



**REGULAR MEETING
PLAN COMMISSION/ZONING BOARD OF APPEALS
APRIL 18, 2022 - 7:00PM
BURR RIDGE POLICE DEPARTMENT - TRAINING ROOM**

The Plan Commission/Zoning Board of Appeals hears requests for zoning text amendments, rezoning, special uses, and variations and forwards recommendations to the Board of Trustees. The Commission also reviews all proposals to subdivide property and is charged with Village planning, including the updating of the Comprehensive Plan for Land Use. All Plan Commission actions are advisory and are submitted to the Board of Trustees for final action.

I. ROLL CALL

II. APPROVAL OF APRIL 4, 2022 MEETING MINUTES

III. PUBLIC HEARINGS

A. Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

B. Z-09-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Sections VIII.A, VIII.B, and VIII.C of the Zoning Ordinance to amend hours of operation for restaurant uses in the Business Districts.

V. CORRESPONDENCE

**A. Board Reports
April 11, 2022**

**B. Building Reports
None**

VI. OTHER CONSIDERATIONS

VII. PUBLIC COMMENT

VIII. FUTURE MEETINGS

April 25, 2022 Board of Trustees

Chairman Trzupek is the scheduled representative.

May 2, 2022 Plan Commission

Z-04-2022: 308-312 Burr Ridge Parkway (continuation from March 21, 2022)

Z-10-2022: 9115 Kingery Highway (Thorntons LLC); Special Uses, PUD Amendment, and Variations to operate a proposed gas station with convenience store.

V-02-2022: 8311 Fars Cove (Panico); Variation to permit a detached accessory building (garage) within the side buildable area.

May 9, 2022 Board of Trustees

Commissioner McCollian is the scheduled representative.

May 16, 2022 Plan Commission

Z-11-2022: Consideration of text amendments to define an “attached” garage.

Z-12-2022: Consideration of text amendments regarding commercial vehicles in residential zoning districts.

Z-13-2022: Consideration of text amendments regarding right of way signs.

May 23, 2022 Board of Trustees

Commissioner Irwin is the scheduled representative.

IX. ADJOURNMENT

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF APRIL 4, 2022

I. ROLL CALL

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Police Department Training Room, 7700 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 8 – Irwin, Parrella, Petrich, Broline, Stratis, Morton, McCollian, and Trzupek

ABSENT: None

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

II. APPROVAL OF PRIOR MEETING MINUTES – MARCH 21, 2022

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Irwin to approve the minutes of the March 21, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 8 – Morton, Irwin, Petrich, Broline, Parrella, Stratis, McCollian, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting. There was no public present.

Z-05-2022: 100, 130, 800 and 900 Burr Ridge Parkway; Permanent Real Estate Index Numbers 18-30-300-026-0000, 18-30-302-001-0000, 18-30-302-002-0000, 18-30-302-003-0000, and 18-30-302-004-0000 (Village of Burr Ridge); Re-zoning and Findings of Fact

Z-06-2022: 745 McClintock Drive; Permanent Real Estate Index Number 18-30-303-009-0000 (Village of Burr Ridge); Re-zoning and Findings of Fact

Z-07-2022: 835 McClintock Drive; Permanent Real Estate Index Number 18-30-303-006-0000 (Village of Burr Ridge); Re-zoning and Findings of Fact

Chairman Trzupek asked for a summary of the petitions. Mrs. Farrell stated that all three petitions would be presented together since they are in the same area and have a similar history. The five individual parcels on Burr Ridge Parkway are requested to be rezoned from L-I to B-2. The two

parcels on McClintock Drive are requested to be rezoned from L-I to O-2. The petitioner is the Village of Burr Ridge. The Village does not own the properties and is not in the process of purchasing the properties. The McClintock properties are improved with office buildings. The Burr Ridge Parkway property is improved with an office building but also has vacant land to the north. This area was zoned L-I at the time of annexation in 1982, which was the only zoning district that allowed for the office complex use at that time. The 2005 Comprehensive Plan designates the Burr Ridge Parkway properties as “Mixed-use” and the McClintock Drive properties as “Office/Hotel.” The properties are within the recently established Downtown Business District. A moratorium was passed in late 2021 on any new development within the downtown area. The moratorium allowed the Village time to evaluate the downtown area, including issues like zoning. Light Industrial zoning in the downtown has the potential to negatively impact surrounding businesses and residents and does not comply with the Comprehensive Plan. A municipality can initiate a rezoning request when it is in the best interest of the public. A list comparing uses in the L-I, B-2, and O-2 zoning districts was distributed to the Commissioners.

Chairman Trzupek asked about the Comprehensive Plan designation of the different properties as mixed-use and office. Mrs. Farrell stated that at the time, the McClintock properties were already developed as office uses and the surrounding properties on McClintock Drive had office uses which likely led to the office designation.

Chairman Trzupek asked about the use list and the manufacturing and warehousing uses permitted in L-I, and office uses permitted in B-2. Mrs. Farrell confirmed that only specific office uses would be permitted in B-2 but any existing use that did not comply would be legal, nonconforming. Chairman Trzupek confirmed that a hotel would be a special use in the B-2 and O-2 zoning districts.

Chairman Trzupek asked for public comment. There was no public comment.

Commissioner Morton did not have any comments or questions.

Commissioner Irwin discussed the B-1 and O-1 zoning districts which allow for the same uses as B-2 and O-2 but are less intense uses. Chairman Trzupek noted that the request is for the B-2 and O-2 districts and cannot be changed. Chairman Trzupek asked if those districts were selected because of the Comprehensive Plan recommendation. Mrs. Farrell confirmed. Mrs. Farrell noted that there is no O-1 in the area and rezoning to O-1 could be seen as spot zoning. The B-2 district was selected instead of B-1 since the Village Center area can be viewed as a regional destination due to its location at County Line Rd. and I-55 as opposed to local neighborhood commercial.

Chairman Trzupek stated that the requests are moving forward now since the moratorium is expiring and the rezoning will prevent unwanted Light Industrial uses being built although there is no current, active proposal for a Light Industrial development.

Chairman Trzupek asked if rezoning to B-2 and O-2 would prevent any future rezoning or evaluation of the downtown area zoning. Mrs. Farrell noted that the Board and Commission can revisit zoning in the downtown area in the future.

Chairman Trzupek asked about extending the moratorium and the possibility of updating the Comprehensive Plan. Mrs. Farrell stated that updating the Comprehensive Plan could take months or up to a year and the moratorium can only be extended for a certain period.

Commissioner Parrella did not have any comments or questions.

Commissioner Petrich stated he had not looked at the B-1 and O-1 zoning districts and was interested in the comments Commissioner Irwin made.

Commissioner Stratis agreed with Commissioner Irwin but supported the petition as presented tonight since industrial is the hottest commodity in the real estate market today. Moratoriums are not something seen as positive in the development community and he would not support extending it. Commissioner Stratis supported updating the Comprehensive Plan and evaluating Commissioner Irwin's suggestions further.

Commissioner Broline questioned if a moratorium could be on just one piece of property. Due to the size of the property, Commissioner Broline anticipates that it would be the subject of a PUD in the future.

Commissioner McCollian echoed Commissioner Stratis' comments.

Chairman Trzupek did not support extending the moratorium. Chairman Trzupek supported the petition since B-2 and O-2 are lesser intensity uses than industrial zoning, but it is not a perfect solution and some options under O-1 and B-1 or a PUD should be looked at in addition to updating the Comprehensive Plan.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-05-2022.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Broline, Petrich, Morton, Parrella, McCollian, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-06-2022.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Broline, Petrich, Morton, Parrella, McCollian, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-07-2022.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Broline, Petrich, Morton, Parrella, McCollian, and Trzupek
NAYS: 0 – None

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to recommend approval of Z-05-2022, a request to re-zone 100, 130, 800 and 900 Burr Ridge Parkway (Permanent Real Estate Index Numbers 18-30-300-026-0000, 18-30-302-001-0000, 18-30-302-002-0000, 18-30-302-003-0000, and 18-30-302-004-0000) as per Section VIII.C of the Zoning Ordinance from the L-I Light Industrial District to the B-2 General Business District and adopt the Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 8 – Petrich, Morton, Irwin, Stratis, Broline, Parrella, McCollian, and Trzupek
NAYS: 0 – None

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner McCollian to recommend approval of Z-06-2022, a request to re-zone 745 McClintock Drive (Permanent Real Estate Index Number 18-30-303-009-0000) as per Section IX.D of the Zoning Ordinance from the L-I Light Industrial District to the O-2 Office and Hotel District and adopt the Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 8 – Petrich, McCollian, Morton, Irwin, Stratis, Broline, Parrella, and Trzupek
NAYS: 0 – None

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to recommend approval of Z-07-2022, a request to re-zone 835 McClintock Drive (Permanent Real Estate Index Number 18-30-303-006-0000) as per Section IX.D of the Zoning Ordinance from the L-I Light Industrial District to the O-2 Office and Hotel District and adopt the Findings of Fact.

ROLL CALL VOTE was as follows:

AYES: 8 – Petrich, Broline, McCollian, Morton, Irwin, Stratis, Parrella, and Trzupek
NAYS: 0 – None

IV. CORRESPONDENCE

Chairman Trzupek asked if there were any comments on the Board or Building Reports. There were none.

V. OTHER CONSIDERATIONS

PC-02-2022: 10S381 Madison St. (Musa); Extraterritorial Review of Rezoning and Plat of Subdivision

Chairman Trzupek introduced the case and asked for a summary of the petition. Mrs. Farrell explained that the case is within unincorporated DuPage County and the Village, being within 1.5 miles of the site, has extraterritorial review authority for the proposed three lot subdivision. The Village may also file a written protest petition against the rezoning request. The petitioner is requesting to rezone to a zoning district which is the same bulk regulations as the Village's R-3 zoning district. The Village's R-3 zoning district is adjacent. After a preliminary review of the subdivision, Village staff did not find any violations of the Subdivision Ordinance.

Chairman Trzupek asked about the shape of Lot 1. Mrs. Farrell responded that although it was an 'L' shape, it met the minimum lot width, depth, and area requirements.

Commissioner Morton asked about the location and approval of the driveways. Mrs. Farrell stated that the Village would be required to review any work which occurs within their right-of-way.

Commissioner Stratis asked if the petitioner approached the Village to annex and why they did not. Mrs. Farrell clarified that the Village was approached by the petitioner to annex, but the costs for the street and sidewalk fees led him to select subdividing under the County's regulations. Commissioner Stratis confirmed that the properties will be on wells with DuPage County sewer. Commissioner Stratis discussed potential forced annexation if the Village were to annex along a roadway.

Commissioner Broline asked about the small R-1 property to the north and if it might be changed in the future. Mrs. Farrell stated that it is legal, nonconforming and was annexed in as R-1.

Commissioner Parrella confirmed that the parcels would remain under DuPage County jurisdiction.

Chairman Trzupek asked if the 1.5 mile review were waived, the Village would still retain the right to sign off on the subdivision plat. Mrs. Farrell confirmed.

Commissioner Morton asked if waiving the subdivision review still allowed the Village the right to annex properties in the future. Mrs. Farrell confirmed.

Commissioner Stratis stated that he spoke with neighbors on 90th Street who were interested in annexation.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to waive the right to an extraterritorial review of the proposed Musa Subdivision at 10S381 Madison St. (PC-02-2022).

ROLL CALL VOTE was as follows:

AYES: 8 – Stratis, Irwin, Petrich, Broline, McCollian, Morton, Parrella, and Trzupek
NAYS: 0 – None

VI. PUBLIC COMMENT

There were no public comments.

VII. FUTURE MEETINGS

April 11, 2022 Board of Trustees

Commissioner Stratis volunteered to attend.

April 18, 2022 Plan Commission

Z-08-2022: Text amendments to Sections VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

Z-09-2022: Text amendments to Sections VIII.A, VIII.B, and VIII.C of the Zoning Ordinance to amend hours of operation for restaurant uses in the Business Districts.

Commissioner Irwin asked if draft language would be presented. Mrs. Farrell confirmed. Chairman Trzupek requested that research be provided on existing operations within the Village.

April 25, 2022 Board of Trustees

Chairman Trzupek is the scheduled representative.

May 2, 2022 Plan Commission

Z-04-2022: 308-312 Burr Ridge Parkway (continuation from March 21, 2022)

Z-10-2022: 9115 Kingery Highway (Thorntons LLC); Special Uses, PUD Amendment, and Variations to operate a proposed gas station with convenience store.

Chairman Trzupek confirmed the location was the parcel to the south of the McDonald's on the corner.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to adjourn the meeting at 7:43 pm.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Stratis, Morton, Broline, Petrich, Parrella, McCollian, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

Respectfully Submitted:

Janine Farrell, AICP
Community Development Director



Z-08-2022: Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

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

Petitioner: Village of Burr Ridge

Prepared by: Janine Farrell, Community Development Director

Date of Hearing: April 18, 2022

On February 14, 2022, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to define “live entertainment” and to permit “live entertainment” as accessory to certain uses within the business districts. The direction from the Board only included those restaurants within the B-1 and B-2 districts, not those restaurant uses which may be located inside hotels zoned O-2. The Crowne Plaza is the only hotel zoned B-2.

Under current Zoning Ordinance regulations, there is no definition for live entertainment. Staff provided a draft definition based upon research from neighboring municipalities, other states, and legal definitions for inclusion in Section XIV.B, Definitions. A red-line version of the text is included as Exhibit C.

Under current Zoning Ordinance regulations, restaurant uses with live entertainment require a special use in the B-1 and B-2 zoning districts. There are eight restaurants which have approved special uses to have live entertainment accessory to the restaurant use: Cooper’s Hawk, County Wine Merchant, Dao Sushi and Thai, Eddie Merlot’s, Johnny Cab’s, La Cabanita, The Hampton Social, and Wok n Fire (see Exhibit B); half are zoned B-1 and half are zoned B-2. Should the Commission consider permitting live entertainment as accessory to a restaurant use, meaning that a special use is no longer required, sections VIII.B and VIII.C would need to be amended (see Exhibit D).

Staff also recommends that additional regulations for live entertainment be added to section VIII.A, under a new section, #12 (see Exhibit E). The Commission may also consider permitting live entertainment in conjunction with other uses, however, restaurant uses are the only B-1 and B-2 uses which currently mention live entertainment and are typically the only uses which would offer live entertainment.

Findings of Fact

The findings of fact for a text amendment are limited to assessing whether the amendment is compatible with other standards of the Zoning Ordinance and if the amendments fulfill the purpose and intent of the Zoning Ordinance.

Attachments

- Exhibit A – Petitioner’s Materials and Findings of Fact
- Exhibit B – Research on current Burr Ridge establishments with live entertainment and regulations from neighboring municipalities
- Exhibit C – Section XIV.B
- Exhibit D – Sections VIII.B and VIII.C
- Exhibit E – Section VIII.A
- Exhibit F – Public Comments

EXHIBIT A



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Janine Farrell, Community Development Director,
Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge/municipality

PETITIONER'S ADDRESS: 7660 County Line Road, Burr Ridge, IL 60527

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630)654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

PROPERTY OWNER'S ADDRESS: N/A PHONE: N/A

PUBLIC HEARING REQUESTED: ☐ Special Use ☐ Rezoning ☒ Text Amendment ☐ Variation(s)

DESCRIPTION OF REQUEST:

Amendments to Zoning Ordinance sections VIII.A, VIII.B, VIII.C, and XIV.B to define "live entertainment" and
to permit "live entertainment" as accessory to certain uses in the Business Districts.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: N/A EXISTING ZONING: N/A

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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.

Janine Farrell
Petitioner's Signature

3/22/2022
Date of Filing



**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 Zoning Ordinance contains numerous definitions for uses and terms. "Live entertainment" is currently undefined and what uses constitute live entertainment are subject to interpretation.

Permitting live entertainment as accessory to a restaurant use, but ensuring that it meets other regulations such as those pertaining to noise, is compatible with other accessory uses within the Zoning Ordinance. Accessory uses are typically permitted by right in conjunction with a principal use, like a shed is a permitted accessory to a residence as long as it complies with regulations.

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

By including a definition for live entertainment, clarity is provided to all parties including residents, business owners, staff, and elected officials. The intent and purpose of the Zoning Ordinance to provide transparency in regulations.

By permitting live entertainment as accessory to the restaurant use but also including regulations to ensure that the use is not a nuisance to neighbors, fulfills the intent and purpose of the Zoning Ordinance to regulate uses appropriately.

(Please transcribe or attach additional pages as necessary)

EXHIBIT B

Municipality	Live Entertainment in Business or Commercial Districts (Indoor only)
Clarendon Hills	Special use for all
Darien	Prohibited in B-1; unclear if a permitted accessory in other districts
Downers Grove	Information not yet received
Hinsdale	Special use for all
Indian Head Park	B-3 special use; B-6 permitted
LaGrange	Permitted as accessory
Lemont	Information not yet received
Naperville	Prohibited in B-1; unclear if a permitted accessory in other districts
Oak Brook	Prohibited in B-1; Permitted in B-2 and B-3
Western Springs	Prohibited in B-1; unclear if a permitted accessory in other districts
Westmont	Information not yet received
Willow Springs	Information not yet received
Willowbrook	Special use in B-4 only

Note: Like Burr Ridge, the Business or Commercial districts above increase in intensity as the number increases. As an example, a B-1 district is neighborhood shopping (hair salon) while a B-3 district is highway commercial (gas station).

Restaurant Hours of Operation and Live Entertainment

Zoning Ordinance Section VIII.A.11: Permitted hours of operation are 7a-10p in the Business District.
The closing time for restaurants with liquor licenses within the Business Districts are midnight on Su-W, 1a Th, and 2a F, Sa.

Establishment Name	Posted Hours*	Approved Hours**	Liquor Service	Live Entertainment***
Are We Live	4p-11p W, Th	Midnight M-Su	Y	N
	4p-12a F, Sa			
	12p-10p Su			
Auntie Amy's Home Cooking	10a-7p Tu-F	N/A	N	N
	8a-3p Sa			
Capri	11:30a-10p M-Th	11a-11p M-W	Y	N
	11:30a-11p F, Sa	10a-1a Th-Sa		
	2p-9p Su	4p-11p Su		
Capri Express	10a-9p M-Th	N/A	N	N
	10a-10p F, Sa			
	10:30a-9p Su			
China King	11a-9p M-Th	N/A	N	N
	11a-9:30p F			
	12p-9:30p Sa			
	4p-8:30p Su			
Ciazza Kitchen + Bar/The Marriott (this property is zoned O-2)	4p-12a M-Sa	N/A	Y	N
	4p-11p Su			
Cooper's Hawk	11a-9p M-Su	10a-1a F, Sa	Y	Y
County Wine Merchant	2p-11p Tu-Th	Midnight Su-W	Y	Y
	2p-12a F, Sa	1a Th		
		2a F, Sa		
Dao Sushi and Thai	11a-9p M-F	11p Su-W	Y	Y
	12p-9p Sa	1a Th-Sa		
	12p-9p Su			
Eddie Merlot's	5p-9p M-Th	N/A	Y	Y
	5p-10p F, Sa			
	4p-8p Su			
Falco's	11a-9p Su-Th	10:30p M-Th	Y	N
	11a-10p F, Sa	midnight F, Sa		
Great American Bagel	6a-4p M-Sa	Unable to locate Ord. allowing 6a open	N	N
	Su 6-3p			
Johnny Cab's	Not yet posted	Midnight Su-W	Y	Y
		1a Th		
		2a F, Sa		
Kirsten's Bakery	9a-2p M	Unable to locate Ord. allowing 6a open	N	N
	6a-3p Tu-F			
	7a-3p Sa			

Restaurant Hours of Operation and Live Entertainment

Establishment Name	Posted Hours*	Approved Hours**	Liquor Service	Live Entertainment***
La Cabanita	11a-9p M	N/A	Y	Y
	11a-10p Tu-Sa			
McDonald's	5:30a-11p	5a-11p	N	N
Olive Tree	Not yet posted	N/A	Unknown	N
Patti's Sunrise Café	7a-2p M-F	N/A	Y	N
	7:30a-2p Sa, Su			
Pella	Not yet posted	1a	Unknown	N
Sip & Savor/Crowne Plaza	4p-9p M-Su	N/A	Y	N
Sip & Savor Lounge/Crowne Plaza	5:30p-10p M-Su			
Starbuck's	5a-9p	5:30a M-Su	N	N
Stix & Stones	11a-9p M-Th	N/A	Y	N
	11a-10p F, Sa			
	11a-8p Su			
The Hampton Social	3p-10p M-Th	Midnight Su-W	Y	Y
	3p-11p F	1a Th-Sa		
	10a-11p Sa			
	10a-9p Su			
Topaz	4p-9:30p M	N/A	Y	N
	11a-9:30p Tu-Th			
	11a-10p F			
	4p-10p Su			
Wok n Fire	11:30a-9p Su-Th	N/A	Y	Y
	11:30a-10p F, Sa			
Yolk	7a-2:30p	N/A	Unknown	N

*Posted hours taken from websites or Google. Some restaurants close during the day for a few hours.

**If outside permitted hours or stipulated by a special use.

***With an approved special use.

EXHIBIT C



BURR RIDGE ZONING ORDINANCE

SECTION XIV RULES AND DEFINITIONS

A. RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction unless they are inconsistent with the manifest intent of the Board of Trustees of the Village of Burr Ridge or the context clearly requires otherwise:

1. Words used in the present tense shall include the past and the future tense.
2. Words used in the singular number shall include the plural number, and the plural the singular.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The masculine gender includes the feminine and neuter.
6. The word "person" shall include a firm, proprietorship, joint venture, association, agent, organization, partnership, trust, company or corporation, and any other form of legal entity, as well as an individual, so that where the word "person" is used it is clear that any entity which would be subject to the Zoning Ordinance would be defined as a person.
7. All "measured distances" shall be to the nearest foot. If a fraction is one-half foot or more, the full foot next above shall be taken. Unless otherwise specified, all distances shall be measured horizontally.
8. The word "building" includes all other structures of every kind regardless of similarity to buildings.
9. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

B. DEFINITIONS

In further amplification and for clarity of interpretation of the context of this Ordinance, the following words and terms shall have the meaning set forth herein. Words contained in this Ordinance and not defined hereinafter shall assume such definitions as prescribed in the most recent edition of Webster's unabridged dictionary which apply in the context in which they are used herein.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESSORY BUILDING OR USE: An accessory building, structure or use is one which:

1. Is clearly incidental to, subordinate in purpose to, and serves the principal building or use.

KENNEL: 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. Any premise of five acres or more in area used for a single-family detached dwelling, agricultural, institutional or recreational use where more than three such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered a kennel.

LABORATORY: A place devoted to experimental study such as testing and analyzing. Manufacturing and sale of product or products is not permitted within a laboratory.

LAUNDERETTE: A business that provides coin operated self-service machines for use by customers on the premises to wash, dry and/or iron clothing, provided that no pick-up or delivery service is maintained.

LIVE ENTERTAINMENT: Any activity provided for pleasure, enjoyment, recreation, relaxation, diversion or other similar purpose by a person or persons who are physically present when providing an activity to a patron or group of patrons who are physically present. Live entertainment means any one or more of any of the following, performed live by one or more persons: (1) musical act (including karaoke); (2) theatrical act (including stand-up comedy or performance art); (3) play; (4) revue; (5) dance; (6) magic act; (7) disc jockey; or (8) similar activity. Live entertainment does not include television, radio, closed circuit or Internet broadcasts of live entertainment.

LIVESTOCK: Horses, ponies, donkeys, sheep, goats and cattle.

LIQUOR STORE, PACKAGE: A business establishment where alcoholic beverages are kept and sold in their original containers and where such alcoholic beverages are not consumed on the premises.

LOADING BERTH: A space within the principal building or on the same lot as the principal building providing for the standing, loading or unloading of trucks and vans and with access to a street or alley.

LODGING HOUSE (including BOARDING and ROOMING HOUSE): A residential building, or portion thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which accommodate three or more persons who are not members of the keeper's family and where lodging, with or without meals, is provided for compensation on a weekly or monthly basis.

LODGING ROOM (ROOMING UNIT): A room rented as sleeping and living quarters, but without cooking facilities, and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

LOT: A single parcel of land which is legally described and recorded as such, or which is one of two or more numbered lots or parts of such lots legally described and recorded as a part of a recorded subdivision plat, and, in any case, is located within a single block (regardless of whether or not the "block" is recorded as such) and has its principal frontage on a street or an easement or other common-use right-of-way. No parcel shall be considered a lot, even though it is called or designated a lot, if it does not have a lot line which abuts a street for a distance of greater than fifty percent (50%) of the lot width. A lot is also one of two or more contiguous lots or parts of lots of record comprising the tract of land which is designated by the owner at the time of application for a building permit as the site to be used, developed, or built upon as a unit under single ownership or control. Therefore, a lot may or may not coincide with a single lot of record. The term "lot" shall also include any

EXHIBIT D



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. Live entertainment accessory to a restaurant use subject to compliance with Section VIII.A.12**
- ~~dd~~.ee. Locksmith shops
- ~~ee~~.ff. Music stores including sheet music, recorded music, and musical instrument sales and repair
- ~~ff~~.gg. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- ~~gg~~.hh. Paint and wallpaper stores with less than 7,000 square feet of floor area
- ~~hh~~.ii. Pharmacies and Drug Stores
- ~~ii~~.jj. Photography studios
- ~~jj~~.kk. Picture framing, when conducted for retail sales on the premises only
- ~~kk~~.ll. Post Offices accessory to a permitted or special use
- ll.mm. 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~~.nn. Studios for teaching of art, martial arts, music, dance, and gymnastics
- ~~nn~~.oo. Shoe sales and shoe repair stores with less than 7,000 square feet of floor area
- ~~oo~~.pp. Sporting goods stores with less than 7,000 square feet of floor area
- ~~pp~~.qq. Tailor and dressmaking shops
- ~~qq~~.rr. Toy stores with less than 7,000 square feet of floor area



~~ff-ss.~~ Video rental stores

~~ss-ff.~~ 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	80 feet



		square 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.

EXHIBIT D



BURR RIDGE ZONING ORDINANCE

SECTION VIII.C B-2 BUSINESS DISTRICT

C. B-2 GENERAL BUSINESS DISTRICT

The intent of the B-2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Many such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

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 Supply Stores
- d. Automobile parts and accessory stores
- e. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- f. Barber Shops
- g. Beauty and Health Services
- h. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- i. Book stores and stationery shops
- j. Camera and photographic supply stores
- k. Candy stores
- l. Card and gift shops
- m. Carpet and rug stores (retail only)
- n. Catalogue Sales
- o. Catering Establishments
- p. China, glassware and household goods stores
- q. Clothing, clothing rental, and clothing accessory stores
- r. Coin and philatelic stores



- s. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales
- t. Craft, fabric, and sewing stores
- u. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- v. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- w. Florist shops
- x. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- y. Furniture stores
- z. Furrier shops
- aa. Garden, landscape, and patio stores
- bb. Hardware and home improvements stores
- cc. Hobby shops (not including video game parlors or arcades)
- dd. Household appliance stores (including repair and service functions where such activities are incidental to the retail sales function)
- ee. Interior decorating shops
- ff. Jewelry stores, including watch repairs, design and production of custom jewelry
- gg. Leather goods and luggage stores
- hh. Live entertainment accessory to a restaurant use subject to compliance with Section VIII.A.12
- ii. Locksmith shops
- jj. Music stores including sheet music, recorded music, and musical instrument sales and repair
- jjk. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- kkll. Orthopedic and Medical Appliance Stores
- llmm. Paint and wallpaper stores
- mmnn. Pharmacies and Drug Stores
- nnoo. Photography studios
- oo. Picture framing, when conducted for retail sales on the premises only
- ppqq. Playground equipment sales with indoor display



- ~~qqrr.~~ Post Offices, federal government, freestanding or accessory to a permitted or special use
- ~~rrss.~~ 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~~
- ~~sstt.~~ Studios for teaching of art, martial arts, music, dance, and gymnastics
- ~~ttuu.~~ Shoe sales and shoe repair stores
- ~~ttvv.~~ Sporting goods stores
- ~~vvww.~~ Tailor and dressmaking shops
- ~~wwxx.~~ Toy stores
- ~~xxyy.~~ Video rental stores
- ~~yyzz.~~ 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. Amusement establishments, indoor and outdoor, including golf courses and ranges, miniature golf, batting cages, bowling alleys, tennis, racquetball, gymnasiums, swimming pools, and ice skating rinks but excluding arcades
- b. Animal hospitals and veterinary clinics
- c. Antique shops with more than 7000 square feet of floor area
- d. Automobile sales, new or used and including trucks
- e. Automobile gasoline sales stations
- f. Automobile service and repair
- g. Banks and financial institutions (Amended by Ordinance A-834-06-09)
- h. Banquet halls
- i. Building material sales
- j. Car washes, automatic, self-service, or hand wash
- k. Clubs or lodges, private, fraternal, or religious
- l. Colleges, universities, or business vocational schools
- m. Convents, monasteries, and theological schools
- n. Convenience Food Stores
- o. Child Care Centers and Nursery Schools



- p. Department Stores
- q. Drive through facilities accessory to any permitted or special use
- r. Dry cleaners with on-site equipment for dry cleaning
- s. Financial Services Offices (Amended by Ordinance A-834-06-09)
- t. Funeral parlors
- u. Golf Simulation Facility with Sales of Alcoholic and non-Alcoholic Beverages and pre-packaged food and snacks (Amended by Ordinance A-834-23-16)
- v. Greenhouses, retail sales only
- w. Health and athletic clubs and gymnasiums
- x. Hotels and motels (including dining and meeting rooms)
- y. 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 herein (Amended by Ordinance A-834-03-12).
- z. Insurance Offices (Amended by Ordinance A-834-06-09)
- aa. Kennels
- bb. Laundromats
- cc. Liquor Stores (packaged goods sales only)
- dd. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- ee. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- ff. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- gg. Outside sales display accessory to a permitted or special use
- hh. Parking lots and structures where such uses are the principal use on a lot
- ii. Pet shops and pet service stores
- jj. Planned unit developments
- kk. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- ll. Real Estate Offices (Amended by Ordinance A-834-06-09)
- mm. 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)
- nn. Running Store/Fitness Apparel Store with Sales of Craft Beer or Wine (Amended by Ordinance A-834-14-16)



- oo. Shopping centers (containing stores listed as permitted or special uses in this B-2 District)
- pp. Theaters, indoor movie, not to exceed 4 screens or 800 seats, whichever is less, with no screen having more than 250 seats, and not located within 2500 feet (measured from property line to property line) of another theater facility." Amended Ordinance A-834-7-97
- qq. Theaters, performing arts, indoor
- rr. Tobacco Shops
- ss. Travel Agencies (Amended by Ordinance A-834-06-09)
- tt. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11)
- uu. Multiple buildings on a single lot if said building and lot are under common ownership and that all necessary infrastructure is provided for each of the buildings consistent with the Village's subdivision regulations. (Amended Ordinance A-834-03-08)

3. Lot Size Requirements:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	20,000 square feet	120 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	20,000 square feet	120 feet
(2) Colleges, universities	80 Acres	1,000 feet
(3) Restaurants with drive-thru facilities	40,000 square feet	200 feet
(4) Banks and Financial Institutions with drive-through facilities	1 acre	200 feet
(5) Funeral parlors	30,000 square feet	150 feet
(6) Greenhouse, retail sales only	1 acre	200 feet
(7) Hotels and motels	2 acres	250 feet
(8) Planned Unit Developments	5 acres	250 feet
(9) Shopping Centers	5 acres	250 feet



4. **Floor Area Ratio:**

Not to exceed 0.40.

5. **Maximum Building Height:**

Not to exceed 35 feet.

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.

EXHIBIT E



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).

12. Live Entertainment

- a. Live entertainment is prohibited from occurring within outdoor areas or from being broadcast to outdoor areas.
- b. Live entertainment shall comply with Zoning Ordinance Section IV, Noise Regulations.
- c. Musicians shall be limited to no more than four at any one time.

EXHIBIT F

From: [Patricia Davis](#)
To: gtrzupek@esadesign.com; [Janine Farrell](#)
Subject: Comments for April 18 Plan Commission meeting
Date: Tuesday, April 12, 2022 9:55:48 AM

Dear Chairman Trzupek, Ms. Farrell, and Plan Commissioners:

I have some thoughts on hours of operation for restaurants and on live entertainment in the Village. I respectfully request that this letter be included in the agenda packet for the April 18, 2022 Plan Commission meeting.

Someone wise once said, "Nothing good happens after midnight." As Ms. Farrell's excellent research shows, there are differing operating hours for liquor license holders in this village and I applaud the Commission's attempt at standardization. I advocate for a closing time for ALL liquor license holders of midnight Fridays and Saturdays and 11 pm Sundays -- Thursdays. This is consistent with closing hours of restaurants and bars in other small towns like Burr Ridge. We don't want to be known as a place to come and drink past midnight when surrounding towns' restaurants and bars have closed their doors.

I am not opposed to live entertainment and also applaud the Commission's attempt to standardize this across businesses without need for a special use. However, I respectfully ask the Commission to prohibit live entertainment outside any business that holds a liquor license at all operating hours. Please consider the rights of residents to enjoy their properties without annoying karaoke, DJs, bands, singers, and the like disturbing the peace.

Lastly, why only standardize operating hours and entertainment within the "Business District" as called for in this Public Hearing? Any new rules you issue must also apply to restaurants and bars outside the District: Falco's, and restaurants and bars in Burr Ridge's hotels and at the Edgewood Valley Country Club.

Thank you for your consideration.

Respectfully,
Patricia A. Davis
Burr Ridge resident



Z-09-2022: Request to consider text amendments to Sections VIII.A, VIII.B, and VIII.C of the Zoning Ordinance to amend hours of operation for restaurant uses in the Business Districts.

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

Petitioner: Village of Burr Ridge

Prepared by: Janine Farrell, Community Development Director

Date of Hearing: April 18, 2022

On February 14, 2022, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to amend the permitted hours of operation for restaurant uses in the business districts. The direction from the Board only included those restaurants within the B-1 and B-2 districts, not those restaurant uses which may be located within other zoning districts, such as a hotels zoned O-2.

Under current Zoning Ordinance regulations, hours of operation for business uses, including restaurants, is stipulated in section VIII.A.11. Restaurants without liquor licenses are permitted to be open from 7:00a.m. to 10:00 p.m. Any business operating outside these hours is required to obtain a special use permit. Restaurants which serve liquor are permitted to be open until midnight on Sundays, Mondays, Tuesdays, and Wednesdays, 1:00a.m. on Thursdays, and 2:00a.m. on Fridays and Saturdays. Within the Village, a Class H liquor license is the most common and pertains to restaurant uses. This liquor license allows the serving of alcohol until 1:00a.m. on weekdays and 2:00a.m. on Saturdays and Sundays. The hours of operation for establishments serving liquor is similar to those established by neighboring municipalities (Exhibit B).

There are currently thirteen restaurants which are operating beyond the standard hours (see below and Exhibit B). While the four restaurants opening earlier than 7:00a.m. do not serve liquor, all but one restaurant closing past 10:00p.m. serves liquor.

Opening prior to 7:00a.m.:

1. Great American Bagel opens at 6:00a.m. but no special use is on file
2. Kirsten's Bakery opens at 6:00a.m. but no special use is on file. It is likely this is a "grandfathered-in" or legal, nonconforming use.
3. McDonald's is approved to open at 5:00a.m. but posted hours are 5:30a.m.
4. Starbuck's is approved to open at 5:30a.m. but posted hours are 5:00a.m.

Increasing the permitted hours of operation one hour earlier to 6:00a.m. would address half of the restaurants currently opening before 7:00a.m.

Closing after 10:00p.m.:

1. Are We Live latest closing time is midnight.
2. Capri latest approved latest closing time is 1:00a.m. but posted time is only 11:00p.m.
3. Cooper's Hawk approved latest closing time is 1:00a.m. but posted time is only 9:00p.m.
4. County Wine Merchant approved latest closing time is 2:00a.m. but posted time is only midnight.
5. Dao Sushi and Thai approved latest closing time is 1:00a.m. but posted time is only midnight.
6. Falco's approved latest closing time is midnight but posted time is only 10:00p.m.
7. Johnny Cab's approved latest closing time is 2:00a.m. and actual hours are not yet posted.
8. McDonald's latest closing time is 11:00p.m.
9. Pella approved latest closing time is 1:00a.m. and actual hours are not yet posted.
10. The Hampton Social approved latest closing time is 1:00a.m. but posted time is only 11:00p.m.

Increasing the permitted hours of operation one hour later would address five of the ten restaurants staying open past 10:00p.m.; this is considering their actual posted hours as opposed to their approved special use hours. In reviewing their approved special use hours, increasing the time until 11:00p.m. only addresses one of the restaurants.

Staff is still receiving information from neighboring municipalities regarding their standard hours of operation and if a special use is required to operate beyond these hours. The information compiled to date is included in Exhibit B, but a revised sheet will be provided to the Plan Commission the night of the meeting.

With the draft language provided in Exhibit C, a restaurant with liquor service would still require special use approval in B-1 and B-2 (sections VIII.B and VIII.C remain unchanged), but an additional special use for extended hours would not be required. Although the latest that a restaurant with liquor is permitted to stay open is 2:00a.m. under current regulations, only two of the ten restaurants have been granted this request (20%). Five of the ten restaurants are permitted to be open until 1:00a.m., which does not include the two mentioned previously, and constitutes 50%. The draft language in Exhibit C reflects a reduction in current hours of operation from 2:00a.m. to 1:00a.m. for Fridays and Saturdays.

Staff has contacted legal counsel regarding the affect that the revised Zoning Ordinance regulations would have on the County Line Square and Village Center Planned Unit Developments. As of the date of this report, a response has not been received.

Findings of Fact

The findings of fact for a text amendment are limited to assessing whether the amendment is compatible with other standards of the Zoning Ordinance and if the amendments fulfill the purpose and intent of the Zoning Ordinance.

Attachments

- Exhibit A – Petitioner's Materials and Findings of Fact
- Exhibit B – Research on current Burr Ridge establishments with extended hours and regulations from neighboring municipalities
- Exhibit C – Section VIII.A

- Exhibit D – Sections VIII.B and VIII.C
- Exhibit E – Public Comments

EXHIBIT A



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Janine Farrell, Community Development Director,
Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge/municipality

PETITIONER'S ADDRESS: 7660 County Line Road, Burr Ridge, IL 60527

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630)654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

PROPERTY OWNER'S ADDRESS: N/A PHONE: N/A

PUBLIC HEARING REQUESTED: ☐ Special Use ☐ Rezoning ☒ Text Amendment ☐ Variation(s)

DESCRIPTION OF REQUEST:

Amendments to Zoning Ordinance sections VIII.A, VIII.B, and VIII.C to amend hours of operation for restaurant uses
in the Business Districts.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: N/A EXISTING ZONING: N/A

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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.

Janine Farrell

Petitioner's Signature

3/22/2022

Date of Filing



**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;

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

(Please transcribe or attach additional pages as necessary)

EXHIBIT B

Municipality	Latest Closing Time for Establishments with Liquor	Special Use Required for Extended Hours?	Hours of Operation in Business or Commercial Districts
Clarendon Hills	1am Monday - Friday; 2am Saturday/Sunday	Information not yet received	Information not yet received
Darien	No standard hours of operation	No standard hours of operation	No standard hours of operation
Downers Grove	1am Monday - Friday; 2am Saturday; 1am Sunday	Information not yet received	Information not yet received
Hinsdale	10:30pm Sunday - Thursday; Midnight Friday/Saturday	No standard hours of operation	No standard hours of operation
Indian Head Park	1am Monday - Friday; 2am Saturday/Sunday	Information not yet received	Information not yet received
LaGrange	1am Monday - Friday; 2am Saturday; 1am Sunday	Information not yet received	Information not yet received
Lemont	2am Monday - Friday; 3am Saturday; 2am Sunday	Information not yet received	Information not yet received
Naperville	1am Monday - Friday; 2am Saturday; 1am Sunday	Information not yet received	Information not yet received
Oak Brook	1am Monday - Thursday; 2am Friday/Saturday; 1am Sunday	No standard hours of operation	No standard hours of operation
Western Springs	11pm all days	Information not yet received	Information not yet received
Westmont	1am Monday - Thursday; 2am Friday/Saturday; 1am Sunday	Information not yet received	Information not yet received
Willow Springs	Information not yet received	Information not yet received	Information not yet received
Willowbrook	1am Monday - Friday; 2am Saturday; 10pm Sunday	Information not yet received	Information not yet received

Restaurant Hours of Operation and Live Entertainment

Zoning Ordinance Section VIII.A.11: Permitted hours of operation are 7a-10p in the Business District.
The closing time for restaurants with liquor licenses within the Business Districts are midnight on Su-W, 1a Th, and 2a F, Sa.

Establishment Name	Posted Hours*	Approved Hours**	Liquor Service	Live Entertainment***
Are We Live	4p-11p W, Th	Midnight M-Su	Y	N
	4p-12a F, Sa			
	12p-10p Su			
Auntie Amy's Home Cooking	10a-7p Tu-F	N/A	N	N
	8a-3p Sa			
Capri	11:30a-10p M-Th	11a-11p M-W	Y	N
	11:30a-11p F, Sa	10a-1a Th-Sa		
	2p-9p Su	4p-11p Su		
Capri Express	10a-9p M-Th	N/A	N	N
	10a-10p F, Sa			
	10:30a-9p Su			
China King	11a-9p M-Th	N/A	N	N
	11a-9:30p F			
	12p-9:30p Sa			
	4p-8:30p Su			
Ciazza Kitchen + Bar/The Marriott (this property is zoned O-2)	4p-12a M-Sa	N/A	Y	N
	4p-11p Su			
Cooper's Hawk	11a-9p M-Su	10a-1a F, Sa	Y	Y
County Wine Merchant	2p-11p Tu-Th	Midnight Su-W	Y	Y
	2p-12a F, Sa	1a Th		
		2a F, Sa		
Dao Sushi and Thai	11a-9p M-F	11p Su-W	Y	Y
	12p-9p Sa	1a Th-Sa		
	12p-9p Su			
Eddie Merlot's	5p-9p M-Th	N/A	Y	Y
	5p-10p F, Sa			
	4p-8p Su			
Falco's	11a-9p Su-Th	10:30p M-Th	Y	N
	11a-10p F, Sa	midnight F, Sa		
Great American Bagel	6a-4p M-Sa	Unable to locate Ord. allowing 6a open	N	N
	Su 6-3p			
Johnny Cab's	Not yet posted	Midnight Su-W	Y	Y
		1a Th		
		2a F, Sa		
Kirsten's Bakery	9a-2p M	Unable to locate Ord. allowing 6a open	N	N
	6a-3p Tu-F			
	7a-3p Sa			

Restaurant Hours of Operation and Live Entertainment

Establishment Name	Posted Hours*	Approved Hours**	Liquor Service	Live Entertainment***
La Cabanita	11a-9p M	N/A	Y	Y
	11a-10p Tu-Sa			
McDonald's	5:30a-11p	5a-11p	N	N
Olive Tree	Not yet posted	N/A	Unknown	N
Patti's Sunrise Café	7a-2p M-F	N/A	Y	N
	7:30a-2p Sa, Su			
Pella	Not yet posted	1a	Unknown	N
Sip & Savor/Crowne Plaza	4p-9p M-Su	N/A	Y	N
Sip & Savor Lounge/Crowne Plaza	5:30p-10p M-Su			
Starbuck's	5a-9p	5:30a M-Su	N	N
Stix & Stones	11a-9p M-Th	N/A	Y	N
	11a-10p F, Sa			
	11a-8p Su			
The Hampton Social	3p-10p M-Th	Midnight Su-W	Y	Y
	3p-11p F	1a Th-Sa		
	10a-11p Sa			
	10a-9p Su			
Topaz	4p-9:30p M	N/A	Y	N
	11a-9:30p Tu-Th			
	11a-10p F			
	4p-10p Su			
Wok n Fire	11:30a-9p Su-Th	N/A	Y	Y
	11:30a-10p F, Sa			
Yolk	7a-2:30p	N/A	Unknown	N

*Posted hours taken from websites or Google. Some restaurants close during the day for a few hours.

**If outside permitted hours or stipulated by a special use.

***With an approved special use.

EXHIBIT C



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 except for restaurants within the B-1 and B-2 Districts shall not exceed 7 A.M. to 10 P.M. except as otherwise allowed herein. Restaurant hours of operation shall not exceed 6:00 A.M. to 11:00 P.M. Restaurants with liquor licenses are subject to the hours of operation as set forth in VIII.A.11.c, below.
- 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. A special use is not required for a restaurant with a liquor license to operate the following hours. :
 - 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, Fridays, and Saturdays (i.e. Friday, Saturday, and Sunday 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).

EXHIBIT D



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.

EXHIBIT D



BURR RIDGE ZONING ORDINANCE

SECTION VIII.C B-2 BUSINESS DISTRICT

C. **B-2 GENERAL BUSINESS DISTRICT**

The intent of the B-2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Many such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

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 Supply Stores
- d. Automobile parts and accessory stores
- e. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- f. Barber Shops
- g. Beauty and Health Services
- h. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- i. Book stores and stationery shops
- j. Camera and photographic supply stores
- k. Candy stores
- l. Card and gift shops
- m. Carpet and rug stores (retail only)
- n. Catalogue Sales
- o. Catering Establishments
- p. China, glassware and household goods stores
- q. Clothing, clothing rental, and clothing accessory stores
- r. Coin and philatelic stores



- s. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales
- t. Craft, fabric, and sewing stores
- u. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- v. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- w. Florist shops
- x. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- y. Furniture stores
- z. Furrier shops
- aa. Garden, landscape, and patio stores
- bb. Hardware and home improvements stores
- cc. Hobby shops (not including video game parlors or arcades)
- dd. Household appliance stores (including repair and service functions where such activities are incidental to the retail sales function)
- ee. Interior decorating shops
- ff. Jewelry stores, including watch repairs, design and production of custom jewelry
- gg. Leather goods and luggage stores
- hh. Locksmith shops
- ii. Music stores including sheet music, recorded music, and musical instrument sales and repair
- jj. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- kk. Orthopedic and Medical Appliance Stores
- ll. Paint and wallpaper stores
- mm. Pharmacies and Drug Stores
- nn. Photography studios
- oo. Picture framing, when conducted for retail sales on the premises only
- pp. Playground equipment sales with indoor display
- qq. Post Offices, federal government, freestanding or accessory to a permitted or special use



- rr. 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
- ss. Studios for teaching of art, martial arts, music, dance, and gymnastics
- tt. Shoe sales and shoe repair stores
- uu. Sporting goods stores
- vv. Tailor and dressmaking shops
- ww. Toy stores
- xx. Video rental stores
- yy. 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. Amusement establishments, indoor and outdoor, including golf courses and ranges, miniature golf, batting cages, bowling alleys, tennis, racquetball, gymnasiums, swimming pools, and ice skating rinks but excluding arcades
- b. Animal hospitals and veterinary clinics
- c. Antique shops with more than 7000 square feet of floor area
- d. Automobile sales, new or used and including trucks
- e. Automobile gasoline sales stations
- f. Automobile service and repair
- g. Banks and financial institutions (Amended by Ordinance A-834-06-09)
- h. Banquet halls
- i. Building material sales
- j. Car washes, automatic, self-service, or hand wash
- k. Clubs or lodges, private, fraternal, or religious
- l. Colleges, universities, or business vocational schools
- m. Convents, monasteries, and theological schools
- n. Convenience Food Stores
- o. Child Care Centers and Nursery Schools
- p. Department Stores
- q. Drive through facilities accessory to any permitted or special use



- r. Dry cleaners with on-site equipment for dry cleaning
- s. Financial Services Offices (Amended by Ordinance A-834-06-09)
- t. Funeral parlors
- u. Golf Simulation Facility with Sales of Alcoholic and non-Alcoholic Beverages and pre-packaged food and snacks (Amended by Ordinance A-834-23-16)
- v. Greenhouses, retail sales only
- w. Health and athletic clubs and gymnasiums
- x. Hotels and motels (including dining and meeting rooms)
- y. 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 herein (Amended by Ordinance A-834-03-12).
- z. Insurance Offices (Amended by Ordinance A-834-06-09)
- aa. Kennels
- bb. Laundromats
- cc. Liquor Stores (packaged goods sales only)
- dd. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- ee. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- ff. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- gg. Outside sales display accessory to a permitted or special use
- hh. Parking lots and structures where such uses are the principal use on a lot
- ii. Pet shops and pet service stores
- jj. Planned unit developments
- kk. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- ll. Real Estate Offices (Amended by Ordinance A-834-06-09)
- mm. 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)
- nn. Running Store/Fitness Apparel Store with Sales of Craft Beer or Wine (Amended by Ordinance A-834-14-16)
- oo. Shopping centers (containing stores listed as permitted or special uses in this B-2 District)



- pp. Theaters, indoor movie, not to exceed 4 screens or 800 seats, whichever is less, with no screen having more than 250 seats, and not located within 2500 feet (measured from property line to property line) of another theater facility.” Amended Ordinance A-834-7-97
- qq. Theaters, performing arts, indoor
- rr. Tobacco Shops
- ss. Travel Agencies (Amended by Ordinance A-834-06-09)
- tt. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11)
- uu. Multiple buildings on a single lot if said building and lot are under common ownership and that all necessary infrastructure is provided for each of the buildings consistent with the Village’s subdivision regulations. (Amended Ordinance A-834-03-08)

3. Lot Size Requirements:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	20,000 square feet	120 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	20,000 square feet	120 feet
(2) Colleges, universities	80 Acres	1,000 feet
(3) Restaurants with drive-thru facilities	40,000 square feet	200 feet
(4) Banks and Financial Institutions with drive-through facilities	1 acre	200 feet
(5) Funeral parlors	30,000 square feet	150 feet
(6) Greenhouse, retail sales only	1 acre	200 feet
(7) Hotels and motels	2 acres	250 feet
(8) Planned Unit Developments	5 acres	250 feet
(9) Shopping Centers	5 acres	250 feet



4. Floor Area Ratio:

Not to exceed 0.40.

5. Maximum Building Height:

Not to exceed 35 feet.

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.

EXHIBIT E

From: [Patricia Davis](#)
To: gtrzupek@esadesign.com; [Janine Farrell](#)
Subject: Comments for April 18 Plan Commission meeting
Date: Tuesday, April 12, 2022 9:55:48 AM

Dear Chairman Trzupek, Ms. Farrell, and Plan Commissioners:

I have some thoughts on hours of operation for restaurants and on live entertainment in the Village. I respectfully request that this letter be included in the agenda packet for the April 18, 2022 Plan Commission meeting.

Someone wise once said, "Nothing good happens after midnight." As Ms. Farrell's excellent research shows, there are differing operating hours for liquor license holders in this village and I applaud the Commission's attempt at standardization. I advocate for a closing time for ALL liquor license holders of midnight Fridays and Saturdays and 11 pm Sundays -- Thursdays. This is consistent with closing hours of restaurants and bars in other small towns like Burr Ridge. We don't want to be known as a place to come and drink past midnight when surrounding towns' restaurants and bars have closed their doors.

I am not opposed to live entertainment and also applaud the Commission's attempt to standardize this across businesses without need for a special use. However, I respectfully ask the Commission to prohibit live entertainment outside any business that holds a liquor license at all operating hours. Please consider the rights of residents to enjoy their properties without annoying karaoke, DJs, bands, singers, and the like disturbing the peace.

Lastly, why only standardize operating hours and entertainment within the "Business District" as called for in this Public Hearing? Any new rules you issue must also apply to restaurants and bars outside the District: Falco's, and restaurants and bars in Burr Ridge's hotels and at the Edgewood Valley Country Club.

Thank you for your consideration.

Respectfully,
Patricia A. Davis
Burr Ridge resident



VILLAGE OF BURR RIDGE

MEMORANDUM

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

FROM: Janine Farrell, AICP
Community Development Director

DATE: April 18, 2022

RE: Board Report

At their April 11, 2022 meeting, the Board of Trustees took the following actions relative to matters forwarded from the Plan Commission:

- **Z-05-2022, Z-06-2022, and Z-07-2022:** The Board directed staff to prepare ordinances approving rezoning from the Light Industrial district to the B-2 (Z-05-2022) and O-2 (Z-06-2022 and Z-07-2022) districts. These cases concern seven parcels within the downtown area.

The Board also directed the Plan Commission to hold a public hearing to consider text amendments to the Zoning Ordinance in order to define an “attached” garage.