

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF NOVEMBER 21, 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: 7 – Irwin, Parrella, Petrich, Broline, Stratis, Morton, and Trzupek

ABSENT: 1 – McCollan

Community Development Director Janine Farrell was also present.

II. APPROVAL OF PRIOR MEETING MINUTES – SEPTEMBER 19, 2022

Commissioner Petrich requested that the minutes be clarified for PC-04-2022 that a portion of the sidewalk was to be removed. During the meeting it was not known if the sidewalk was being eliminated, but it was later confirmed at the Board meeting.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to approve the minutes of the September 19, 2022 Plan Commission meeting as amended.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

ABSTAIN: 1 – Stratis

MOTION CARRIED by a vote of 6-0 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 noted that this case was scheduled for the October 17, 2022 Plan Commission meeting and was continued to December 5, 2022 at the request of the petitioner.

Chairman Trzupek asked about the delays in the case and believed there had been urgency in getting the additional parking installed this year. Director Farrell stated that the petitioner was looking into modifying the fence which took some time and due to holidays and vacations by their staff, the December 5th agenda was the first one they were able to accommodate. Director Farrell noted that the case will be discussed by the Stormwater Committee on November 22, 2022.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to continue the public hearing for Z-22-2022 until December 5, 2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Stratis, Morton, Petrich, Parrella, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. Z-24-2022: 311 Shore Dr. (DP Burr Ridge, LLC); Special Uses and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary. Director Farrell noted that there are three special use requests for automobile and equipment service, outdoor storage, and for a fence in a non-residential district. The property is located within the Hinsdale Industrial Park. The site contains a building and a parking lot and the petitioner is proposing to operate a Tesla collision repair facility. The building will undergo remodeling to accommodate the use. Public hours of operation will be 8:00 a.m. - 7:00 p.m. and employees will work 6:00 a.m. – 12:00 a.m. in two shifts. There will be about 45 employees total and 15 customers per day with 60-80 vehicles per week. Parking will be unchanged at 90 spaces, 21 regular and 2 ADA outside of fence, 67 inside fence including 6 charging stations. Director Farrell showed the plans on the screen and noted the areas which are changing including the entrance to make it accessible with removal of some landscaping and addition of new landscaping, dumpsters within a loading dock area, a dumpster in the parking lot within the fence, and elimination of cross-access with the property to the east. The proposed fence is 8'2" in height, solid, and within the side yard which are deviations from the fencing standards and must be approved through conditions of the special use. On the interior, one loading dock door will be removed and infilled with EIFS, and batteries will be stored. Tire storage will be outdoors within the fenced area.

Chairman Trzupek asked if there were comparable properties in the area with this extent of fencing or outdoor storage. Director Farrell was not aware of a similar property in the vicinity.

Chairman Trzupek asked if the petitioners were present and wished to speak. Patrick Daly and David Bossy introduced themselves and did not have anything to add.

Chairman Trzupek asked if there was public comment. There was none.

Commissioner Morton asked about the environmental impact of collision repair facilities including chemicals being released into the air and penetrating ground water. The petitioner, Patrick Daly, responded that a representative of Tesla was unavailable to attend this meeting but read from information that they had provided; fume and dust extraction devices, filtered air devices, and air regulators will be provided. Battery storage guidelines are provided to all employees. Commissioner Morton expressed concern about lithium-ion batteries being a fire hazard and that the fires are difficult to abate. The petitioner stated that fire prevention protocol will comply with the Burr Ridge Fire Department and water is used to cool down batteries and fight fires. Commissioner Morton asked about the treatment of the steel fence's surface. The petitioner confirmed an epoxy paint treatment is applied. Commissioner Morton requested greater plant height and year-round landscaping be added to entrance. Commissioner Morton questioned if additional lighting would be added, and the petitioner confirmed that only existing wall packs will be used. Commissioner Morton questioned if complete tires or carcasses will be stored on the property since carcasses can hold water to breed mosquitos; the petitioner did not know. Commissioner Morton questioned why a 5 ft. fence was inadequate and why a solid fence is necessary. The petitioner stated these are Tesla requirements for the security of the vehicles. Commissioner Morton noted that the ADA fine on the proposed signs needs to be updated.

Commissioner Stratis confirmed with Director Farrell that no comments were received by neighbors about the fence. Commissioner Stratis supported the fence for security and theft prevention reasons. Commissioner Stratis disclosed that he knows the petitioners but does not socialize with them and was unaware that they were the applicants in this case. Commissioner Stratis confirmed with the petitioner that there will be security cameras and that batteries will be stored indoors. Commissioner Stratis asked what the standard parking requirement was for this use. Director Farrell did not have the information available and noted that the parking facilities were existing and nonconforming in certain aspects. Commissioner Stratis confirmed with the petitioner that the gate will be mechanized.

Commissioner Broline asked if the Tesla solar cell facility in the Village is affiliated with this facility. The petitioner confirmed it was not.

Commissioner Petrich confirmed with staff that the hours proposed are permitted. Commissioner Petrich asked the petitioner to explain why the parking was adequate. The petitioner stated that they are relying on Tesla's history. Commissioner Petrich confirmed with the petitioner that sales are not being requested. Director Farrell stated that if sales are included in the future, the special use will need to be amended. Commissioner Petrich asked if security lights will be added. Director Farrell stated that any new lights added would require a building permit and photometric plan. Commissioner Petrich did not support the height of the fence.

Commissioner Parrella expressed concerns about the fence height and the inability to see into it if issues were occurring within. Commissioner Parrella confirmed with the petitioner that the 8 ft. height is a Tesla standard and asked if any issues were reported about crime at other facilities. The petitioner was not aware of crime issues in other locations.

Commissioner Irwin asked the other Commissioners about a similar case involving a fence. The Commissioners discussed the previous case on the northwest corner of Madison and 79th Street but could not recall specific details of the fence height or the time limit on the special use. The Commissioners also discussed a similar case on 83rd Street which involved outdoor storage. Commissioner Irwin requested information on those previous cases. Commissioner Irwin asked the petitioners what their involvement was in the project. David Bossy and Patrick Daly clarified that they are under contract to purchase the building and will lease it to Tesla. Commissioner Irwin was concerned about the environmental issues and if the remediation measures are adequate, and about the fence height. Commissioner Irwin requested a condition be added that all repair work occur inside the building.

Chairman Trzupsek understood the concern about the battery storage but was not sure if it is more hazardous than fuel and oil storage. Chairman Trzupsek confirmed that some cars will be towed and questioned if there was an issue with the trucks having access to the fenced area. Chairman Trzupsek stated that the fence height will deter theft but prefers something more open in case something is occurring within the area. Chairman Trzupsek noted this is a larger than typical fenced area but supports the petition in general.

Director Farrell mentioned that Tesla originally proposed a chain link fence with slats and asked the Commissioners if chain link is acceptable. The Commissioners generally agreed that chain link was not acceptable.

Chairman Trzupsek confirmed with the petitioner that the gate was the same material as the fence.

The Commissioners discussed the function of the fenced area to protect vehicles that are waiting to be repaired and waiting for pick-up, that the extent of the fence is too large, that employees could park outside of the fenced area which would reduce the overall fenced space, that shift change will result in an open gate for periods of time, and emergency vehicle access.

Commissioner Broline asked about signage. The petitioner confirmed that a monument sign will be installed. Chairman Trzupsek noted that if a sign complied with code regulations, then the Commission would not need to review it.

Commissioner Stratis requested confirmation from the Fire Chief that what they are doing is to code.

The Commissioners requested additional information about battery and tire storage, the extent of the fence and what Tesla's requirements are, and information on the security cameras. The Commissioners generally expressed a preference for a fence that is not entirely solid, having employees park outside the fence area to make the area smaller, and amending the landscape plan subject to staff approval.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to continue the public hearing for Z-24-2022 to December 5, 2022.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

Commissioner Petrich asked about the \$29M permit on the report. Director Farrell confirmed it was the King-Bruwaert House renovation and addition project.

V. OTHER CONSIDERATIONS

A. PC-06-2022 Setting 2023 Plan Commission Meeting Dates

The Commission approved the proposed 2023 dates as presented. Plan Commission meetings will be held on January 16, February 6, February 20, March 6, March 20, April 17, May 1, May 15, June 5, June 19, July 17, August 7, August 21, September 18, October 2, October 16, November 6, November 20, December 4, and December 18 in 2023.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to approve the 2023 Plan Commission meeting dates.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 7-0.

VI. PUBLIC COMMENT

There was no other public comment.

VII. FUTURE MEETINGS

Director Farrell detailed the cases scheduled for the December 5th meeting.

The Commissioners asked about the right-of-way sign text amendment. Director Farrell stated that the Board's direction was to prohibit signs in the right-of-way except for those by governmental entities.

Commissioner Irwin asked about a previous zoning case and the sidewalk extension on County Line Rd., north of 87th Street. Director Farrell responded that she would have to research into it.

VIII. ADJOURNMENT

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Parrella to adjourn the meeting at 8:02 p.m.

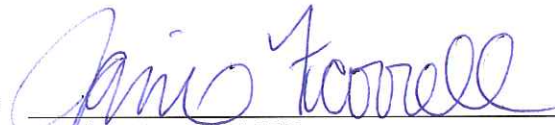
ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Parrella, Stratis, Petrich, Broline, Morton, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Respectfully Submitted:



Janine Farrell, AICP
Community Development Director