages.

Commissioner Petrich clarified that the current ordinance does not prohibit Burr Ridge residents from having snow plows, equipment, and panel type vans, but that overnight they are required to be in a garage and not parked outdoors. Commissioner Petrich does not believe residents would generally want such items to be parked next door to them. Commissioner Petrich is concerned about increasing the potential of a random panel van entering the village and legally parking overnight on a resident’s driveway, especially if a neighbor may not even be home at the time. Commissioner Petrich is open to permitting storage boxes and lockers if there was some limitation on size such as low profile and preferred not having commercial type aluminum diamond plate material.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to close the public hearing for Z-12-2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, McCollian, Morton, Petrich, Parrella, Broline, and Trzupsek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to recommend approval of Z-12-2022, a text amendment to section IV.K.2.e.ii of the Zoning Ordinance to amend the definition of a commercial vehicle as follows, with Findings of Fact: *Any vehicle with attached auxiliary equipment or racks. Racks which are used for luggage or recreational equipment are not included in this definition. Snow plows for personal use are permitted during the winter season only.*

ROLL CALL VOTE was as follows:

AYES: 4 – Irwin, McCollian, Parrella, and Trzupsek
NAYS: 3 – Petrich, Broline, and Morton

MOTION CARRIED by a vote of 4-3.

E. Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Chairman Trzuppek introduced the case and asked for a summary of the petition. Director Farrell noted that this case had been heard at multiple meetings and the proposed changes incorporate those previous discussions. Director Farrell read through the provisions which were changed, reinstated, and struck from the Sign Ordinance section.

Chairman Trzuppek asked that the provision about owner permission be required to put a sign on someone's property as well as the right-of-way in front of their home.

Commissioners Morton and Broline did not have comments.

Commissioner Petrich questioned the removal of the balloons and attention getting devices provisions and confirmed with staff that the text amendment applies to directional signs such as open house or garage sales.

Commissioner Parrella did not have any comments.

Commissioner McCollian recommended revising the language for owner consent and reordering #10 and #11.

Chairman Trzuppek noted that a sign cannot be within 10 feet of a curb which can limit placement in the right-of-way.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Irwin to close the public hearing for Z-13-2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Morton, Irwin, McCollian, Petrich, Parrella, Broline, and Trzuppek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to recommend approval Z-13-2022/S-01-2022, a text amendment to section 55.09 of the Sign Ordinance to amend the provisions for right-of-way signs, with Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, McCollian, Petrich, Broline, Morton, Parrella, and Trzuppek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

Director Farrell noted that the Ordinance to approve Thorntons gas station and the Ordinance to deny the Rohan variations were approved at the September 12 Board meeting. Also at the meeting, staff was directed to prepare the Ordinance to approve the outdoor dining awning at Coopers Hawk. Director Farrell noted that the petition to rezone the property on 87th Street by McNaughton was withdrawn by the petitioner. The petitioner for the Cottages of Drew has reverted to the two-car plan instead of the three-car plan.

V. OTHER CONSIDERATIONS

A. PC-05-2022 Strategic Goals

Director Farrell stated that the Board will meet twice to review strategic goals and the Commissions and Committees were asked to review adding potential strategic goals to the list. Director Farrell listed the goals relevant to the Plan Commission: updating the Comprehensive Plan, reviewing Subdivision Ordinance regulations and fee structures, updating boundary agreements, adopting an annexation policy, and reviewing the feasibility for accessory dwelling units or ADUs. The Commission may wish to add items to the list.

The Commissioners discussed what is considered an ADU. The Commissioners discussed defunct or inactive HOAs and whether that topic should be addressed in the Subdivision Ordinance.

Director Farrell noted that the list is different than the annual zoning review which deals with smaller changes to the Ordinance.

The Commissioners had no additions to the list.

VI. PUBLIC COMMENT

There was no other public comment.

VII. FUTURE MEETINGS

Chairman Trzupsek stated he is not able to attend the September 26 Board meeting and Commissioner Parrella volunteered to attend.

The Commission voted to cancel the October 3 meeting due to lack of business.

VIII. ADJOURNMENT

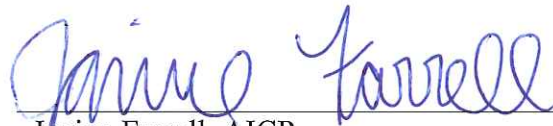
A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to adjourn the meeting at 9:31 p.m.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, McCollian, Parrella, Petrich, Broline, Morton, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Respectfully Submitted:



Janine Farrell, AICP
Community Development Director