



**REGULAR MEETING
VILLAGE OF BURR RIDGE
PLAN COMMISSION**

**August 7, 2017
7:30 P.M.**

I. ROLL CALL

Greg Trzupek, Chairman

**Mike Stratis
Dehn Grunsten
Mary Praxmarer**

**Luisa Hoch
Greg Scott
Jim Broline**

II. APPROVAL OF PRIOR MEETING MINUTES

A. July 17, 2017 Plan Commission Regular Meeting

III. PUBLIC HEARINGS

A. Z-08-2017: 101 Tower Drive (Global Luxury Imports); Special Use Renewal and Findings of Fact; continued from July 17, 2017

Requests consideration for a special use approval to Section X.E.2.a of the Burr Ridge Zoning Ordinance and as per Ordinance No. A-834-15-15, for the continued use of the property for automobile sales and service.

B. PC-06-2017; 15W308 Frontage Road (VIP Paws) – Special Use Approval and Findings of Act

Requests special use as per Section VIII.C.2.aa of the Burr Ridge Zoning Ordinance for a kennel in a B-2 General Business District.

C. Z-09-2017; Zoning Ordinance Text Amendment; Permitted and Special Uses in the B-1 District

Requests consideration for an amendment to Section VIII.B of the Burr Ridge Zoning Ordinance to reclassify all special uses as permitted uses in B-1 Business Districts.

IV. CORRESPONDENCE

A. Board Report – July 24, 2017

V. OTHER CONSIDERATIONS

A. S-03-2017; Sign Ordinance Amendment – *Non-Commercial Sign Regulation*

VI. FUTURE SCHEDULED MEETINGS

A. August 21, 2017: The following public hearings are scheduled.

- **Z-11-2017: 412 Rockwell Court (Spencer); Special Use Approval and Findings of Fact**
- **V-02-2017: 10S650 Oak Hill Court (Berliner); Variation and Findings of Fact**

B. September 18, 2017: The filing deadline for this meeting is August 21, 2017.

VII. ADJOURNMENT

PLEASE NOTE: All Plan Commission recommendations are advisory and are submitted to the Mayor and Board of Trustees for review and final action. Any item being voted on at this Plan Commission meeting will be forwarded to the Mayor and Board of Trustees for consideration at their August 28, 2017 Regular Meeting beginning at 7:00 P.M. Commissioner Hoch is scheduled to represent the Plan Commission at the August 28, 2017 Board meeting.

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF
JULY 17, 2017

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:30 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 6 – Stratis, Hoch, Praxmarer, Broline, Scott, and Trzupek

ABSENT: 1 – Grunsten

Also present was Village Administrator Doug Pollock and Assistant to the Village Administrator Evan Walter. In the audience was Public Works Director Dave Preissig, Trustee Al Paveza, Trustee Guy Franzese, and Stormwater Committee members Nancy Montelbano and Alice Krampits (check spelling).

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to approve the minutes of the June 19, 2017 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Stratis, Praxmarer, Scott, Broline, Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

III. PUBLIC HEARINGS

Chairman Trzupek confirmed all those wishing to speak during the public hearings on the agenda for tonight's meeting.

**Z-08-2017: Zoning Ordinance Renewal – 101 Tower Drive (Global Luxury Imports);
Special Use Renewal and Findings of Fact.**

As directed by Chairman Trzupek, Mr. Pollock described this request as follows: the petitioner requests a special use relative to the L-I Light Industrial District of the Zoning Ordinance. The petitioner was granted a special use for this location in 2013. In 2015, the petitioner requested an amendment to that special use approval and were granted that amendment subject to a two-year trial period in which the Village would assess the impact of the use on the village and determine whether to grant a permanent special use and under what conditions to do so.

Chairman Trzupek asked if the petitioner had been compliant in submitting sales figures every 90 days. Mr. Pollock confirmed that they had been doing this. Chairman Trzupek then asked if the

village had received any complaints about the petitioner beyond the two that he was aware of. Mr. Pollock said no other complaints had been received.

Chairman Trzupek asked the petitioner to make their presentation.

Gary Grasso, on behalf of Global Luxury Imports (henceforth: Global), offered a brief explanation for each of the two complaints received by the village. Mr. Grasso then asked the Plan Commission to recommend that the special use be made permanent, and to remove the condition stipulating a minimum average sale price of all cars.

Chairman Trzupek asked if the minimum average sale price has caused a loss of sales. Mr. Grasso did not believe that to be the case.

There being no further comments from the petitioner, Chairman Trzupek asked for public comments.

Mark Thoma, 7515 Drew, said that he saw cars parked outside several times. He said that the conditions placed upon the business are reasonable and should remain as is.

There being no further public testimony, Chairman Trzupek asked for questions and comments from the Plan Commission.

Commissioner Scott asked if the petitioner is fully compliant in meeting the conditions set forth in their special use. Mr. Pollock said that they are in full compliance. Commissioner Scott said that he was unsure about why the conditions for special use were still present, but that they should remain due to the business being located on a main gateway.

Commissioner Praxmarer asked if the average volume and price of sales are equal to when the business opened. Ceida Elizarraraz, director of marketing for Global, said that the volume and price of sales has not changed. She said that there are times where they have to turn down sales because they are under the minimum dollar amount that they are allowed to sell cars for.

Commissioner Praxmarer asked how far under the \$30,000 limit these sales were. Ms. Elizarraraz said that it was the limited percentage (15%) of sales between \$10-29,999 that was more restrictive than the dollar amount. She said that there are times when clients want to trade a vehicle but the business cannot take them, even to wholesale them at auction, due to these conditions.

Commissioner Praxmarer concurred with Commissioner Scott as to why the conditions were put in place at the previous time and would like to hear further discussion on the matter from other commissioners. Ms. Elizarraraz said that it was the goal of Global to maintain their reputation of being a luxury dealer regardless of whether the conditions remained or not.

Commissioner Broline asked if there has ever been times where cars were parked outside to increase the chance of a sale. Mr. Grasso said that this has not occurred and that outside parking of vehicles has been for temporary logistical reasons.

Mr. Grasso said that now may be a good time for the village to reconsider the initial conditions placed on the business. He said that it is not appropriate for the village to continue to impose the conditions on the business after four years of good stewardship.

Commissioner Hoch said that conditions were initially imposed to prove the concept and standard of the business. She suggested that the business have a restriction for the cars on the showroom

floor, and loosen the restrictions on the online portion of the business. Chairman Trzupek confirmed that this condition already exists; Mr. Grasso said that that condition was fair.

Commissioner Stratis said that he initially was not in favor of imposing conditions on the business but now wants to continue keeping some. He said he wanted to see more data on the business to determine where best to make changes to the conditions.

Ms. Elizarraraz said it was difficult to pass on a sale even though the traded car would not be sold at an auction by a wholesaler. She said it was possible to sustain the business but it would be hard to grow the business with the conditions currently imposed. Mr. Grasso said that the conditions could become guidelines to allow for analysis of the business, as well as a way for the Board to keep tabs on the standard of the business.

Commissioner Stratis said that he would invite Global to propose new conditions for the business.

Chairman Trzupek asked if low-dollar amount trades that were immediately wholesaled count against the conditions imposed. Mr. Pollock said that those transactions do not count towards enforcement; only retail sales.

Allen Samen, general manager of Global, said that if a car doesn't meet the standards for Global, the car is not listed for sale. He said that if a car could be retailed, they will pay more to get the car and take it over the \$10,000 threshold. He said that are rare cases where they cannot complete a client's preferred transaction due to the conditions imposed.

Commissioner Stratis asked the petitioner to prioritize the conditions in terms of their ease of compliance. Mr. Grasso said that c) and d) are easier than a) and b). Commissioner Stratis asked if many cars are traded under \$10,000. Mr. Samen said that there are a few instances a month where the \$10,000 limit affects his ability to buy and sell a car.

Chairman Trzupek asked whether their inability to take cheap cars affects other parts of their conditional compliance. Mr. Samen said that a low trade value will affect their total sale average. Commissioner Stratis added that c) and d) are essentially connected.

Commissioner Stratis proposed making b) 30% of cars may be sold from \$0-29,999. Commissioner Scott proposed making b) 25% of cars may be sold from \$10,000-29,999. He said that changing 15% to 25% will result in the sale of 5-6 extra cars per month.

Chairman Trzupek asked the petitioner if they felt it was beneficial dropping the bottom dollar limit on sales or increasing the percentage. Mr. Grasso said that increasing the percentage would be more beneficial.

Commissioner Scott said that a reading of previous minutes indicated that the bottom dollar limit was the more sensitive issue when this special use was first allowed.

Chairman Trzupek said that pass-through sales where trades go directly to wholesalers may not be pertinent to commerce that the village is concerned with.

Mr. Grasso said that the petitioner has met the issue of image in the community. He said pass-through sales could be removed from the conditions altogether.

Chairman Trzupek said that he was unsure how to word the condition of allowing luxury cars while allowing pass-through sales to be not counted towards the conditions. He suggested continuing the hearing until more precise language could be crafted.

Mr. Pollock said that it was always his understanding that Global could wholesale a trade and it not count towards Global's enforcement. Chairman Trzupek said that there is also ambiguity regarding the lesser part of a deal that Global cannot currently handle due to the conditions imposed.

There being no further discussion, Chairman Trzupek asked for a motion to continue the hearing.

At 8:10 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to continue the hearing for Z-08-2017 to the August 7, 2017 meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Stratis, Scott, Praxmarer, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Z-05-2017: Zoning Ordinance Amendment – Rear Yard Lot Coverage and Permeable Pavers; continued from April 3, 2017 and May 15, 2017 and Remanded by Board of Trustees on May 22, 2017

As directed by Chairman Trzupek, Mr. Walter described the hearing as follows: this is a consideration of an amendment to Section IV.H.9 of the Burr Ridge Zoning Ordinance which states that the combined horizontal area of all accessory buildings, structures, and uses shall not exceed 30 percent of the area to the rear of the principal building; said amendment to consider allowing greater coverage for structures that use permeable systems. He said that the Board requested the Plan Commission to conduct another public hearing to hear from an industry provider of permeable paver systems and gather more information.

Chairman Trzupek invited representatives from Unilock to make their presentation.

Mike Anderson and Justin Ronney, both of Unilock, summarized the permeable paver product system offered by Unilock, including the engineering behind the product, maintenance of pavers, as well as the environmental and stormwater runoff benefits of the systems.

Chairman Trzupek asked to clarify that permeable pavers means permeable paver systems. Mr. Anderson said that was correct; the water does not travel through the paver, but rather through joints around each paver brick. Chairman Trzupek asked whether permeable pavers reduce runoff relative to asphalt. Mr. Ronney said that is correct.

Chairman Trzupek said that a point of debate in previous hearings was whether to allow for permeable systems to be equivalent in runoff to grass. Mr. Anderson said that permeable systems are equitable to grass. Chairman Trzupek asked if a clogged permeable system performs to that claim. Mr. Anderson said that even a poorly maintained permeable system will perform better than concrete or asphalt.

Chairman Trzupek said that another concern was the lack of a common definition of a permeable system, and how the village would be able to supervise the proper installation of permeable systems intended to replace concrete or asphalt. Mr. Anderson said that there are challenges in enforcing installation and maintenance on a residential scale for a municipality.

Chairman Trzupek asked for public comment.

Ron Michels asked how these systems contend against weeds. Mr. Anderson said that proper grout fill will provide a less fertile environment for weeds.

Nancy Montelbano asked how paver bricks are cared for in the winter. Mr. Ronney said that a rubber or poly blade is the appropriate method to clear snow.

Alice Krampits, 7515 Drew, asked if there was a grade of slope where a permeable system may not work. Mr. Anderson said that 5% for the excavated sub-grade is a good rule of thumb in most cases but that the surface may be relatively flat. Ms. Krampits asked where water is distributed once it is collected. Mr. Anderson said that each case is site specific, but the idea is for the system to slow-release the water it has collected to prevent flooding elsewhere. Ms. Krampits asked what happens to pollutants that become trapped in the joints. Mr. Anderson said that they remain there until the system is fully cleaned via preventative maintenance.

Ms. Montelbano asked about pavement failures. Mr. Anderson said that permeable paver bricks act independently and are intended to move with the ground as needed.

Mark Thoma, 7515 Drew, asked whether every system would need to be inspected by either the Village Engineer or an outside consultant. Mr. Walter said that it was the role of the Stormwater Committee to come up with a specification for permeable systems.

Mr. Thoma asked if dynamic testing occurred on existing systems. Mr. Anderson said that there are ASTM infiltration rates to test existing surfaces.

Mr. Thoma asked if permeable paver systems count as a best management practice (BMP). Mr. Walter said that permeable pavers are listed as a BMP in the DuPage County ordinance, which the village follows. Mr. Thoma said that it was his preference not to increase the lot coverage percentage.

Guy Franzese, 11740 Woodside, asked where water goes using the example of a flat surface. Mr. Anderson said that the water is diverted to existing storm sewers or retention pond.

Mr. Franzese asked about out-of-state vendors and whether their products would be available locally. Mr. Anderson said that each of their products is available locally from a nearby vendor.

Chairman Trzupek summarized the history of Plan Commission recommendations on permeable pavers as follows: permeable pavers are not the same as grass as related to lot coverage, but permeable pavers are encouraged and preferred to asphalt when using one's allowable lot coverage. Chairman Trzupek asked if there was any way that the use of permeable pavers could be encouraged or incentivized.

Commissioner Stratis said that he has a driveway with wide grout lines and it requires much maintenance. He said that he consulted Costco on these systems and said that they work well if they are not near trees.

Commissioner Stratis asked why this was remanded to the Plan Commission after they made a recommendation. Mr. Walter said that the Board wanted to gather input from an industry provider and have further debate.

Chairman Trzupek asked if there was the possibility to formally encourage the use of permeable pavers. Commissioner Stratis said that he would support encouraging the use of permeable systems

in front yards, but would not support eliminating green space in rear yards. Mr. Walter said that many communities informally encourage permeable systems but do not offer formal incentives.

Commissioner Stratis said that ongoing inspections was unlikely to be possible due to staff constraints. Mr. Walter said that only one community enforces ongoing inspections and permeable pavers rarely are a part of their regimen.

Commissioner Broline said that there could be an opportunity for permeable systems to offset green space if they are done properly. He said that he felt that there still is some ambiguity regarding definition and specifications regarding what permeable systems are.

Commissioner Stratis said that there are no examples of residential lots in the Unilock brochure.

Commissioner Hoch said that the Plan Commission should encourage the use of permeable systems where non-permeable systems may otherwise be placed.

Commissioner Broline said that there is an opportunity to offset some green space that would be vetted by an engineer, but said that there was no consensus about how those systems would be defined.

Commissioner Praxmarer said that she did not support altering the lot coverage amendment.

Commissioner Scott said he would prefer to give a credit for a permeable system instead of a non-permeable system in the form of larger areas.

Chairman Trzupsek said that he would support encouraging residents to put down permeable systems instead of a non-permeable systems.

Commissioner Hoch asked how the village could guarantee that the permeable systems would continue to work. Chairman Trzupsek said that this was an impossible task, but that permeable systems are more than likely to be better than non-permeable systems for runoff purposes.

Commissioner Broline said that the Plan Commission turned down the original variance because there was no process for analyzing the use of permeable systems.

Mr. Anderson said that many neighboring municipalities are moving to encourage these systems and that residential applications will continue to improve.

Commissioner Hoch said that she preferred to offer residents incentives to use permeable systems but had reservations about allowing the use of additional green space over the existing 30% limit.

Mr. Anderson said that he has seen other municipalities give credits on water bills and receive expedited permit reviews on permeable systems.

Commissioner Broline said that permeable systems could provide a solution in situations where only a variance could be given previously. Chairman Trzupsek said this could also be used as a preventative measure towards land use.

Mr. Pollock said that he was confident that the existing permitting system will ensure proper installation, but that maintenance would be difficult to manage. He also said that the Board of Trustees ultimately will make the decision regarding what incentives to offer, if any.

At 9:18 p.m. a **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to close the hearing for Z-05-2017.

ROLL CALL VOTE was as follows:

AYES: 5 – Scott, Praxmarer, Stratis, Hoch, and Trzupek

NAYS: 1 – Broline

MOTION CARRIED by a vote of 5-1.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend no alterations to Section IV.H.9 of the Burr Ridge Zoning Ordinance which states that the combined horizontal area of all accessory buildings, structures, and uses shall not exceed 30 percent of the area to the rear of the principal building.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Hoch, Broline, Praxmarer, Scott, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend that the Board of Trustees encourage the use of permeable systems in lieu of non-permeable systems, except through the reduction of green space.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Hoch, Broline, Praxmarer, Scott, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

There was no discussion on correspondence.

V. OTHER CONSIDERATIONS

S-01-2017: Conditional Sign Approval - 16W115 83rd Street (RCM Data); Conditional Approval and Findings of Fact

Mr. Walter summarized the request of the petitioner as follows: the petitioner is requesting a conditional sign approval pursuant to Section 55.07.B.3 of the Burr Ridge Sign Ordinance to permit a sign with more than three colors.

Chairman Trzupek asked if the amount of colors was the only item by which the petitioners were requesting a conditional sign approval. Mr. Walter said that was correct.

Commissioner Hoch said that the proposed sign is in harmony with the intent of the Sign Ordinance and supported the request.

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to adopt the petitioner's findings of fact and recommend that the Board of Trustees approve a conditional sign approval as per S-01-2017.

ROLL CALL VOTE was as follows:

AYES: 6 – Scott, Praxmarer, Stratis, Hoch, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

VI. FUTURE SCHEDULED MEETINGS

Mr. Walter said the filing deadline for the August 7, 2017, meeting was July 10, 2017. Mr. Walter said that there is a special use petition for a kennel, a text amendment petition to re-classify all special uses as permitted uses in B-1 Business Districts, a discussion of the Sign Ordinance after the *Reed v. Gilbert* decision, as well as the continuance of the petition for a special use by Global Luxury Imports. No filings had been made for the August 21, 2017, meeting and the deadline is July 24, 2017.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to **ADJOURN** the meeting at 9:36 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:36 p.m.

Respectfully

Submitted:

Evan Walter, Assistant to the Village Administrator



**VILLAGE OF BURR RIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT AND SUMMARY**

Z-08-2017: 101 Tower Drive (Global Luxury Imports); Requests consideration for a special use approval to Section X.E.2.a of the Burr Ridge Zoning Ordinance and as per Ordinance No. A-834-15-15, for the continued use of the property for automobile sales and service.

Prepared For: Village of Burr Ridge Plan Commission / Zoning Board of Appeals
Greg Trzupek, Chairman

Prepared By: Doug Pollock, AICP
Community Development Director

Date of Hearing: August 7, 2017; continued from July 17, 2017

GENERAL INFORMATION

Petitioner: 101 Tower Drive, LLC
Property Owner: 101 Tower Drive, LLC
Petitioner's Status: Property Owner
Land Use Plan: Recommends light industrial land uses.

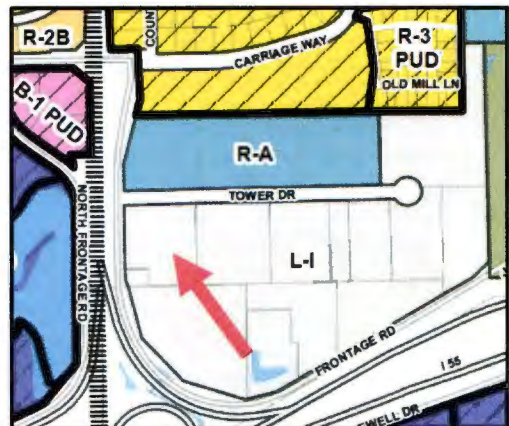


Existing Zoning: LI Light Industrial District

Existing Land Use: Automobile Sales and Service

Site Area: 4 Acres

Subdivision: Burr Ridge Park / Tower Drive



SUMMARY

The petitioner operates an automobile sales and service facility at 101 Tower Drive. A special use was granted for this business in 2013 and amended in 2015. The 2015 amendment limited the special use approval to 2 years. The business owner is now seeking to renew the special use.

The public hearing for this request was opened at the July 17 Plan Commission meeting and continued to the August 7 meeting. The continuance was to allow the petitioner to consider options for modifying the conditions related to minimum sales values of cars sold. Those conditions include the following:

- Within any calendar year, all automobiles sold from the subject property shall comply with the following minimum sales price.
 - 75% of all automobiles sold will have an average sale price of \$75,000 or more;
 - 15% of automobiles sold may be sold for \$10,000 to \$29,999;
 - All other automobiles must be sold for \$30,000 or more.
 - Automobiles displayed in the show room windows shall have an average listed sale price of \$87,500.
- Once every 90 days, the petitioner shall provide to the Village staff a written update of all sales to determine compliance with paragraph J herein.

The petitioner has been in full compliance with all of these requirements for the calendar year 2016 and for the calendar year 2017 to date.

Findings of Fact and Recommendations

The Findings of Fact for the special use have been prepared by the petitioner and may be approved if the Plan Commission is in agreement. The consensus of the Plan Commission at the July 17 hearing was that the special use should be renewed without a sunset clause and that the conditions related to minimum sales values should be modified but not eliminated. If minimum sales values are maintained, staff suggest that the reporting of those values be required only upon request from the Village (rather than the mandatory quarterly reports).

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to adopt the findings of fact as submitted by the petitioner and to recommend that the Board of Trustees approve an amendment to Section IV.I.39 of the Zoning Ordinance to change Wine Cellars to Wine Cellars, Underground Basketball Courts, and Underground Swimming Pools.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Stratis, Grela, Praxmarer, Broline, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Mr. Carlson stated that based on the Plan Commission recommendation to approve the text amendment, he is withdrawing his request for variation.

B. Z-10-2015: 101 Tower Drive (Global Luxury Imports); Special Use Amendment

Chairman Trzupek asked Mr. Pollock to summarize this petition.

Mr. Pollock summarized the petition as follows: The petitioner operates an automobile dealership at 101 Tower Drive. A special use was granted for this business in 2013 and included conditions regarding the minimum and average price of cars sold from the property. The petitioner seeks to amend one of those conditions to eliminate the minimum sale price of \$30,000. The requirement that 75% of all vehicles sold will have an average sale price of \$75,000 or more would not be changed.

Chairman Trzupek asked the petitioner for his comments.

Mr. Mutie Sughayar introduced himself as the operator of Global Luxury Imports at 101 Tower Drive. Mr. Sughayar said he had no additional comments at this time.

Chairman Trzupek asked Mr. Sughayar to explain why he wants to make this change and what he currently does with cars taken for trade-ins that are valued under \$30,000.

Mr. Sughayar said that he wants to make this change because he does take in some lower valued trade ins and wants to be able to sell them for a profit rather than selling them to wholesalers where he does not make a profit. He said he believes this minor change will not impact the integrity of the Village.

Chairman Trzupek asked for questions and comments from the public.

Mr. Kenneth Glomb, 101 Carriageway Drive, said he did not object to the original request for this business but he does not want more cars coming through the intersection of Carriageway Drive and County Line Road and, therefore, objects to this request.

Ms. Pat Carney, 136 Carriageway Drive, said the business promised not to bring in more traffic and this request would accommodate more visitors to the property. She said this was intended to be a luxury car dealer and should not be changed.

Mr. Sughayar said he does not believe his business brings in very much traffic compared to other businesses in the area. He said he has about 10 visitors per day, not including occasional special events. He said he does not agree that cars under \$30,000 are not luxury cars. He described a Porsche that sells for less than \$30,000.

Ms. Sandy Contarino, 126 Surrey Lane, asked how it would help Burr Ridge to allow cars to be sold for less than \$30,000. Chairman Trzupek responded that there would be additional sales tax dollars generated but also added that sales taxes are not the reason the Plan Commission would recommend or not recommend such a request.

Mr. Sughayar said that in 2013 his business generated \$26,000 in sales taxes for the Village, in 2014 it generated \$50,000, and year to date in 2015 they have generated \$27,000. He said that he expects future years to generate as much as \$100,000 in Village sales taxes.

Ms. Ballarini, 145 Carriageway Drive, said the minimum value restriction was in place to keep people from browsing and thus to keep traffic low. She said something needs to be kept in place to ensure that will not happen.

Mr. Sughayar said that he is not asking to change the average sale price of \$75,000.

Ms. Jo Irmen, 127 Stirrup Lane, said that County Line Road is the main street of Burr Ridge and the first thing people see when entering Burr Ridge is a used car lot. She said it is offensive. Ms. Irmen said that the intersection is bad and they do not need more traffic at this intersection. She said the lower price will encourage more customers. She said the business is not a good neighbor and mentioned that a helicopter landed on the property recently. She said that every sales tax dollar generated from this property comes out of the pockets of residents as their property values decline.

Ms. Alice Krampits, 7515 Drew Avenue, said the business was only allowed because it sold luxury cars and removing the minimum sales price would negate that. She said the business owner has broken a trust with the community by already selling cars at less than \$30,000. In response, Mr. Sughayar said that when they were first moving to 101 Tower Drive their web site continued to advertise cars for sale from the other location which allowed sales of less than \$30,000.

Mr. Mark Tomas, 7515 Drew Avenue, said that the Village was told that they would not provide automobile service to the public but that they are doing service. He said he has seen cars advertised for less than \$30,000. He said the lower value will increase traffic and should not be granted.

Mr. Tim Scanlon, 27 Old Mill Court, said he objects to the change as it will increase traffic. He said the image of the business was important and the change will demean the image of Burr Ridge. He said he recommends gathering hard data on traffic impacts before proceeding.

There being no further comments from the public, Chairman Trzupek asked for questions and comments from the Plan Commission.

Commissioner Stratis asked if there had been any complaints about the petitioner's business at this location. Mr. Pollock said there have been none. Commissioner Stratis said that with the average sales price of \$75,000, if they sell 10 cars at less than \$30,000 they will have to sell 10 higher priced cars to maintain the average. Commissioner Stratis said he disagrees with most of what has been said. He said the Village has obligations to its residents as well as its corporate citizens. He said the Village must accommodate its corporate citizens unless there is a material impact to the residents and the community. He said this business is meticulous, it is not a used car lot as cars are kept indoors, and he said there is no evidence that the proposed change would have a material impact on the

community. He said that this use has less traffic than many other uses that would be permitted at this location because it does not contribute to peak hour traffic.

Commissioner Hoch said she agrees with Commissioner Stratis about the appearance but is concerned that they are doing service from this location. In response, Mr. Pollock said that the business is allowed to provide automobile service to the general public. Commissioner Hoch said that the Commission should stick with the \$30,000 limit imposed by the Board of Trustees.

Commissioner Broline asked the petitioner if they had lost any higher value sales due to the minimum sales price and asked why the petitioner did not just ask for a lower minimum. Mr. Sughayar said they had not lost higher end sales as he will take a trade in and sell it wholesale. He said he did not offer a lower minimum because he believes the average sales price requirement addresses concerns about keeping the business focused on higher value sales.

Commissioner Broline complemented the petitioner on the appearance of the building and particularly, about removing and screening roof top equipment.

Commissioner Praxmarer said the residents have made a lot of good points. She confirmed that the average sales price is well above the minimum. Mr. Sughayar said the average is about \$91,000. Commissioner Praxmarer said that she may support a reduction in the minimum but cannot support complete removal.

Commissioner Grela noted that the petitioner has honored every commitment they made and the business is good for the Village. He said that he would not have supported the business in the first place if it were not limited to luxury cars. He said with the limitations to more expensive cars, the business has maintained the look and feel of Burr Ridge and County Line Road. He said the business should not be allowed to sell cars for less than \$30,000.

Chairman Trzupek said it was incorrect to call this business a used car lot as the cars are all indoors and most are out of sight. He said the business was a wonderful addition to Burr Ridge and that this change will not impact traffic. He wondered if more flexibility could be provided to the petitioner by allowing sales of trade-ins only at less than \$30,000 while maintaining the average sales price. He said it is hard to quantify luxury and noted that other car dealerships in the Village are not burdened by this requirement. Chairman Trzupek said he would not favor eliminating this requirement but instead would consider alternative conditions that achieve the same goal of this business being a luxury car dealership.

Commissioner Hoch said she would not agree to this use without a benchmark that ensures will remain a luxury car dealership.

Commissioner Praxmarer asked about increasing the average sales price minimum in exchange for eliminating the minimum.

Commissioner Stratis asked about limiting the number or percentage of cars that may be sold under the \$30,000 limit. He asked if this could be sent to the Board of Trustees without a recommendation.

Mr. Pollock said he believes the Plan Commission has to make a recommendation on the request of the petitioner. He said he wanted to be sure the Commission understood that the

parameters for making a special use decision are the findings of fact and those are no different for the Board of Trustee than they are for the Plan Commission.

Commissioner Stratis reiterated that he does not believe the \$30,000 minimum sales price has any material land use impact.

Chairman Trzupek suggested a straw poll of the Commissioners. He said he would not support eliminating but would support reducing the number.

Commissioner Stratis said he agreed with Chairman Trzupek.

Commissioner Hoch said she sees no reason to change the Ordinance.

Commissioner Broline said he could not vote to eliminate. He said the argument for making a change was not made.

Commissioner Praxmarer said she would agree to a change but not elimination.

Commissioner Grela said that he would not support elimination and he believes the Plan Commission should not suggest an alternative but instead should just make a recommendation based on the petitioner's request.

At 9:13 P.M., a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Grela to close the public hearing for Z-10-2015.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Grela, Hoch, Broline, Praxmarer, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to recommend to the Board of Trustees that Z-10-2015 be denied.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Hoch, Broline, Praxmarer, Grela, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Chairman Trzupek asked if there was any alternative motion. There was none.

4. CORRESPONDENCE

There were no questions or comments regarding the Board Report or the Building Report.

5. OTHER CONSIDERATIONS

A. Preliminary Plat of Subdivision – Waterview Estates Re-Subdivision

Chairman Trzupek noted that the rezoning associated with this request has been continued to August 17, 2015 at the request of the petitioner.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Stratis to continue the Preliminary Plat consideration to the August 17, 2015 Plan Commission meeting.

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recommendation and directed staff to prepare the Ordinance amending the Zoning Ordinance to add underground swimming pool and underground basketball court to the list of permitted accessory structures in residential districts and subject to the same restrictions as wine cellars.

APPROVAL OF RECOMMENDATION TO PURCHASE BRINE STORAGE TANK AND RELATED EQUIPMENT The Board, under the Consent Agenda by Omnibus Vote, awarded the contract to Varitech Industries of Burnsville, MN for the purchase and installation of a 6,000 gallon brine storage tank in the amount of \$8,248.60.

CONSIDERATION OF PLAN COMMISSION RECOMMENDATION TO DENY SPECIAL USE AMENDMENT AS PER SECTION X.E.2.a OF THE BURR RIDGE ZONING ORDINANCE TO AMEND SPECIAL USE ORDINANCE #A-834-23-13 TO ELIMINATE THE MINIMUM REQUIRED VEHICLE SALES PRICE OF \$30,000 (Z-10-2015: 101 TOWER DRIVE – GLOBAL LUXURY IMPORTS) Community Development Director Doug Pollock reported that the Plan Commission held a public hearing regarding a petition by Global Luxury imports to amend a special use granted in 2013 in order to eliminate the minimum required vehicle sales price of \$30,000. After hearing comments from several residents, Mr. Pollock reported that the Plan Commission voted to deny the request.

In response to Trustee Bolos, Mr. Pollock confirmed the denial vote was unanimous.

Plan Commission Chairman Greg Trzupek explained that the Plan Commission was reluctant to eliminate the \$30,000 limit since the condition was coupled with the requirement that all vehicles have an average sale price of \$75,000 or more. He added that a lower minimum sale price was discussed but no motion was ever made. Chairman Trzupek explained that it was difficult to quantify a luxury automobile with a dollar amount. Chairman Trzupek also explained that some of the residents who spoke expressed concern about the traffic which the Plan Commission did not feel the traffic was an issue.

Mutie Sughayar, owner and operator of Global Luxury Imports, discussed a list of trade-in vehicles that have come to his business which have a value less than \$30,000. He explained that he is frequently losing car sales since he cannot re-sell vehicles less than \$30,000.

Mr. Sughayar clarified that Global Luxury Imports is not a used car lot but also, is a new car dealer with a Fisker franchise, for high line automobiles.

Mr. Sughayar reported that approximately 50 to 55 vehicles are sold per month and the average sale price for all vehicles is \$79,000. He reported that the capacity in his location is for 150 vehicles but currently have 115 to 120 vehicles. Mr. Sughayar discussed a selling price scenario to illustrate how his requested change would affect both his profits and the revenue to the Village. He reported that the tax revenue to the Village has doubled since moving to this new location.

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Mr. Sughayar added that it is his belief that his business does not contribute to additional traffic in the area due to his hours of operation and the timeframes that his clients come to the showroom. He also reported that test drives are forbidden in the Carriageway area and trucks do not enter that area as well.

Mr. Sughayar discussed the improvements he made to the building and emphasized the importance of increasing his profitability for upcoming maintenance that will be needed for the building and parking lot.

John Bittner stated he feels it is in the Village's best interest to permit Global Luxury Imports to do as they requested.

Tina Ballarini of Carriageway, stated that Global Luxury Imports was approved as a luxury dealership and this change would negate that. She expressed concerns on behalf of the residents of Carriageway in their home values, traffic, and appearance. Ms. Ballarini is concerned about removing the price limit purely for the tax revenue for the Village. She noted that on some web sites, there were cars advertised at a selling price below \$30,000.

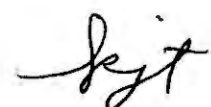
Ed Walsh of Carriageway Club expressed his concern with the removal of the \$30,000 limit and feels it should remain as the change would be bad for the community and the traffic.

Mary Bradley, 121 Surrey Lane, read a letter she wrote to the Plan Commission which stated her objection to the change as it will remove the protection to keep the dealership as a luxury dealer. Ms. Bradley read the Village Vision Statement and questioned how the dealership fits with that statement.

Mark Toma, 7515 Drew, questioned what would occur if the mandated 75% of all vehicles sold have an average sale price of \$75,000 is not met. In response, Village Administrator Stricker explained that Global Luxury Imports would not be in compliance and their special use could be rescinded. Mr. Stricker explained that if there are violations of the restrictions of the Ordinance, they would be investigated but he reported that no violations have been reported against the business. Mr. Tomas expressed concern regarding cars that Global Luxury Imports was selling on a web site that were below \$30,000. He stated he feels the \$30,000 should remain.

Dolores Cizek, LaGrange, expressed her opposition to the Global Luxury Imports and feels it destroyed the concept of the County Line Road Corridor. She feels the requested change should not be approved.

Tim Scanlon expressed his concern with the increased traffic in the area that the removal of the restriction may cause.

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Mutie Sughayar stated that he agrees there is a traffic problem in the area but is certain it is not caused by Global Luxury Imports. Mr. Sughayar emphasized that the quality level of the automobiles will be maintained in order to retain their Fisker franchise.

In response to Trustee Paveza, Mr. Sughayar confirmed that with the removal of the \$30,000 restriction, the average sale price of \$75,000 or more will be maintained and no automobiles will be stored outside.

Trustee Bolos inquired if Mr. Sughayar would lose a sale due to a trade-in less than \$30,000. In response, he explained that he has other sales alternatives. Trustee Bolos noted a web site where automobiles are for sale at a price of less than \$30,000. Mr. Sughayar explained the cars referenced are from his old location.

At the request of Trustee Bolos, Tia Ballerini explained the Ebay listing she provided to the Board showing car sales from Global Luxury Imports in the past year that were less than \$30,000. Mr. Sughayar responded stating that he does not list cars on Ebay and the cars showed appear to be from reviews rather than sales.

Trustee Schiappa stated that when Global Luxury imports was granted temporary use in 2011 with conditions, they were successful at meeting those requirements. He added that when the business purchased 101 Tower Drive, they improved the location and they are now a new car dealer and he feels their trend is moving upward and the Village should support that trend.

Trustee Bolos stated she feels a used car dealer does not belong on County Line Road. She added she agrees the business has improved the building and they have abided by the imposed regulations of the ordinance. In response to Trustee Bolos, Mr. Sughayar explained that with the removal of the \$30,000 requirement, he would sell an additional 15 to 20 cars per month. Mr. Sughayar explained that as a Fisker dealer he may need to sell some of their used vehicles that may sell under \$30,000.

Trustee Paveza agrees there is a traffic problem in the area but does not think it is caused by Global Luxury Imports. He agrees that there are luxury vehicles that sell under \$30,000,

Trustee Grasso stated that it appears the main concern of the area residents is the traffic. She added that the County has agreed to look at that intersection again and hopefully the problem will be solved. Trustee Grasso commented that much of the traffic in that area comes from Loyola and upon the completion of the third floor of the building, additional traffic will be added. She also pointed out that Global Luxury Imports could show cars at the 101 Tower Drive location and then fulfill the sale at another location, which would not be desirable for Burr Ridge. Trustee Grasso added that she feels the business has been a good neighbor and is not the cause of increased traffic.

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At the request of Village President Straub, Village Administrator Stricker confirmed that Cook County has budgeted money to study the traffic problem in the area.

Trustee Franzese thanked Mr. Sughayar for his presentation and the residents who spoke at the meetings. He discussed the history of Global Luxury Imports in the Village. Trustee Franzese added that there is a traffic problem in the area but agrees it is not caused by Global Luxury Imports.

Trustee Schiappa added that there are over 1,000 employees between Tower Drive and North Frontage Road.

In response to Trustee Bolos, Mr. Sughayar discussed his service business and anticipates continued service business.

Trustee Paveza suggested a probationary period of two to three years where the \$30,000 would be removed but the average selling price of \$75,000 would remain.

Village President Straub suggested maintaining a \$10,000 limit. In response, Mr. Sughayar stated he would prefer no limit but indicated he does not believe he would ever sell a car under \$10,000.

Motion was made by Trustee Paveza and seconded by Trustee Schiappa to direct staff to prepare an ordinance to reduce the minimum required vehicle sales price from \$30,000 to \$10,000 for a probationary period of two years with the average sale price of \$75,000 or more and verification of the sales with quarterly reports.

Trustee Bolos stated that the residents are not fooled by the \$10,000 threshold and feels it is a joke.

Trustee Franzese added that there is nothing special about a \$10,000 car.

On Roll Call, Vote Was:

AYES: 3 – Trustees Paveza, Schiappa, Grasso

NAYS: 2 – Trustee Bolos, Franzese

ABSENT: 1 – Trustee Murphy

There being three affirmative votes, the motion carried.

CONSIDERATION OF RECOMMENDATION TO AUTHORIZE OVERTIME FUNDS TO CONDUCT THE D.A.R.E. PROGRAM IN AREA SCHOOLS FOR FY15-16

Village Administrator Steve Stricker explained that with the retirement of Community Policing Officer Angie Wilhelmi filling the position has been placed on hold until we know what will occur regarding the State Budget and the possible loss of our LGDF funding. He continued that this is



REGULAR MEETING

PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE, IL

August 24, 2015

CALL TO ORDER The Regular Meeting of the President and Board of Trustees of August 24, 2015 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:02 p.m. by President Straub.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was recited by Sophia Jiotis of Pleasantdale Elementary School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Grasso, Paveza, Bolos, Schiappa, Murphy, and President Straub. Also present were Village Administrator Steve Stricker, Community Development Director Doug Pollock, Police Chief John Madden, and Village Clerk Karen Thomas.

AUDIENCE President Straub announced that the petitioner for consideration 8A to rezone the Waterview Estates Subdivision from R-2B to R-3 and consideration 8B, Preliminary Plat for Waterview Estates has withdrawn both petitions.

Conrad Fialkowski discussed Global Luxury Imports and his desire that the Board maintain the integrity of Burr Ridge when considering the sale price level for the automobiles. Mr. Fialkowski discussed options for handling disputes and violations through Village Staff related to businesses. Mr. Fialkowski also discussed his thoughts regarding the appointment of volunteers in the Village.

Tom Concklin of Carriage Way Club stated his objection to the reduction of the minimum sale price at Global Luxury Imports to \$10,000 for a used car sale. Mr. Concklin stated the residents are not in favor of this change.

Charlie Hartley of Hinsdale, an American Legion Post 215 Member and Dr. Parsons, President of Hinsdale Rotary Club presented Village President Straub with 100 American Flags. Village Administrator Steve Stricker explained that Mr. Hartley and Dr. Parsons attend Veterans Memorial events and noted when attending the Armed Forces Day Event that the Village would benefit from additional American Flags. He thanked Mr. Hartley and Dr. Parsons for the donation.

Rich Kozarits expressed his appreciation to the Board and those involved in the County Line Road Bridge Project. He noted that he is impressed with the aesthetics of the completed project.

Dolores Cizek corrected information she provided at the previous Board meeting with regard to Cook County Sales Tax. She stated it was 9% and it is actually 10%.

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CONSIDERATION OF APPROVAL OF ORDINANCE AUTHORIZING PRE-ANNEXATION AGREEMENT (RICHARD & PL REDIEHS – 15W620 89TH STREET (10-01-100-028); JOHN & ONA DAUGIRDAS – 15W560 89TH STREET (10-01-100-013); MADHUSUDHAN & A KUDARI – 15W520 89TH STREET (10-01-100-014); DUANE HAMMER – 15W450 89TH STREET (10-01-100-015); KENNETH & HEIDI WARD – 15W599 89TH STREET (10-01-104-014); DILARAM PILIOPIENE – 10S230 GRANT STREET (10-01-102-007) President Straub requested a motion.

Motion was made by Trustee Bolos and seconded by Trustee Schiappa to approve the ordinance.

On Roll Call, Vote Was:

AYES: 6 – Trustees Bolos, Schiappa, Paveza, Franzese, Grasso, and Murphy

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

THIS IS ORDINANCE NO. 1153

CONSIDERATION OF APPROVAL OF AN ORDINANCE AMENDING ORDINANCE #A-834-23-13; AN ORDINANCE GRANTING SPECIAL USE APPROVAL FOR AUTOMOBILES SALES; TO PERMIT A MINIMUM SALES PRICE FOR VEHICLES OF \$10,000 RATHER THAN \$30,000 (Z-10-2015: 101 TOWER DRIVE – GLOBAL LUXURY IMPORTS)

Community Development Director Doug Pollock stated that this ordinance amends the 2013 special use ordinance for Global Luxury Imports. He explained that it reduces the minimum sale price from \$30,000 to \$10,000 for a two year probationary period and maintaining the condition that 75% of the sales be at \$75,000 or more.

Trustee Franzese pointed out the motion by Trustee Paveza at the previous Board meeting requested verification of sales through quarterly reports. He questioned if that was specified in the ordinance. Mr. Pollock responded that it is not in the ordinance.

Trustee Paveza expressed his concern that Global Luxury Imports does not become a typical used car lot as some of the resident's fear. He discussed that the requirement that the sales price of \$75,000 for 75% of the automobiles must be maintained and the vehicles will be stored inside avoiding the appearance of a used car lot. Trustee Paveza indicated that if terms are violated, the new terms would be rescinded.

Mr. Pollock stated the terms are covered in the ordinance and a statement could also be added to require verification of compliance through quarterly reports.

Mutie Sughayar of Global Luxury Imports stated he is in agreement with the terms of the new ordinance and would be able to provide the requested quarterly reports.



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In response to Village Administrator Stricker, Mr. Sughayar explained that the vehicles he would like to sell that are priced under \$30,000 are trade-in vehicles only and not vehicles that are acquired for sale.

In response to Trustee Murphy, Mr. Sughayar explained that the business impact of the reduction of the required sales price will result in increased sales of \$400,000 per month. He also explained that the reduction in sales price will allow the completion of other sales that cannot be currently negotiated due to the inability to sell an accompanied trade-in.

Trustee Murphy inquired if the automobiles priced under \$30,000 would appear in the showroom window and Mr. Sughayar responded that they would not.

Trustee Murphy suggested that an additional constraint be added that would limit the sales of automobiles priced between \$10,000 and \$30,000 to 10% of the sales for a probationary period. Mr. Sughayar responded that the restriction would add a difficult constraint that is significantly low and feels that the existing two year probationary period should be adequate for monitoring the sales.

Dolores Cizek said Global Luxury Imports first came before the Board 4 years ago, in June 2011. Former Village President Gary Grasso ran for re-election in 2009 and was re-elected. The petitioner contributed \$2,500 to his campaign. She continued that when you contribute \$2,500 to a small municipal campaign, in her judgment, you expect a return on your investment. She said that in 2013 Janet Grasso (Gary Grasso's spouse) was elected trustee. Just 3 months after she came on the board, at the August 12, 2013 Board meeting many residents asked that Grasso recuse herself and not vote on this issue. She refused to do this saying it was legal for her to vote on this issue. Ms. Cizek continued that many residents think that is iffy and that failing to recuse herself raises ethical questions and many people have the perception that this was a fixed deal, similar to Artistotle Halikias/Chase bank deal. Ms. Cizek expressed concern that two years later, the Trustees who approved the ordinance with the \$30,000 minimum sale price set to ensure high quality automobiles are now willing to significantly reduce that price. Ms Cizek continued that the bottom line is this is a sellout for revenue and one trustee should step down and not vote.

Tia Ballerini of Carriage Way stated that she is not in favor of this request and discussed her misgivings with the proposed change. She indicated that it contradicts the vision statement of the Village and its values.

Zed Francis indicated that the lack of reports provided to the Village by Global Luxury Imports is of concern. He suggested that the monitoring and consequences of the reporting be defined.

Mary Bradley, 121 Carriage Way, expressed her disapproval with the proposed changes to the Global Luxury Imports ordinance in lowering the minimum sale price to \$10,000. She also expressed concern about the effects the change will have on the Village. Ms. Bradley also

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stated she is concerned about the precedent this action may set. She also presented sales tax dollars that the Village should receive from Global Luxury Imports based upon calculations she performed.

Mutie Sughayer stated that as a resident of Burr Ridge, he is proud to be part of a community that comes together in support of one another. He added that since it has opened, Global Luxury Imports quality has increased and has not generated any additional traffic in the area. Mr. Sughayer stated he believes that Global Luxury Imports has been a good neighbor and a benefit to the Village.

Gary Grasso discussed the initial Board approval in 2011 of the Global Luxury Imports business in the Village at which time he was Village President. He emphasized that the Board approving the business was a quality Board with many years of experience in serving the Village. He also noted that the restrictions placed upon Global Luxury Imports were unprecedented in the Village. Mr. Grasso emphasized that since that time, Global Luxury Imports has maintained all requirements imposed upon them by the Village. He pointed out that when Global Luxury Imports wanted to move to their current location at 101 Tower Drive, they were again given restrictions which they have lived up to. Mr. Grasso noted that Global Luxury Imports is one of the top ten sales tax generators in the Village and the revenue is much needed by the Village. Mr. Grasso clarified that the donation given to him by Global Luxury Imports in 2009 was for his campaign for the DuPage County Board not for Village President. He concluded that the business should be given the reduction to \$10,000 as the restriction for the average sale price of \$75,000 or more will maintain the business as a high-end dealer.

Trustee Paveza stated he understands the residents' anxiety regarding the changes to Global Luxury Imports. He explained that he has been to the business several times and found it to be a quality operation. Trustee Paveza is familiar with high-end cars that are priced below \$30,000 and they would not compromise the business in any way. He emphasized that the two year restriction on the business was suggested in order to monitor the sales.

In response to Trustee Grasso, Community Development Director Doug Pollock stated that the Global Luxury Imports property is zoned LI (Light Industrial) which permits manufacturing, assembly, offices, warehouses, and medical offices. Trustee Grasso pointed out that based on the zoning; Global Luxury Imports could have purchased the building and stored their cars there without a special use.

Village Administrator Steve Stricker added that he has not heard that there is an adverse impact from Global Luxury Imports on the community. He stated that the Village will do a better job of monitoring the business to ensure the requirements are being met. The two year probation will serve to allow the Village to assess the impact of the change and rescind the change if it is adversely affecting the Village.

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Trustee Bolos stated that the \$30,000 was placed to ensure the business does not impact the community and feels it should not be changed. She added the two year probationary period will not ensure continued compliance and disagrees that the change should be allowed.

Trustee Murphy stated she would like to find a compromise such as setting a cap that would limit the number of cars that could be sold at the lower price.

Trustee Schiappa added that Global Luxury Imports has been a good neighbor and have upheld their restrictions and he supports the requested change.

Trustee Franzese stated that all of the residents of the Carriage Way area that spoke at the Plan Commission and Board Meetings expressed opposition to the requested change. He added that the Plan Commission voted unanimously to deny this change. Trustee Franzese pointed out that the average used car sale price is \$18,000 and allowing a price of \$10,000 is below average. Trustee Franzese concluded that he cannot support a change that adversely affects so many residents and the quality of the Village.

Trustee Grasso added that the average would not go down to \$10,000 and Global Luxury Imports is still forced to maintain the average sale price of \$75,000 for 75% of sales which will limit the number of lower priced cars that can be sold.

Trustee Murphy stated she has spoken with residents living in Fieldstone, Carriage Way and other neighbors of the business. She feels the business gives the Village a sense of value and it is a good business for the Village. Trustee Murphy would be supportive of the change if a restriction was added that only 10 % of the sales can be sold between \$10,000 and \$30,000.

In response to Village Administrator Stricker, Mr. Sughayer stated that he sells between 600 and 700 cars per year. Mr. Stricker calculated that Mr. Sughayer would be limited to 60 to 70 cars that can be sold below \$30,000. Mr. Sughayer responded by stating that 10% is a low number and would like the opportunity to demonstrate that the business will adhere to the proposed restrictions.

Trustee Grasso stated that by allowing the reduced sale price of \$10,000, it promotes the trade-in accompanying a sale which would most likely result in additional sales. Mr. Sughayer also added that tax credits are given toward a purchase through a trade in giving further incentive to the customer.

Village Administrator Stricker inquired if a dollar amount would be more appropriate for a limitation. In response, Mr. Sughayer stated percentages will be easier for the Village to monitor the restrictions. He suggested 20% would be possible.



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The Board discussed alternatives to the restrictions. Village Administrator Stricker suggested limiting the sales to 100 cars.

Motion was made by Trustee Murphy to approve the ordinance with a restriction that only 10% of the car sales can be between \$10,000 and \$30,000.

There was no second on the motion.

Motion was made by Trustee Paveza and seconded by Trustee Schiappa to approve the ordinance with a restriction that only 15% of the car sales can be between \$10,000 and \$30,000.

Village Administrator Stricker added that the motion should also include the quarterly report requirements. Community Development Director Doug Pollock requested that the reports should be specified to cover a calendar year beginning September 1, 2015.

Trustee Paveza amended his motion.

Motion was made by Trustee Paveza and seconded by Trustee Schiappa to approve the ordinance with a restriction that 15% of the car sales can be between \$10,000 and \$30,000 and quarterly reports must be provided to the Village for a calendar year beginning September 1, 2015.

On Roll Call, Vote Was:

AYES: 4 – Trustees Paveza, Schiappa, Grasso, and Murphy

NAYS: 2 – Trustees Franzese and Bolos

ABSENT: 0 – None

There being four affirmative votes, the motion carried.

THIS IS ORDINANCE NO. A-834-15-15

CONSIDERATION OF APPROVAL OF AN ORDINANCE AMENDING THE BUDGET ADOPTION ORDINANCE FOR ALL CORPORATE PURPOSES OF THE VILLAGE OF BURR RIDGE, DUPAGE AND COOK COUNTIES, ILLINOIS, FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF MAY 2014 AND ENDING ON THE THIRTIETH DAY OF APRIL 2015

Village Administrator Steve Stricker stated that during the FY 14-15 Budget discussions, staff recommended a transfer of \$142,000 from the projected FY 14-15 General Fund surplus to the Capital Projects fund in order to reduce future transfer of funds and the projected deficit. He added it was also recommended to transfer \$118,000 of projected surplus from the General Fund to the Pathway Fund to fully fund the approved pathway projects.

Mr. Stricker reported that upon completion of the audit, sufficient surplus is available to perform the transfers.



ORDINANCE NO. A-834-15-15

AN ORDINANCE AMENDING ORDINANCE A-834-23-13; AN ORDINANCE GRANTING SPECIAL USE APPROVAL FOR AUTOMOBILE SALES; TO PERMIT A MINIMUM SALES PRICE FOR VEHICLES OF \$10,000 RATHER THAN \$30,000

(Z-10-2015: 101 Tower Drive - Global Luxury Imports)

WHEREAS, an application for a special use for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use on August 3, 2015 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the Suburban Life, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a special use, including its findings and recommendations, to this President and Board of Trustees, and this President and Board of Trustees has duly considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This President and Board of Trustees find that the granting of special use indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 101 Tower Drive, Burr Ridge, Illinois, is 101 Tower Drive, LLC (hereinafter "Petitioner"). The Petitioner requests an amendment to modify the condition that all vehicles sold shall be sold for at least \$30,000.
- B. That the petitioner has shown compliance with all of the conditions of the 2013 special use approval.
- C. That the petitioner will continue to comply with the requirement that 75% of all vehicle sales be for at least \$75,000.

Section 3: That an amendment to Ordinance A-834-23-13 to permit a the minimum sales price of vehicles sold to be \$10,000 rather than \$30,000 *is hereby granted* for the property commonly known as 101 Tower Drive and with the Permanent Real Estate Index

Number of 18-19-300-015.

Section 4: That the approval of this special use is subject to compliance with the following conditions:

- A. All other terms and conditions of Ordinance A-834-23-13 shall remain in full force and effect.
- B. That Paragraph 4-J of said Ordinance A-834-23-13 shall be amended to read in its entirety as follows:
 - J. Within any calendar year, all automobiles sold from the subject property shall comply with the following minimum sales price.
 - i. 75% of all automobiles sold will have an average sale price of \$75,000 or more;
 - ii. 15% of automobiles sold may be sold for \$10,000 to \$29,999;
 - iii. All other automobiles must be sold for \$30,000 or more.
- C. Once every 90 days, the petitioner shall provide to the Village staff a written update of all sales to determine compliance with paragraph J herein.
- D. The approval of this Ordinance is limited to a two year probationary period to determine if the modification of this condition will have any adverse impact on the surrounding neighborhood. At the conclusion of the two year probationary period, this amendment may be extended permanently by grant of a special use by the Board of Trustees after a public hearing by the Plan Commission.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.


PASSED this 24th day of August, 2015, by the Corporate Authorities
of the Village of Burr Ridge on a roll call vote as follows:

AYES: 4 - Trustees Paveza, Schiappa, Grasso,
Murphy

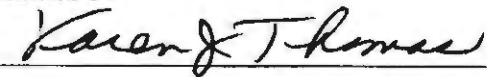
NAYS: 2 - Trustees Bolos, Franzese

ABSENT: 0 - None

APPROVED by the President of the Village of Burr Ridge on
this 24th day of August, 2015.


Village President

ATTEST:


Village Clerk

STATE OF ILLINOIS)
COUNTY OF C O O K) SS.
COUNTY OF DU PAGE)

CLERK'S CERTIFICATE

I, KAREN J. THOMAS, the duly elected, qualified, and acting Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of that Ordinance now on file in my office, entitled:

ORDINANCE NO. A-834-15-15

AN ORDINANCE AMENDING ORDINANCE A-834-23-13; AN ORDINANCE GRANTING SPECIAL USE APPROVAL FOR AUTOMOBILE SALES; TO PERMIT A MINIMUM SALES PRICE FOR VEHICLES OF \$10,000 RATHER THAN \$30,000

(Z-10-2015: 101 Tower Drive - Global Luxury Imports)

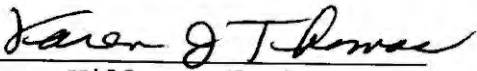
which Ordinance was passed by the Board of Trustees of the Village of Burr Ridge at a regular meeting held on the 24th day of August, 2015, at which meeting a quorum was present, and approved by the President of the Village of Burr Ridge on the 24th day of August, 2015.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Burr Ridge was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Burr Ridge, and that the result of said vote was as follows, to-wit:

AYES:	4	-	Trustees Paveza, Schiappa, Grasso, Murphy
NAYS:	2	-	Trustees Bolos, Franzese
ABSENT:	0	-	None

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Burr Ridge, this 24th day of August, 2015.


Village Clerk

ORDINANCE NO. A-834-23-13

AN ORDINANCE GRANTING A SPECIAL USE FOR AN AUTOMOBILE SALES AND SERVICE BUSINESS IN A LI LIGHT INDUSTRIAL DISTRICT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE

(Z-14-2013: 101 Tower Drive - Global Luxury Imports)

WHEREAS, an application for a special use for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use on July 15, 2013 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the Suburban Life, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a special use, including its findings and recommendations, to this President and Board of Trustees, and this President and Board of Trustees has duly considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This President and Board of Trustees find that the granting of special use indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 101 Tower Drive, Burr Ridge, Illinois, is 101 Tower Drive, LLC (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section X.E.2 for an Automobile Sales and Service business at 101 Tower Drive.
- B. That storage and display of automobiles for sale will be completely indoors consistent with other properties in the area.
- C. That the petitioner proposes to make substantial improvements to the exterior of the building which will enhance the value of the property and the value of other properties in the immediate area.
- D. That traffic generated by this use will be equal to or less than other uses allowed in the LI District and other uses that currently exist on Tower Drive or that may be permitted for the subject property.

Section 3: That special use approval as per Section X.E.2 for an Automobile Sales and Service *is hereby granted* for the property commonly known as 101 Tower Drive and with the Permanent Real Estate Index Number of 18-19-300-015.

Section 4: That the approval of this special use is subject to compliance with the following conditions:

- A. The special use shall be limited to Seriously Automotive Group, LLC d/b/a Global Luxury Imports and the sales and service of automobiles at 101 Tower Drive.
- B. Parking improvements, including the removal of the parking in the Tower Drive right of way and construction of the new parking, shall be provided in compliance with the plans attached hereto as Exhibit A and completed within one year from the approval of this Ordinance.
- C. The building shall be brought into conformance with Section IV.X.2 of the Zoning Ordinance relative to screening of rooftop equipment within one year from the approval of this Ordinance.
- D. Final landscaping plans shall be subject to staff approval prior to issuance of a Zoning Certificate of Occupancy for automobile sales and service.
- E. All vehicles shall be stored inside the building at all times and all service activities shall be conducted inside the building.
- F. The Petitioner shall sign a Sales Tax Disclosure Agreement with the Village of Burr Ridge.
- G. The business shall comply with the noise regulations as outlined in the Zoning Ordinance.
- H. There shall be no test driving of automobiles in the residential areas to the north of the subject property including on streets within the Carriageway Subdivision, Carriageway Club, and Carriageway Condos.

location will be registered as this location in the Village of Burr Ridge and all sales of vehicles stored in this location shall be consummated and completed at this location in the Village of Burr Ridge.

- J. All automobiles sold from the subject property shall be sold for a minimum price of \$30,000 and 75% of all vehicles sold will have an average sale price of \$75,000 or more.
- K. Automobiles displayed in the show room windows shall have an average listed sale price of \$87,500.
- L. The hours of operation shall be limited to 10 AM to 7 PM Mondays through Saturdays.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.


PASSED this 12th day of August, 2013, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 4 - Trustees Ruzak, Paveza, Grasso, Mayor Straub


NAYS: 3 - Trustees Franzese, Bolos, Manieri

ABSENT: 0 - None

APPROVED by the President of the Village of Burr Ridge on this 12th day of August, 2013.


Village President

ATTEST:


Village Clerk

NORTH FRONTAGE ROAD

TOWER DRIVE

398.50'
LOT LINE

SIDEWALK

93'-7"

18'-0"

24'-0"

18'-0"

5'-1"

365.00' LOT LINE

15'-0" UTILITY
EASEMENT

EXISTING
BUILDING

EXHIBIT A



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 101 Tower Drive, Burr Ridge, IL PIN # 18-19-300-015
60527

GENERAL INFORMATION

PETITIONER: 101 Tower Drive, Burr Ridge LLC

(All correspondence will be directed to the Petitioner)

PETITIONER'S ADDRESS: 101 Tower Drive, Burr Ridge, IL PHONE: 630-537-1099
60527

EMAIL: ceida@globalluxuryimportsllc.com
msughyayar@globalluxuryimportsllc.com
FAX: 630-537-1110

PROPERTY OWNER: 101 Tower Drive LLC STATUS OF PETITIONER: _____

OWNER'S ADDRESS: 101 Tower Drive, Burr Ridge, IL 60527 PHONE: 630-537-1099

PROPERTY INFORMATION

SITE AREA: 3.97 Acres EXISTING ZONING: Global Luxury Imports

EXISTING USE/IMPROVEMENTS: Global Luxury Imports is a family owned boutique of exotic, high-end, luxury automobiles.

SUBDIVISION: Burr Ridge Park

A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED

DESCRIPTION OF REQUEST

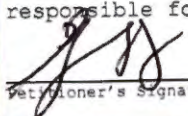
PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S):

☒ Special Use _____ Rezoning _____ Text Amendment _____ Variation(s)

Special use to allow the retail sales of luxury automobiles and the repair and service of such automobiles owned, to be owned, or sold by Global Luxury Imports.

Please Provide Written Description of Request - Attach Extra Pages If Necessary

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.


Petitioner's Signature

6/19/17
Date Petition is Filed

FINDINGS OF FACT
FOR A SPECIAL USE PERMIT PURSUANT TO THE
VILLAGE OF BURR RIDGE ZONING ORDINANCE

Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings. In order for a special use to be approved, the petitioner must respond to and confirm each and every one of the following findings by indicating the facts supporting such findings.

(a) The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

Petitioner, 101 Tower Drive (Burr Ridge), LLC, an Illinois limited liability company (“**Petitioner**”), currently operates an exotic, high-end, luxury automobile dealership (the “**Global Luxury Imports**”) at 101 Tower Drive, Burr Ridge, Illinois. Petitioner desires to renew their special use permit as it currently resides.

(b) The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

As noted above, Global Luxury Imports is a family owned boutique of exotic, high-end, luxury automobiles. Petitioner has operated the Global Luxury Imports at its current location for nearly 3 years virtually without complaint or negative impact on the abutting residential neighborhood.

All servicing and sales of automobiles have taken place within the building, and therefore, will continue to not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

(c) The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

See the answer to item b. above.

(d) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Global Luxury Imports has taken measures to beautify the Property by removing and/or concealing the equipment on the roof of the building, painting the exterior of the building, painting the pump house (a Village owned property) to match the building, removing the parking spaces in the right-of-way on Tower Drive and landscaping the area from which such spaces are removed.

All servicing of automobiles has taken place within the building, and therefore, will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

(e) Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.

Adequate utilities, access roads and drainage facilities currently serve the Property.

(f) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Global Luxury Imports has removed parking spaces in the right-of-way on Tower Drive and bring them onto the Property. Additionally, there are two access points to the Property – one from Tower Drive and one from North Frontage Road via a Village easement.

(g) The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge, as amended.

The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge, as amended.

(h) The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission, or if applicable, the Zoning Board of Appeals.

The special use shall conform to the applicable regulations of the district in which the Property is located pursuant to the recommendations of the Plan Commission, and, if applicable, the Zoning Board of Appeals.



**VILLAGE OF BURR RIDGE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS**

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.


Street Address of Subject Property:

101 Tower Dr. Burr Ridge, IL 60527

Property Owner or Petitioner:

101 Tower Dr. LLC
(Print Name)

[Signature]
(Signature)



NOTICE

Village of Burr Ridge

There will be a public hearing to
consider zoning changes or approvals
for this property.

For further information,
please call or visit:

Burr Ridge Village Hall
7660 County Line Road
630/654-8181, Extension

Ask for Information Re-206 2017

Further details are available at

www.burr-ridge.gov

(see Public Hearing/Plan
Commission Agenda)



CHICAGO TRIBUNE

media group

Sold To:

VILLAGE OF BURR RIDGE - CU00410376

7660 S County Line Rd Ste 2

Burr Ridge, IL 60527-4721

Bill To:

VILLAGE OF BURR RIDGE - CU00410376

7660 S County Line Rd Ste 2

Burr Ridge, IL 60527-4721

Certificate of Publication:

Order Number: 5038789

Purchase Order: Village of Burr Ridge

State of Illinois - DuPage

Chicago Tribune Media Group does hereby certify that it is the publisher of the The Doings Weekly. The The Doings Weekly is a secular newspaper, has been continuously published Weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of Clarendon Hills, Township of Downers Grove, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 IL CS 5/5.

This is to certify that a notice, a true copy of which is attached, was published 1 time(s) in the The Doings Weekly, namely one time per week or on 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on 6/29/2017, and the last publication of the notice was made in the newspaper dated and published on 6/29/2017.

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

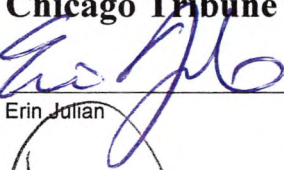
PUBLICATION DATES: **Jun 29, 2017.**

The Doings Weekly

In witness, an authorized agent of The Chicago Tribune Media Group has signed this certificate executed in Chicago, Illinois on this

_____ Day of **JUN 29 2017**, by
Day Month Year

Chicago Tribune Media Group


Erin Julian


Notary Public



Chicago Tribune - chicagotribune.com

435 North Michigan Avenue, Chicago, Illinois 60611

(312) 222-2222 - Fax: (312) 222-4014

CHICAGO TRIBUNE

media group

LEGAL NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearings beginning at 7:30 p.m. on Monday, July 17, 2017, at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois 60527.

1. The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Global Luxury Imports for renewal of a special use approval as per Section X.E.2.a of the Burr Ridge Zoning Ordinance and as per Ordinance No. A-834-15-15, for the continued use of the property for automobile sales and service. The petition number and property address is Z-08-2017; 101 Tower Drive and the Permanent Real Estate Index Number is: 18-19-300-015.

2. The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider an amendment to Section IV.H.9 of the Burr Ridge Zoning Ordinance which states that the combined horizontal area of all accessory buildings, structures, and uses shall not exceed 30 percent of the area to the rear of the principal building; said amendment to consider allowing greater coverage for structures that use permeable paver systems. The petition number and title is Z-05-2017; Zoning Ordinance Amendment – Rear Yard Lot Coverage and Permeable Pavers.

The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

GREG TRZUPEK
CHAIRMAN

MEMBERS: MIKE STRATIS, DEHN
GRUNSTEN, LUISA HOCH,
GREGORY SCOTT, MARY
PRAXMARER, AND JIM BROLINE.
6/29/2017 5038789



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

7660 County Line Rd. • Burr Ridge, IL 60527
(630) 654-8181 • Fax (630) 654-8269 • www.burr-ridge.gov

Mickey Straub
Mayor

Karen J. Thomas
Village Clerk

Steven S. Stricker
Village Administrator

June 23, 2017

NOTICE OF PUBLIC HEARING

Dear Property Owner:

The Plan Commission/Zoning Board of Appeals hereby provides notice that a public hearing will be conducted to consider the following petition:

Z-08-2017: 101 Tower Drive The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Global Luxury Imports for renewal of a special use approval as per Section X.E.2.a of the Burr Ridge Zoning Ordinance and as per Ordinance No. A-834-15-15, for the continued use of the property for automobile sales and service. The petition number and property address is **Z-08-2017: 101 Tower Drive** and the Permanent Real Estate Index Number is: **18-19-300-015**.

A public hearing to consider this petition is scheduled for:

Date: Monday, July 17, 2017
Time: 7:30 P.M. or as soon thereafter as the matter may be heard.
Location: Village of Burr Ridge
Board Room
7660 South County Line Road
Burr Ridge, IL 60527

Additional information is on file and available for public review at the Burr Ridge Village Hall or contact:

Doug Pollock, Community Development Director
(630) 654-8181 ext. 3000
dpollock@burr-ridge.gov

All persons interested in commenting on the proposed request will be given an opportunity to do so at the public hearing. Written statements are encouraged and will be reviewed by the Plan Commission/Zoning Board of Appeals if received at the Village Hall on or before the Wednesday preceding the public hearing.

A HAHN
140 CARRIAGE WAY #226C
BURR RIDGE, IL 60527-5732

ABBS
145 TOWER DR #7
BURR RIDGE, IL 60527-7839

AGNIESZKA JASINSKA
128 CARRIAGE WAY 16B
BURR RIDGE, IL 60527-5736

ALEX VILLAREAL 126C
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

ALEXANDER VUKAJLOVIC
132 CARRIAGE WY C101
BURR RIDGE, IL 00000-0000

ALEXANDRA DRAKES
11375 W 73RD PLACE
BURR RIDGE, IL 60527-4942

AMS MECHANICAL SYSTS
140 E TOWER DR
BURR RIDGE, IL 60527-5784

ANITA MCMAHON
2 FOREST GATE CR
OAK BROOK, IL 60523-2129

ANITA MCMAHON
2 FOREST GATE CIRCLE
OAK BROOK, IL 60523-2129

ANTOINETTE VIRINTAS
112 CARRIAGE WY DR 207
BURR RIDGE, IL 60527-5734

ANTOINETTE VIRZINTAS
112 CARRIAGE WY DR 207
BURR RIDGE, IL 60527-5734

ARLENE ROSELLI
140 CARRIAGEWAY C222
BURR RIDGE, IL 60527-7800

ARLENE WPALICKEE
136 CARRIAGE WAY C110
BURR RIDGE, IL 60527-5756

ARLENE WPALICKEE C110
136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749

AUDREY BERG
124 CARRIAGE WAY B113
BURR RIDGE, IL 60527-5748

AVGERIS AND ASSOCIATES
2500 S HIGHLAND AV 103
LOMBARD, IL 60148-5381

B JOVANOVSKE 124C
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

B JOVANOVSKE 124C
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

BARBARA MORMAN
108 CARRIAGE WAY A102
BURR RIDGE, IL 60527-7821

BARBARA MORMAN
108 CARRIAGE WY A102
BURR RIDGE, IL 00000-0000

BETTY A LACHNIT
128 CARRIAGE WAY B216
BURR RIDGE, IL 60527-7802

BEVERLY ROCHFORD
124 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5748

BEVERLY ROCHFORD
124 CARRIAGE WAY B109
BURR RIDGE, IL 60527-7808

BILJANA BULAKOVSKA
120 CARRIAGE WAY DR204
BURR RIDGE, IL 60527-7804

BILJANA BULAKOVSKA
120 CARRIAGE WY DRB204
BURR RIDGE, IL 00000-0000

BILJANA BULAKOVSKA
120 CARRIAGE WAY B204
BURR RIDGE, IL 60527-5737

BILL SIMANTIRAKIS
136 CARRIAGE WAY C116
BURR RIDGE, IL 60527-5729

BILSKY INVESTMENTS LLC
145 TOWER DR STE #5
BURR RIDGE, IL 60527-7837

BRUCE SIRUS
124 TOWER DR
BURR RIDGE, IL 60527-5720

BUDIMIR RADOJCIC
140 CARRIAGE WAY C127
BURR RIDGE, IL 60527-5728

CAROL LEE DEVINS
136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749

CAROL LEE DEVINS 207 C
136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749

CARRIAGE WAY OF BURR RIDGE
55 W 22ND ST SUITE 310
LOMBARD, IL 60148-4889

CARRIGE GAR CONDO
418 W PERSING
CHICAGO, IL 60609-2726

CATHERINE A DILLON
140 CARRIAGEWAY C227
BURR RIDGE, IL 60527-5732

CHARLES E HAMMAN
136 CARRIAGEWAY DR 108
BURR RIDGE, IL 60527-5756

CHRISTINE L HOLM
112 CARRIAGE WAY DRIVE
BURR RIDGE, IL 60527-5747

CLIFFORD ZEIEN
124 CARRIAGE WAY B209
BURR RIDGE, IL 60527-7807

CLIFFORD ZEIEN
124 CARRIAGE WAY B 209
BURR RIDGE, IL 60527-7807

COLDWATER PROPERTIES
411 8TH PLACE
HINSDALE, IL 60521-4562

COLLEEN A COOK TRUST
112 CARRIAGE WAY #A211
BURR RIDGE, IL 60527-7834

D MARTH & R POWERS
112 CARRIAGE WAY A107
BURR RIDGE, IL 60527-5731

D MARTH & R POWERS
112 CARRIAGE WAY A1071
BURR RIDGE, IL 60527-5747

DANA SIRVIDAINTE
116 CARRIAGE WAY 214A
BURR RIDGE, IL 60527-7806

DANA SIRVIDAINTE
116 CARRIAGE WAY 214A
BURR RIDGE, IL 60527-7806

DANA BOND
80 BURR RIDGE PKWY
BURR RIDGE, IL 60527-0832

DANIEL P CAWLEY
124 CARRIAGEWAY DR 110
BURR RIDGE, IL 60527-5730

DAVID M SMITH
124 CARRIAGE WAY B112
BURR RIDGE, IL 60527-5730

DAVID M SMITH
124 CARRIAGE WAY B112
BURR RIDGE, IL 00000-0000

DAVID R LOOK
561 HARDING AV
GLEN ELLYN, IL 60137-6312

DAVID R LOOK
561 HARDING AV
GLEN ELLYN, IL 60137-6312

DENYSE HEFFNER
136 CARRIAGE WAY DR117
BURR RIDGE, IL 60527-5729

DERBY & GILLESPIE
132 CARRIAGE WAY C102
BURR RIDGE, IL 60527-5758

DOMINIC ZASTARSKIS
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

DONALD & A SCHUDE C228
140 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5750

DONALD & ANN SCHUDE
140 CARRIAGE WAY 228
BURR RIDGE, IL 60527-5764

DONNA BETH PENDERGRASS
112 CARRIAGE WAY 104A
BURR RIDGE, IL 60527-5731

DONNA BETH PENDERGRASS
112 CARRIAGEWAY DR104A
BURR RIDGE, IL 60527-5731

DONNA WASZAK
112 CARRIAGE WAY A206
BURR RIDGE, IL 60527-5734

DONNELLY MICHAEL A
124 CARRIAGE WAY 213B
BURR RIDGE, IL 60527-5733

DUDE PROPERTY MGMT
145 TOWER DR #9
BURR RIDGE, IL 60527-7840

DUKE REALTY LP
P O BOX 40509
INDIANAPOLIS, IN 46240-0509

E & S TENNANT JR 201
120 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5737

ELAINA PAPAGORGE
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

ELAINE M RODRIGUEZ
136 CARRIAGE WAY C112
BURR RIDGE, IL 60527-5729

ELIZABETH IRMEN
136 CARRIAGE WAY C115
BURR RIDGE, IL 00000-0000

ELIZABETH WILCOX B118
128 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5736

ELIZABETH WILCOX B118
128 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5736

ELLE THOMAS
136 CARRIAGE WAY 111C
BURR RIDGE, IL 60527-5729

ELLEN GRIFFIN
112 CARRIAGEWAY DR 103
BURR RIDGE, IL 60527-5731

ELLEN GRIFFIN
112 CARRIAGE WAY 103
BURR RIDGE, IL 60527-573

ELLEN THOMAS
136 CARRIAGE WAY 111C
BURR RIDGE, IL 60527-5729

EMILY A HEIKES
132 CARRIAGE WAY 201C
BURR RIDGE, IL 60527-5759

EUGENE R RALL
112 CARRIAGE WAY 205A
BURR RIDGE, IL 60527-5734

EUGENE R RALL JR
112 CARRIAGE WAY 205A
BURR RIDGE, IL 60527-5734

FRANK & NANCY TRESKI
144 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5754

G & R HUDRLIK
112 CARRIAGE WAY #A203
BURR RIDGE, IL 60527-5734

G SCHULTZ CONSTRUCTION
7900 S CASS AVE
DARIEN, IL 00000-0000

GARY HILDEBRAND
132 CARRIAGE WAY 104
BURR RIDGE, IL 60527-5735

GARY HILDEBRAND 104
132 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5758

GEORGE D ARGYRIS
124 CARRIAGE WAY 108
BURR RIDGE, IL 60527-7808

GEORGE DEPHILLIPS
136 CARRIAGE WAY C119
BURR RIDGE, IL 60527-5749

GLENN & REBECCA HUDRLIK
112 CARRIAGE WAY #203A
BURR RIDGE, IL 60527-5734

GORDANA IJACIC C127
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

H & M SMITH JR
136 CARRIAGE WAY C216
BURR RIDGE, IL 60527-7822

H D & G E ALLEN
120 CARRIAGE WAY B103
BURR RIDGE, IL 60527-5737

HARRY & JANICE BARBER
136 CARRIAGE WAY C217
BURR RIDGE, IL 60527-7822

HARRY & JILL LEVY
116 CARRIAGE WAY A113
BURR RIDGE, IL 60527-7805

HARRY D LEVY
116 CARRIAGE WAY #113
BURR RIDGE, IL 60527-7805

HARRY LEVY A113
116 CARRIAGE WAY #A113
BURR RIDGE, IL 60527-7805

HARRY MONTGOMERY
144 CARRIGE WAY DR C27
BURR RIDGE, IL 60527-5754

HINSDALE MGMT CORP
21 SPINNING WHEEL RD
HINSDALE, IL 60521-2930

IRVING REHM
124 CARRIAGE WAY 211B
BURR RIDGE, IL 60527-5733

J & C VILLAMIZAR
112 CARRIAGE WAY #111A
BURR RIDGE, IL 60527-7809

J & J DIVITTORIO SR
112 CARRIAGE WAY A212
BURR RIDGE, IL 60527-7834

J & J DIVITTORIO SR
112 CARRIAGE WAY A 212
BURR RIDGE, IL 60527-7834

J & S REISCH 213
136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749

JACQUELINE A SEIWERT
140 CARRIAGE WY 229
BURR RIDGE, IL 00000-0000

JACQUELINE SEIWERT
140 CARRIAGE WAY C229
BURR RIDGE, IL 60527-5732

JAMES BEBAWY
120 CARRIAGE WAY B104
BURR RIDGE, IL 60527-5737

JAMES BEBWY
120 CARRIAGEWAY B104
BURR RIDGE, IL 60527-5737

JAMES LARSEN
4521 HARVEY AVE
WESTERN SPGS, IL 60558-1648

JANICE MAREK
136 CARRIAGEWAY C 113
BURR RIDGE, IL 00000-0000

JEFFREY DOORN8OS
136 CARRIAGE WAY C119
BURR RIDGE, IL 60527-5749

JERRY P NOVAK
112 CARRIAGEWAY DR#105
BURR RIDGE, IL 60527-5731

JERRY P NOVAK 105
112 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5747

JESSE J PETRELLA B117
128 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5736

JOANNE M BOEHM C 205
132 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5758

JOHN M RADKE TRUSTEE
124 CARRIAGE WAY 207
BURR RIDGE, IL 60527-7807

JOHN FOTIAS
128 CARRIAGE WY B218
BURR RDG, IL 00000-0000

JOHN FOTIAS
128 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5736

JOHN FOTIAS
128 CARRIAGEWAYDR#B218
BURR RIDGE, IL 60527-7802

JOHN H ROBERTS
124 CARRIAGE WAY DR 41
BURR RIDGE, IL 60527-5748

JOHN H ROBERTS
124 CARRIAGE WAY 105
BURR RIDGE, IL 60527-7808

JOHN H ROBERTS
124 CARRIAGEWAY DR 105
BURR RIDGE, IL 60527-7808

JOHN J BOYCE
136 CARRIAGE WAY C109
BURR RIDGE, IL 60527-5756

JOHN M RADKE TRUSTEE
124 CARRIAE WAY 207
BURR RIDGE, IL 00000-0000

JOHN M RADKE TRUSTEE
124 CARRIAGE WAY 207
BURR RIDGE, IL 60527-7807

JOSEPH & J DIVITTORIO
112 CARRIAGE WAY #A212
BURR RIDGE, IL 60527-7834

JOSEPH R TRUHLAR
112 CARRIAGE WAY A204
BURR RDGE, IL 60527-5734

JOSEPH R TRUHLAR
112 CARRIAGE WAY A204
BURR RIDGE, IL 60527-5734

JOSEPH REISCH 34 P
136 CARRIAGEWAY DR 213
BURR RIDGE, IL 60527-7846

JOSEPH REISCH 98 P
136 CARRIAGEWAY DR 213
BURR RIDGE, IL 60527-7846

JOSEPH REISCH 99 P
136 CARRIAGEWAY DR 213
BURR RIDGE, IL 60527-7846

JOSEPH TRUHLAR
112 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5747

JOSEPHINE R PINTARO
136 CARRIAGE WAY C219
BURR RIDGE, IL 60527-7822

JOSEPHINE R PINTARO
136 CARRIAGE WAY #B11
BURR RIDGE, IL 60527-5749

JOSEPHINE R PINTARO
136 CARRIAGE WAY C588
BURR RIDGE, IL 60527-5749

JOYCE C ROMERO A114
116 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5738

JOYCE C ROMEROA114
116 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5738

JULIE S SALVI
11 CHESTNUT AV
CLARNDON HLS, IL 60514-1204

KATHERINE KALYVAS
124 CARRIAGE WY B210
BURR RIDGE, IL 00000-0000

KATHERINE KALYVAS
124 CARRIAGE WAY #B210
BURR RIDGE, IL 60527-5733

KATHLEEN M TUOHEY
112 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5747

KATHLEEN SPERO
120 CARRIAGE WAY B203
BURR RIDGE, IL 60527-5737

KATHLEEN TUOHEY
112 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5747

KENNETH & CAROL GLOMB
101 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5753

KEVIN C RADKE
112 CARRIAGE WY 110
BURR RIDGE, IL 00000-0000

L MUSAJ L SCHMITZ
128 CARRIAGE WAY B217
BURR RIDGE, IL 60527-7802

L SCHMITZ M LINARD
128 CARRIAGE WAY DR 21
BURR RIDGE, IL 60527-5736

LAISVIDA RUDIENE
140 CARRIAGE WAY C225
BURR RIDGE, IL 60527-5732

LAISVIDA RUDIENE
140 CARRIAGE WAY C225
BURRIDGE, IL 60527-5732

LASIVIDA RUDIENE
140 CARRIAGE WAY C225
BURR RIDGE, IL 60527-5732

LAWRENCE M KARP
2128 SUTTON PL
PLANO, TX 75093-4322

LAWRENCE M KARP C114
2128 SUTTON PL
PLANO, TX 75093-4322

LIDA & MEHDI FAROKHIAN
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

LINDA HAMADEH
108 CARRIAGE WAY #A101
BURR RIDGE, IL 60527-7821

LINDA HAMADEH
108 CARRIAGE WAY #A101
BURRRIDGE, IL 60527-7821

LORRAINE H FEIGENBAUM
136 CARRIAGE WAY C214
BURR RIDGE, IL 60527-7822

LORRAINE H FEIGENBAUM
136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749

M & M CARPIO
120 CARRIAGE WAY 202B
BURR RIDGE, IL 60527-7804

M R PATZIN
132 CARRIAGE WAY #C106
BURR RIDGE, IL 60527-5758

MA AMITA C NUNEZ
140 CARRIAGE WAY 127C
BURR RIDGE, IL 60527-5728

MARIA L MACIAS
132 CARRIAGE WAY C205
BURR RIDGE, IL 60527-5758

MARK HOWARD
303 PARK AVE
CLAREDON HLS, IL 60514-1309

MARK MCEWAN
120 CARRIAGE WAY #102B
BURR RIDGE, IL 60527-7803

MARY ANN TROMICZAK
140 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5750

MARY B MILLER
140 CARRIAGEWAY 123C
BURR RIDGE, IL 60527-5755

MARY B MILLER C123
140 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5750

MARY BETH ANNES
116 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5738

MARY C MCNAMEE
140 CARRIAGEWAY#224C
BURR RIDGE, IL 60527-7800

MARY C NCNAMEE
140 CARRIAGE WAY 224C
BURR RIDGE, IL 60527-7800

MARY E KLEIDON
124 CARRIAGE WAY B206
BURR RIDGE, IL 60527-7807

MARY E KLEIDON
124 CARRIAGEWAY B206
BURR RIDGE, IL 60527-7807

MARYELLEN DEBARTOLO
112 CARRIAGEWAY
BURR RIDGE, IL 60527-5747

MARYELLEN DEBARTOLO
112 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5747

MARYELLEN DEBARTOLO
112 CARRIAGEWAY #5747
BURR RIDGE, IL 60527-5747

MCFARLANE DOUGLASS
135 TOWER DRIVE
BURR RIDGE, IL 60527-5779

MEREDITH L PULJUNG
140 CARRIAGE WAY C128
BURR RIDGE, IL 60527-5728

MFP PROPERTIES
145 TOWER DR #2
BURRIDGE, IL 60527-7833

MICHAEL & PAULA MORRIS
136 CARRIAGE WAY 107
BURR RIDGE, IL 60527-5756

MICHAEL DYBAS TRUSTEE
1241 COVE RD
STURGEON BAY, WI 54235-1034

MICHAEL L MEIER
116 CARRIAGEWAY DR 213
BURR RIDGE, IL 60527-7806

MICHAEL L MEIER
116 CARRIAGE WY DR#213
BURR RIDGE, IL 60527-7806

MICHAEL SLASURAITIS
124 CARRIAGE WAY #B110
BURR RIDGE, IL 60527-5730

MIF 144 TOWER BURR RID
9450 W BRYN MAWR 550
ROSEMONT, IL 60018-5222

MIKE NOLAN
108 CARRIAGE WAY 201A
BURR RIDGE, IL 60527-8937

MIRIAM P MATHEW
124 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5748

MONIKA SPOKAS
116 CARRIAGE WAY #216
BURR RIDGE, IL 60527-7806

Name
Address
City, State, Zip

NANCY J LAMBERT
132 CARRIAGE WAY C206
BURR RIDGE, IL 60527-5758

NATHANIEL F TABER
136CARRIAGE WY DR C207
BURR RIDGE, IL 60527-5739

NIKI TOPOULOS
140 CARRIGEWAY DR
BURR RIDGE, IL 60527-5750

OLDS & OLDS
140 CARRIAGE WAY DR UC
BURR RIDGE, IL 60527-5750

PATRICIA A COLEMAN
124 CARRIAGE WAY B214
BURR RIDGE, IL 60527-5733

PATRICIA CARNEY C 212
136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749

PATRICIA COLEMAN
124 CARRIAGE WAY
BURR RIDGE, IL 60527-5748

PATRICIA G POLLOCK
132 CARRIAGE WAY 103C
BURR RIDGE, IL 60527-5735

PATRICIA G POLLOCK
132 CARRIAGE WAY C103
BURR RIDGE, IL 60527-5758

PATRICIA KRUSE
132 CARRIAGEWAY C 204
BURRIDGE, IL 00000-0000

PATRICIA KRUSE
132 CARRIAGEWAY C204
BURR RIDGE, IL 60527-5758

PHYLLIS A BAVONE
144 CARRIAGEWAY DR
BURR RIDGE, IL 60527-5754

PHYLLIS A BAVONE 25C
144 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5754

PRUDENTIAL RELOCATION
136 CARRIAGE WAY #C208
BURR RIDGE, IL 60527-5739

R & V HAYES
140 CARRIAGE WY DRC221
BURR RIDGE, IL 00000-0000

R P CARBON JR
112 CARRIAGE WAY 109
BURR RIDGE, IL 60527-7809

RANDY K SUVA
8304 TOWER ROAD
WILLOW SPGS, IL 60480-1167

RANDY K SUVA
8304 TOWER RD
WILLOW SPGS, IL 60480-1167

RARE AIR TRUST
131 STIRRUP LN
BURR RIDGE, IL 60527-5714

RAYMOND P HARTNETT
132 CARRIAGEWAY DRC203
BURR RIDGE, IL 60527-5758

REENA R GEORGE
124 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5748

RICHARD A KOHLES
124 CARRIAGE WAY B114
BURR RIDGE, IL 60527-5730

ROB & DEANNA PIETRAS
120 CARRIAGE WAY B101
BURR RIDGE, IL 60527-5737

ROBERT DEANNA PIETRAS
120 CARRIAGE WAY B101
BURR RIDGE, IL 60527-5737

ROBERT DEANNA PIETRAS
120 CARRIAGEWAY B101
BURR RIDGE, IL 60527-5737

ROBERT KENT SCOTT
132 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5758

ROBERT OCHAB
136 CARRIAGE WAY C211
BURR RIDGE, IL 60527-5739

RUTH AE HAYMAN
116 CARRIAGE WAY
BURR RIDGE, IL 60527-5738

RUTH E HAYMAN
116 CARRIAGE WAY 215
BURR RIDGE, IL 60527-7806

RUTH E HAYMAN
498 SR 93
SUGARLOAF, PA 18249-3735

SANDRA VALENTINE
140 CARRIAGE WAY 120
BURR RIDGE, IL 60527-5755

SANDRA VALENTINE DAVIS
140 CARRIAGE WAY C120
BURR RIDGE, IL 60527-5755

SARA J FULLER
132 CARRIAGE WAY C202
BURR RIDGE, IL 60527-5758

SHEBOYGAN HOLDINGS LLC
PO BOX 91090
ALBUQUERQUE, NM 87199-0000

SHEILA F GOSS
112 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5747

STATE BK TR#19505
2400 W. 95TH ST
EVERGREEN PK, IL 60805-2805

STEPHANIE GANAL
7240 CHESTNUT HILLS DR
BURR RIDGE, IL 60527-6990

STEPHANIE L POWERS
108 CARRIAGEWAY #202A
BURR RIDGE, IL 60527-8937

STEPHEN ABEL
136 CARRIAGE WAY C215
BURR RIDGE, IL 60527-7822

STEPHEN ABEL
136 CARRIAGE WY C215
BURR RIDGE, IL 00000-0000

STEWART MILLS
2500 HIGHLAND AV 103
LOMBARD, IL 60148-5381

SUSAN SALAK
136 CARRIAGE WAY DR209
BURR RIDGE, IL 60527-5739

TASI MITEV
116 CARRIAGE WAY U115
BURR RIDGE, IL 60527-5738

TAXPAYER OF UNIT B 19
120 CARRIAGE WAY
BURR RIDGE, IL 60527-5737

THOMAS & JANICE PAPAIS
1514 PINE VIEW CT
DARIEN, IL 60561-5900

THOMAS ANDERZUNAS
144 CARRIAGE WAY #C30
BURR RIDGE, IL 60527-5754

THOMAS ANDERZUNAS
144 CARRIAGE WAY C30
BURR RIDGE, IL 60527-5754

THOMAS J JUNG
8451 BORBONI CT
NAPLES, FL 34114-2709

THOMAS J JUNG
140 CARRIAGE WAY 121C
BURR RIDGE, IL 60527-5755

THOMAS LAMPERT
140 CARRIAGE WAY #C130
BURR RIDGE, IL 60527-5728

THOMAS W MC GOREY B208
124 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5748

THOMAS W STAROBA
128 CARRIAGEWAY DR 215
BURR RIDGE, IL 60527-7802

TIMOTHY & RUTH KOSAC
140 CARRIAGE WAY C223
BURR RIDGE, IL 60527-7800

TOWER & PROPERTIES LLC
145 TOWER DR STE11
BURR RIDGE, IL 60527-7842

TOWER 12 LLC
145 TOWER DR UNIT 12
BURR RIDGE, IL 60527-7843

TRAJCE CVETKOVSKI
120 CARRIAGE WAY 107B
BURR RIDGE, IL 60527-5737

VALARIE M COLLIER
140 CARRIAGE WAY 118C
BURR RIDGE, IL 60527-5791

VESELIN DUBAK
112 CARRIAGE WAY A106
BURR RIDGE, IL 60527-5765

WILMA C REHM
124 CARRIAGE WAY 211
BURR RIDGE, IL 60527-5733

136 CARRIAGE WAY DR
BURR RIDGE, IL 60527-5749



**VILLAGE OF BURR RIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT AND SUMMARY**

PC-06-2017; 15W308 Frontage Road (VIP Paws); Requests special use approval as per Section VIII.C.2.aa of the Burr Ridge Zoning Ordinance for a Kennel in a B-2 General Business District.

Prepared For: Village of Burr Ridge Plan Commission / Zoning Board of Appeals
Greg Trzupek, Chairman

Prepared By: Evan Walter
Assistant to the Village Administrator

Date of Hearing: August 7, 2017

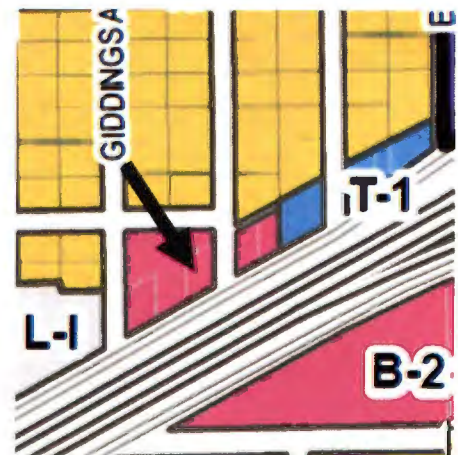
GENERAL INFORMATION

Petitioner: Helen Lennertz

Property Owner: Frontage Road Limited Partnership

Petitioner's Status: Potential Tenant

Land Use Plan: Suggests Commercial Uses



Existing Zoning: B-2 General Business District

Existing Land Use: One Commercial Building

Site Area: 0.30 Acres

Subdivision: Martin's Subdivision



SUMMARY

The petitioner seeks to open a kennel in an existing building located at the southeast corner of Frontage Road and Park Avenue. The property is improved with a commercial building and parking lot and has access to a private parking lot. The petitioner proposes to occupy the entire building with a kennel. The petitioner proposes to establish a kennel to provide upscale daycare for dogs of all breeds, with services including play zones, private rest areas, grooming, and training facilities. The petitioner has indicated that overnight boarding may be a part of the business in the future but does not intend to offer this service immediately, and would keep animals indoors if this service were offered at a future time.

Zoning History

This property was previously occupied by a prior tenant using the entire building for a permitted use and vacated the property in February 2017. A temporary special use, renewed twice, was previously granted at this property in 2011 and 2013 for an automotive paint and parts business.

Compliance with the Comprehensive Plan

The Comprehensive Plan recommends commercial uses for this property and the adjacent parcels on North Frontage Road. The area north of this property is recommended for continued single-family residential use.

Compliance with the Zoning Ordinance

Kennels are listed as a special use in the B-2 Business District. Kennels are defined as:

“Any premises or portion thereof on which more than three dogs, cats, or other household domestic animals over six months of age are kept, or on which more than two such animals are maintained, boarded, trained, groomed, bred, or cared for in return for remuneration, or are kept for the purpose of sale.”

Pet shops and pet service stores are also listed as a special use in the B-2 District.

The building is approximately 3,000 square feet. There is enough room for six parking spaces in the front of the property; the petitioner’s proposed site layout includes six dedicated parking spaces, which is included in the attachments. The Zoning Ordinance does not provide for a minimum parking requirement for kennels; the Plan Commission must determine the number of spaces that the business must provide. For reference, the Zoning Ordinance states that any other retail business not listed must provide one parking space for every 250 square feet of floor area.

Findings of Fact and Recommendation

The petitioner has submitted findings of fact, which may be approved if the Plan Commission is in agreement with those findings. Several residents have spoken positively about the petition in general, but have objected to outdoor, overnight boarding of animals. If the Plan Commission recommends approval of this request, the following conditions are recommended:

1. The special use permit shall be limited to Helen Lennertz and her business partners and shall expire at such time that the current owners no longer own and operate the business at 15W308 Frontage Road.
2. As determined by the Plan Commission, an appropriate number of standard and handicapped parking spaces shall be present.
3. Overnight boarding shall be permitted; however, all animals boarded overnight shall be kept indoors.



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 15W308 Frantage Rd PIN # _____

GENERAL INFORMATION

PETITIONER: Helen Lennertz
(All correspondence will be directed to the Petitioner)

PETITIONER'S ADDRESS: 15 W 308 Frantage Rd PHONE: 630 461 0697
Burr Ridge, IL 60527 EMAIL: Hlennertz@gmail.com

FAX: _____

PROPERTY OWNER: _____ STATUS OF PETITIONER: _____

OWNER'S ADDRESS: _____ PHONE: _____

PROPERTY INFORMATION

SITE AREA: _____ EXISTING ZONING: _____

EXISTING USE/IMPROVEMENTS: _____

SUBDIVISION: _____

A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED

DESCRIPTION OF REQUEST

PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S):

☒ Special Use _____ Rezoning _____ Text Amendment _____ Variation(s) _____

Please Provide Written Description of Request - Attach Extra Pages If Necessary

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.

Helen Lennertz
Petitioner's Signature

6/20/17
Date Petition is Filed



Findings of Fact
Special Use
Burr Ridge Zoning Ordinance

Address:

15W308 Frontage Road

As per Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance, for a special use to be approved, the petitioner must confirm all of the following findings by providing facts supporting each finding.

- a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

VIP Paws will provide a daytime care for canines of all breeds which will facilitate the needs of professional and nonprofessionals who have disposable income and desire to have their pets taken care of while they are at work or need to attend to their personal business. Animals have become more than just a pet to many people. They are considered to be family members to many, with their humans wanting only the best of the best for them. There is a huge demand for "dog sitting services" throughout the nation especially in upscale socioeconomic areas such as Burr Ridge. There is only one potential competitor in Burr Ridge and they are unable to accommodate all of the potential customers who live and work in the area.

- b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

VIP Paws will serve as an establishment that will provide a humane service to pet owners. It will enhance the general welfare of all pets with love and devoted care while their humans are away for the day. VIP Paws will in no way endanger the public health, safety, morals, comfort, or general welfare.

- c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

VIP Paws will enhance the properties surrounding them. It will not impair values whatsoever within the neighborhood in which it will be located. The business will be located along a frontage road that is surrounded by commercial and residential areas.

- d. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

VIP Paws will in no way impede the normal and orderly development of the properties in this district. In fact, once completed, the building's appearance will enhance the area by the cosmetic changes we plan to do.

- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.

All utilities, roads, drainage, along with the necessary facilities are already in place within and surrounding the existing building.

- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

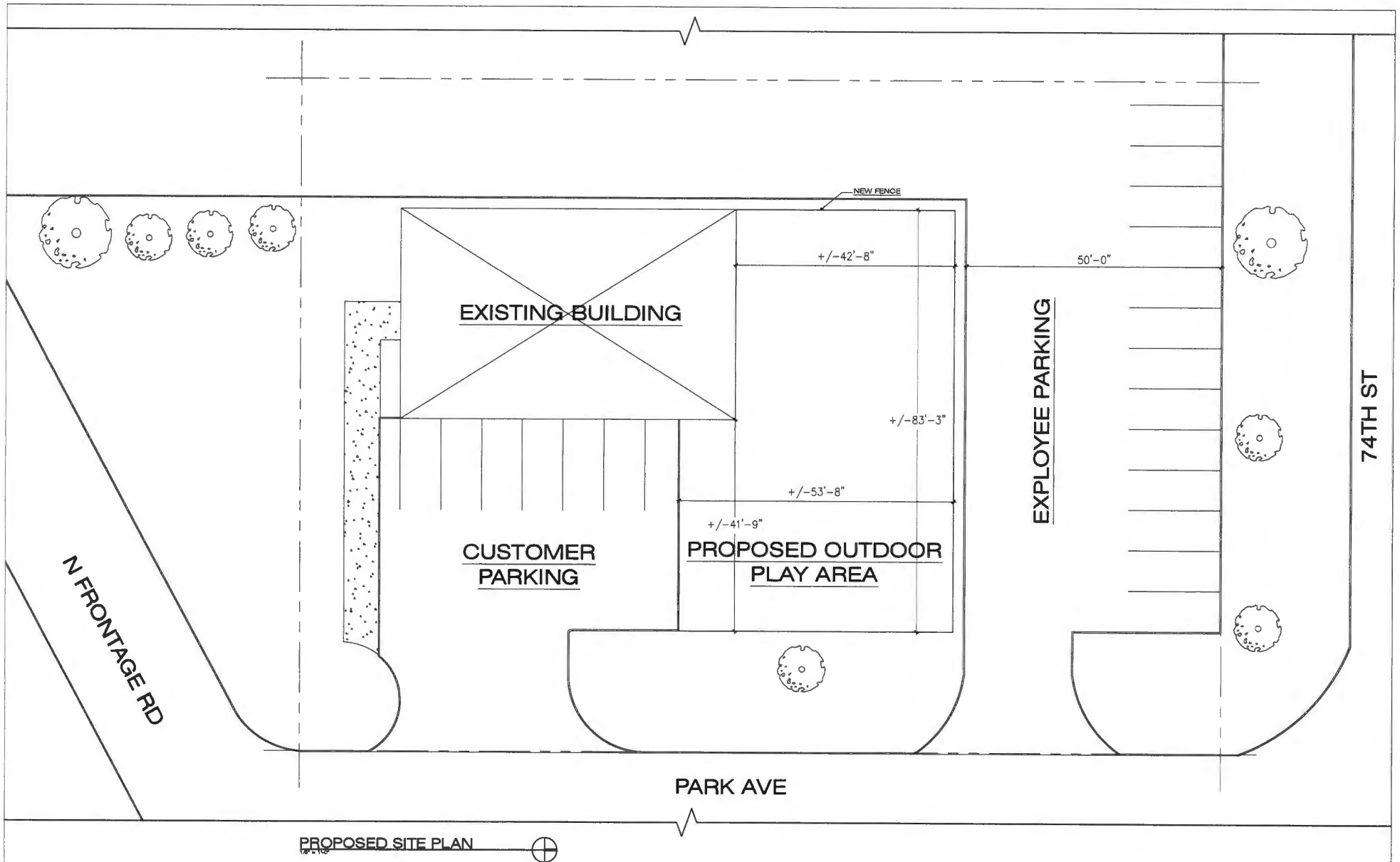
Yes. There are already five parking spaces available for customers along with one handicap parking space. Additional parking will be available behind the building in our parking lot.

- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.

Not that we are aware of.

- h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

Yes, on all counts to our knowledge.



PROPOSED SITE PLAN



7400-7498 S PARK AVE
Burr Ridge, IL. 60527

PROPOSED SITE LAYOUT

R. VARI AND ASSOCIATES

CHICAGO, IL
OAKBROOK, IL

OFFICE: 708.354.4005
RON'S CELL: 312.735.0401

Executive Summary

Company Name: VIP Paws LLC

Address: 15W308 Frontage Rd., Burr Ridge, Illinois 60527

Type of Business:

The business is to provide an upscale daytime care for dogs of all breeds. This business will facilitate the needs of professionals and nonprofessionals who have disposable income and desire to have their dogs taken care of while they are at work or need to attend to their own personal business.

Our main product is the extraordinary pet care service we will provide to our clientele. The consumer who chooses us to service their needs is interested in giving their four legged family member an exciting and fulfilling day with their new extended family. Lots of love, affection and care will be given. Their pets will long to come back for the next visit of fun and games, along with quiet snuggle time from our attentive staff. State of the art play zones to be outfitted providing their pet with ample space and a feast of toys to invite them into hours and hours of entertainment.

Start Up Summary:

VIP Paws will be run very lean initially and very cost effective. Rent, utilities, and minimal staff salaries will be the main expenses once the build out of the space we will be renting is completed. The building is in an excellent location in Burr Ridge. Advertising/Marketing expenses at the beginning will be greater during the first month in an effort to promote our new business along with the services we will provide our clientele. These expenses will decrease significantly as we move forward and make a name for ourselves. Minimal startup inventory will mainly consist of shampoo and grooming supplies. Assets will be a few kennels and play structures for the dogs in daycare.

The funding for the operations will come from the owner through personal assets and a potential SBA loan. The initial startup cost will be \$150K. This total will be addressed in the business plan section of this summary.

In conclusion to marketing, sales analysis, and review, there will ALWAYS be a need to take proper care of a person's dog. Whether it's to provide a grooming experience or perhaps a possible training session, or spending the day in our day care facility so ones four legged friend isn't lonely and bored at home for the day. This is a rapidly growing business and more importantly our pets are part of our families more than ever before and families are here to care for one another in the best way possible.

Our sales projection for the following three years is what is solely attainable in the industry and the statistics provided. This number could possibly vacillate if there is a war or an incredibly drastic downturn in the economy such as an economic depression. These projections do not reflect other services which we will ultimately provide such as obedience training and grooming which will obviously increase our revenues as well.

Our objective will be to launch the business and develop sales of \$35,000+ per month within the first eight months. This will allow us to break even within the first few months of operations. Our key to our timely success is our family background in the business. Our family has been in the pet care industry for over 45 years and has a stellar reputation in the western suburbs. Helen Lennertz, owner, brings to the table a passion for animals and is devoted at the highest level to their happiness and safety. She has been in the family business since she was a toddler and knows every aspect of making this business a great success. She also carries a degree in business management from DePaul University which further empowers her to understand the fundamentals of what it takes to operate a business and the ability to execute her mission to make this business soar. Her knowledge and passion of the pet industry, along with the increasing market demand for daytime pet care, is sure to make this strategy a tremendous success.

Revenue Side:

SEPTEMBER

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 1:	0	\$28	\$0
WEEK 2:	20	\$28	\$560/\$2800
WEEK 3:	25	\$28	\$700/\$3500
WEEK 4:	30	\$28	\$840/\$4200
TOTAL:			\$2100/\$10,500

OCTOBER

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 5:	30	\$28	\$840/\$4200
WEEK6:	35	\$28	\$980/\$4900
WEEK 7:	35	\$28	\$980/\$4900
WEEK 8:	40	\$28	\$1120/\$5600
TOTAL:			\$3920/\$19,600

NOVEMBER

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 9:	40	\$28	\$1120/\$5600
WEEK 10:	45	\$28	\$1260/\$6300
WEEK 11:	45	\$28	\$1260/\$6300
WEEK 12:	50	\$28	\$1400/\$7000
TOTAL:			\$5,040/\$25,200

DECEMBER

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 13:	50	\$28	\$1400/\$7000
WEEK 14:	55	\$28	\$1540/\$7700
WEEK 15:	55	\$28	\$1540/\$7700
WEEK 16:	60	\$28	\$1680/\$8400
TOTAL:			\$6160/\$30,800

JANUARY

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 17:	50	\$28	\$1400/\$7000
WEEK 18:	50	\$28	\$1400/\$7000
WEEK 19:	50	\$28	\$1400/\$7000
WEEK 20:	50	\$28	\$1400/\$7000
TOTAL:			\$5600/\$28,000

FEBRUARY

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 21:	55	\$28	\$1540/\$7700
WEEK 22:	55	\$28	\$1540/\$7700
WEEK 23:	55	\$28	\$1540/\$7700
WEEK 24:	55	\$28	\$1540/\$7700
TOTAL:			\$6160/\$30800

MARCH

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 25:	55	\$28	\$1400/\$7000
WEEK 26:	60	\$28	\$1680/\$8400
WEEK 27:	60	\$28	\$1680/\$8400
WEEK 28:	65	\$28	\$1820/\$9100
TOTAL:			\$6580/\$32900

APRIL

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 29:	65	\$28	\$1820/\$9100
WEEK 30:	65	\$28	\$1820/\$9100
WEEK 31:	70	\$28	\$1960/\$9800
WEEK 32:	70	\$28	\$1960/\$9800
TOTAL:			\$7560/\$37800

MAY

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 33:	70	\$28	\$1960/\$9800
WEEK 34:	75	\$28	\$2100/\$10500
WEEK 35:	75	\$28	\$2100/\$10500
WEEK 36:	75	\$28	\$2100/\$10500
TOTAL:			\$8260/\$41300

JUNE

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 37:	75	\$28	\$2100/\$10500
WEEK 38:	80	\$28	\$2240/\$11200
WEEK 39:	80	\$28	\$2240/\$11200
WEEK 40:	80	\$28	\$2240/\$11200
TOTAL:			\$8820/\$44100

JULY

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 41:	85	\$28	\$2380/\$11900
WEEK 42:	85	\$28	\$2380/\$11900
WEEK 43:	90	\$28	\$2520/\$12600
WEEK 44:	90	\$28	\$2520/\$12600
TOTAL:			\$9800/\$49000

AUGUST

	<u># of DOGS (PERDAY)</u>	<u>Cost (Per Day)</u>	<u>Total</u> <u>(Daily/Weekly)</u>
WEEK 45:	90	\$28	\$2520/\$12600
WEEK 46:	95	\$28	\$2660/\$13300
WEEK 47:	95	\$28	\$2660/\$13300
WEEK 48:	100	\$28	\$2800/\$14000
TOTAL:			\$10640/\$53200

Marketing Strategy

Initial Promotion of Business Will Be:

1. Issuance of press release throughout local and surrounding areas
2. Mailings to local veterinarians
3. Referrals and recommendations from families and that of families related business wise
4. Flyers posted in the local grocery stores
5. Mailings to local merchants and surrounding area residences

Product:

Primary product is exceptional pet care that will outshine our competitors immensely! We will provide an upscale facility in an upscale environment. The pets who enter our doors will believe this is their home away from home and will be cared for by our handpicked staff of devoted animal lovers.

Pricing Strategy:

Generally speaking, doggie daycare services are billed on a daily basis, although there are minimal exceptions for which we would implement hourly billing and/or a flat fee for any extended care. Fees will be kept at an average market rate for the literature in which we supply our clientele with, but in the future will be discounted for our loyal clients. The level in which any discount will come into play will be analyzed after sometime of our observations of the day to day activities and flow of business. While our competitors only look at the bottom line, we will be discounting our prices by 10-15% for our elderly customers and special needs customers as well. Anyone with a military ID will also be given a 10% discount on all packages. In addition, we will honor a 10% discount to our customers who have rescued their dog, but they must come in with evidence as such.

Our daily rate for doggie daycare will start at \$28. We will be inclined to provide a 10% discount if our clients decide they want to purchase certain packages in advance. Payment options will consist of two methods only! Only cash or credit cards will be accepted and payment will be collected up front.

Financial Projections and Usage of Funds:

Business Incorporating Fees:	\$750
Budget for liability insurance, permits, and licenses	\$3500
Construction of facility/Build out	\$75,000
Rental	\$2,500/Month
Equipment (Dryers, tables, agility for pets, computers, printers, retail inventory, furniture, phones, grooming tools, etc.)	\$40,000
Launch of website	\$1,500
Amount of reserve to pay staff salaries and liabilities for two months along with any interest from loan	\$30,000
Unknowns	\$5,000
<u>Total:</u>	\$158,250

Market Analysis:

Doggy daycare has consistently had strong gains over the past decade. It has doubled in size and continued to grow through the recession.

Consumer attitudes have changed immensely over time with regards to how they love and care for their pets. The increase in demand for vanity pet services such as doggy daycare, along with grooming, continues to be on the rise.

Our target market includes, but is not limited to, the following:

Corporate Organizations

Dog Breeders

Business men and women who own dogs

Busy dog owners

We have the perfect location in our eyes! It's the right demographic and socioeconomic area where the competition is minimal. It's a lucrative area with disposable income and the vast majority of the residences are dog owners.



**VILLAGE OF BURR RIDGE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS**

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

15 W 308 Frontage Rd

Property Owner or Petitioner:

VIPPAWS (Helen Lennertz)

(Print Name)

Helen Lennertz

(Signature)





VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

7660 County Line Rd. • Burr Ridge, IL 60527
(630) 654-8181 • Fax (630) 654-8269 • www.burr-ridge.gov

Mickey Straub
Mayor

Karen J. Thomas
Village Clerk

J. Douglas Pollock
Village Administrator

July 21, 2017

NOTICE OF PUBLIC HEARING

Dear Property Owner:

The Plan Commission/Zoning Board of Appeals hereby provides notice that a public hearing will be conducted to consider the following petition:

PC-06-2017: 15W308 Frontage Road The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Helen Lennertz for a special use approval as per Section X.F.2.g of the Burr Ridge Zoning Ordinance for a kennel in a B-2 District. The petition number and property address is **PC-06-2017: 15W308 Frontage Road** and the Permanent Real Estate Index Number is: **09-25-210-013**.

A public hearing to consider this petition is scheduled for:

Date: Monday, August 7, 2017
Time: 7:30 P.M. or as soon thereafter as the matter may be heard.
Location: Village of Burr Ridge
Board Room
7660 South County Line Road
Burr Ridge, IL 60527

Additional information is on file and available for public review at the Burr Ridge Village Hall or contact:

Evan Walter, Assistant to the Village Administrator
(630) 654-8181 ext. 2010
ewalter@burr-ridge.gov

All persons interested in commenting on the proposed request will be given an opportunity to do so at the public hearing. Written statements are encouraged and will be reviewed by the Plan Commission/Zoning Board of Appeals if received at the Village Hall on or before the Wednesday preceding the public hearing.

PROPERTY OWNER
7319 PARK AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7320 S HAMILTON AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7309 S HAMILTON AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7419 GARFIELD AVE
BURR RIDGE IL 60521

PROPERTY OWNER
15W400 N FRONTAGE RD
BURR RIDGE IL 60521

PROPERTY OWNER
300 S FRONTAGE RD
BURR RIDGE IL 60527

PROPERTY OWNER
7310 S ELM AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7329 GARFIELD AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7330 GIDDINGS AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7350 HAMILTON AVE
BURR RIDGE IL 60521

PROPERTY OWNER
120 W 74TH ST
BURR RIDGE IL 60527

PROPERTY OWNER
150 74TH ST
BURR RIDGE IL 60521

PROPERTY OWNER
7310 S HAMILTON AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7301 HAMILTON AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7300 ELM ST
BURR RIDGE IL 60527

PROPERTY OWNER
15W320 FRONTAGE RD
BURR RIDGE IL 60521

PROPERTY OWNER
121 73RD ST
BURR RIDGE IL 60521

PROPERTY OWNER
7310 GIDDINGS AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7340 S ELM ST
BURR RIDGE IL 60521

PROPERTY OWNER
7350 GIDDINGS AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7349 S PARK AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7401 GIDDINGS AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7360 S PARK AVE
BURR RIDGE IL 60527

PROPERTY OWNER
15W256 N FRONTAGE RD
BURR RIDGE IL 60527

PROPERTY OWNER
7319 GARFIELD AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7320 GIDDINGS AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7319 GIDDINGS AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7339 S PARK AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7340 S HAMILTON AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7339 HAMILTON AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7340 GIDDINGS AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7339 GIDDINGS AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7340 PARK AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7309 GIDDINGS AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7310 PARK AVE
BURR RIDGE IL 60521

PROPERTY OWNER
321 73RD ST
BURR RIDGE IL 60521

PROPERTY OWNER
7329 GIDDINGS AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7330 S PARK AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7329 S PARK AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7420 GIDDINGS AVE
BURR RIDGE IL 60521

PROPERTY OWNER
151 74TH ST
BURR RIDGE IL 60521

PROPERTY OWNER
121 74TH ST
BURR RIDGE IL 60527

PROPERTY OWNER
15W268 FRONTAGE RD
BURR RIDGE IL 60521

PROPERTY OWNER
15W278 N FRONTAGE RD
BURR RIDGE IL 60521

PROPERTY OWNER
15W320 FRONTAGE RD
BURR RIDGE IL 60521

PROPERTY OWNER
7330 S HAMILTON AVE
BURR RIDGE IL 60527

PROPERTY OWNER
7329 HAMILTON AVE
BURR RIDGE IL 60521

PROPERTY OWNER
7339 GARFIELD AVE
BURR RIDGE IL 60527



**VILLAGE OF BURR RIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT AND SUMMARY**

Z-09-2017: Zoning Ordinance Text Amendment; Requests amendment to Section VIII.B of the Burr Ridge Zoning Ordinance to reclassify all special uses as permitted uses in B-1 Business Districts.

Prepared For: Village of Burr Ridge Plan Commission / Zoning Board of Appeals
Greg Trzupek, Chairman

Prepared By: Evan Walter
Assistant to the Village Administrator

Date of Hearing: August 7, 2017

GENERAL INFORMATION

SUMMARY

This petition seeks approval to reclassify all special uses in B-1 Business Districts to permitted uses. Although the amendment would apply to all properties in a B-1 District, the petitioner currently owns the property at 74-326 Burr Ridge Parkway, otherwise known as County Line Square and is primarily interested in permitted uses for County Line Square. County Line Square contains various retail and service uses including but not limited to a grocery store, a dry cleaner, and several restaurants. There are approximately thirty tenant's currently renting space on the property. Attached is a complete list of tenants in County Line Square. The only other properties in the Village that are within a B-1 District are the two County Line Square outlots and the PACE Park and Ride facility located immediately east of County Line Square.

Compliance with the Comprehensive Plan

The B-1 District properties are within the Downtown Burr Ridge Sub-Area as defined by the Comprehensive Plan. The Downtown Sub-Area Plan recommends Mixed Use (Retail, Office, and Residential) for the properties in the B-1 Business District.

Zoning History of the B-1 Business District

The B-1 District is intended *"to provide a location suitable to accommodate a combination of retail, service, and office uses in a commercial and business district."* Several amendments have been made to the B-1 Business in recent years regarding the classification of permitted and special uses in an attempt to uphold this intent. In 2009, an amendment was made in an attempt to preserve the original intent of the Business District; the Plan Commission felt that the following uses did not necessarily meet the prescribed intent for a permitted use in the B-1 and B-2 Districts and were made special uses. These were:

- Banks and Financial Institutions
- Financial Services Offices

- Insurance Offices
- Medical, Dental, and Optical Offices and Clinics
- Real Estate Offices
- Travel Agencies

In 2011, special uses for a “Tutoring center for pre-school, primary, and secondary education” and “Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site” were added by separate ordinances. In 2015, “Health and Athletic Club with less than 7,000 square feet of floor area” was added as a permitted use.

In the Burr Ridge Zoning Ordinance, there are currently 45 uses listed in Section VIII.B.1 as permitted uses and 40 uses listed in Section VIII.B.2 as special uses in the B-1 Business District. A complete list is available for review in the attachments. The petitioner is requesting that all 40 special uses in the B-1 District be re-classified as permitted uses. Attached is a copy of the permitted and special uses in the B-1 District.

Findings of Fact and Recommendations

The petitioner has completed findings of fact for the amendment. If the Plan Commission is in agreement with these findings, they may be adopted.

The intent of classifying certain uses as special uses is defined by Section XIII.K.1 of the Zoning Ordinance and reads as follows:

1. Purpose

The development and execution of this Ordinance is based upon the division of the community into districts within which districts the use of land, buildings, and structures, and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use in the particular location. Such conditional permitted uses (also referred to as special uses) fall into three categories:

- a. Uses publicly operated or traditionally associated with a public interest, and*
- b. Uses entirely private in character, but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon the use and enjoyment of neighboring property or public facilities.*
- c. Planned unit developments.*

A use may be a permitted use in one or more zoning districts and a special use in one or more other zoning districts.

Office uses in the B-1 District have been classified as special uses based on their potential to change the character of the B-1 District and, thus, to have an adverse impact within and adjacent to B-1 District properties. As noted, the B-1 District is intended primarily to provide retail sales

and services. A preponderance of office uses on a B-1 District property could have an undesirable impact on neighboring properties and the Village as a whole.

In response to this petition, staff suggests that the Plan Commission review the list of special uses and permitted uses in the B-1 Business District and consider if certain special uses should be re-classified as permitted uses.



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 74 thru 326 PIN # 18-30-305-003
Burr Ridge Pkwy. 18-30-301-001

GENERAL INFORMATION

PETITIONER: ROBERT GARBER DBA REEGS Properties
(All correspondence will be directed to the Petitioner)

PETITIONER'S ADDRESS: 115 So. Vine St. PHONE: 630-842-2506

EMAIL: Garberconstruction@yahoo.com

FAX: 630-920-9835

PROPERTY OWNER: ROBERT & MARGARET STATUS OF PETITIONER: OWNER

OWNER'S ADDRESS: GARBER SAME PHONE: 630-842-2506

PROPERTY INFORMATION

SITE AREA: 9.146 acres EXISTING ZONING: B-1

EXISTING USE/IMPROVEMENTS: RETAIL & SERVICE

SUBDIVISION: Burr Ridge Park

A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED

DESCRIPTION OF REQUEST

PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S):

☐ Special Use ☐ Rezoning ☒ Text Amendment ☐ Variation(s)

WE ARE REQUESTING all SPECIAL USES IN B1
BE RECLASSIFIED AS PERMITTED USES

Please Provide Written Description of Request - Attach Extra Pages If Necessary

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.

Petitioner's Signature

7-5-17

Date Petition is Filed



**FINDINGS OF FACT
FOR AN AMENDMENT TO THE
VILLAGE OF BURR RIDGE ZONING ORDINANCE**

Section XIII.J of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings in order to recommend a text amendment to the Zoning Ordinance. The petitioner must respond to and confirm each of the following findings by indicating the facts supporting such findings.

- a. The amendment is compatible with other standards and uses of the Zoning Ordinance;

The B1 District already allows for the uses, but requires compliance with the procedures of Section XIII K for each time a new tenant expresses interest in leasing for a special use. Reclassifying all special uses to permitted uses would eliminate unnecessary expenses and delays to comply with Section XIII.

- b. The amendment fulfills the purpose and intent of the Zoning Ordinance;

The amendment would further the stated purpose of the B1 District, which is intended to allow for a combination of retail, service and offices.

(Please transcribe or attach additional pages as necessary)

ORDINANCE NO. A-834-06-09

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE VILLAGE OF BURR RIDGE
Z-02-2009: Text Amendment - Business District Land Uses)**

WHEREAS, an application for a text amendment to the Village of Burr Ridge Zoning Ordinance has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said text amendment on March 2, 2009, March 16, 2009, and April 6, 2009, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the Suburban Life, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a text amendment to the Burr Ridge Zoning Ordinance, including its findings and recommendations, to this President and Board of Trustees, and this President and Board of Trustees has duly considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This President and Board of Trustees find that the granting of the proposed text amendment indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the recommendation is to amend the Burr Ridge Zoning Ordinance as follows:
- B. That the amendment described more fully in Section 3 and Section 4 hereof is consistent with the purpose and intent of the Zoning Ordinance.

Section 3: That Section VIII.B.1 of the Zoning Ordinance be hereby amended to **DELETE** the following land uses from the list of permitted uses in the B-1 Retail Business District:

- e. Banks and financial institutions (not including drive-thru facilities)
- o. Clinics; medical, dental, and optical, including accessory laboratories
- gg. Offices open to the public and providing services directly to consumers including but not limited to medical, real estate, travel agencies, and insurance offices

And that Section VIII.B.2 of the Zoning Ordinance be hereby amended to **ADD** the following land uses from the list of special uses in the B-1 Retail Business District:

- b. Banks and Financial Institutions*
- l. Financial Services Offices*
- r. Insurance Offices*
- u. Medical, Dental, and Optical Offices and Clinics*
- ee. Real Estate Offices*
- ll. Travel Agencies*

Section 4: That Section VIII.C.1 of the Zoning Ordinance be hereby amended to **DELETE** the following land uses from the list of permitted uses in the B-2 General Business District:

- f. Banks and financial institutions*
- r. Clinics; medical, dental, and optical, including accessory laboratories*
- ll. Offices open to the public and providing services directly to consumers including but not limited to medical, real estate, travel agencies, and insurance offices*

And that Section VIII.C.2 of the Zoning Ordinance be hereby amended to **ADD** the following land uses from the list of special uses in the B-2 General Business District:

- g. Banks and Financial Institutions*
- s. Financial Services Offices*
- y. Insurance Offices*
- cc. Medical, Dental, and Optical Offices and Clinics*
- kk. Real Estate Offices*
- qq. Travel Agencies*

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

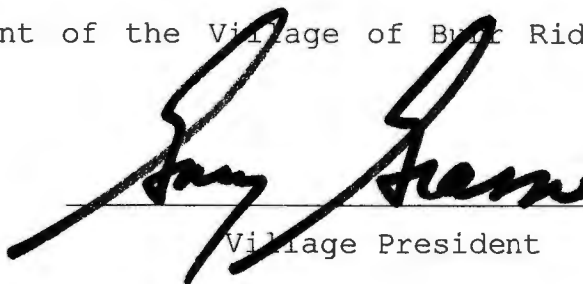
PASSED this 27th day of April, 2009, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - **Trustee Wott, Paveza, Sodikoff, Allen, Grela**

NAYS: 0 - **None**

ABSENT: 1 - **Trustee DeClouette**

APPROVED by the President of the Village of Burr Ridge on this 27th day of April, 2009.



Village President

ATTEST:



Village Clerk

STATE OF ILLINOIS)
COUNTY OF C O O K) SS.
COUNTY OF DU PAGE)

CLERK'S CERTIFICATE

I, KAREN J. THOMAS, the duly elected, qualified, and acting Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of that Ordinance now on file in my office, entitled:

ORDINANCE NO. A-834-06-09

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE VILLAGE OF BURR RIDGE**

Z-02-2009: Text Amendment - Business District Land Uses)

which Ordinance was passed by the Board of Trustees of the Village of Burr Ridge at a regular meeting held on the 27th day of April, 2009, which meeting a quorum was present, and approved by the President of the Village of Burr Ridge on the 27th day of April, 2009.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Burr Ridge was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Burr Ridge, and that the result of said vote was as follows, to-wit:

AYES:	5	-	Trustees Wott, Paveza, Sodikoff, Allen, Grela
NAYS:	0	-	None
ABSENT:	1	-	Trustee DeClouette

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Burr Ridge, this 27th day of April, 2009.


Village Clerk



BURR RIDGE ZONING ORDINANCE

SECTION VIII BUSINESS DISTRICTS

A. GENERAL PROVISIONS

1. Permitted Uses

- a. No building, structure, or tract of land shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building, structure, or tract of land shall be located, with the exception of the following:
 - (1) Uses lawfully established on the effective date of this Ordinance. Uses already lawfully established on the effective date of this Ordinance and rendered non-conforming by the provisions shall be subject to the regulations of Section XII.
 - (2) Special uses as allowed in each district.
- b. All business establishments shall be retail trade, office or service establishments dealing directly with consumers and all goods produced on the premises shall be sold on the premises where produced; provided, however, if the premises are less than 3,000 square feet in size and both sells and produces such goods on the premises, such goods may also be sold off-premises as well.

2. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development. In addition, no building or structure shall be converted so as to conflict with, or further conflict with, the bulk requirements of the district in which such building or structure is located.

3. Yard Requirements

Yard requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

4. Operation Within Enclosed Buildings

All business, service, storage, merchandise display, repair, and processing, where allowed, shall be conducted within a completely enclosed building, except as follows:

- a. Outdoor activities are permitted for uses which by definition require outdoor activities such as parking and loading areas, automobile service stations, car washes, or recreation areas for child care centers and nurseries.
- b. Outdoor activities listed as special uses, such as outdoor dining areas, drive-through windows, and outdoor displays of merchandise, may be approved by the Board of Trustees upon recommendation from the Plan Commission subject to Section XIII, herein.



- c. Temporary (for a limited duration of time) outdoor activities may be permitted subject to written approval by the Community Development Director. Such activities shall not include any permanent improvements, buildings, or structures. Outdoor activities which may be permitted include festivals, tent sales, or seasonal sidewalk sales.

5. Outdoor Dining

Restaurant outdoor dining areas, when permitted as a special use, shall be subject, at a minimum, to the following:

- a. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;
- b. Door to the dining area shall be self-closing;
- c. Tables shall be cleaned promptly following use;
- d. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- e. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- f. No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant;
- g. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
- h. Outdoor food preparation, storage or display is prohibited;
- i. Hours of operation of an outdoor dining area shall be as specifically approved by the Village.

6. Nuisances

Processes and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste, or any other environmental reason. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products, shall conform with the performance standards established in this Ordinance for Manufacturing Districts, provided that performance standards shall in every case be applied at the boundaries of the lot on which such activity takes place.

7. Parking and Loading

- a. With the exception stated below regarding delivery trucks of a business establishment, parking of trucks in the open shall be prohibited. Trucks making deliveries to the business premises shall make deliveries only at loading docks where provided and, if there is no loading dock, such trucks may park only for such time as is necessary to complete the delivery.
- b. Delivery trucks for a business establishment may be parked overnight on a property within the B-1 or B-2 Districts subject to the following:
 - 1. Parking of delivery trucks shall be limited to two per business



establishment.

2. A delivery truck as defined for purposes of these regulations shall not exceed 24,000 pounds.
 3. Delivery trucks shall be parked in an employee parking lot designated at the time of the site plan approval or in the rear of the business establishment. However, if the rear of the business establishment adjoins a residential district, said delivery trucks shall be screened from view from the residential district or parked to the side of the principal building. Under no circumstances shall a delivery truck be parked between the principal building and the front or corner side property line.
- c. Off-street parking and loading shall be provided in accordance with the regulations established in Section XI of this Ordinance.

8. Signs

All signs shall comply with the applicable provisions of the sign regulations of the Burr Ridge Municipal Code (such Sign Ordinance shall not be construed as being incorporated herein).

9. Building and Site Plan Review

- a. Due to the need to protect valued natural resources and the integrity and environment of the Village's residential neighborhoods, traffic congestion and safety conditions and the land-use character of key intersections, areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. Therefore, all petitions for rezoning to the B-1 or B-2 Districts, all requests for special use approval pursuant to Sections VIII.B.2 and VIII.C.2 herein, and all applications for building permits for the construction of new buildings, building additions, structures, parking lots, and fences within the B-1 or B-2 Districts, shall be subject to building and site plan review and approval. Any building, structure, and site development must comply strictly with the approved site plan, and any building or occupancy permit will not be issued, or will be revoked if already issued, if the development does not strictly comply with the approved site plan.
- b. The site plan shall indicate the locations of proposed and existing buildings and structures and any proposed new additions to the existing buildings and structures, properly arranged facilities, water detention and drainage facilities, landscaping, buffering to adjacent residential areas, and such other buffering or features as are necessary or appropriate to fit harmoniously with the character, use and zoning of adjoining and surrounding properties and to avoid any appreciable adverse effect upon such properties. Such site plan shall also include and/or be accompanied by the documents and information required under Section XIII of this Ordinance. The Plan Commission, in its discretion, may waive the requirement of submitting any or all such information in connection with applications for approval of site plans for uses in the Business Districts.
- c. Such building and site plan and any accompanying documents or information, shall be filed with the Community Development Director. The Community Development Director shall schedule the building and site plan for review by the Plan Commission and shall provide notice of the Plan Commission's scheduled review in compliance with established procedures



for notice of Plan Commission public hearings.

- d. The Community Development Director shall refer such building and site plan and documents to the Plan Commission and the Village Engineer, Village Forester, and Building Commissioner for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Engineer, Village Forester and Building Commissioner at the first meeting following receipt of a report of their findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed site plan, or approve it with modification, or shall refer the site plan back to the Plan Commission for reconsideration or modification. The Plan Commission's recommendation to approve and the Board's approval of building and site plans may be conditioned on future approval of revised landscaping plans or engineering, as may be needed due to required site plan modification.
- e. All exterior building facades in the Business Districts shall be of high quality materials that may include but are not limited to brick, natural stone, precast stone, architectural pre-cast panels, or glass. The use of plastic siding, vinyl siding, or aluminum siding and the use of engineered stucco systems, including but not limited to those commonly known as "Dryvit" or exterior insulation and finish systems (EIFS) are discouraged as exterior building façade materials for all buildings in the Business Districts. Traditional cement based stucco may be used as an exterior building material subject to the following restrictions:
 - 1. The majority of a building's façade should be brick, natural stone, pre-cast stone architectural pre-cast panels, or glass.
 - 2. The first 8 feet from the top of the building's foundation should be brick, natural stone, pre-cast stone, or architectural pre-cast panels with the intent of creating the appearance of a strong building foundation.
 - 3. Stucco shall be installed as per the manufacturer's specifications. (9e added by Ordinance A-834-01-12).

10. Landscaping and Buffering

- a. All required parking areas, yards or other required open spaces shall be appropriately landscaped in accordance with Section XI.C.11 and with landscaping plans submitted to and approved by the Village, and thereafter shall be maintained in such a manner as to retain the intended standards of the approved landscaping plan and to conform to the landscaping requirements of the Village. As part of Subsection VIII.A.9, Site Plan Review will include the review of proposed landscape design and improvements. The proposed landscaping plan shall be filed with the Community Development Director, who shall then refer it to the Plan Commission and the Village Forester for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Forester at the first meeting following receipt of said report and findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed plan, or approve it with modifications, or shall refer the plan back to the Plan Commission for reconsideration or modification.



- b. For any development of a property within a Business District which adjoins or is across the street from a Residential District, a fence or wall of architectural design approved by the Village and not less than five nor more than six feet in height, or a densely planted tree or shrub hedge, initially not less than five feet in height, shall be provided along the entire length of the property line which adjoins or is across the street from the Residential District. The proposed method of buffering shall be considered as part of the site plan review process herein set forth. The decision whether to require a wall, fence, trees, or shrub hedge shall be made by the Village based on site considerations. No occupancy permit shall be issued until the required screening has been completed in strict accordance with the approved plan.

11. Hours of Operation for Business Uses

- a. The hours of operation for all uses within the B-1 and B-2 Districts shall not exceed 7 A.M. to 10 P.M. except as otherwise allowed herein.
- b. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.
- c. The hours of operation for restaurants with liquor licenses shall be as follows and subject to the terms and conditions as follows:
 - 1) The closing time for restaurants with liquor licenses shall be 12:00 Midnight on Sundays, Mondays, Tuesdays, and Wednesdays; 1:00 AM on Thursdays (i.e. Friday at 1:00 AM); and 2:00 AM on Fridays and Saturdays (i.e. Saturday and Sunday at 2:00 AM). Except however, on December 31 of each year the permitted closing time shall be extended to 2:00 AM regardless of the day of the week (i.e. 2:00 AM on January 1).
 - 2) Restaurants with liquor licenses shall provide service of food prepared on-site up to a minimum of one hour before closing.
 - 3) Nothing herein shall supersede the requirements for such uses to obtain special use approval as required by Sections VIII.B.2 and VIII.C.2, herein.
(Amended by Ordinance A-834-03-12).



BURR RIDGE ZONING ORDINANCE

SECTION VIII.B B-1 BUSINESS DISTRICT

B. B-1 RETAIL BUSINESS DISTRICT

The B-1 District is intended to provide a location suitable to accommodate a combination of retail, service, and office uses in a commercial and business district.

1. Permitted Uses

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:

- a. Antique shops with less than 7000 square feet of floor area
- b. Art galleries
- c. Art and school supplies
- d. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- e. Barber shops
- f. Beauty and Health Services
- g. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- h. Book stores and stationery shops
- i. Camera and photographic supply stores
- j. Candy stores
- k. Card and gift shops
- l. Carpet and rug stores (retail only)
- m. China, glassware and household goods stores
- n. Clothing, clothing rental, and clothing accessory stores
- o. Coin and philatelic stores
- p. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales and with less than 7,000 square feet of floor area
- q. Craft, fabric, and sewing stores



- r. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- s. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- t. Florist shops
- u. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- v. Furniture stores with less than 7,000 square feet of floor area
- w. Furrier shops
- x. Hardware stores with less than 7,000 square feet of floor area
- y. Health and Athletic Club with less than 7,000 square feet of floor area (Amended by Ordinance A-834-25-15)
- z. Hobby shops (not including video game parlors or arcades)
- aa. Interior decorating shops
- bb. Jewelry stores, including watch repairs, design and production of custom jewelry
- cc. Leather goods and luggage stores
- dd. Locksmith shops
- ee. Music stores including sheet music, recorded music, and musical instrument sales and repair
- ff. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- gg. Paint and wallpaper stores with less than 7,000 square feet of floor area
- hh. Pharmacies and Drug Stores
- ii. Photography studios
- jj. Picture framing, when conducted for retail sales on the premises only
- kk. Post Offices accessory to a permitted or special use
- ll. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: live entertainment, dancing, or sales of alcoholic beverages
- mm. Studios for teaching of art, martial arts, music, dance, and gymnastics
- nn. Shoe sales and shoe repair stores with less than 7,000 square feet of floor area
- oo. Sporting goods stores with less than 7,000 square feet of floor area
- pp. Tailor and dressmaking shops
- qq. Toy stores with less than 7,000 square feet of floor area
- rr. Video rental stores



- ss. Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. Special Uses

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section XIII of this Ordinance, as appropriate:

- a. Antique shops with more than 7000 square feet of floor area
- b. Banks and Financial Institutions (Amended by Ordinance A-834-06-09)
- c. Banquet Halls
- d. Catering establishments
- e. Child care centers and nursery schools
- f. Clubs or Lodges, private, fraternal, or religious
- g. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales, with more than 7,000 square feet of floor area
- h. Convenience Food Stores
- i. Department Stores
- j. Drive through facilities accessory to a permitted or special use
- k. Dry cleaners with on-site equipment for dry cleaning
- l. Financial Services Offices (Amended by Ordinance A-834-06-09)
- m. Funeral parlors
- n. Furniture stores with more than 7,000 square feet of floor area
- o. Hardware stores with more than 7,000 square feet of floor area
- p. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 (Amended by Ordinance A-834-03-12).
- q. Household appliance and electronics stores including repair and service functions where incidental to retail sales
- r. Insurance Offices (Amended by Ordinance A-834-06-09)
- s. Laundromats
- t. Liquor stores (package goods sales only)
- u. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- v. Office Supply and Service Stores including copying and package delivery services, with more than 7000 square feet of floor area



- w. Orthopedic and Medical Appliance Stores
- x. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- y. Outside sales display accessory to a permitted or special use
- z. Paint and wallpaper stores with more than 7,000 square feet of floor area
- aa. Parking lots and structures where such uses are the principal use on a lot
- bb. Pet shops and pet service stores
- cc. Planned unit developments
- dd. Post offices, Federal Government
- ee. Real Estate Offices (Amended by Ordinance A-834-06-09)
- ff. Restaurants in single tenant buildings or with any one of the following: live entertainment, dancing, or sales of alcoholic beverages (Amended by Ordinance A-834-6-99).
- gg. Shoe sales and shoe repair stores with more than 7,000 square feet of floor area
- hh. Shopping centers (containing stores listed as permitted or special uses in this B-1 District) with less than 100,000 square feet of floor area
- ii. Sporting goods stores with more than 7,000 square feet of floor area
- jj. Theaters, performing arts, indoor only
- kk. Toy stores with more than 7,000 square feet of floor area
- ll. Travel Agencies (Amended by Ordinance A-834-06-09)
- mm. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11).
- nn. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site (Amended by Ordinance A-834-01-11)

3. **Lot Size Requirements:**

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	10,000 square feet	80 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	10,000 square feet	80 feet



(2) Convents, monasteries, and theological schools	10 Acres	500 feet
(3) Child care centers and nursery schools	As approved by the Village	
(4) Funeral Parlors	30,000 square feet	150 feet
(5) Parking lots or Structures (as principal use)	10,000 square feet	100 feet
(6) Planned Unit Developments	6 acres	350 feet
(7) Post Offices	10,000 square feet	150 feet
(8) Shopping Centers	3 acres	250 feet

4. Floor Area Ratio:

Not to exceed 0.40.

5. Building Height:

Not to exceed two and one-half stories or 35 feet, whichever is less.

6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided, it must be at least 20 feet in width.
- d. Rear yard: 40 feet
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.



VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission
Greg Trzupek, Chairman

FROM: Evan Walter
Assistant to the Village Administrator

DATE: July 26, 2017

RE: Board Report for August 7, 2017 Plan Commission Meeting

At its July 24, 2017 meeting the following actions were taken by the Board of Trustees relative to matters forwarded from the Plan Commission.

S-01-2017: 16W115 83rd Street (RCM Data); The Board of Trustees concurred with the Plan Commission and approved an Ordinance granting a conditional sign.

Z-05-2017: Rear Yard Lot Coverage and Permeable Pavers; The Board of Trustees concurred with the Plan Commission and made no changes to the Zoning Ordinance. The Stormwater Committee will meet on August 8, 2017, to discuss potential incentives for encouraging the use of permeable paver systems in permitted areas and forward their recommendation to the Board.



VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission
Greg Trzupek, Chairman

FROM: Evan Walter, Assistant to the Village Administrator

DATE: August 3, 2017

RE: S-03-2017: Sign Ordinance Amendment; Non-Commercial Sign Regulation

The purpose of this discussion is to inform the Plan Commission of the details of the Supreme Court case *Reed v. Town of Gilbert* (2015; henceforth: *Reed*) and how the ruling affects the Burr Ridge Sign Ordinance.

The *Reed* ruling made content-based regulation of non-commercial signs unconstitutional. A non-commercial sign is one expressing a viewpoint or perspective that is not intended to be commercial in nature, such as one's political or religious beliefs.

Before *Reed*, the village could regulate non-commercial signs without violating the First Amendment so long as restrictions were viewpoint-neutral. For example, distinctions for signs could be content-based, (e.g. a political campaign sign) but not based upon disagreement with the message (e.g. a ban on signs supporting the Democratic Party"). In *Reed*, the defendant, the Town of Gilbert, Arizona, regulated types of non-commercial signs differently based on the content of the sign, including permitting different sizes and times that they could be posted. The *Reed* ruling no longer permits this type of regulation on non-commercial signs. The village is still permitted to regulate commercial signs based on their content.



Example of a non-commercial sign

An analysis of the Burr Ridge Sign Ordinance by staff and the village attorney revealed that section 55.09.C, dealing with political campaign signs is the only section that is fully non-compliant with *Reed*. The Sign Ordinance specifically defines "political campaign signs" as a sign category and creates a unique regulation for political campaign signs based on the content of the sign; because of this regulation, Section 55.09.C is unconstitutional. Section 55.09.C states that:

“Political Campaign Signs: Political campaign signs, as defined herein, not exceeding sixteen (16) square feet in area for each lot. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property and shall be removed within seven (7) days after the date of the election.”

According to a concurring opinion authored by Justice Samuel Alito, the Village is permitted to regulate signs based on factors such as time, place, manner, and size while maintaining a content-neutral regulatory structure. For example, the Sign Ordinance has a ban on all signs in the right-of-way on weekdays; this type of regulation is permitted because it is both content- and viewpoint-neutral. Furthermore, the village is not permitted to regulate signs if the regulation can't be enforced without reference to the event it is related to. If the Sign Ordinance permitted temporary signs in residential zoning districts as long as they were removed within seven days after an election, this would be an unconstitutional regulation as it is referencing the event that the sign is referring. Staff recommends amending Section 55.09.C to the language below:

“Non-Commercial Signs: Non-commercial signs, as defined herein, not exceeding sixteen (16) square feet in area for each sign. Not more than one (1) such sign, with an identical message to another, shall be permitted. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property. Signs shall be removed within thirty (30) days after the conclusion of the event to which they pertain, if any, except as otherwise authorized or required by state and federal law. In no case may a temporary non-commercial sign be displayed for longer than one (1) year, except as otherwise authorized by state or federal law. Temporary non-commercial signs that do not meet the temporal requirements of this subsection shall require a permit.”

Staff also recommends adding a severability clause as well as a message substitution clause to Section 55.01 of the Sign Ordinance to protect the Sign Ordinance from litigation. A severability clause provides that if any specific language or provision in the code is found to be unconstitutional, it is the intent of the city council that the rest of the code remain valid. An example of a severability clause is as follows:

“If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this code is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.”

A substitution clause allows a non-commercial message to be displayed on any sign. While *Reed* did not discuss the commercial/non-commercial distinction, prior U.S. Supreme Court cases established that commercial speech should not be favored over non-commercial speech. A substitution clause thus can safeguard you against liability that could result from mistakenly doing just that by prohibiting the display of a non-commercial message or citing it as a code violation. An example of a message substitution clause is as follows:

“A non-commercial message may be substituted for any commercial message displayed on a sign, or the content of any non-commercial message displayed on a sign may be changed to a different noncommercial message, without the need for any approval, provided that the size of the sign is not altered.”

Other minor changes are recommended to improve the effectiveness and increase clarity of the Sign Ordinance to comply with *Reed*; however, there are no other elements of the Sign Ordinance that are unconstitutional on its face after the *Reed* ruling. Full proposed changes to the Sign Ordinance are attached. Staff will continue to monitor case law for further decisions.

Finally, there is typographical correction in Section 55.03 relative to the calculation of sign area for a wall sign. The graphic incorrectly defined the calculation and a replacement graphic has been added.

BURR RIDGE VILLAGE CODE

CHAPTER 55

SIGNS

Re-adopted by Ordinance 923

Article I. Purpose and Scope

- Sec. 55.01. Purpose
- Sec. 55.02. Definitions

Article II. Standards by Zoning District

- Sec. 55.03. General Provisions
- Sec. 55.04. Residence District Signs
- Sec. 55.05. Transitional Districts Signs
- Sec. 55.06. Business District Signs
- Sec. 55.07. Manufacturing District Signs
- Sec. 55.08. Office District Signs

Article III. Temporary, Exempt and Prohibited Signs

- Sec. 55.09. Temporary Signs
- Sec. 55.10. Exempt Signs
- Sec. 55.11. Prohibited Signs

Article IV. Permits

- Sec. 55.12. Permits Required
- Sec. 55.13. Application for Permit
- Sec. 55.14. Permit Fees
- Sec. 55.15. Issuance of Permits
- Sec. 55.16. Term of Permits
- Sec. 55.17. Revocation of Permits

Article V. Construction and Maintenance

- Sec. 55.18. Building Code
- Sec. 55.19. Electrical Code
- Sec. 55.20. Painting and/or Maintenance
- Sec. 55.21. Wind Pressure and Dead Load Requirements
- Sec. 55.22. Sign Labeling

Article VI. Unsafe or Unlawful Signs

- Sec. 55.23. Removal of Unsafe or Unlawful Signs
- Sec. 55.24. Immediate Peril - Removal Without Notice
- Sec. 55.25. Sign No Longer Advertising Bona Fide Business - Removal

Article VII. General Provisions

- Sec. 55.26. Interference with Traffic Devices
- Sec. 55.27. Illinois Highway Advertising Control Act
- Sec. 55.28. Obstruction to Doors, Windows or Fire Escapes
- Sec. 55.29. Location - General
- Sec. 55.30. Ground Signs

Article VIII. Illumination Standards

- Sec. 55.31. Internally Illuminated Signs
- Sec. 55.32. Externally Illuminated Signs
- Sec. 55.33. Sign Colors

Article IX. Non-Conforming Signs and Uses

- Sec. 55.34. Signs in Compliance with Previous Regulations
- Sec. 55.35. Removal of Prohibited Signs
- Sec. 55.36. Signs Erected Without Permits
- Sec. 55.37. Alteration or Relocation of Non-Conforming Signs
- Sec. 55.38. Non-Conforming Uses

Article X. Variations

- Sec. 55.39. Variations
- Sec. 55.40. Variation Fee

Article XI. Conditional Signs

- Sec. 55.41. Conditional Sign Approvals
- Sec. 55.42. Conditional Sign Fee

Article I. Purpose and Scope

Sec. 55.01.

Purpose

The sign regulations set forth in this Chapter are made in accordance with an overall plan and program for the public safety, area development, preservation of property values, and the general welfare of the Village of Burr Ridge. The intent is to safeguard the general welfare of the property owner, to maintain the beauty and country atmosphere of the community while balancing this with the

- A. That a multiplicity of signs is distracting to motorists and a hazard to vehicular and pedestrian traffic.
- B. That a proliferation of off-premises commercial signs obscures the legitimate effort of local business establishments to reasonably identify the location and nature of their businesses.
- C. That it is a legitimate public purpose to limit signs in the Village to those reasonably necessary to identify local businesses. Such limitations are established so as to:
 - 1. Limit distraction to motorists and reduce the danger to other motorists and pedestrians.
 - 2. To preserve the beauty of the landscape and residential and commercial architecture, one of the prime assets of the Village of Burr Ridge.
- D. That signs should be:
 - 1. Compatible with their surroundings.
 - 2. Appropriate to the type of activity to which they pertain.
 - 3. Legible in the circumstance in which they are seen.

E. Severability Clause

- 1. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this code is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

E.F. Message Substitution Clause

- 1. A non-commercial message may be substituted for any commercial message displayed on a sign, or the content of any non-commercial message displayed on a sign may be changed to a different noncommercial message, without the need for any approval, provided that the size of the sign is not altered.

Sec. 55.02.

Definitions

In the construction of this code, the definitions contained in this section shall be observed and applied, except when the context herein clearly indicates otherwise.

- A. **Address Sign:** A sign that identifies the numerical and street address of a property or building and does not contain text identifying the occupant of a property (other than the occupant of a single-family residence), the use of the property or any other such advertisement.

- B. **Attention-getting-device:** Any pennant, flag, valance, banner, propeller, spinner, streamer, search light, balloon and similar device or ornamentation designed for purposes of promotion or advertising or attracting attention.
- C. **Attraction Panels with changeable letters:** Panels on which individual letters may be temporarily affixed in order to advertise tenants, special sales, products, or other facts non-essential to the identity of the basic business conducted on the premises.
- D. **Awning:** An awning shall include any flexible structure, typically made from a canvas material, attached to a building and intended to provide shelter over a walkway or building entrance.
- E. **Back-Lit Sign:** An externally illuminated sign made of individual, opaque characters that is illuminated by lighting located behind each individual character and wherein the light is not visible except as a silhouette or halo around each individual character.
- F. **Blade Sign:** A sign attached perpendicular to the front façade of a store for the primary purpose of identifying the storefront from an adjacent sidewalk. (A-923-06-14)
- G. **Billboard:** A single or double-faced ground sign including changeable copy signs, used for the display of commercial information not associated with the conduct of a business or enterprise located on the same premises of such sign. Also referred to as an off-premise advertising sign.
- H. **Building Frontage:** The distance between side building lines (building width) measured at the front building line.
- I. **Canopy:** see Awning.
- J. **Construction Sign:** A sign that identifies the architects, engineers, contractors, and other individuals and firms involved with the construction of a building and announcing the character of the building enterprise or the purpose for which the building is intended. Construction signs may include the name of future occupants but may not advertise specific products or services to be provided.
- K. **Development Sign:** A temporary sign that identifies the name of a subdivision, multi-family building, or non-residential building, the address and telephone number of the owner or agent, and the number, size, type, and price of lots and/or units.
- L. **Externally Illuminated Sign:** A sign illuminated by a source of light which is cast upon or falls upon the surface of the sign to illuminate by reflection only.
- M. **Flag:** A sign bearing any non-commercial emblem, design or insignia, including but not limited to countries, states, cities, or other civic institution, or other ideological perspective.
- N. **Flashing Sign:** Any illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.
- O. **Gasoline Pricing Sign:** A sign that identifies the type and price of gasoline for sale on the premises of a legally established gasoline sales station.
- P. **Ground Sign:** A sign completely or principally self-supported by posts or other supports independent of any building or other structure, anchored in or upon the ground and indicating only the business name and address, the major enterprise of each tenant or the building name or a combination of these.
- Q. **Internally Illuminated Sign:** A sign, all or any part of the letter or design of which is made of incandescent, neon or other types of lamps; or a sign with painted, flush or raised letters lighted by an electric lamp or lamps attached thereto; or a sign having a border of incandescent or fluorescent lamps thereto attached and reflecting light thereon; or a transparent glass sign whether lighted by electricity or other illuminant.
- Q.R. **Non-Commercial Sign:** A sign that displays any form of speech that is non-commercial in nature and intends to share an ideological viewpoint, perspective, or other non-commercial belief.

R.S. Parcel Frontage: The distance between side lot lines (lot width) measured at the front lot line or along the set back line, whichever is less.

S.T. Pennant: A long, narrow, relatively small flag, often triangular, used for signaling or identification.

Political Campaign Sign: A sign announcing candidates seeking public political office and other data pertinent thereto.

T.U. Portable Sign: Any sign that is not permanently affixed to a building, structure or the ground; a sign designed to be moved from place to place. These signs include, but are not limited to, signs attached to wood or metal frames designed to be self-supporting and moveable; paper, cardboard or canvas signs wrapped around supporting poles. Also included are those signs commonly trailer mounted, which are designed to be moved from place to place.

U.V. Portable Sidewalk Sign: A sign made of a rigid material (i.e. not a banner, placard or pennant), not attached to the ground or a building, and easily carried and moved by one person. (A-923-04-12)

V.W. Posterboard: Same as Billboard.

W.X. Projecting Sign: A sign supported by a building or other structure and which projects over any street, sidewalk, alley or other public way or public easement, or which projects more than twelve inches from the face of any building, structure, or supporting wall.

X.Y. Real Estate Sign: A sign advertising the sale, rental or lease of all or a part of the premises on which the sign is located.

Y.Z. Roof Sign: A sign erected, constructed upon, supported, extending above, or maintained in whole or in part upon, above, or over the roof of a building or structure.

Z.AA. Shopping Center: A single parcel or building or multiple parcels and buildings developed and used primarily for retail businesses that share access, parking and other common features.

AA.BB. Sign: The term "Sign" shall mean and include every sign, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee, awning, canopy, and street clock, and shall include any announcement, declaration, demonstration, display, illustration, insignia, or logo used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public.

BB.CC. Streamer: A long, narrow flag, banner or pennant.

CC.DD. Subdivision Entryway Sign: A permanent ground or wall sign or other approved entryway feature located at the principal roadway entrance or entrances to a particular subdivision indicating only the name of such subdivision and identifying the subdivision as being within the Village of Burr Ridge. Such signs serve identification, directional, and emergency vehicle information purposes.

DD.EE. Temporary Sign: Any sign constructed in accordance with the provisions of this Ordinance for a period not to exceed thirty (30) days, or as otherwise defined and permitted in Sec. 55.09 hereof.

EE.FF. Traffic Directional Sign: A sign that identifies and provides direction for the circulation of traffic on or through private property.

FF.GG. Wall Sign: A sign mounted or attached to the outside surface of a wall (including a solid fence) or building in a plane parallel to that of the supporting wall and indicating only the business name and address, the major enterprises of each tenant or the building name or a combination of these.

GG.HH. Window Sign: A sign painted on, attached or affixed to or placed against any window, or hung within 4 feet behind the window, which is displayed for the purpose of attracting the attention of the passerby to a sale, or to promotional items, or to other products or services or any similar lighted sign hung beyond 4 feet from the window but visible through the window. (Amended by A-923-03-06)

Article II. Standards by Zoning District

Sec. 55.03.

General Provisions

A. Sign Regulations by Zoning District

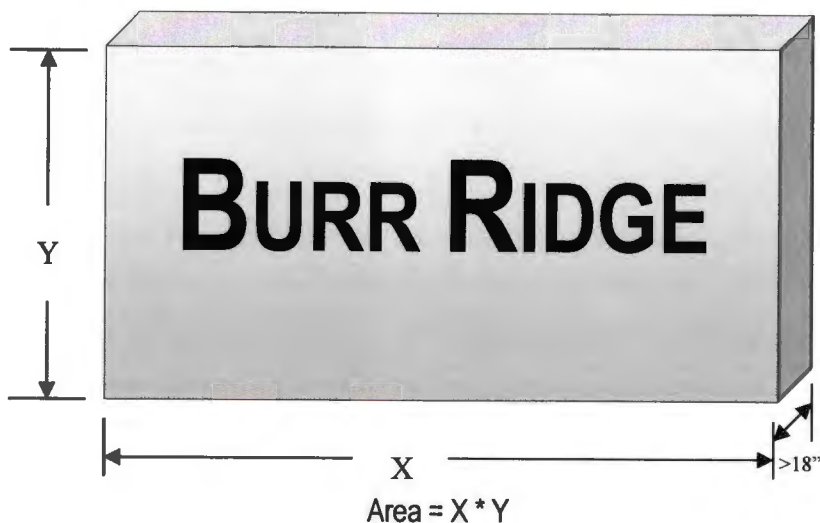
The following sign standards by zoning district are intended to include every district in the Village of Burr Ridge. The Zoning Ordinance and official zoning map define the districts referred to herein. Only signs as described herein and as regulated by this Chapter or as may be permitted by Section 55.09 - Temporary Signs and Section 55.10 – Exempt Signs will be permitted in each particular district.

If any district is omitted from this Chapter, or if a new district is created after the enactment of this code, no signs shall be permitted therein until this Chapter shall have been amended to include provisions relating to such district.

B. Measurement of Sign Area: All signs shall be measured as per the following guidelines.

1. **Area of Ground Signs and Box Signs:** Ground signs and wall signs that are contained in a box or other uni-body structure shall be measured by multiplying the horizontal dimension by the vertical dimension. Only one plane of a two-sided ground sign shall be measured for purposes of determining the area of the sign unless the distance between the two sides exceeds 18 inches. Under no circumstances may the third plane (the edge of the sign) contain sign text or characters without all faces of the sign being counted toward the total sign area. In the case of a V-shaped sign structure or a sign structure wherein the two planes are more than 18 inches apart, both planes of the sign structure are included in the sign area.

Example 55.03.B.1: Area of Ground Sign



5. The maximum allowed area is 6 square feet.
6. The maximum allowed depth of the sign panel shall be 6"
7. Blade signs shall not be illuminated.

Sec. 55.07.

Manufacturing District Signs

This section shall apply to all districts designated by the Zoning Ordinance as Manufacturing Districts. Manufacturing Districts include the RA, LI, and GI Districts.

- A. **Permitted Signs:** The following signs shall be permitted in all Manufacturing Districts. Unless specifically stated otherwise, a sign permit is required for all Permitted Signs in Manufacturing Districts.
1. **Wall Sign:** In lieu of a permitted ground sign, one wall sign shall be permitted for each street frontage of a lot or parcel provided all such signs conform to the following standards:
 - a. **Area:** For a building containing less than 100,000 square feet, the gross, combined surface area in square feet of all wall and ground signs shall not exceed 100 square feet. For buildings in excess of 100,000 square feet, the gross surface area in square feet of all wall and ground signs shall be computed on the basis of one square foot of sign area for each 1,000 square feet of gross floor area with a maximum sign area not to exceed 250 square feet. (A-923-01-11)
 - b. **Area – Properties Adjacent to I-55:** For Manufacturing District properties that are contiguous to the I-55 right-of-way including those properties contiguous to North Frontage Road and South Frontage Road, the following sign are limitations shall apply: (A-923-01-11)
 - i. For a building containing less than 50,000 square feet, the gross, combined surface area of all wall and ground signs shall not exceed 100 square feet.
 - ii. For buildings in excess of 50,000 square feet and with a minimum lot frontage of 150 feet, the maximum combined area of all wall and ground signs shall be 100 square feet plus one square foot for each 1,000 square feet of gross floor area above 50,000 square feet with a maximum sign area not to exceed 250 square feet.
 2. **Ground Sign(s):** If a lot or parcel has a width of not less than one hundred feet (100'), then such lot or parcel shall be permitted one ground sign in lieu of a permitted wall sign. Such permitted ground sign shall be subject to the following standards:
 - a. **Height:** The total height of any ground sign measured to the top of the sign shall not exceed eight feet (8') above the level of the street upon which said sign faces, or above the level of the ground at the base of the sign if such ground level is above street level.
 - b. **Additional Height and Setback:** An additional one foot (1') in height above the eight foot (8') height limitation, to a maximum of twelve feet

2. Ground Sign(s): One sign may be allowed for each multi-family residential or non-residential lot or parcel provided it does not exceed 16 square feet in area, is located 10 feet from all lot lines and does not exceed 8 feet in height.
3. Wall Sign(s): One sign may be allowed for each multi-family residential or non-residential lot or parcel provided it does not exceed 16 square feet in area
4. Temporary Signs; Any deviation from the standards for permitted temporary signs as found in Section 55.09 herein may be subject to the procedures and standards for Conditional Signs. (added by A-923-01-11)

Sec. 55.05

Transitional District Signs

This section shall apply to all districts designated by the Zoning Ordinance as Transitional Districts. Transitional Districts include the T-1 and T-2 Districts.

- A. **Permitted Signs:** The following signs are permitted in all Transitional Districts. Unless specifically stated otherwise, a sign permit is not required for Permitted Signs in a Transitional District.
 1. Temporary Signs as per Section 55.09, herein.
 2. Exempt Signs as per Section 55.10, herein.
- B. **Conditional Signs:** The following signs are subject to the approval of the Board of Trustees upon review by the Plan Commission. Unless specifically stated otherwise, a sign permit is required prior to erection of a Conditional Sign in a Transitional District.
 1. Subdivision Entryway Sign(s): A maximum of one sign per entryway may be allowed provided each sign shall not exceed 50 square feet in area and four feet in height. The text of all subdivision entryway signs shall include the words "Burr Ridge" as for example, "Oak Subdivision of Burr Ridge". The lettering for "Burr Ridge" may be in smaller font but must be legible. (amended by A-923-08-02)
 2. Ground Sign(s): One sign may be allowed for each multi-family residential or non-residential lot or parcel provided it does not exceed 50 square feet in area, is located 10 feet from all lot lines and does not exceed 8 feet in height. (A-923-01-11)
 3. Wall Sign(s): One sign may be allowed for each multi-family residential or non-residential lot or parcel provided it does not exceed 16 square feet in area.
 4. Temporary Signs: Any deviation from the standards for permitted temporary signs as found in Section 55.09 herein may be subject to the procedures and standards for Conditional Signs. (A-923-01-11)

Sec. 55.06.

Business District Signs

This section shall apply to all districts designated by the Zoning Ordinance as a Business District. Business Districts include the B-1 and B-2 Districts.

- A. **Permitted Signs:** The following signs are permitted in all business districts. Unless specifically stated otherwise, permitted signs require issuance of a sign permit prior to construction.

1. Ground Sign: One ground sign shall be permitted for each lot or parcel provided the lot or parcel has at least 100 feet of frontage on a public street, that the height of such sign does not exceed 8 feet, that the sign is located a minimum of 10 feet from all property lines, and that the combined area of all ground signs and wall signs shall not exceed 100 square feet.
2. Wall Sign: One wall sign per street frontage shall be permitted for each lot or parcel provided that the combined area of all wall signs and ground signs shall not exceed 100 square feet. Permitted wall signs shall be mounted no higher than the height of the building wall or twenty feet (20') whichever is lower, and no lower than five feet (5') above average surrounding grade.
3. Where the building frontage is on more than one street, the area of the signs facing each street shall be computed on the basis of the building frontage for the street they face, as provided above, but in no case shall the total sign area exceed the maximum provided above.
4. Gasoline pricing signs shall be permitted for gasoline sales stations subject to the following regulations:
 - a. Gasoline pricing signs shall not be independently free-standing, but must be permanently attached below a pre-existing free-standing sign, to a gasoline pump island canopy support or, to a building;
 - b. A maximum of four (4) sign faces, with a total area not to exceed forty (40) square feet, shall be permitted, provided that no single sign face shall exceed twenty (20) square feet in area;
 - c. Such signs shall in no case exceed a height, to the top of the sign, of eight feet (8') above ground level.
5. Window signs shall be permitted subject to the standards listed below. Window signs do not require a sign permit.
 - a. The sum total of all window signs shall not exceed 40 percent of the total area of the windows in which they are located.
 - b. Window signs shall not have any moving parts.
 - c. A series of windows that are separated by frames and supporting material of less than six inches in width shall be considered as a single window for the purpose of computation.
 - d. Window signs may include the use of neon lighting. Neon window signs shall not exceed 16 square feet or 30 percent of the area of a window whichever is less and shall be counted toward the total area permitted for window signs. Calculation of the area of neon window signs, for purposes of compliance with the maximum 40 percent area as permitted herein, shall be based on the perimeter dimensions of said neon lighting.
6. Temporary Signs as per Section 55.09, herein.
7. Exempt Signs as per Section 55.10, herein.

B. **Conditional Signs:** The following signs are subject to the approval of the Board of Trustees upon review by the Plan Commission. Unless specifically stated otherwise, conditional signs require issuance of a sign permit prior to construction.

1. Shopping Center Wall Signs: One sign per tenant space within a shopping center may be allowed subject to the following:
 - a. A comprehensive package of standards for wall signs shall be provided that includes consistent materials, colors, lighting, and placement for all wall signs within a shopping center. Upon approval of the comprehensive sign package, all subsequent signs that comply with the approved standards shall be considered permitted signs.
 - b. Each wall sign shall not exceed one square foot for each lineal foot of the storefront or tenant space width with a minimum area allowed of 25 square feet and a maximum area allowed of 50 square feet with the exception that allowable sign area for one to three designated anchor tenants may be increased by transferring sign area to the anchor tenant(s) from other tenants.
2. Shopping Center Ground Sign: One shopping center ground sign may be allowed subject to the following:
 - a. Shopping center ground signs shall be consistent in design, materials, and colors with the wall signs.
 - b. Shopping center ground signs shall be a maximum area of 100 square feet in area (to be calculated independent of the size of wall signs).
 - c. Shopping center ground signs shall not exceed a maximum height of 8 feet except as allowed by paragraph e below.
 - d. Shopping center ground signs shall be setback a minimum of 10 feet from all property lines except as required by paragraph e below;
 - e. The height of shopping center ground signs may be increased up to 12 feet provided that the sign is setback an additional 3 feet for each 1 foot increase in height. For example, a 9 foot high sign would require a 13 foot setback from all property lines, a 10 foot high sign would require a 16 foot setback.
3. Light Pole Banners: Banners affixed to light poles and announcing a federal, state or local holiday, a business anniversary, or a similar event but not advertising any specific products or services offered, may be allowed for a limited time not to exceed 90 days in any one calendar year. Light pole banners do not require issuance of a sign permit.
4. Subdivision Entryway Sign(s): A maximum of one sign per entryway may be allowed provided each sign shall not exceed 50 square feet in area and four feet in height. The text of all subdivision entryway signs shall include the words "Burr Ridge" as for example, "Oak Subdivision of Burr Ridge". The lettering for "Burr Ridge" may be in smaller font but must be legible. A subdivision entryway sign shall not be allowed in conjunction with a shopping center sign. (A-923-08-02)

5. Signs with more than Three Colors: Signs otherwise prohibited by Section 55.11.Q herein may be allowed.
6. Wall Signs mounted more than 20 feet above grade: Wall signs that do not exceed the height of the building wall but mounted more than 20 feet above the surrounding grade and meeting all other standards herein, may be allowed. (A-923-01-06)
7. Temporary Signs: Any deviation from the standards for permitted temporary signs as found in Section 55.09 herein may be subject to the procedures and standards for Conditional Signs. (A-923-01-11)
8. Portable Sidewalk Signs: (section added by A-923-04-12)
 - a. The sign structure shall not exceed 4 feet in height and 9 square feet in area.
 - b. The sign copy shall not exceed 4.5 square feet in area.
 - c. One sign per storefront is permitted. Additional signs may be used for shopping center event signs provided the total number of signs in a shopping center does not exceed one per storefront
 - d. Storefront signs shall only be displayed during business hours and shall be removed at any time the business is not open.
 - e. The sign shall not interfere with any pedestrian area or block necessary sight lines for pedestrians or vehicles. Under no circumstances shall a sign cause the sidewalk to be less than 4 feet in usable width.
 - f. Sign shall be of sufficient weight or design to prevent its movement in the wind.
 - g. Changeable copy on the sign shall be permitted provided the sign is designed to accommodate changeable copy (for example, chalk board signs). Changeable copy signs using individual plastic letters are generally discouraged.
 - h. The sign structure shall be metal or wood. Plastic A-frame signs are not permitted.
9. Blade Sign: One blade sign may be allowed per tenant storefront in a shopping center. A blade sign does not require a permit but must comply with the following: (added by A-923-06-14)
 1. One blade sign may be allowed for each tenant storefront.
 2. Formed plastic, injection molded plastic, and internally illuminated panels are prohibited.
 3. A minimum clearance of 7'-8" is required between the sidewalk and the bottom of the sign.
 4. The maximum allowed horizontal projection is 3'-3" from the storefront.

5. The maximum allowed area is 6 square feet.
6. The maximum allowed depth of the sign panel shall be 6"
7. Blade signs shall not be illuminated.

Sec. 55.07.

Manufacturing District Signs

This section shall apply to all districts designated by the Zoning Ordinance as Manufacturing Districts. Manufacturing Districts include the RA, LI, and GI Districts.

- A. **Permitted Signs:** The following signs shall be permitted in all Manufacturing Districts. Unless specifically stated otherwise, a sign permit is required for all Permitted Signs in Manufacturing Districts.
1. **Wall Sign:** In lieu of a permitted ground sign, one wall sign shall be permitted for each street frontage of a lot or parcel provided all such signs conform to the following standards:
 - a. **Area:** For a building containing less than 100,000 square feet, the gross, combined surface area in square feet of all wall and ground signs shall not exceed 100 square feet. For buildings in excess of 100,000 square feet, the gross surface area in square feet of all wall and ground signs shall be computed on the basis of one square foot of sign area for each 1,000 square feet of gross floor area with a maximum sign area not to exceed 250 square feet. (A-923-01-11)
 - b. **Area – Properties Adjacent to I-55:** For Manufacturing District properties that are contiguous to the I-55 right-of-way including those properties contiguous to North Frontage Road and South Frontage Road, the following sign are limitations shall apply: (A-923-01-11)
 - i. For a building containing less than 50,000 square feet, the gross, combined surface area of all wall and ground signs shall not exceed 100 square feet.
 - ii. For buildings in excess of 50,000 square feet and with a minimum lot frontage of 150 feet, the maximum combined area of all wall and ground signs shall be 100 square feet plus one square foot for each 1,000 square feet of gross floor area above 50,000 square feet with a maximum sign area not to exceed 250 square feet.
 2. **Ground Sign(s):** If a lot or parcel has a width of not less than one hundred feet (100'), then such lot or parcel shall be permitted one ground sign in lieu of a permitted wall sign. Such permitted ground sign shall be subject to the following standards:
 - a. **Height:** The total height of any ground sign measured to the top of the sign shall not exceed eight feet (8') above the level of the street upon which said sign faces, or above the level of the ground at the base of the sign if such ground level is above street level.
 - b. **Additional Height and Setback:** An additional one foot (1') in height above the eight foot (8') height limitation, to a maximum of twelve feet

(12') measured to the top of the sign, shall be permitted for every three feet (3') it is set back beyond the minimum ten foot (10') setback.

- c. Maximum Area: The combined area of all ground and wall signs shall comply with Section 55.07.A.1.a, above. However, the maximum surface area permitted shall be reduced by seven and one-half (7 1/2) square feet per each foot of sign height that any ground sign is constructed in excess of eight feet (8') in height and under any circumstances, the maximum area of a ground sign shall not exceed 100 square feet. (A-923-01-11)
 - d. A parcel having multiple street frontages may have a combination of wall and ground signs provided such signs do not exceed one ground sign and one ground or wall sign per street frontage. For example, a corner lot may have two wall signs or one wall sign and one ground sign but may not have two ground signs and may not have more than one sign oriented toward each street frontage.
- 3. Temporary Signs as per Section 55.09, herein.
 - 4. Exempt Signs as per Section 55.10, herein.
- B. **Conditional Signs:** The following signs are subject to the approval of the Board of Trustees upon review by the Plan Commission. Unless specifically stated otherwise,
- 1. Subdivision Entryway Signs: One sign per entryway may be allowed provided that each entryway sign shall not exceed 50 square feet. Entryway signs shall be located at the principal roadway entrance or entrances to a particular subdivision. Such signs shall be at such locations specifically approved by the Board of Trustees, and the design of which, including landscaping, shall be as specifically approved by the Board of Trustees. Such signs shall not exceed eight feet (8') in height. The text of all subdivision entryway signs shall include the words "Burr Ridge" as for example, "Oak Subdivision of Burr Ridge". The lettering for "Burr Ridge" may be in smaller font but must be legible. (Amended by A-923-08-02)
 - 2. Signs with more than Three Colors: Signs otherwise prohibited by Section 55.11.Q herein, may be allowed.
 - 3. Temporary signs: Any deviation from the standards for permitted temporary signs as found in Section 55.09 herein may be subject to the procedures and standards for Conditional Signs. (A-923-01-11)

Sec. 55.08.

Office District Signs

This section shall apply to all districts designated by the Zoning Ordinance as Office Districts. Office Districts include the O-1 and O-2 Districts.

- A. **Permitted Signs:** The following signs shall be permitted in all Office Districts. Unless specifically stated otherwise, a sign permit is required for all Permitted Signs in Office Districts.
- 1. Wall Sign: In lieu of a permitted ground sign, one wall sign shall be permitted for each street frontage of a parcel subject to the following standards:
 - a. Area: For a building containing less than 100,000 square feet, the gross, combined surface area of all wall and ground signs shall not

b. Area – Properties Adjacent to I-55: For Office District properties that are contiguous to the I-55 right-of-way including those properties contiguous to North Frontage Road and South Frontage Road, the following sign are limitations shall apply: (A-923-01-11)

2. Ground Sign(s): If a lot or parcel has a width of not less than one hundred feet (100'), then such lot or parcel shall be permitted one ground sign in lieu of a permitted wall sign, subject to the following standards:

3. Temporary Signs as per Section 55.09, herein.

- 55-2-9

B. **Conditional Signs;** The following signs are subject to the approval of the Board of Trustees upon review by the Plan Commission. Unless specifically stated otherwise,

- 1 Wall and Ground Signs exceeding the maximum area permitted but not exceeding a combined area of 250 square feet may be allowed. Wall and Ground Signs for Hotels, as permitted by Section IX.D.2(d) of the Village of Burr Ridge Zoning Ordinance, exceeding the maximum area permitted but not exceeding a combined area of 300 square feet may be allowed. Consideration of conditional approval for additional sign area shall be based on a positive relationship between the proposed sign area and the size of the property and the size of the building on which the sign(s) are located. (A-923-02-04)
2. Wall and Ground Signs exceeding the maximum number of signs allowed by one. For example, a corner lot seeking approval for one ground sign and two wall signs or an interior lot seeking approval of two signs. Consideration of conditional approval for an additional sign shall be based on a positive relationship between the proposed sign area and the size of the property and building on which the sign(s) are located.
3. Light Pole Banners: Banners affixed to light poles and announcing a federal, state or local holiday, a business anniversary, or a similar event but not advertising any specific products or services offered, may be allowed for a limited time not to exceed 90 days in any one calendar year.
4. Subdivision Entryway Signs: One sign per entryway may be allowed provided that each entryway sign shall not exceed 50 square feet. Entryway signs shall be located at the principal roadway entrance or entrances to a particular subdivision. Such signs shall be at such locations specifically approved by the Board of Trustees, and the design of which, including landscaping, shall be as specifically approved by the Board of Trustees. Such signs shall not exceed eight feet (8') in height. The text of all subdivision entryway signs shall include the words "Burr Ridge" as for example, "Oak Subdivision of Burr Ridge". The lettering for "Burr Ridge" may be in smaller font but must be legible. (Amended by A-923-08-02)
5. Signs with more than Three Colors: Signs otherwise prohibited by Section 55.11.Q herein, may be allowed.
6. Temporary Signs: Any deviation from the standards for permitted temporary signs as found in Section 55.09 herein may be subject to the procedures and standards for Conditional Signs. (A-923-01-11)

Article III. Temporary, Exempt and Prohibited Signs

Sec. 55.09.

Temporary Signs

The following signs shall be permitted anywhere within the Village and shall not require a permit. Temporary signs may only be erected on private property by or with the express consent of the property owner.

- A. **Construction Work or Activity Signs:** Not more than two (2) ~~construction signs~~ regarding construction work or activity on the property with a total combined surface area not to exceed thirty-two (32) square feet and a maximum height, to the top of each sign, of eight (8) feet. Not more than one (1) such sign, with an identical message to another, shall be permitted. The signs shall be confined to the site of construction, may be erected after a complete building permit application is submitted, and shall be removed within seven (7) days after the issuance of an occupancy permit.
- B. **Real Estate Signs Property Sale, Lease, or Rental:** ~~Real-estate signs~~ regarding the sale, lease, or rental of property, not exceeding a total area of twelve (12) square feet and a maximum height, to the top of each sign, of five (5) feet advertising the sale, rental or lease of all, or part, of the premises on which the signs are displayed. One such sign is permitted for each lot or parcel and such signs shall be removed within seven (7) days after the sale is closed or the lease is signed.
- C. **Political Campaign Signs Non-Commercial:** ~~Political campaign signs~~ Non-commercial signs, as defined herein, not exceeding sixteen (16) square feet in area for each lot sign. Not more than one (1) such sign, with an identical message to another, shall be permitted. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property, ~~and shall be removed within seven (7) days after the date of the election.~~ Signs shall be removed within thirty (30) days after the conclusion of the event to which they pertain, if any, except as otherwise authorized or required by state and federal law. In no case may a temporary non-commercial sign be displayed for longer than one (1) year, except as otherwise authorized by state or federal law. Temporary non-commercial signs that do not meet the temporal requirements of this subsection shall require a permit.
- D. **Development of Property Signs:** ~~Development signs~~ regarding property development not exceeding one hundred (100) square feet in area. Maximum height to the top of such signs shall be twenty (20) feet. One such sign shall be permitted for each thoroughfare or highway frontage of the development. ~~Development~~ Such signs may be erected upon approval of a preliminary plat of subdivision or upon submission of a building permit application and shall be removed within seven (7) days after the last lot or unit is sold.
- E. **Right-of-Way Signs:** Signs may be placed within the public right-of-way under the following conditions:
 1. Signs shall be a maximum of three (3) feet in height and a maximum of four (4) feet per face.
 2. Signs may be placed on Saturdays and Sundays only between the hours of 9:00 a.m. and 6:00 p.m.
 3. That the written consent of the homeowner be obtained prior to installing signs in the public right-of-way adjoining the front, side or rear of any residential property.

4. Signs must be free standing, not attached to any utility pole or structure nor any traffic control sign and placed at least 3 feet from the curb or edge of pavement.
5. No sign shall be placed within any portion of a twenty-five (25) foot sight triangle at the intersection of two streets. The sight triangle is determined by extending the curb or edge of pavement lines to a point of intersection; then measuring back along these extended curb or edge of pavement lines for a distance of twenty-five (25) feet to two points. A line drawn connecting the above determined points completes a triangle.
6. That only one sign be permitted within 150 feet of an intersection which relates to the same topic and that the next closest sign be no closer than 150 feet. Additionally, there shall be only one sign of the same topic placed in front of a single lot.
7. No attention or attracting devices such as pennants, streamers, balloons, inflatable shapes, banners, flashing lights or other illumination shall be attached to a sign or placed in the public right-of-way.
8. Each sign must have attached an adhesive label or other means to identify the name, address and telephone number of the person responsible for the placement and removal of each sign.
9. That a fine in the amount of \$50.00 will be charged to the person whose name is on the sign, if the sign is in violation of any of the above restrictions. If no names are found on the sign, the party or entity identified on the sign will be assessed the fine. Notice of each violation shall be in writing. Any person, firm or corporation charged with said violation may be issued a citation or "P" ticket. Violators issued such notices may request a hearing in the Circuit Court of DuPage County within 10 days of the date of the original violation or may settle and compromise the claim by paying to the Village the respective amounts set forth in the following schedule and within the times set forth in the following schedule: (Section 9 Amended by A-923-07-02)
 1. Payment of \$50.00 for each violation within 10 days of the date of the original violation.
 2. A FINAL NOTICE, which stipulates the date on which collection of the \$50.00 penalty shall be turned over to a collection agency approved by the Village for collection will be issued after 10 days.
 3. In the event that said payment is made after the FINAL NOTICE and prior to the collection agency taking any action to collect the penalty, \$100.00 shall be accepted as settlement.
 4. If the person accused of the violation does not settle the claim or request a hearing in the Circuit Court of DuPage County, he/she must request of the Chief of Police within 10 days of the date of the notice of violation that an administrative hearing be held. Upon receipt of a hearing request, the Chief of Police of the Village, or the designee of the Chief of Police, shall conduct the hearing. The person requesting a hearing shall be notified of the time, date and place of the administrative hearing. After the person accused of a violation has had an opportunity to present his or her testimony, the Chief of Police or the designee of the Chief of Police shall advise the person of his/her findings. If the Chief of Police or the designee of the Chief of Police

determines that the violation notice was valid and that an ordinance violation occurred, the \$50.00 penalty shall be due and payable within 10 days. If the offender fails to pay the fine, the claim may be turned over to a collection agency as set forth in paragraphs 2 and 3 above.

5. In the event that actions taken by the collection agency fail to result in payment of the penalty due, a FINAL NOTICE, which stipulates the date on which filing of a complaint with the Clerk of the Circuit Court of DuPage County will be commenced, will be issued. Payment of any fine and costs shall be in such amounts as may be determined and established by the Court.
10. That signs which are removed will be kept by the Village for a period of no more than three (3) weeks. In order to retrieve the signs, the fine must be paid within the three week period of time, otherwise they will be discarded.
11. Any noncomplying sign shall be removed.

- C. **Grand Opening Banners:** One, temporary grand opening banner sign, advertising the opening of a new business, may be erected subject to the following.
(Added by A-923-02-15)

1. The banner shall be professionally printed, shall not exceed 12 square feet in area; and shall be securely attached to the wall of the building so as not to move in the wind.
2. A grand opening banner may be used for a period of 14 consecutive days anytime within 90 days after the issuance of a Zoning Certificate of Occupancy.

Sec. 55.10.

Exempt Signs

The following types of signs are exempted from all provisions of this Chapter, except for construction, maintenance and safety regulations, or except as otherwise provided for herein:

- A. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare or right of way.
- B. Official signs of any public or government agency.
- C. Any sign of any official court or public office, notices thereof, or any flag, emblem or insignia of a government entity.
- D. Any sign which is located completely within an enclosed building, and which sign is not visible from outside of the building.
- E. Tablets, grave markers, headstones, statuary/memorial plaques or remembrances of persons or events that are non-commercial in nature.
- F. Any official traffic signs authorized by the Illinois Revised Statutes, the Illinois Vehicle Code and/or the Village.
- G. Temporary signs celebrating the occasion of traditionally accepted patriotic or religious holidays as well as National and State holidays, or temporary signs of charitable, public,

religious, educational or fraternal institutions or organizations to advertise a special event when such sign shall be displayed for not more than seven (7) days and shall not exceed sixteen (16) square feet for each lot. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property and shall be removed within seven (7) days after the date of the special event.

- H. No trespassing or soliciting signs, warning signs (e.g. "Beware of Dog"), no parking, towing, and other such signs regulating the use of property when such signs do not exceed two (2) square feet in area, per each exposed face.
- I. Changing of changeable letters of attraction panels, as permitted in Section 55.11.K, and changing of copy in a display encasement or bulletin board, where no structural changes are made.
- J. Address signs and private (non-commercial) nameplate identification signs when such signs do not exceed two (2) square feet in area.
- HK. Tablets, memorials and cornerstones naming a building or date of erection when built into the walls of the building.
- L. Private traffic direction signs directing traffic movement onto a premise or within a premise, not exceeding four (4) square feet in area and four feet (4') in height for each sign. Illumination of these signs shall be permitted in accordance with the regulations contained in this Chapter.
- M. Other non-commercial signs providing they meet the bulk regulations for signs in the zoning district in which the lot or parcel to be improved with said sign is located, except as hereinafter otherwise provided.
- N. Vending/Dispensing Machine Signage: machine signs which are built into and which are an integral part of a vending machine and which advertise only products sold from said vending machine. Permanent, non-flashing signage on vending machines, gasoline pumps, ice or milk containers, or other similar machines providing information on the contents of such devices, the pricing of the contents contained within, directional or instructional information as to use, and other similar information is allowed, provided that it shall not exceed four (4) square feet in gross surface area for each exposed face, nor exceed an aggregate gross surface area of eight (8) square feet.
- O. Signs located inside a building and more than four feet from a window.
- P. Signs printed on awnings or canopies provided such signs identify only the name of the occupant and address of the property on which the awning is located and that the lettering is in a single row not to exceed 6 inches in height.
- Q. Village-Owned Property: Signage on village-owned water tanks and towers, and banners and other installations on Village-owned streetlight poles or fixtures or other Village property, where approved by, and installed by, the Village, in furtherance of public purposes.

Sec. 55.11.

Prohibited Signs

The following signs are hereby expressly prohibited for erection, construction, repair, alteration or relocation within the Village, except as otherwise hereinafter specifically provided:

- A. Commercial Posterboards, except as otherwise provided for by law.
- B. Commercial Billboards, except as otherwise provided for by law.
- C. Roof Signs
- D. Signs on fences except for approved Subdivision Entryway Signs
- E. Projecting Signs
- F. Signs in the shape of products sold
- G. Pennants
- H. Streamers
- I. Signs on vehicles, boats, or trailers in place
- J. Signs which move or have moving parts, which movement is caused either by the wind or mechanically
- K. Attraction panels with changeable letters (except when used by movie theaters, hotels or gas stations)
- L. Signs using reflective paints or tape
- M. Signs with lights between opaque letters and an opaque background
- N. Neon Signs
- O. Flashing Signs
- P. Signs with more than three colors
- Q. Commercial Signs not advertising bona fide businesses conducted, or a product sold or service provided on the same premises where the sign is to be located.
- R. Portable Signs; including but not limited to portable signs carried by a person for the purpose of advertising a retail business or commercial sales event. (A-923-01-11)
- S. Signs hung across any street, alley, or public right-of-way, except as otherwise permitted herein.
- T. Signs which contain statement, words, pictures or other depictions of an obscene, indecent or immoral character and which offend public morals or decency.
- U. Ground and wall signs advertising or displaying interest rates or the price of merchandise, commodities, goods or services for sale or lease except as may otherwise be specifically allowed by other provisions of this Ordinance.
- V. Internally illuminated signs with a transparent or translucent background that transmits any significant amount of light.
- W. Miscellaneous advertising devices, other than signs which conform to the provisions of this Chapter.

- X. Signs in conflict with traffic signals, vehicular or pedestrian travel, or which impede access to fire hydrants and fire lanes and exits, and other signs which impede or impair the public health, safety and welfare.
- Y. Signs painted on the walls or windows of any building, except as hereinafter permitted.
- Z. Attention-getting devices.
- AA. Signs on microwave, radio, transmission or receiving towers and satellite dishes.
- BB. Exposed LED (light emitting diode) (Added by A-923-06-07)
- CC. Ground Signs using Stucco or EIFS (Added by A-923-01-11)

Article IV. Permits

Sec. 55.12. Permits Required

It shall be unlawful for any person to erect, construct, alter, change any lettering or graphics on or relocate any sign, except as otherwise permitted within the Village without first obtaining a permit from the Building Commissioner and paying the fee required, except as otherwise provided herein.

Sec. 55.13. Application for Permit.

Application for permit shall be made upon forms provided by the Building Commissioner and shall include the following information.

- A. Name, address and telephone number of applicant.
- B. Location of the building, structure or parcel of property to which or upon which the sign is to be attached or erected.
- C. Position of sign in relation to nearby buildings or structures.
- D. Three copies of plans and specifications showing method of construction, location, support, illumination and the lighting intensity measured in terms of foot candles.
- E. Sketch showing sign faces, exposed surfaces and proposed message thereof, accurately represented in scale as to size, proportion and color.
- F. Name of persons, firm, corporation or association erecting the sign.
- G. Written consent of the owners of the building, structure or land on or to which the sign is to be erected.
- H. Such other information as the Building Commissioner shall require to show full compliance with this and all other laws and ordinances of the Village.

Sec. 55.14. Permit Fee.

Every application for a permit shall be accompanied by a non-refundable fee of \$75.00 for examination of plans. Every applicant, before being granted a permit, shall pay a permit fee of \$1.25 per square foot, with a minimum fee of \$75.00.

Sec. 55.15. Issuance of Permits

It shall be the duty of the Building Commissioner, who shall be the enforcing officer, upon the filing of an application for a permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect, construct, alter or relocate the sign or other advertising structure and issue a permit if all requirements of this Chapter are satisfied.

Sec. 55.16. Term of Permits

If work authorized under the permit has not been completed within six (6) months after the date of issuance, the said permit shall become null and void.

Sec. 55.17. Revocation of Permits

The Building Commissioner is hereby authorized and empowered to revoke any permit upon failure of the holder thereof to comply with any provision of this Chapter.

Article V. Construction and Maintenance

Sec. 55.18. Building Code

All signs shall be constructed of materials approved by the Village and shall comply with the requirements of the Village Building Codes and any amendments thereto as adopted by the Village from time to time.

Sec. 55.19. Electrical Code

All signs in which any electrical wiring and/or connections are to be used shall comply with the Village Electrical Code and any amendments thereto as adopted by the Village from time to time.

Sec. 55.20. Painting and/or Maintenance

The owner of any sign shall paint and otherwise maintain all parts and supports thereof as necessary to maintain the sign in a clean and attractive condition comparable to its original condition and to prevent rusting, rotting or deterioration.

Sec. 55.21. Wind Pressure & Dead Load Requirements

All signs shall be designed and constructed to withstand a wind pressure of not less than thirty pounds per square foot and shall be constructed to receive dead loads as required in the Building Code and any amendments thereto or other applicable ordinances of the Village. Any existing sign not so constructed shall be considered as an immediate peril to persons and property. (See section regarding removal of unsafe or unlawful signs.)

Sec. 55.22. Sign Labeling

Every sign hereafter erected shall have placed in a conspicuous place thereon, in legible letters, the date of erection, the name of the permittee and the voltage of any electrical apparatus used in connection therewith, such information to be contained in a single area occupying not more than ten (10) square inches and located in such a way as to be readable from ground level.

Article VI. Unsafe or Unlawful Signs

Sec. 55.23.

Removal of Unsafe or Unlawful Signs

If the Building Commissioner shall find that any sign is unsafe, insecure or a menace to the public, or has been constructed, erected or maintained in violation of the provisions of this Chapter, or has not been completed within six (6) months of the date of the issuance of the permit for its construction or erection, he shall give written notice of the violation to the owner or lessee thereof stating that the Village shall initiate such legal proceedings as may be required to compel the removal of said sign and the recovery of any costs incurred, including any legal costs, in connection therewith if the owner or lessee fails to remove or alter the sign so as to comply with the standards herein set forth within ten days after receipt of such notice. If the owner's or lessee's address cannot be located, the notice may be sent to the person last paying the real estate taxes on the premises. Receipt of such notice shall be conclusively presumed from proof of mailing such notice as provided above. Service in any other manner where there is actual receipt of notice also shall be satisfactory service for the purposes of this Section. Such owner or lessee shall be entitled to a hearing before the Village Administrator upon filing of a written request with the Village Clerk for such a hearing within 48 hours after receipt of such notice, which request shall state the reasons why such sign should not be removed. Such hearing will be held within 48 hours after receipt of such request for a hearing, if possible, but in any event shall be held prior to the initiation of any proceedings as provided above.

Sec. 55.24.

Immediate Peril -- Removal Without Notice

The Building Commissioner may cause any sign or other advertising structure which is an immediate peril to persons or property to be immediately removed or repaired if, after notice, either verbal or written, the owner or lessee fails to take corrective action or if the owner or lessee cannot be located in sufficient time to remedy the immediate peril. In addition to the penalty provisions in this Code, the Building Commissioner or the Village may also file a complaint for injunction or any other appropriate remedy, including the recovery of any costs incurred therewith, including legal fees.

Sec. 55.25.

Sign No Longer Advertising Bona Fide Business -- Removal

Any sign which no longer advertises a bona fide business conducted or a product sold on the premises where said sign is located, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure or property upon which such sign may be found, or application shall be made for a permit to change the face of the sign to advertise a bona fide business conducted or a product sold on said premises, within 30 days after the business conducted or product sold ceases to exist on the premises. Upon failure to comply with such notice within the time specified in such notice, the Village shall initiate such legal proceedings as may be required to compel the removal of said sign(s) and the recovery of any cost incurred in connection therewith, including legal fees.

Article VII. General Provisions

Sec. 55.26. Interference with Traffic Devices

In order to obtain and secure traffic safety, no sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with any traffic sign, signal or device, as determined by the Building Commissioner. Accordingly, no sign, marquee, canopy or awning shall make use of the words, "Stop", "Go", "Look", "Slow", "Danger", or a similar word, phrase, symbol or character or employ any red, yellow, orange, green or other colored lamp in such a manner as to interfere with, mislead or confuse traffic.

Sec. 55.27. Illinois Highway Advertising Control Act

No sign permitted under this Chapter shall be allowed or maintained if the sign shall in any way violate the Illinois Highway Advertising Control Act of 1971, as amended. No sign which shall be allowed under the Illinois Highway Advertising Control Act of 1971, as amended, shall exceed the size, location and height standards as set forth in Article II of this Chapter 55. (Amended by A-499-1-88)

Sec. 55.28. Obstruction to Doors, Windows, or Fire Escapes

No sign shall be erected, relocated, or maintained so as to prevent free access to or egress from, any door, window, fire escape or any other way required by the Building Code.

Sec. 55.29. Location - General

No sign shall be attached to a utility pole, a tree, a standpipe, gutter, drain or fire escape, nor shall any sign be erected so as to impair access to a roof.

Sec. 55.30. Visibility - Ground Signs

Ground signs greater than five feet in height shall have an open space not less than five feet between the base line of the sign and the ground level if such sign impedes visibility of traffic or pedestrians.

Ground signs five feet and lower in height shall have an open space of not less than two feet, between the base line of the sign and the ground level, provided no such open space shall be required for signs five feet in height or lower that do not impede a motorist's visibility of traffic and pedestrians. No ground sign shall be nearer than five feet to any other sign, building or structure.

Article X. Variations

Sec. 55.39.

Variations

Variations from the requirements of this Chapter may be requested by the filing of a written petition in the form required by the Village. Such written petition shall be filed with the Director of Community Development who shall in turn refer the variation request to the Plan Commission for its review and recommendation to the Village Board of Trustees. The Plan Commission shall file its written recommendation, including any applicable findings of fact, with the Village Board after considering the petition. Upon receipt of the recommendation and findings of fact of the Plan Commission, the Village Board of Trustees is empowered to permit variations from the requirements of this Chapter under the following circumstances:

- A. Variations shall be permitted only when they are in harmony with the general purpose and intent of this Chapter; and only when the plight of the petitioner is due to unique circumstances; and only in cases when there are practical difficulties or particular hardship in the way of carrying out the requirements of this Chapter; and only when the variation, if granted will not alter the essential character of the locality.
- B. Every variation approved by the Village Board of Trustees shall be accompanied by findings of facts specifying the reasons for granting the variation and shall be in ordinance form.

Sec. 55.40.

Variation Fee

Every application for a variation shall be accompanied by the non-refundable fee set forth in Article II, Section 4, of Ordinance Number 339.

Article XI. Conditional Signs

Sec. 55.41.

Conditional Sign Approval

It is hereby acknowledged that certain signs may or may not be appropriate due to their size, location, function, or similar characteristic. Such signs are classified herein as "Conditional Signs" and may only be approved in conformance with the following:

- A. Conditional sign approval may be requested by the filing of a written petition in the form required by the Village. Such written petition shall be filed with the Director of Community Development who shall in turn refer the request to the Plan Commission for its review and recommendation to the Village Board of Trustees. The Plan Commission shall file its written recommendation, including any applicable findings of fact, with the Village Board after considering the petition.
- B. The Plan Commission shall not recommend approval of a Conditional Sign unless it finds that the sign will be in harmony with the general purpose and intent of this Chapter as described in Section 55.01 herein, that the sign will not adversely impact or be a detriment to the surrounding area, that the sign will be in character with the site design and building architecture of the property on which it is located, and only when the sign will not alter the essential character of the locality.
- C. The Board of Trustees shall not approve a Conditional Sign unless it finds that the sign is in compliance with the standards described in Section 55.50.B above. Every conditional sign approved by the Village Board of Trustees shall be accompanied by findings of facts specifying the reasons for approving the conditional sign and shall be in ordinance form.

Sec. 55.42.

Conditional Sign Fee

Every application for a Conditional Sign shall be accompanied by the non-refundable fee set forth in Article II, Section 4, of Ordinance Number 339.

Village of Burr Ridge Plan Commission

S-03-2017

Sign Ordinance Amendment to Non-Commercial Sign Regulation

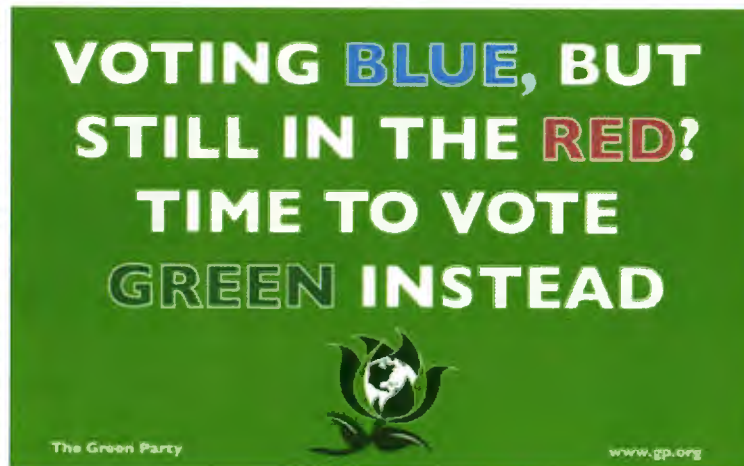


Important Terms and Definitions

- Temporary Message: a message on a sign that may be changed manually or digitally as part of a permanent sign structure
- Temporary Sign: any sign constructed for a period not to exceed 30 days or as otherwise defined (Sign Ordinance)
- Commercial: any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity
- Non-Commercial: any sign wording, logo, or other representation that is not defined as a commercial message
- *All definitions not found in the Sign Ordinance originate from the Sign Foundation.*



Examples of Non-Commercial Signs



The First Amendment and Signs

- The First Amendment applies to *every* sign
- Commercial speech is “speech that proposes a commercial transaction” or promotes intelligent market choices.
 - Protected under First Amendment but not seen as “valuable” as “traditional, non-commercial” speech
- Non-commercial speech is “speech about political, ideological, religious, etc. ideas.”
 - Receives highest degree of First Amendment protection
 - ***Reed v. Gilbert*** addressed **only non-commercial speech**
- Content neutral looks at subject matter; viewpoint neutral looks at point of view.
 - Ban on **all signs** is content and viewpoint neutral
 - Ban on **all political signs** is viewpoint neutral
 - Ban on **signs that criticize government** is neither



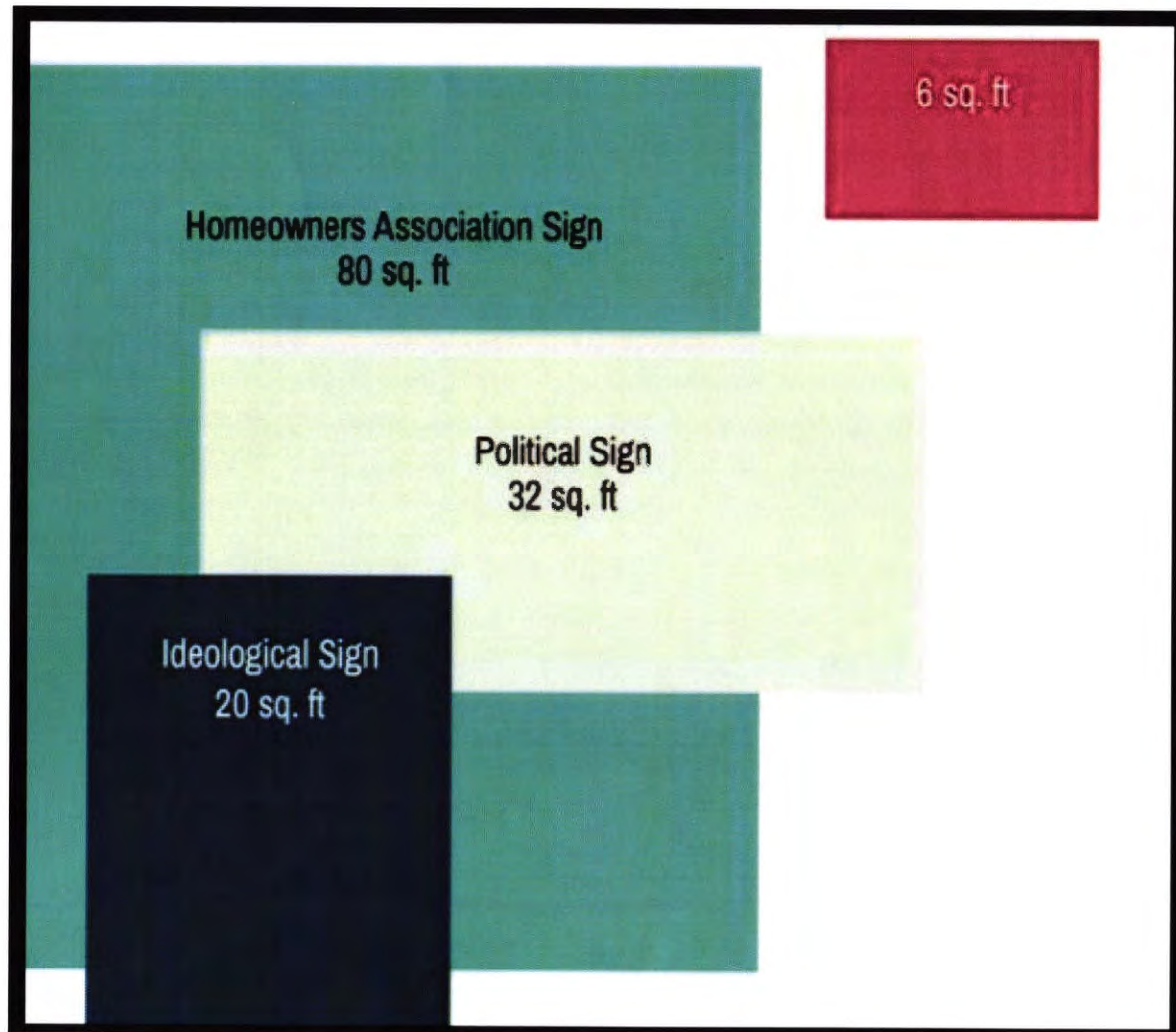
Reed v. Town of Gilbert (2015)

- The Good News Community Church, led by Pastor Clyde Reed, a small church located in Gilbert, AZ, rented space in temporary locations for its weekly service. It used temporary signs to invite and direct the community to its services.
- The Town of Gilbert Sign Code imposed limits on the size, location, number, and time of the church's signs. It did not impose the same restrictions on political, ideological, or homeowners' association signs.
- Example: an unlimited number of political signs were allowed anywhere and anytime, but religious signs were only permitted from 7pm-7am, and only one sign per event could be posted.



Town of Gilbert

Different Sizes for Different Signs



Reed v. Town of Gilbert (2015)

The Supreme Court ruled 9-0 in favor of Reed

- Local governments can no longer regulate non-commercial signs based on the sign's content.

"On Its Face" Rule

- If you have to read the sign to determine how a sign is regulated, then that regulation is content-based.
- Additionally, a facially content-neutral regulation will be considered content-based if:
 - A regulation can't be justified without reference to the content OR
 - A regulation was adopted because of disagreement with the message conveyed

Example of Signs Currently Regulated Based on Content:

- Political Campaign



Reed v. Town of Gilbert (2015)

- Justice Alito opinion listed permitted regulations as long as they are content-neutral:
 - Size, time, and placement of signs
 - Duration of signs
 - Lighted vs. unlighted
 - Fixed message vs. changing message
 - Placement on private vs. public property
 - Placement on commercial vs. residential property
 - On-premise vs. off-premise
 - Total number allowed per mile of roadway
 - Time restrictions on one-time event advertisements
 - Governmental speech (safety, directions, historic/scenic spots)



Before and After *Reed*

Before <i>Reed</i>	After <i>Reed</i>
<p>"Political campaign signs...not exceeding sixteen (16) square feet in area for each lot. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined to private property and shall be removed within seven (7) days after the date of the election. (Sec. 55.09.C)</p> <p><i>BOLD = content-based regulation.</i></p>	<p>"Non-commercial signs, as defined herein, not exceeding sixteen (16) square feet in area for each sign. Not more than one (1) such sign, with an identical message to another, shall be permitted. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property. Signs shall be removed within thirty (30) days after the conclusion of the event to which they pertain, if any, except as otherwise authorized or required by state and federal law. In no case may a temporary non-commercial sign be displayed for longer than one (1) year, except as otherwise authorized by state or federal law. Temporary non-commercial signs that do not meet the temporal requirements of this subsection shall require a permit."</p>



Further Considerations

- Adding a message substitution clause to Section 55 of the Sign Ordinance to protect against unintended litigation.
 - A substitution clause allows a non-commercial message to be displayed on *any* sign
 - *“A non-commercial message may be substituted for any commercial message displayed on a sign, or the content of any non-commercial message displayed on a sign may be changed to a different noncommercial message, without the need for any approval, provided that the size of the sign is not altered.”*
- Add and refine definitions
 - Non-commercial sign
 - Flag
 - Subdivision Entryway
 - Vending Machine Signage



Questions?

