

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2023

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 – McCollian, Parrella, Petrich, Broline, Morton, and Trzupek

ABSENT: 2 – Irwin and Stratis

Community Development Director Janine Farrell and Planner Ella Stern were also present.

II. APPROVAL OF PRIOR MEETING MINUTES – AUGUST 7, 2023

Commissioner Petrich requested that a typographical error in line 6 of the specific language of the Text Amendment for the Motion for Swimming Pools be revised to read in relevant part as follows: “pool must be secured, locked or have a removable ladder.”

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to approve the minutes of the August 7, 2023 meeting as amended.

ROLL CALL VOTE was as follows:

AYES: 5 – Petrich, Broline, Parrella, Morton, and Trzupek

NAYS: 0 – None

ABSTAIN: 1 – McCollian

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

III. PUBLIC HEARINGS

Chairman Trzupek introduced two public hearings on the agenda tonight. He requested to swear in all those wishing to speak on such matters on the meeting agenda and a swearing in of such individuals was conducted.

A. V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact [CONTINUED FROM JULY 17, 2023]

Petitioner requested a further continuance until September 18, 2023.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner McCollian to continue the public hearing to September 18, 2023.

ROLL CALL VOTE was as follows:

AYES: 6 – Morton, McCollian, Parrella, Petrich, Broline, and Trzuppek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

B. V-02-2023: 16W122 91st Street (Leon); Variations and Findings of Fact

Chairman Trzuppek introduced the case and asked for a summary. Director Farrell stated that the Petitioner is requesting four (4) variations from Zoning Ordinance Section IV. I regarding a driveway gate and the associated architectural entrance structures. Director Farrell projected an aerial image of the property outlined in red on the screen for review. She stated that it is a single-family residence. She pointed to the front property line along 91st Street, the sides, the rear property line, and the location of the entrance to the house. There are four (4) variation requests; two (2) are related to the driveway gate itself and the other two (2) are related to the architectural entrance structures or the masonry structures that support the gate. For the driveway gate, the Petitioner is requesting a setback from the required 30' to 4' feet for the property line that is along 91st Street. For the height, the Petitioner is requesting to exceed the 6' height maximum and asking for an allowance to install a 9'11" height gate. Director Farrell displayed images reflecting the setback location and height requests. Director Farrell stated that height is determined based on the tallest point per the zoning ordinance. For the architectural entrance structures, the Petitioner is requesting to exceed the decorative light fixture height allowance of 18" by installing a 29" fixture. The Petitioner is also looking to exceed the height and the length of the wing walls. The proposed wing walls exceed the permitted 4' height by an estimated 1' although an exact measurement was not provided. The wing wall also exceeds the permitted width of 3' in length as they measure 4'6". Director Farrell displayed an illustration of the gate and architectural entrance structure for review, noting areas where measurements exceed current code requirements. She further stated that other information regarding the architectural entrance support structures was included in the staff report packet.

Director Farrell stated that the Petitioner provided findings of fact the Commission may adopt should the Commission wish to recommend approval. Additionally, should the Plan Commission recommend approval, Staff is recommending one condition that the gate and the architectural entrance structures shall substantially comply with the plans submitted by the Petitioners as included in Exhibit A. Director Farrell suggested that the Commission may also wish to vote on the different variations separately or make one motion on all four (4) requested variations.

Chairman Trzuppek asked if the Petitioner was present and invited them to come forward to make any additions to the staff report. Chairman Trzuppek asked the representative to state his name and address.

The Petitioner's representative's stated name and address follows: Keith Larsen, 701 York Road, Hinsdale, IL. Mr. Larsen indicated that he resides in Westmont and stated that he designed the Veteran's Memorial. Mr. Larsen stated he was the architect for the project.

Larsen went on to state that he could work to lower wing wall structures if necessary and could remove lights from their present location and relocate them to the front. Larsen stated that the wrought iron gate was specially built and already exists. Larsen addressed the setback referencing a drawing and some photos of the setback area taken recently. Larsen stated that if they comply with the 30' required setback it puts the gate in the middle of the drive. Larsen explained that coming off 91st Street, the driveway heads north and then turn to the left. Larsen stated that with the 4' setback, people could turn in and see that the gates are operable. If the gates were to be set further back, people would have to pull forward quite a bit before they see the gate and then may be left having to back out a distance down the road. There is also a slight hill. Larsen displayed pictures of the location of the gate if it were to be installed in compliance with the 30' setback. There are hills, foliage, and a drop in grade after the turn in the drive. Larsen stated that it would be a hardship to build the gate on the grade in the 30' setback compliant location and stated that that is why Petitioner is requesting the 4' setback variation.

Chairman Trzupke stated that a grant of variation necessitates a hardship not caused by anything manmade. Chairman Trzupke indicated he had a concern that the setback variation would cause a situation where a car enters, drives up to the gate, and is still protruding out onto 91st Street. Chairman Trzupke stated that some of the terrain obstacles that complicate the installation of the gate within the permitted setback area are a function of a manmade structure, the current drive, not just a function of the natural contours of the property. In regard to the wing wall, light fixture, and overall gate size, he stated that a hardship would also need to be shown to make a variation from the code. From his perspective, the decision is a matter of finding hardship in relation to two issues, the first being the setback variation which potentially presents a safety issue, and the second, is aesthetics. Chairman Trzupke invited Larsen to present his hardship case on both matters.

Larsen stated that in regard to the setback, the driveway runs parallel to 91st Street, and if the Petitioner were to comply with the 30' setback requirement, the gate would need to be placed further up the drive in an area on the side of the hill with foliage. If the gate were in this area, people entering would be up 50-55' into the property before realizing the gate was closed. Larsen ran through several measurements concluding ultimately that the proposed gate location is 24' from the edge of the road so ultimately it permits room for one 17' car to enter fully without protruding onto 91st Street.

Chairman Trzupke inquired about whether reconfiguring the drive location and moving it back a bit, resulting in a sharper turn, might present a solution to increase the distance of the gate from the edge of 91st Street.

Larsen stated that may be a possibility.

Chairman Trzupek invited questions and comments from the public in regard to this petition. There was no public comment. Chairman Trzupek invited comments from the Commissioners.

Commissioner Morton stated that Chairman Trzupek highlighted his primary concerns. The first concern is that the 4' setback does not provide a safe enough distance to allow cars to enter off 91st Street fully. The second concern is that it is difficult to understand how the land is imposing a hardship. Commissioner Morton stated the design and layout of the driveway does not constitute a hardship.

Commissioner Broline agreed with the prior statements of Commissioner Morton. Commissioner Broline stated that the property in question is a good-sized property of approximately 5 acres directly across from the Fallingwater Subdivision which is also a gated community. Commissioner Broline felt a gate in this area does seem reasonable and is likely permitted by code, but not in the proposed location. Commissioner Broline concluded by stating that if the gate is moved back to eliminate the safety issue and otherwise comply with the code that would be preferable.

Larsen stated that they did measure the gates across the way from the property and stated that they are 7'6" tall by that measurement. Larsen indicated that that is why the property owner liked the light fixture on top of the proposed gate as he felt it was still less than the 7'6" height. Larsen reiterated; however, they are willing to work on changes.

Commissioner Petrich agreed with what had been said previously by his fellow Commissioners. Commissioner Petrich asked for clarification from Director Farrell about the setback, noting that additional setbacks may be required if the property is less than 220' wide. Director Farrell clarified that no additional setback is required as this property exceeds the 220' width.

Commissioner Parrella agreed with the prior comments of the Commissioners.

Commissioner McCollian reiterated the same comment of prior Commissioners who spoke indicating that she feels the proposed location of the gate is too close to the road and constructs a safety issue.

Larsen asked if the Petitioner could propose a different location with some distance further back for later review.

Chairman Trzupek believed that may be a possibility but stated that finding a hardship for the aesthetic variations remained problematic. Chairman Trzupek indicated that the matter could be continued if the Petitioner needed more time to reevaluate options to move the gate further back into the property.

Director Farrell presented two dates in October to which the matter may be continued for consideration by the Plan Commission.

Mr. Larsen indicated October 16th was the preferred date of the Petitioner.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Parrella to continue the public hearing to October 16, 2023.

ROLL CALL VOTE was as follows:

AYES: 6 – Morton, Parrella, McCollian, Petrich, Broline and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

Commissioner Trzupek invited any comments on the building reports.

Commissioner Petrich asked Director Farrell if 311 Shore Drive is moving forward. Director Farrell stated they have moved forward and are currently under construction.

Commissioner Petrich asked about the status of 6100 S Grant St. Director Farrell stated the house has been built.

V. OTHER CONSIDERATIONS

A. PC-07-2023 Village Center Entertainment District

Chairman Trzupek introduced the case and asked for a summary. Director Farrell stated that in 2020, the Village Center was approved to create the Entertainment District, which included closure of Village Center Drive and expansion of pedestrian ways, outdoor seating areas, and a place for events. In 2021, the Village Center phased out the plan and got approval for the site, pavement, and layout. The Village Center was required to come back per their approved condition to receive final approval for the final touches of furniture, lighting, bollard, landscaping, etc. Director Farrell stated the Village Center was here tonight requesting the approval for the final design elements. Director Farrell stated a road is shown on the plan to open a one-way traffic lane on a temporary basis deviating from the original site plan approved in 2020. Director Farrell stated that the Plan Commission may determine that allowing the one-way traffic may be a deviation from the previous approval in 2022. The Plan Commission may find that this is a small or major amendment to the PUD and, if so, must go back and notice it as such. Director Farrell stated the purpose of the meeting is for the final approval of the streetscape design, and if the Plan Commission recommends approval, the streetscape designs would adhere to the

plans presented in the Exhibit. Director Farrell stated that there are no findings of fact because the plan has been approved; however, the final design aspects must be approved.

Chairman Trzupke asked if the Petitioners were present and invited them to come forward to make any additions to the staff report. He asked the representative to state their name and address.

Corey Dunne with d+k Architects, 3215 W Division St., and Ramsey Hassan of Edwards Realtor Company, 14400 S John Humphry Dr., summarized that they seek approval for tenant spaces, cohesive designs, and a consistent look throughout the Entertainment District. The Petitioners introduced the proposed plan that included planters, railings, benches, tenant enclosures, Instagram moments, and public activation games. Dunne stated that tenant closers are optional for each tenant, with the intention of the structures being approved at the staff level. Dunne reiterated they wanted to create a consistent design standard, referenced the Topaz design elements, and discussed the arched signs placed on each end of the site.

Chairman Trzupke asked if the tenant enclosure standards are material or product specific.

Dunne stated that tenant structures are product-specific and utilized as a brand standard, that the Village Center dictates the product height of the wall and slope of the roof, but the tenants decide the footprint and location.

Chairman Trzupke asked Director Farrell whether anything had been established on seasonality. Director Farrell stated there is none for the Village Center.

Chairman Trzupke questioned the bollards and trash.

Dunne stated the bollards are removable and would be down during the day at first, but the ultimate intention is to have them up entirely and pedestrian-only unless there is an emergency. Dunne mentioned that trash is designated to the site's east corner.

Chairman Trzupke expressed concern about whether this is a major or minor change because the location had been expected to be entirely pedestrian. Dunne clarified the road is only utilized by tenants, trash, and deliveries.

The Petitioners stated concerns about eliminating flexibility to make changes and cannot pivot if the road is completely closed initially. Hassan stated the goal is to be pedestrian-friendly, but if it is a hardship to tenants and delivery, they want flexibility. Hassan stated the potential for the plan to work without flexibility but does not want to be in a position down the road to have to spend money to make those changes if congestion and operational elements need to be changed.

Chairman Trzupke stated if the plan is to reach full pedestrian use within a few weeks or months, it is a minor change, but if the use of the road is permanent, it is different from

the original plan. Hassan reiterated the goal is to be entirely pedestrian and prefers flexibility to get to that point of fully pedestrian but cannot put an exact time on the duration. Hassan stated the plan is to start construction on October 9, 2023, and the goal is to have everything ready for the season and fully pedestrian by the next season.

Commissioner McCollian asked questions about the outdoor spaces and entertainment business.

Hassan stated the tenants are not required to utilize the outdoor space, but tenants have preferred the outdoor areas over parking. In addition, the outdoor areas have helped with leasing. Hassan stated businesses would naturally gravitate to where they are supposed to. Hassan reiterated the options are there for the tenants to decide.

Commissioner Parrella asked questions about the walking patterns, the Downtown Burr Ridge sign name and structure, planters' material and maintenance, traffic flow during construction, and the flooring to the outdoor tenant structures.

Dunne stated the sidewalks are along each building, at the north and south ends of the Entertainment District. In the Entertainment District, there are north, south, and midpoints to traverse across. Dunne stated that tenants did not utilize outdoor seating; the spaces would be common areas and public activation spaces. Dunne stated that Downtown Burr Ridge is the name and the lights on the sign are illuminated from the inside, not neon. Dunne stated the material of the base of the sign is simulated limestone, and the outdoor planters are a composite and cedar. Hassan stated the planter structures would need to be re-stained, sanded, and sealed every few years, and the upkeep is expected and was considered. Hassan stated the contractor is collaborating with staff on a construction and phase plan to ensure access to parking and businesses in a safe manner. Hassan stated the floor of the enclosures runs on two rails that sit on the brick pavers.

Commissioner Parrella stated disagreement with the phasing and orientation time of utilizing the one-way road.

Commissioner Petrich agreed with Commissioner Parrella regarding the transitory road. Commissioner Petrich stated the site should be a pedestrian area. Commissioner Petrich stated the new site plan is a major change because it is no longer a pedestrian area, and traffic would go through the site. Commissioner Petrich asked about the valet and loading zone.

Hassan stated the valet and loading zones are contingency plans in case of major issues, if the consensus is to make changes, they can.

Commissioner Broline had no further comments. Commissioner Broline stated the plan is beautiful.

Commissioner Morton stated he was not on the Plan Commission when this was approved but has a few concerns. Commissioner Morton cautioned the Petitioners that they are removing three accessible parking spaces, and it would make wheelchair users of the Entertainment District more challenging. Commissioner Morton questioned the amount of accessible parking spots in the parking garage by the elevator, and if those are at capacity, if they would increase the amount to accommodate the three removed from the street. Commissioner Morton asked a question about the tenant enclosures.

Hassan stated there are handicap-accessible parking spots near the elevator but did not know the exact amount, but they would consider adding additional spaces. Dunne stated the tenant structures are stand-alone, have an accessible entrance in and out, and are not permanent. Dunne stated the whole Entertainment District would be accessible.

Commissioner Morton asked Director Farrell about outdoor dining in other businesses versus the Entertainment District.

Director Farrell stated that the regulations apply specifically to the Entertainment District because it is a Planned Unit Development.

Chairman Truzpek added that the Entertainment District is a separate district, so they are allowed to have different structures in order to maintain sidewalks.

Chairman Truzpek questioned the typical raise composite of the sidewalks and the location. Chairman Truzpek agreed with Commissioner Petrich's comment that the loading zone and valet on the plan would be a major change. Chairman Truzpek stated that the Entertainment District should become fully pedestrian.

Dunne stated valet is on the south end of the intersection. Dunne stated that the Entertainment District would have new pavers that are level with the sidewalk, and as the pavers go from the road into the Entertainment District they would rise to the sidewalk.

Chairman Truzpek asked about the clearance height of the Burr Ridge sign.

Dunne stated it is 16' at the lowest point and arches up a few more feet. Dunne stated that the Fire Department needed a minimum of 14' clearance, and the delivery trucks and trash haulers were cleared.

Commissioner Parrella asked about the bollards during emergencies.

Dunne stated that the bollards are pulled out and do not lock in place.

Commissioner McColligan asked about sign locations and areas for Uber, valet, and drop-off, and if the tenant dining areas and the public activation spaces were interchangeable.

The Petitioners stated that a sign is located at each end of the Entertainment District, and the road to the west is for Ubers, valet, and drop-off. The Petitioners confirmed that the tenant dining areas and the public activation spaces can move to either side of the district based upon the need of the tenants.

Chairman Truzpek asked Director Farrell what was required for a motion.

Director Farrell stated a recommendation by the Plan Commission to approve or deny the proposal regarding the planters, furniture, signs, public activation areas, and temporary enclosures for the Village Center.

Chairman Truzpek proposed a motion considering a six-month transition period for the one-way drive and relocation of the handicap-accessible parking spaces.

The Commissioners discussed language regarding approval.

Director Farrell asked the Petitioners to make a note on the plan showing the flexibility between outdoor tenant areas and public activation areas, that they are interchangeable.

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commissioner Petrich to approve PC-07-2023, final streetscape designs in accordance with Ordinance A-834-14-20 for the Village Center Entertainment Center District, with the following three conditions.

- 1. The streetscape design shall comply with the plans as included in Exhibit A.*
- 2. The one-way vehicular traffic shall be permitted for a maximum of 6-months following completion of construction.*
- 3. The three accessible parking spaces that will be removed through the road closure shall be added inside the parking garage next to the elevators.*
- 4. The "Valet/Loading Zone" shall be removed from the plans and a note added to the plans that the tenant areas and public activation areas are interchangeable.*

ROLL CALL VOTE was as follows:

AYES: 6 – McCollian, Petrich, Parrella, Broline, Morton, and Truzpek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

VI. PUBLIC COMMENT

Chairman Truzpek asked for public comment.

Ingrid Tepler, 6902 Fieldstone Dr., asked to make a public comment. Tepler asked if Commissioner Stratis would be removed from making public comments and reviewing

proposals for the proposed Costco. Tepler stated that she is worried about how premature the plan truly is.

Chairman Truzpek stated, yes, Commissioner Stratis would recuse himself from voting on the proposal. Chairman Truzpek stated a contractor seller can come to the Village without buying the property. Many studies have to be considered before a formal plan is received by the Village.

An unidentified man from Carriage Way asked about the timeline of the Costco development. He stated concerns regarding traffic and warehouses.

Director Farrell stated there is no formal petition.

Chairman Truzpek reiterated there is no application, and nothing has been formally submitted.

Michelle Rosada, 6866 Fieldstone Dr., stated concerns about zoning and Costco potentially being in her neighborhood's backyard.

Chairman Truzpek reiterated there is no formal plan. There would be a notification of a public hearing if a formal plan were submitted.

Nicki Janis, 8 Mallory Ct., stated concerns regarding traffic counts and other factors for the Costco development.

Chairman Truzpek stated a traffic study, preliminary engineering, and other factors would be completed before a formal plan was submitted.

Sam Sully, 6682 Fieldstone., stated he received a pro-Costco letter with a rendering in his mailbox without a return address. Sully agreed with Tepler

Chairman Truzpek stated there is no formal proposal or presentation.

Shoba Rajanahally, 7 Mallory Ct., stated her concerns regarding Costco and an increase in property taxes.

Chairman Truzpek stated there is no formal proposal or presentation. Chairman Truzpek stated Costco will need to decide if Burr Ridge is a proper location. Chairman Truzpek stated the Plan Commission does not consider sales tax dollars, but the Board would.

VII. FUTURE MEETINGS

Director Farrell noted the Plan Commission meeting September 4, 2023 was cancelled and confirmed that Commissioner Morton is the representative for Monday's Board meeting.

VIII. ADJOURNMENT

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commissioner Parrella to adjourn the meeting at 8:17 p.m.

ROLL CALL VOTE was as follows:

AYES: 6 – McCollian, Parrella, Petrich, Broline, Morton, and Trzupsek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0

Respectfully Submitted:



Janine Farrell, AICP
Community Development Director